



**CHAPTER cv.**

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Millport Piers and Burgh Extension. A.D. 1905.

[4th August 1905.]

**W**HEREAS His Majesty's Secretary for Scotland has after inquiry held before Commissioners made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict.  
c. 47.

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 Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation  
of Order in  
schedule.

2. This Act may be cited as the Millport Piers and Burgh Extension Order Confirmation Act 1905. Short title.



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2. This Act may be cited as the Millport Piers and Burgh Extension Order Confirmation Act 1905. Short title.

A.D. 1905.

SCHEDULE.

MILLPORT PIERS AND BURGH EXTENSION.

*Provisional Order to authorise the Town Council of Millport in the County of Bute to acquire and maintain the Pier and Harbour of Millport and Keppel Pier to construct Works and acquire Lands for extending the boundaries of the Burgh of Millport and other purposes.*

WHEREAS the provost magistrates and councillors (herein-after called "the Town Council") of the burgh of Millport in the county of Bute are the municipal local and sanitary authority of the said burgh and the said burgh and its inhabitants are largely interested in the proper development of the pier and harbour facilities of the burgh and the present pier and harbour accommodation at Millport is insufficient for the traffic connected therewith and it would be for the public advantage that the Town Council should acquire and maintain the piers and harbour after mentioned :

And whereas the Marquis of Bute is the owner in fee simple of Millport Pier and offices and accesses and works connected therewith (herein-after called "Millport Pier") which were acquired by him from the Millport Pier and Harbour Company Limited under and by virtue of a conveyance thereof in his favour dated the first and recorded in the general register of sasines applicable to the county of Bute the third days of November one thousand nine hundred and four :

And whereas it is expedient that the Town Council should acquire Millport Pier from the Marquis of Bute for the consideration and on the terms and conditions contained in the agreement set forth in the Third Schedule to this Order and that the said agreement should be confirmed :

And whereas it is expedient that the Town Council should be authorised to hold improve use maintain and alter Millport Pier and to construct the works in connection therewith in this Order described and all necessary and convenient accesses to the said pier and works and to take acquire and hold lands and property for the purposes of such works and to take acquire and hold and maintain the Harbour of Millport adjacent thereto :

A.D. 1905.

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WHEREAS the provost magistrates and councillors (herein-after called "the Town Council") of the burgh of Millport in the county of Bute are the municipal local and sanitary authority of the said burgh and the said burgh and its inhabitants are largely interested in the proper development of the pier and harbour facilities of the burgh and the present pier and harbour accommodation at Millport is insufficient for the traffic connected therewith and it would be for the public advantage that the Town Council should acquire and maintain the piers and harbour after mentioned :

And whereas the Marquis of Bute is the owner in fee simple of Millport Pier and offices and accesses and works connected therewith (herein-after called "Millport Pier") which were acquired by him from the Millport Pier and Harbour Company Limited under and by virtue of a conveyance thereof in his favour dated the first and recorded in the general register of sasines applicable to the county of Bute the third days of November one thousand nine hundred and four :

And whereas it is expedient that the Town Council should acquire Millport Pier from the Marquis of Bute for the consideration and on the terms and conditions contained in the agreement set forth in the Third Schedule to this Order and that the said agreement should be confirmed :

And whereas it is expedient that the Town Council should be authorised to hold improve use maintain and alter Millport Pier and to construct the works in connection therewith in this Order described and all necessary and convenient accesses to the said pier and works and to take acquire and hold lands and property for the purposes of such works and to take acquire and hold and maintain the Harbour of Millport adjacent thereto :

A.D. 1905.

And whereas the Keppel Pier Company Limited are the owners under a leasehold title from the late Marquis of Bute of the Keppel Pier situate at or near Millport and hold possess and occupy the said Keppel Pier under and in accordance with the terms and conditions of such lease and also under the powers and provisions of the Keppel Pier Order 1889 confirmed by the Pier and Harbour Orders Confirmation (No. 1) Act 1889:

And whereas it is expedient that the rights and interests of the Keppel Pier Company Limited should be acquired by the Town Council together with all the rights powers and authorities of the said Company under the said lease and also under the said Keppel Pier Order 1889:

And whereas the Town Council and the Keppel Pier Company Limited have entered into an agreement by which the Town Council have subject to the terms and conditions therein contained agreed to acquire the said Company's rights and interests in the said Keppel Pier which agreement is set forth in the Fourth Schedule to this Order and it is expedient that the same should be confirmed:

And whereas it is expedient that the Town Council should be authorised to acquire the lands and property of the said Keppel Pier in fee simple under the powers of this Order together with all the rights authorities and privileges pertaining thereto:

And whereas the Town Council should be authorised to exercise the powers rights and privileges conferred by the said Keppel Pier Order 1889 together with the right of levying the rates duties and charges applicable to the said Keppel Pier conferred by the said Order and this Order:

And whereas it is expedient that the Town Council should be authorised to hold improve use and maintain the said Keppel Pier and works connected therewith transferred by this Order:

And whereas it is expedient to authorise the Town Council for the piers and harbour purposes of this Order to borrow money to levy rates dues and charges and to raise a special pier and harbour rate and to apply their funds and rates for the purposes of this Order and that the further powers contained in this Order should be conferred on the Town Council:

And whereas plans and sections showing the lines situations and levels of the works authorised by this Order and a book of

A.D. 1905.

And whereas the Keppel Pier Company Limited are the owners under a leasehold title from the late Marquis of Bute of the Keppel Pier situate at or near Millport and hold possess and occupy the said Keppel Pier under and in accordance with the terms and conditions of such lease and also under the powers and provisions of the Keppel Pier Order 1889 confirmed by the Pier and Harbour Orders Confirmation (No. 1) Act 1889:

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And whereas it is expedient that the Town Council should be authorised to acquire the lands and property of the said Keppel Pier in fee simple under the powers of this Order together with all the rights authorities and privileges pertaining thereto:

And whereas the Town Council should be authorised to exercise the powers rights and privileges conferred by the said Keppel Pier Order 1889 together with the right of levying the rates duties and charges applicable to the said Keppel Pier conferred by the said Order and this Order:

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And whereas plans and sections showing the lines situations and levels of the works authorised by this Order and a book of

A.D. 1905. reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands and property required or which may be taken for the purposes or under the powers of this Order were duly deposited with the principal sheriff clerk of the county of Bute at his office in Rothesay and are herein referred to as the deposited plans sections and book of reference :

And whereas it is expedient that the boundaries of the existing burgh of Millport should be extended as by this Order provided and that all franchises rights privileges and immunities of and pertaining to the existing burgh of Millport and the powers and jurisdictions of the Town Council and all other powers and jurisdictions should be extended to and apply within the burgh as extended by this Order and to the inhabitants thereof and that the district annexed should be disjoined from the county of Bute as in this Order provided :

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows :—

Division of Order into Parts.

1. This Order is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—Piers and Harbour.

Part III.—Burgh Extension.

#### PART I.

##### PRELIMINARY.

Short title and commencement of Order.

2. This Order may be cited as the Millport Piers and Burgh Extension Order 1905 and shall come into operation on the date of the passing of the Act confirming the same except as otherwise expressly provided which date is hereinafter referred to as "the commencement of this Order."

Incorporation of Acts.

3. The following Acts and Parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Order) are incorporated with and form part of this Order (that is to say) :—

The Lands Clauses Acts :

A.D. 1905. reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands and property required or which may be taken for the purposes or under the powers of this Order were duly deposited with the principal sheriff clerk of the county of Bute at his office in Rothesay and are herein referred to as the deposited plans sections and book of reference :

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The Lands Clauses Acts :



The Harbours Docks and Piers Clauses Act 1847 with the exception of the clauses with respect to lifeboats with respect to keeping a tide and weather gauge unless the Board of Trade require the same to be kept or provided and with respect to the police of the harbour dock or pier: A.D. 1905.

The provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and with respect to the crossing of roads or other interference therewith.

4. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Order have the same respective meanings unless there be something in the subject or context repugnant to such construction. And in this Order and the said Acts the following words and expressions shall have the meanings hereby assigned to them (that is to say):— Interpretation.

“The undertaking” means Millport Pier and Harbour (including the works authorised by this Order) and Keppel Pier and the offices works conveniences and accesses of or to the same respectively within the limits respectively prescribed by this Order together with the powers rights authorities and privileges relating thereto conferred on and transferred to the Town Council by this Order;

“The promoters of the undertaking” “the undertakers” and “the company” respectively mean the Town Council;

“The railway” means the works by this Order authorised or any of them and “the centre line of the railway” means the boundaries of those works respectively;

“The existing burgh” means the burgh of Millport within the existing boundaries thereof;

“The burgh” means the burgh of Millport as extended by this Order;

“The district annexed” means and comprehends so much of the burgh as lies outside the existing burgh;

“The Town Council” means the provost magistrates and councillors of the existing burgh and of the burgh for the time being;

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“The burgh” means the burgh of Millport as extended by this Order;

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“The Town Council” means the provost magistrates and councillors of the existing burgh and of the burgh for the time being;

A.D. 1905.

- “The magistrates” mean the magistrates of the existing burgh and of the burgh for the time being;
- “The town clerk” means the town clerk of the existing burgh and of the burgh and includes any depute acting for him;
- “The county” means the county of Bute;
- “The county council” means the county council of the county and includes any district committee;
- “The sheriff” means the sheriff of Renfrew and Bute or any of his substitutes;
- “The sheriff clerk” means the principal sheriff clerk of the county;
- “The Police Acts” mean the Burgh Police (Scotland) Acts 1892 to 1903 and any Act or Acts amending the same;
- “The Town Councils Acts” mean the Town Councils (Scotland) Acts 1900 to 1903;
- “The Public Health Acts” mean the Public Health (Scotland) Act 1897 and any Acts amending the same.

## PART II.

### PIERS AND HARBOUR.

Pier and  
harbour  
authority.

5. The Town Council shall have and may exercise within the respective limits in this Order mentioned the powers rights privileges and authorities conferred by this Order in relation to the piers and harbour acquired by the Town Council by this Order.

Acquisition  
of piers and  
harbour.

6. The Town Council may subject to the provisions of this Order compulsorily or by agreement acquire take hold use and maintain the pier and harbour of Millport and the Keppel Pier at Millport and the lands and property connected therewith respectively as the same are shown on the deposited plans and described in the deposited book of reference.

Confirmation  
of agreement  
with the  
Marquis of  
Bute.

7. The agreement made between the Town Council and the commissioner for the Marquis of Bute as set forth in the Third Schedule to this Order is hereby confirmed and made binding on the parties thereto and shall be carried out according to the true intent and meaning thereof.

A.D. 1905.

- “The magistrates” mean the magistrates of the existing burgh and of the burgh for the time being;
- “The town clerk” means the town clerk of the existing burgh and of the burgh and includes any depute acting for him;
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Acquisition  
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6. The Town Council may subject to the provisions of this Order compulsorily or by agreement acquire take hold use and maintain the pier and harbour of Millport and the Keppel Pier at Millport and the lands and property connected therewith respectively as the same are shown on the deposited plans and described in the deposited book of reference.

Confirmation  
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Marquis of  
Bute.

7. The agreement made between the Town Council and the commissioner for the Marquis of Bute as set forth in the Third Schedule to this Order is hereby confirmed and made binding on the parties thereto and shall be carried out according to the true intent and meaning thereof.

A.D. 1905.  
 —  
 Confirmation of agreement with the Keppel Pier Company Limited.

8. The agreement made between the Town Council and the Keppel Pier Company Limited as set forth in the Fourth Schedule to this Order is hereby confirmed and made binding on the parties thereto and shall be carried out according to the true intent and meaning thereof.

Power to construct works.

9. Subject to the provisions of this Order the Town Council may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described together with all necessary and convenient works and accesses thereto and may enter upon take and use such of the lands and property delineated on the said plans and described in the deposited book of reference as may be required for those purposes or in connection therewith and with the existing Millport Pier and Harbour The said works authorised by this Order are the following:—

A widening and extension of the existing pier at Millport in the burgh of Millport and parish of Cumbrae commencing at a point thirty yards or thereabouts eastwards from the north-east corner of the pier offices at Millport and extending thence in an easterly direction to and terminating at a point sixty-eight yards or thereabouts from the said point of commencement.

10.—(1) The limits of Millport Pier and Harbour within which the Town Council shall have authority and within which the powers of the pier and harbour master shall be exercised and which shall be deemed the limits of Millport Pier to which this Order and the power to levy rates thereat extend shall comprise the said Millport Pier and Harbour and the lands accesses works and conveniences connected therewith and the whole area seawards within the distance of one hundred yards from any part of the Millport Pier lands or works in any direction.

Limits of Millport Pier and Harbour.

(2) The limits of Keppel Pier shall for the purposes herein-before in this section mentioned be the limits described in section 2 of the said Keppel Pier Order 1889.

Limits of Keppel Pier.

11. The Town Council may subject to the provisions of this Order make and maintain on in over or in connection with the said piers and the works herein-before described or any of them all necessary landing-places tramways sidings signals excavations embankments walls approaches wharves warehouses fish-curing

Power to make subsidiary works.

A.D. 1905.  
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 Confirmation of agreement with the Keppel Pier Company Limited.

8. The agreement made between the Town Council and the Keppel Pier Company Limited as set forth in the Fourth Schedule to this Order is hereby confirmed and made binding on the parties thereto and shall be carried out according to the true intent and meaning thereof.

Power to construct works.

9. Subject to the provisions of this Order the Town Council may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described together with all necessary and convenient works and accesses thereto and may enter upon take and use such of the lands and property delineated on the said plans and described in the deposited book of reference as may be required for those purposes or in connection therewith and with the existing Millport Pier and Harbour. The said works authorised by this Order are the following:—

A widening and extension of the existing pier at Millport in the burgh of Millport and parish of Cumbrae commencing at a point thirty yards or thereabouts eastwards from the north-east corner of the pier offices at Millport and extending thence in an easterly direction to and terminating at a point sixty-eight yards or thereabouts from the said point of commencement.

10.—(1) The limits of Millport Pier and Harbour within which the Town Council shall have authority and within which the powers of the pier and harbour master shall be exercised and which shall be deemed the limits of Millport Pier to which this Order and the power to levy rates thereat extend shall comprise the said Millport Pier and Harbour and the lands accesses works and conveniences connected therewith and the whole area seawards within the distance of one hundred yards from any part of the Millport Pier lands or works in any direction.

Limits of Millport Pier and Harbour.

(2) The limits of Keppel Pier shall for the purposes herein-before in this section mentioned be the limits described in section 2 of the said Keppel Pier Order 1889.

Limits of Keppel Pier.

11. The Town Council may subject to the provisions of this Order make and maintain on in over or in connection with the said piers and the works herein-before described or any of them all necessary landing-places tramways sidings signals excavations embankments walls approaches wharves warehouses fish-curing

Power to make subsidiary works.

A.D. 1905. — stations sheds cranes mooring buoys lights and other works  
machinery and conveniences.

Limits of  
deviation.

12. In constructing the works by this Order authorised the Town Council may deviate laterally from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and they may deviate vertically from the levels of the said works as shown on the deposited sections to any extent approved by the Board of Trade Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade having been first obtained.

Penalty for  
obstructing  
works.

13. If any person wilfully obstructs any person acting under the authority of the Town Council in setting out the lines of the works or pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works or defaces or destroys those works or any part thereof that person shall for each offence be liable to a penalty not exceeding ten pounds and shall in addition be liable to repay to the Town Council any expenses incurred by them in making good such damage.

Power to  
make road  
connections  
&c.

14. Subject to the provisions of this Order and within the limits shown on the deposited plans the Town Council for the purposes of the works by this Order authorised or any of them or works connected therewith may make and maintain junctions and communications with any existing roads highways streets or footways which may be intersected or interfered with by any of the said works or be contiguous thereto and for the purposes of any such junctions or communications may alter the line or level of any existing road highway street or footway and may remove alter divert stop up enclose use or appropriate all or any part of any road highway street footway bridge stream watercourse sewer drain gas water or other main or pipe telegraph telephone or other wire main pipe work or apparatus within the limits aforesaid the Town Council first providing all proper substituted works and making reasonable compensation to any person who suffers damage from the exercise of the powers in this section contained Provided that the Town Council shall not alter divert or in any way interfere with telegraphic telephonic or electric apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 Provided further that

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Penalty for  
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13. If any person wilfully obstructs any person acting under the authority of the Town Council in setting out the lines of the works or pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works or defaces or destroys those works or any part thereof that person shall for each offence be liable to a penalty not exceeding ten pounds and shall in addition be liable to repay to the Town Council any expenses incurred by them in making good such damage.

Power to  
make road  
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14. Subject to the provisions of this Order and within the limits shown on the deposited plans the Town Council for the purposes of the works by this Order authorised or any of them or works connected therewith may make and maintain junctions and communications with any existing roads highways streets or footways which may be intersected or interfered with by any of the said works or be contiguous thereto and for the purposes of any such junctions or communications may alter the line or level of any existing road highway street or footway and may remove alter divert stop up enclose use or appropriate all or any part of any road highway street footway bridge stream watercourse sewer drain gas water or other main or pipe telegraph telephone or other wire main pipe work or apparatus within the limits aforesaid the Town Council first providing all proper substituted works and making reasonable compensation to any person who suffers damage from the exercise of the powers in this section contained Provided that the Town Council shall not alter divert or in any way interfere with telegraphic telephonic or electric apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 Provided further that



nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1890 to which the provisions of section 15 of the said Act of 1882 apply. A.D. 1905.

15. Within the pier and harbour limits respectively hereinbefore described and for the purpose of the construction improvement and maintenance of the piers harbour and works the Town Council may excavate and remove any rock stone shingle sand or mud and dredge scour deepen and improve the entrance channels approaches and site of the said piers and harbour. Excavating rock and dredging.

16.—(1) All rock stone shingle sand mud and other materials excavated dredged up or removed within the said piers and harbour limits respectively shall be the property of the Town Council and they may sell or otherwise dispose of the same or lay down and use the same in another place within those limits as they think fit Provided that all such materials shall if deposited below high-water mark be deposited in such position and under such restrictions as may be fixed by the Board of Trade. Disposal of rock &c. dredged.

(2) All money arising from any sale or other application of rock stone shingle sand mud and other materials under this section after payment of any expenses connected therewith shall be applied as part of the revenue of the undertaking.

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

18. The Town Council may for the purposes of the undertaking purchase lease or take by agreement and hold any lands not exceeding in the whole three acres in addition to the lands which they are by this Order authorised to take by compulsion Provided that nothing in this Order shall exempt the Town Council from any Additional lands by agreement for harbour purposes.

nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1890 to which the provisions of section 15 of the said Act of 1882 apply. A.D. 1905.

15. Within the pier and harbour limits respectively hereinbefore described and for the purpose of the construction improvement and maintenance of the piers harbour and works the Town Council may excavate and remove any rock stone shingle sand or mud and dredge scour deepen and improve the entrance channels approaches and site of the said piers and harbour. Excavating rock and dredging.

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(2) All money arising from any sale or other application of rock stone shingle sand mud and other materials under this section after payment of any expenses connected therewith shall be applied as part of the revenue of the undertaking.

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

18. The Town Council may for the purposes of the undertaking purchase lease or take by agreement and hold any lands not exceeding in the whole three acres in addition to the lands which they are by this Order authorised to take by compulsion Provided that nothing in this Order shall exempt the Town Council from any Additional lands by agreement for harbour purposes.

A.D. 1905. action or proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so purchased leased taken and held.

Restrictions on taking houses of labouring class.

19. The Town Council shall not under the powers of this Order purchase or acquire 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 Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. If the Town Council acquire or appropriate any house or houses under the powers of this Order in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the Court may if it think fit reduce such penalty.

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

Limiting time for exercise of compulsory powers of purchase.

20. The powers for the compulsory purchase of lands for the purposes of this Order shall not be exercised after the expiration of three years from the commencement of this Order.

Period for completing harbour works.

21. On the expiration of seven years after the commencement of this Order the powers by this Order given to the Town Council for constructing the works by this Order authorised shall cease except as to so much thereof as shall then be completed.

Power to levy rates for Millport Pier &c.

22. The Town Council may from and after the commencement of this Order and subject and according to the provisions of this Order for the use of each of Millport Pier and harbour and Keppel Pier respectively and the works and conveniences and roads and accesses connected therewith respectively demand recover and

A.D. 1905. action or proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so purchased leased taken and held.

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receive in respect of vessels boats persons animals fish goods matters and things any sums not exceeding the several rates and charges specified in the Second Schedule to this Order or otherwise authorised by this Order From and after the commencement of this Order the schedule to the Keppel Pier Order 1889 shall be repealed. A.D. 1905.

23. The Town Council may levy demand recover and receive such rates or other consideration as they may think reasonable for the use of any warehouses sheds buildings weighing machines mooring posts buoys cranes works and conveniences belonging to or provided by them or in respect of any services rendered by them in connection with the piers and harbour. Rates for use of warehouses &c.

24. Without prejudice to the rights of the Town Council to levy demand recover and receive rates from any other persons for goods shipped and unshipped within the piers and harbour limits respectively they may subject to the provisions of this Order levy demand recover and receive the rates for white fish and for fresh or salt sprinkled herrings brought into the harbour either from the fish salesmen or auctioneers who dispose of such fish or herrings or from the persons purchasing or receiving delivery of the same (otherwise than as carriers) who shall respectively be entitled to deduct the amount of such rates from the price at which such fish or herrings were sold or purchased and such fish salesmen auctioneers and purchasers or receivers (otherwise than as carriers) of such fish or herrings shall when required be respectively bound to furnish to the Town Council or their collector of rates a true account under their hands of the quantity and value of such fish or herrings and to verify the same by the production of their books and every such person who shall refuse to give such account or who shall subscribe and deliver a false account shall be deemed guilty of an offence for which he shall be liable in a penalty not exceeding ten pounds. Provisions as to collection of rates.

25. The master of every vessel engaged in the herring or white or other fishery shall report his arrival within the respective limits of the piers and harbour to the collector of rates on every occasion on which such vessel enters such respective limits and should he import therein any white fish or fresh or salt sprinkled herrings he shall also be bound on arrival to deliver to the collector of rates a statement of the quantity and value of such white fish or fresh or salt sprinkled herrings so imported and of the names of the fish salesmen or auctioneers who are to dispose or may have disposed thereof or the purchaser or purchasers thereof or other Master of vessel to report arrival in harbour.

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A.D. 1905. persons who are to receive or have received delivery of the same and should he refuse or fail to make such report or to deliver such statement or deliver to the collector a false statement of any of the particulars aforesaid he shall be deemed guilty of an offence for which he shall be liable in a penalty not exceeding ten pounds.

Pier and harbour master may prevent sailing of vessels when rates have not been paid.

26. The pier and harbour master may prevent the removal or sailing from the respective piers and harbour of any vessel or boat in respect of which or of the goods imported or exported or passengers carried therein any rates shall have been payable until evidence shall have been produced to him of the payment of such rates to the collector of rates and in the case of a vessel or boat engaged in the herring or white or other fishery until the master thereof shall have given to the said collector a statement of his take of fish as required by the last preceding section hereof.

Power to compound for rates.

27. The Town Council may from time to time confer vary or extinguish exemptions from and enter into compositions with any person or persons corporation or company with respect to the payment of any tolls rates and charges authorised to be taken by this Order and by the Keppel Pier Order 1889 as amended by this Order but so that no preference be in any case given to any person and that anything done under this section shall not prejudice the other provisions of this Order.

Power to lease &c.

28. The Town Council may from time to time lease the tolls rates and charges authorised to be taken by them under this Order and the Keppel Pier Order 1889 as amended by this Order for any period not exceeding seven years from the date of the lease on such terms and conditions and for such rent or consideration as they may think fit and the lessee shall have and may exercise the same powers of levying and recovering rates and charges as the Town Council have or might exercise under the Harbours Docks and Piers Clauses Act 1847 and this Order and the Keppel Pier Order 1889 as so amended (but excepting always the power to levy the special pier and harbour rate or assessment on owners and occupiers of lands or premises within the burgh authorised by this Order) and shall be subject to all provisions as to accounts and the keeping and furnishing of the same and otherwise to which the Town Council are made subject by this Order.

Town Council may provide

29. The Town Council may purchase provide take on lease or hire from time to time such dredgers engines tugs vessels lighters or other appliances as they think fit for the purposes of the piers

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and harbour and in connection therewith or for the use and accommodation of vessels frequenting the piers and harbour and may demand recover and receive such reasonable sums for the use of the same as they think proper.

A.D. 1905.  
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 for use  
 thereof.

30.—(1) The Town Council shall keep an account for their piers and harbour undertaking separate from the other accounts of the burgh showing all moneys received on account of the undertaking and all moneys expended thereon.

Separate  
 account for  
 harbour  
 undertaking.

(2) In the application of section 96 of the Town Councils (Scotland) Act 1900 to such piers and harbour account as forming part of the yearly account of the Town Council the expression "ratepayer or elector" occurring therein shall be deemed to include any person interested in such piers and harbour account.

31.—(1) The rates and dues to be levied by the Town Council for the time being under this Order and the Keppel Pier Order 1889 as amended by this Order shall be adjusted by the Town Council within the maximum rates respectively so authorised in such a manner that so far as possible the income shall not for the time being be more than is sufficient for the purposes of this Order as regards the administration and maintenance of the undertaking and for paying off any moneys borrowed on account of the piers and harbour and interest thereon and any contributions to the contingency fund authorised by this Order and for recouping the burgh on account of the special rate levied on the burgh or other burgh funds applied towards the undertaking and the purposes thereof.

Revision of  
 rates.

(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 undertaking on the average of the three last preceding years after payment of all expenses and outgoings exceeds the amount sufficient for the purposes of this Order and the Keppel Pier Order 1889 as aforesaid that Board may if they think fit reduce the maximum rates to such sums as will be sufficient to provide the amount aforesaid and may at any time raise those maximum rates again so that they do not exceed the sums authorised to be taken by this Order and the Keppel Pier Order 1889 as amended by this Order.

32.—(1) The Town Council within one month after sending to the sheriff clerk the copy of their annual account in abstract shall send a copy of it to the Board of Trade.

Annual ac-  
 count to be  
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and harbour and in connection therewith or for the use and accommodation of vessels frequenting the piers and harbour and may demand recover and receive such reasonable sums for the use of the same as they think proper.

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A.D. 1905.

(2) The account shall be made up to the fifteenth day of May in each year.

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

Life-saving apparatus may be attached to piers.

33. The officers of the coastguard and all other persons for the time being actually employed in connection with the lifeboat or the apparatus for saving life may either permanently or temporarily without payment attach or cause to be attached to any part of the piers and harbour 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 piers and harbour works.

Life-buoys.

34. The Town Council shall at all times keep on the piers and harbour works a sufficient number of life-buoys and life-lines in good order and fit and ready for use.

Certain fishing vessels under stress of weather exempt from rates.

35. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when driven 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 piers and harbour and not breaking bulk while making use thereof be exempt from rates leviable thereat.

Lifeboat crew to be exempt from tolls.

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

Meters and weighers.

37. The Town Council shall have the appointment of meters and weighers for the purposes of the piers and harbour.

Byelaws respecting harbour.

38. In addition to the powers of making byelaws contained in the Harbours Docks and Piers Clauses Act 1847 the Town Council may subject to the provisions of this Order make such byelaws as they shall think fit for all or any of the following purposes (that is to say) :—

(1) For the protection of the piers and harbour works of the Town Council and of the buildings accommodations

A.D. 1905.

(2) The account shall be made up to the fifteenth day of May in each year.

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

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(1) For the protection of the piers and harbour works of the Town Council and of the buildings accommodations

machinery and appliances connected therewith and for regulating the use thereof and the conduct of persons frequenting or using the same : A.D. 1905.

- (2) For the regulation and control of vessels and boats within the piers and harbour limits respectively and the fishermen and others frequenting resorting to or employed within the said limits :
- (3) For the regulation of the embarking disembarking loading and unloading of any goods or traffic at the piers and harbour or within the limits of the same respectively :
- (4) The byelaws may provide for imposing and recovering a penalty not exceeding five pounds for the breach or non-observance of any byelaw :

Provided that no byelaws to be made by the Town Council under the Harbours Docks and Piers Clauses Act 1847 or under this Order with reference to the piers and harbour shall come into operation unless and until the same have been confirmed by the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

39. The Town Council may from and after the fifteenth day of May in the year one thousand nine hundred and five for the purposes of the acquisition and payment of the price of the piers and harbour and for the construction and maintenance of the works authorised by this Order and for the purchase of lands and property and for the other purposes of this Order relating to the undertaking and borrowing money for such purposes including the costs of this Order charge in equal proportions all owners and occupiers of lands or premises within the burgh with a special pier and harbour rate or assessment not exceeding two shillings in the pound in any year which assessment shall be levied and recovered in the same manner as the general improvement rate authorised by the Police Acts is levied and recovered and all the provisions of those Acts with respect to the mode of imposing levying and recovering the general improvement rate shall be deemed to be incorporated herein and mutatis mutandis shall extend and apply to the said special pier and harbour rate or assessment authorised by this Order. Provided that the Town Council shall levy the said special rate for the purpose of providing for the repayment of any moneys borrowed under the powers of this Order

Power to  
Town Coun-  
cil to impose  
and levy spe-  
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Power to  
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A.D. 1905. whenever the revenue of the undertaking is insufficient for that purpose.

Power to accept local contributions.

40. The Town Council may accept and apply towards the purposes of the undertaking any moneys which may be locally contributed by gift to them for those purposes.

Power to borrow.

41.—(1) The Town Council may borrow and re-borrow at interest by means of mortgage bond or otherwise such money as may be required for carrying into effect the acquisition of the said Millport Pier and harbour and works and Keppel Pier and works and the construction of the works by this Order authorised the purchase of lands and property and for the other purposes of this Order relating to the undertaking including the costs of this Order not exceeding in the whole the sum of twenty thousand pounds.

(2) Any money may be so borrowed on the security of the piers and harbour rates and charges authorised by this Order and the Keppel Pier Order 1889 as amended by this Order and the other revenues of the undertaking and on the security of the special pier and harbour rate by this Order authorised to be levied.

(3) The Town Council for the purpose of raising the money which may be so borrowed may accept and take from any bank or banking company credit to such amount as they think expedient not exceeding in the whole taken together with any sums borrowed and remaining unpaid the sum of twenty thousand pounds on a cash account to be opened and kept in the name of the Town Council according to the usage of bankers in Scotland and the Town Council may assign the rates and charges and the special pier and harbour rate or assessment to the extent hereinbefore mentioned or any part of them in security for the repayment of the sum or sums so borrowed or of the amount of the credit or of the sums advanced on the cash account with interest thereon.

(4) Any money borrowed under the provisions of this Order which shall be discharged otherwise than by means of the sinking fund or instalments may be re-borrowed from time to time if required for the purposes of this Order.

(5) The provisions of the Police Acts as to the borrowing of money for the general purposes of those Acts shall in so far as applicable and not inconsistent with the provisions of this Order be incorporated with this Order and shall apply to the borrowing by the Town Council of the money which they are by this Order

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(5) The provisions of the Police Acts as to the borrowing of money for the general purposes of those Acts shall in so far as applicable and not inconsistent with the provisions of this Order be incorporated with this Order and shall apply to the borrowing by the Town Council of the money which they are by this Order



authorised to borrow and the mortgages or bonds to be granted by the Town Council for the purposes of this Order shall refer to the title of this Order. A.D. 1905.  
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42. The Town Council shall pay off all moneys borrowed by them under this Order within the respective periods following (which periods are in this Order referred to as "the prescribed period") (that is to say):— Periods of  
repayment.

As to money borrowed for the purposes of this Order (other than for payment of the costs of this Order) within forty-five years from the date or dates of borrowing the same;

As to money borrowed for payment of the costs of this Order within five years from the commencement of this Order.

43. The Town Council shall pay off all moneys borrowed by them under this Order either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or others of them. Mode of  
repayment.

44.—(1) If the Town Council determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order such sinking fund shall be formed or maintained either— Sinking  
fund.

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority other than

authorised to borrow and the mortgages or bonds to be granted by the Town Council for the purposes of this Order shall refer to the title of this Order. A.D. 1905.  
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42. The Town Council shall pay off all moneys borrowed by them under this Order within the respective periods following (which periods are in this Order referred to as "the prescribed period") (that is to say):— Periods of  
repayment.

As to money borrowed for the purposes of this Order (other than for payment of the costs of this Order) within forty-five years from the date or dates of borrowing the same;

As to money borrowed for payment of the costs of this Order within five years from the commencement of this Order.

43. The Town Council shall pay off all moneys borrowed by them under this Order either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or others of them. Mode of  
repayment.

44.—(1) If the Town Council determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order such sinking fund shall be formed or maintained either— Sinking  
fund.

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority other than

A.D. 1905. the Town Council the Town Council being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Town Council towards the equal annual payments to the fund.

(4) The Town Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Town Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Town Council :

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Town Council in addition to the payments provided for by this Order.

(7) If it appears to the Town Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Town Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose.

(8) If the Town Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

A.D. 1905. the Town Council the Town Council being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Town Council towards the equal annual payments to the fund.

(4) The Town Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Town Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Town Council :

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Town Council in addition to the payments provided for by this Order.

(7) If it appears to the Town Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Town Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose.

(8) If the Town Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Town Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

A.D. 1905.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be sufficient to repay the loan in respect of which it is formed within the prescribed period the Town Council may discontinue the annual payments to such sinking fund.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the Town Council may determine.

(12) The payment of the first instalment or the first equal annual payment to the sinking fund shall be made within one year after the date of borrowing the sum in respect of which payment is made but it shall not be necessary (except in the case of sums borrowed for payment of the costs of this Order) to make the first payment earlier than the fifteenth day of May one thousand nine hundred and seven.

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

For appointment of a judicial factor.

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

46.—(1) The town clerk shall within two months after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid

Annual return to Secretary for Scotland

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Town Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

A.D. 1905.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be sufficient to repay the loan in respect of which it is formed within the prescribed period the Town Council may discontinue the annual payments to such sinking fund.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the Town Council may determine.

(12) The payment of the first instalment or the first equal annual payment to the sinking fund shall be made within one year after the date of borrowing the sum in respect of which payment is made but it shall not be necessary (except in the case of sums borrowed for payment of the costs of this Order) to make the first payment earlier than the fifteenth day of May one thousand nine hundred and seven.

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For appointment of a judicial factor.

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

46.—(1) The town clerk shall within two months after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid

Annual return to Secretary for Scotland

A.D. 1905.  
with respect  
to sinking  
fund.

in respect of money borrowed under this Order transmit to the Secretary for Scotland a return in such form as may be prescribed by him and verified by statutory declaration if so required by him showing the amount which has been paid as an instalment or invested or deposited for the purpose of the sinking fund during the year preceding the making of the return and the description of the securities upon which the amount has been invested or deposited and also showing the purpose to which any portions of the moneys invested or deposited for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested or deposited at the end of the year.

(2) The town clerk in the event of any default in making the return shall be liable to a penalty not exceeding twenty pounds.

(3) If it appears to the Secretary for Scotland by the return under this section or otherwise that the Town Council have failed to pay any instalment or to set apart the sum required for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised the Secretary for Scotland may by order direct that a sum not exceeding double the amount in respect of which the default has been made shall be set apart and invested or deposited as part of the sinking fund and that order shall be enforceable by decree of either division of the Inner House of the Court of Session in Scotland in a summary application presented for that purpose.

Application  
of money  
borrowed.

47. All money borrowed under this Order shall be applied only for the purposes of this Order for which the money is authorised to be borrowed and to which capital is properly applicable.

Protection of  
lenders.

48. Any person lending or paying money to the Town Council under this Order shall not be bound to inquire as to the observance by them of any provisions of this Order or be bound to see to the application or be answerable for any loss or non-application of the money or of any part thereof.

Contingency  
fund.

49. The Town Council may if they think fit form and maintain a contingency fund not exceeding the sum of three thousand pounds to meet any extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the piers and harbour or works connected therewith and for that purpose appropriate and set apart subject to the provisions of this

A.D. 1905.  
with respect  
to sinking  
fund.

in respect of money borrowed under this Order transmit to the Secretary for Scotland a return in such form as may be prescribed by him and verified by statutory declaration if so required by him showing the amount which has been paid as an instalment or invested or deposited for the purpose of the sinking fund during the year preceding the making of the return and the description of the securities upon which the amount has been invested or deposited and also showing the purpose to which any portions of the moneys invested or deposited for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested or deposited at the end of the year.

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Order as to application of revenue any amount which they may think fit in any year out of the surplus revenue of the harbour and shall deposit any such amount in some joint stock bank of issue in Scotland to be increased by accumulation in the way of compound interest or otherwise or invested in securities in which trustees in Scotland may lawfully invest money (but not in securities of the Town Council) until required for any of the aforesaid purposes. A.D. 1905.

50. The Town Council shall apply all rates and other moneys received by them by way of revenue in respect of the undertaking including moneys received from the special pier and harbour rate by this Order authorised for the purposes and in the order following (that is to say):— Application of rates.

- (1) In paying the costs of and connected with the preparation obtaining and confirming of this Order so far as those costs are not paid out of money borrowed under this Order:
- (2) In payment of the expenses properly chargeable to revenue of conducting managing and maintaining the piers and harbour and works connected therewith:
- (3) In paying any feu duties and rents payable in respect of the lands and property belonging to or leased by the Town Council in connection with the undertaking:
- (4) In paying year by year the interest on money borrowed under this Order for the purpose of the undertaking:
- (5) In providing for instalments for repayment of money borrowed under this Order for the undertaking and in creating and maintaining any sinking fund required for the purposes of paying off the moneys so borrowed:
- (6) In making such payments (if any) as the Town Council think fit to the contingency fund authorised by this Order:
- (7) In recouping the burgh for the proceeds of any special pier and harbour rate or other burgh funds which may have been levied on or contributed by the burgh for the purposes of the undertaking:
- (8) Subject to and after answering the purposes aforesaid the surplus revenue (if any) shall be applied by the Town Council in the general improvement of the undertaking.

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- (2) In payment of the expenses properly chargeable to revenue of conducting managing and maintaining the piers and harbour and works connected therewith:
- (3) In paying any feu duties and rents payable in respect of the lands and property belonging to or leased by the Town Council in connection with the undertaking:
- (4) In paying year by year the interest on money borrowed under this Order for the purpose of the undertaking:
- (5) In providing for instalments for repayment of money borrowed under this Order for the undertaking and in creating and maintaining any sinking fund required for the purposes of paying off the moneys so borrowed:
- (6) In making such payments (if any) as the Town Council think fit to the contingency fund authorised by this Order:
- (7) In recouping the burgh for the proceeds of any special pier and harbour rate or other burgh funds which may have been levied on or contributed by the burgh for the purposes of the undertaking:
- (8) Subject to and after answering the purposes aforesaid the surplus revenue (if any) shall be applied by the Town Council in the general improvement of the undertaking.

A.D. 1905.

Works below  
high-water  
mark not  
to be com-  
menced with-  
out consent  
of Board of  
Trade.

51. The Town Council shall not under the powers of this Order construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last afore-said and where any such work may have been constructed the Town Council shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Town Council and the amount of such costs and charges shall be a debt due from the Town Council to the Crown and shall be recoverable as a Crown debt or summarily.

As to lights:  
during con-  
struction of  
works.

52.—(1) Before commencing any of the aforesaid works the Town Council shall apply to the Board of Trade for directions as to the lights to be exhibited and other means to be taken for preventing danger to navigation and shall in all respects obey any directions given upon that application or afterwards given as to the like matters by the Board of Trade during the construction of the works and compliance with the directions so given shall satisfy and be in place of every other statutory requirement as to those matters during the construction of the works.

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

Nothing to  
exempt har-  
bour or Town  
Council from  
provisions of  
Merchant  
Shipping  
Act.

53. Nothing contained in this Order shall be deemed to exempt the piers and harbour or the Town Council from the provisions of the Merchant Shipping Act 1894 or from any general Act relating to merchant shipping harbours or docks or to dues on shipping or on goods carried in vessels now in force or which shall be passed during the present or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the rates authorised by this Order.

A.D. 1905.

Works below  
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A.D. 1905.  
—  
Extension of  
10 & 11 Vict.  
c. 27 (ss. 28  
& 99) as to  
exemption of  
Government  
Departments.

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

Recovery of  
penalties.

55. All penalties under this Order with reference to the harbour undertaking hereby authorised shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 and for all the purposes of that Act this Order shall be deemed the special Act.

56.—(1) After completion or permanent discontinuance or abandonment of any works the Town Council shall exhibit at the outer extremity of the works or the completed portion thereof or in such other place as may be required for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) and take such other steps for the prevention of danger to navigation as are directed by the Trustees of the Clyde Lighthouses and shall apply to those trustees for such directions.

As to lights  
on works.

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

57.—(1) In case of injury to or destruction or decay of the pier and harbour works or any part thereof the Town Council shall lay down such buoys exhibit such lights or take such other means for preventing as far as may be danger to navigation as are directed by the Trustees of the Clyde Lighthouses and shall apply to those trustees for such directions.

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

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

58. If at any time the Board of Trade deems it expedient for the purposes of this Order to order a survey and examination of a work constructed by the Town Council on in over through or across tidal lands or tidal water or of the intended site of any such work the Town Council shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Town Council to the Crown and be recoverable as a Crown debt or summarily.

Survey of  
works by  
Board of  
Trade.

A.D. 1905.  
—  
Extension of  
10 & 11 Vict.  
c. 27 (ss. 28  
& 99) as to  
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Survey of  
works by  
Board of  
Trade.

A.D. 1905.  
Abatement of  
work aban-  
doned or  
decayed.

59. If a work constructed by the Town Council on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Town Council and the amount of such expense shall be a debt due from the Town Council to the Crown and be recoverable as a Crown debt or summarily.

Saving rights  
of Crown.

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

Saving rights  
and jurisdic-  
tion of Clyde  
Pilot Board  
and Bailie  
of River and  
Firth of  
Clyde.

61. Nothing in this Order contained shall extend or be construed to extend to repeal abridge or in any way prejudice or diminish any of the rights powers jurisdictions or privileges conferred on and enjoyed by the Clyde Pilot Board or the Bailie of the River and Firth of Clyde under the Clyde Navigation (Consolidation) Act 1858 or the Clyde Navigation Act 1887 all of which rights powers jurisdictions and privileges are hereby saved and reserved entire.

### PART III.

#### BURGH EXTENSION.

Extension of  
burgh boun-  
daries.

62. From and after the fifteenth day of May in the year one thousand nine hundred and five the municipal and police boundaries of the existing burgh shall be and are hereby extended so as to include and shall include the lands and area within the limits defined in the First Schedule to this Order situate in the parish of Cumbrae and county of Bute (in this Order referred to as "the district annexed") and the district annexed shall as from and after that date be disjoined from the county of Bute Provided always that the description of boundaries contained in the said schedule shall be subject to the rules of construction laid down in section 5 of the Representation of the People (Scotland) Act 1832.

A.D. 1905.  
Abatement of  
work aban-  
doned or  
decayed.

59. If a work constructed by the Town Council on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Town Council and the amount of such expense shall be a debt due from the Town Council to the Crown and be recoverable as a Crown debt or summarily.

Saving rights  
of Crown.

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

Saving rights  
and jurisdic-  
tion of Clyde  
Pilot Board  
and Bailie  
of River and  
Firth of  
Clyde.

61. Nothing in this Order contained shall extend or be construed to extend to repeal abridge or in any way prejudice or diminish any of the rights powers jurisdictions or privileges conferred on and enjoyed by the Clyde Pilot Board or the Bailie of the River and Firth of Clyde under the Clyde Navigation (Consolidation) Act 1858 or the Clyde Navigation Act 1887 all of which rights powers jurisdictions and privileges are hereby saved and reserved entire.

### PART III.

#### BURGH EXTENSION.

Extension of  
burgh boun-  
daries.

62. From and after the fifteenth day of May in the year one thousand nine hundred and five the municipal and police boundaries of the existing burgh shall be and are hereby extended so as to include and shall include the lands and area within the limits defined in the First Schedule to this Order situate in the parish of Cumbrae and county of Bute (in this Order referred to as "the district annexed") and the district annexed shall as from and after that date be disjoined from the county of Bute Provided always that the description of boundaries contained in the said schedule shall be subject to the rules of construction laid down in section 5 of the Representation of the People (Scotland) Act 1832.



63. A map of the burgh showing the municipal boundaries as existing at the commencement of this Order and also as extended by this Order having been signed in triplicate by Eugene Wason Esquire Member of Parliament Chairman of the Commissioners to whom this Order was referred one copy thereof shall within one month after the commencement of this Order be deposited in the office of the Secretary for Scotland Whitehall London another copy thereof shall be deposited with the town clerk and another copy with the sheriff clerk at his office in Rothesay and a copy of the said map or plan certified by the town clerk shall be sent as soon as may be after such deposit to the Board of Agriculture and Fisheries Provided that the copies deposited with the town clerk and sheriff clerk shall be open at all reasonable times to the inspection of any ratepayer without charge In case of any discrepancy between the boundaries as delineated on the said map or plan and the boundaries as described in the First Schedule hereto the said map or plan shall be deemed to be correct and shall prevail.

A.D. 1905.  
Deposit of  
plan of  
burgh.

64. The lands and heritages within the district annexed shall remain parts and portions of the parish of Cumbrae within which they now lie and shall not be affected by any of the provisions of this Order in so far as regards the settlement relief or management of the poor the erection and maintenance of district lunatic asylums the payment of poor rates or school rates or any burdens for purposes other than those for which the said lands and heritages will be assessed under the provisions of the Police Acts or any other public or local statutes presently affecting or which may hereafter affect the existing burgh and of this Order.

Parochial  
arrange-  
ments not to  
be affected.

65. All lands sewers drains and pipes within the district annexed belonging to or vested in the county council and all powers rights duties revenues and jurisdictions and obligations connected therewith shall from and after the fifteenth day of May in the year one thousand nine hundred and five be and the same are hereby transferred from the county council and from any district committee of the county council and all committees thereof and are hereby vested in the Town Council and the said property and rights revenues and obligations connected therewith shall subject to the provisions of this Order and to the provisions of the Police Acts be held used managed and maintained with the same rights duties revenues jurisdictions and obligations attached thereto by the Town Council as when vested in and belonging to the county council or any special district committee

Transference  
of works in  
district an-  
nexed from  
county coun-  
cil to Town  
Council.

63. A map of the burgh showing the municipal boundaries as existing at the commencement of this Order and also as extended by this Order having been signed in triplicate by Eugene Wason Esquire Member of Parliament Chairman of the Commissioners to whom this Order was referred one copy thereof shall within one month after the commencement of this Order be deposited in the office of the Secretary for Scotland Whitehall London another copy thereof shall be deposited with the town clerk and another copy with the sheriff clerk at his office in Rothesay and a copy of the said map or plan certified by the town clerk shall be sent as soon as may be after such deposit to the Board of Agriculture and Fisheries Provided that the copies deposited with the town clerk and sheriff clerk shall be open at all reasonable times to the inspection of any ratepayer without charge In case of any discrepancy between the boundaries as delineated on the said map or plan and the boundaries as described in the First Schedule hereto the said map or plan shall be deemed to be correct and shall prevail.

A.D. 1905.  
Deposit of  
plan of  
burgh.

64. The lands and heritages within the district annexed shall remain parts and portions of the parish of Cumbrae within which they now lie and shall not be affected by any of the provisions of this Order in so far as regards the settlement relief or management of the poor the erection and maintenance of district lunatic asylums the payment of poor rates or school rates or any burdens for purposes other than those for which the said lands and heritages will be assessed under the provisions of the Police Acts or any other public or local statutes presently affecting or which may hereafter affect the existing burgh and of this Order.

Parochial  
arrange-  
ments not to  
be affected.

65. All lands sewers drains and pipes within the district annexed belonging to or vested in the county council and all powers rights duties revenues and jurisdictions and obligations connected therewith shall from and after the fifteenth day of May in the year one thousand nine hundred and five be and the same are hereby transferred from the county council and from any district committee of the county council and all committees thereof and are hereby vested in the Town Council and the said property and rights revenues and obligations connected therewith shall subject to the provisions of this Order and to the provisions of the Police Acts be held used managed and maintained with the same rights duties revenues jurisdictions and obligations attached thereto by the Town Council as when vested in and belonging to the county council or any special district committee

Transference  
of works in  
district an-  
nexed from  
county coun-  
cil to Town  
Council.

[Ch. cv.] *Millport Piers and Burgh Extension* [5 EDW. 7.]  
*Order Confirmation Act, 1905.*

A.D. 1905. or other committees thereof and the Town Council may use such works hereby vested in them in connection with any works in the burgh.

Transference  
of roads &c.  
in added area.

66. All roads streets lanes and bridges foot pavements and footpaths within the district annexed and all rights connected therewith at present vested in the county council or any committee thereof shall from and after the fifteenth day of May in the year one thousand nine hundred and five be transferred from the county council and any committee thereof to and shall be vested in the Town Council and thereafter shall be managed maintained and repaired and carried on by the Town Council along with and in the same way and manner as the roads streets lanes bridges foot pavements and footpaths within the existing burgh.

County  
council and  
committees  
freed from  
maintenance  
of works &c.  
transferred  
to Town  
Council.

67. The county council and the district committee of the county council and all committees thereof shall from and after the fifteenth day of May in the year one thousand nine hundred and five be freed and relieved of and from the repair and maintenance of all such works aforesaid and of all roads streets lanes bridges foot pavements and footpaths and of all pipes sewers and drains and works within the district annexed.

Agreements  
between  
town and  
county  
councils.

68. Section 50 of the Local Government (Scotland) Act 1889 as applied by section 96 of the Burgh Police (Scotland) Act 1903 shall apply and have effect on the extension of the boundaries of the burgh by this Order.

Powers of  
local autho-  
rities to  
cease in  
added area.

69. Subject to the provisions of this Order all jurisdictions rights powers and authorities heretofore exercised or exerciseable by the county council or by special district committee of the county council or any committee thereof or other authority within or over the district annexed or any part or parts thereof (with the exception of such jurisdictions rights powers and authorities as are presently exercised or exerciseable by the county council or any committee thereof within the existing burgh) shall cease and determine from and after the fifteenth day of May in the year one thousand nine hundred and five.

Assessments  
on burgh.

70. Every rate toll or assessment (except such rates tolls or assessments as are presently levied and collected by the county council and parish council within the existing burgh) authorised to be collected and levied by the county council or other local authority having jurisdiction over the district annexed or any part

[Ch. cv.] *Millport Piers and Burgh Extension* [5 EDW. 7.]  
*Order Confirmation Act, 1905.*

A.D. 1905. or other committees thereof and the Town Council may use such works hereby vested in them in connection with any works in the burgh.

Transference of roads &c. in added area.

66. All roads streets lanes and bridges foot pavements and footpaths within the district annexed and all rights connected therewith at present vested in the county council or any committee thereof shall from and after the fifteenth day of May in the year one thousand nine hundred and five be transferred from the county council and any committee thereof to and shall be vested in the Town Council and thereafter shall be managed maintained and repaired and carried on by the Town Council along with and in the same way and manner as the roads streets lanes bridges foot pavements and footpaths within the existing burgh.

County council and committees freed from maintenance of works &c. transferred to Town Council.

67. The county council and the district committee of the county council and all committees thereof shall from and after the fifteenth day of May in the year one thousand nine hundred and five be freed and relieved of and from the repair and maintenance of all such works aforesaid and of all roads streets lanes bridges foot pavements and footpaths and of all pipes sewers and drains and works within the district annexed.

Agreements between town and county councils.

68. Section 50 of the Local Government (Scotland) Act 1889 as applied by section 96 of the Burgh Police (Scotland) Act 1903 shall apply and have effect on the extension of the boundaries of the burgh by this Order.

Powers of local authorities to cease in added area.

69. Subject to the provisions of this Order all jurisdictions rights powers and authorities heretofore exercised or exerciseable by the county council or by special district committee of the county council or any committee thereof or other authority within or over the district annexed or any part or parts thereof (with the exception of such jurisdictions rights powers and authorities as are presently exercised or exerciseable by the county council or any committee thereof within the existing burgh) shall cease and determine from and after the fifteenth day of May in the year one thousand nine hundred and five.

Assessments on burgh.

70. Every rate toll or assessment (except such rates tolls or assessments as are presently levied and collected by the county council and parish council within the existing burgh) authorised to be collected and levied by the county council or other local authority having jurisdiction over the district annexed or any part

or parts thereof but which shall not have been actually imposed previous to the fifteenth day of May in the year one thousand nine hundred and five shall on that date cease and determine within the district annexed and thereafter the assessments and rates leviable under the Police Acts and all other burghal assessments and rates shall thenceforth be leviable on and within the burgh in the same way and manner as the same are leviable on and within the existing burgh. A.D. 1905.

71. The provisions of the Police Acts the Town Councils Acts the Public Health Acts and all other Acts public or local shall apply to the burgh in the same way and manner and as fully to all intents and purposes as they apply to the existing burgh and all rights powers jurisdictions civil and criminal authorities privileges immunities and obligations at present enjoyed possessed by or incumbent on the Town Council the magistrates or the inhabitants of the existing burgh whether at common law or by statute or otherwise including all powers of imposing levying and recovering assessments rates and taxes shall from the fifteenth day of May in the year one thousand nine hundred and five extend and apply to the burgh and the inhabitants thereof and the provisions of any public or local statutes already passed which apply to the existing burgh or the inhabitants thereof shall apply to the burgh and the inhabitants thereof. Extension and application of provisions of Acts and certain rights to burgh.

72. The sheriff shall continue to hold use and exercise all and every jurisdiction of whatever kind or nature civil as well as criminal which he has or is in any way entitled to hold use and exercise in the same way and manner as if this Order had not been made. Saving jurisdiction of sheriff.

73. Subject to the provisions of this Order—

(1) The Town Council shall hold and be entitled to all property rights and interests which at the commencement of this Order they held possessed or were entitled to:

(2) All acts and things before the commencement of this Order done under the powers and authorities of any Act or Acts of Parliament which are at the said date good valid and effectual and all conveyances leases mortgages bonds covenants deeds instruments contracts agreements obligations rights and remedies at the said date existing under the said powers and

General saving of rights.

or parts thereof but which shall not have been actually imposed previous to the fifteenth day of May in the year one thousand nine hundred and five shall on that date cease and determine within the district annexed and thereafter the assessments and rates leviable under the Police Acts and all other burghal assessments and rates shall thenceforth be leviable on and within the burgh in the same way and manner as the same are leviable on and within the existing burgh. A.D. 1905.

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73. Subject to the provisions of this Order—

(1) The Town Council shall hold and be entitled to all property rights and interests which at the commencement of this Order they held possessed or were entitled to: General saving of rights.

(2) All acts and things before the commencement of this Order done under the powers and authorities of any Act or Acts of Parliament which are at the said date good valid and effectual and all conveyances leases mortgages bonds covenants deeds instruments contracts agreements obligations rights and remedies at the said date existing under the said powers and

A.D. 1905.

authorities shall be and continue as good valid and effectual for all purposes and for and against all persons as if this Order had not been confirmed:

- (3) All actions prosecutions or other proceedings by or against the Town Council of the existing burgh by reason of any act or thing done before the commencement of this Order may be continued commenced or prosecuted by or against the Town Council of the burgh:
- (4) All assessments rates feu-duties ground annuals and rents at the commencement of this Order imposed by or due or payable to the Town Council of the existing burgh may from and after the said date be collected and recovered by the Town Council:
- (5) All books and documents relating to the existing burgh or to the Town Council of the existing burgh shall be receivable in evidence as if this Order had not been confirmed:

Provided that in the application of this section the commencement of this Order shall mean either the date of the passing of the Act confirming this Order or such other date as is in this Order expressly provided as the case may be.

Order not to affect election of members to serve in Parliament.

74. Nothing in this Order contained shall affect the county of Bute or the limits of the same or the polling districts so far as regards the election of members to serve in Parliament for the said county or the preparation of the registers of voters for the purposes of such elections.

Continuance in office of Town Council.

75. The Town Council shall continue to consist of the same number of members as at present and shall continue in office subject to the provisions of the Town Councils Acts and other statutes regulating the election of magistrates and councillors and the order of their retirement shall not be affected.

Costs of Order.

76. All costs charges and expenses of or incident to the preparing and obtaining of this Order shall be paid by the Town Council out of any moneys to be borrowed under the powers of this Order or out of the special pier and harbour rate or out of any of their funds but shall be ultimately charged to the account of the piers and harbour undertaking.

A.D. 1905.

authorities shall be and continue as good valid and effectual for all purposes and for and against all persons as if this Order had not been confirmed:

- (3) All actions prosecutions or other proceedings by or against the Town Council of the existing burgh by reason of any act or thing done before the commencement of this Order may be continued commenced or prosecuted by or against the Town Council of the burgh:
- (4) All assessments rates feu-duties ground annuals and rents at the commencement of this Order imposed by or due or payable to the Town Council of the existing burgh may from and after the said date be collected and recovered by the Town Council:
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Costs of Order.

76. All costs charges and expenses of or incident to the preparing and obtaining of this Order shall be paid by the Town Council out of any moneys to be borrowed under the powers of this Order or out of the special pier and harbour rate or out of any of their funds but shall be ultimately charged to the account of the piers and harbour undertaking.



The SCHEDULES referred to in the foregoing Order.

A.D. 1905.

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THE FIRST SCHEDULE.

---

DESCRIPTION OF DISTRICT ANNEXED.

(1) The area within the parish of Cumbrae and county of Bute bounded as follows:—

Commencing at a point on the seashore one hundred and sixteen yards or thereby north-eastwards from the centre of Keppel Pier on the eastern side of the Island of Great Cumbrae and thence extending in a north-westerly direction in a straight line to the south-eastern corner of Ninian Brae Plantation thence along the existing boundary of the burgh in a south-easterly direction to a point on the seashore thence seawards in a south-easterly direction in a straight line for a distance of fifty-five yards or thereby thence north-eastwards in a straight line for a distance of two hundred and fifty-five yards or thereby and thence north-westwards in a straight line for a distance of fifty-five yards or thereby in a straight line to the point first mentioned.

(2) The area within the said parish and county bounded as follows:—

Commencing at a point on the seashore at a distance of seventy-five yards or thereby eastwards from the eastern corner of the junction of Ritchie Street and Stuart Street and thence extending seawards in a south-easterly direction in a straight line for a distance of one hundred and twenty-five yards or thereby thence in a southerly direction in a straight line for a distance of fifty yards or thereby thence in a westerly direction in a straight line for a distance of one hundred and fifty yards or thereby to a point on the seashore at a distance of thirty-five yards or thereby south-westwards from the south-east corner of the Millport Pier Offices and thence along the line of low-water mark of ordinary spring tides to the point first mentioned.

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The SCHEDULES referred to in the foregoing Order.

A.D. 1905.

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THE FIRST SCHEDULE.

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DESCRIPTION OF DISTRICT ANNEXED.

(1) The area within the parish of Cumbrae and county of Bute bounded as follows:—

Commencing at a point on the seashore one hundred and sixteen yards or thereby north-eastwards from the centre of Keppel Pier on the eastern side of the Island of Great Cumbrae and thence extending in a north-westerly direction in a straight line to the south-eastern corner of Ninian Brae Plantation thence along the existing boundary of the burgh in a south-easterly direction to a point on the seashore thence seawards in a south-easterly direction in a straight line for a distance of fifty-five yards or thereby thence north-eastwards in a straight line for a distance of two hundred and fifty-five yards or thereby and thence north-westwards in a straight line for a distance of fifty-five yards or thereby in a straight line to the point first mentioned.

(2) The area within the said parish and county bounded as follows:—

Commencing at a point on the seashore at a distance of seventy-five yards or thereby eastwards from the eastern corner of the junction of Ritchie Street and Stuart Street and thence extending seawards in a south-easterly direction in a straight line for a distance of one hundred and twenty-five yards or thereby thence in a southerly direction in a straight line for a distance of fifty yards or thereby thence in a westerly direction in a straight line for a distance of one hundred and fifty yards or thereby to a point on the seashore at a distance of thirty-five yards or thereby south-westwards from the south-east corner of the Millport Pier Offices and thence along the line of low-water mark of ordinary spring tides to the point first mentioned.

A.D. 1905.

THE SECOND SCHEDULE.

I.—RATES ON VESSELS AND BOATS.

(1) MILLPORT PIER AND HARBOUR.

(2) KEPPEL PIER.

*Rates on Vessels.*

	£	s.	d.
All vessels using the pier to load or unload per registered ton ...	0	0	2

Provided that with respect to the tonnage rates on vessels authorised by this Order any vessel calling on the same run at both Millport Pier and Keppel Pier both going and returning shall be liable for such tonnage rates as for one pier only.

*Rates on Fishing and other Boats.*

For all fishing boats with their punts (if any) not compounding

28 feet keel and under each visit ... ..	0	1	0
Exceeding 28 feet keel and not exceeding 36 feet each visit ...	0	2	0
Exceeding 36 feet keel and not exceeding 50 feet each visit ...	0	2	6
Exceeding 50 feet keel each visit ... ..	0	5	0
Gigs and other rowing boats not compounding each visit ...	0	0	6
Pleasure boats of any description not exceeding 20 feet keel each visit ... ..	0	0	6
Exceeding 20 feet keel and not exceeding 30 feet keel each visit	0	1	0
Exceeding 30 feet keel and not exceeding 40 feet keel each visit	0	2	0
Exceeding 40 feet keel per registered ton ... ..	0	0	3
Steam turbine or electric tugs each visit ... ..	0	3	0

II.—RATES ON GOODS SHIPPED · TRANSHIPPED OR UNSHIPED  
 AT THE PIER AND HARBOUR.

Ale beer and porter per 54 gallons ... ..	0	0	4
Ale beer and porter per 18 gallons ... ..	0	0	2
Ale bottled per gallon ... ..	0	0	0½
Anchors per cwt. ... ..	0	0	9
Anchor stock per foot run ... ..	0	0	2
Bark per ton ... ..	0	2	0
Bedding per cwt. ... ..	0	0	2
Biscuit or bread per cwt. ... ..	0	0	3
Blubber per 252 gallons ... ..	0	3	0
Bones and bone dust per ton ... ..	0	1	6
Books and newspapers per cwt. ... ..	0	0	2
Bottles per cwt. ... ..	0	0	1

A.D. 1905.

THE SECOND SCHEDULE.

I.—RATES ON VESSELS AND BOATS.

(1) MILLPORT PIER AND HARBOUR.

(2) KEPPEL PIER.

*Rates on Vessels.*

	£	s.	d.
All vessels using the pier to load or unload per registered ton ...	0	0	2

Provided that with respect to the tonnage rates on vessels authorised by this Order any vessel calling on the same run at both Millport Pier and Keppel Pier both going and returning shall be liable for such tonnage rates as for one pier only.

*Rates on Fishing and other Boats.*

For all fishing boats with their punts (if any) not compounding

28 feet keel and under each visit ... ..	0	1	0
Exceeding 28 feet keel and not exceeding 36 feet each visit ...	0	2	0
Exceeding 36 feet keel and not exceeding 50 feet each visit ...	0	2	6
Exceeding 50 feet keel each visit ... ..	0	5	0
Gigs and other rowing boats not compounding each visit ...	0	0	6
Pleasure boats of any description not exceeding 20 feet keel each visit ... ..	0	0	6
Exceeding 20 feet keel and not exceeding 30 feet keel each visit	0	1	0
Exceeding 30 feet keel and not exceeding 40 feet keel each visit	0	2	0
Exceeding 40 feet keel per registered ton ... ..	0	0	3
Steam turbine or electric tugs each visit ... ..	0	3	0

II.—RATES ON GOODS SHIPPED·TRANSHIPPED OR UNSHIPED  
 AT THE PIER AND HARBOUR.

Ale beer and porter per 54 gallons ... ..	0	0	4
Ale beer and porter per 18 gallons ... ..	0	0	2
Ale bottled per gallon ... ..	0	0	0½
Anchors per cwt. ... ..	0	0	9
Anchor stock per foot run ... ..	0	0	2
Bark per ton ... ..	0	2	0
Bedding per cwt. ... ..	0	0	2
Biscuit or bread per cwt. ... ..	0	0	3
Blubber per 252 gallons ... ..	0	3	0
Bones and bone dust per ton ... ..	0	1	6
Books and newspapers per cwt. ... ..	0	0	2
Bottles per cwt. ... ..	0	0	1

[5 Edw. 7.] *Millport Piers and Burgh Extension*  
*Order Confirmation Act, 1905.*

[Ch. cv.]

A.D. 1905.

	£	s.	d.
Bricks per ton ...	0	1	0
Butter and lard for smearing or other smearing grease per 3 cwt..	0	0	6
Butter eating salt or fresh per 56 lbs. ...	0	0	2
Bicycles and tricycles each ...	0	0	3
Cakes linseed or rape per cwt. ...	0	0	1
Canvas per 36 yards ...	0	0	1
Carriages:			
Chaises motor carriages cars cabs and other four-wheeled carriages each ...	0	1	6
Gigs and other two-wheeled carriages each ...	0	1	0
Carts each ...	0	0	6
Hand-carts and perambulators each ...	0	0	3
Casks (empty) not being returned packages each ...	0	0	1
Cattle:			
Bulls each ...	0	1	0
Cows and oxen each ...	0	0	6
Horses ponies and foals each ...	0	1	6
Sheep and lambs per score... ..	0	0	6
For any smaller number than half a score each sheep ...	0	0	0½
Pigs each ...	0	0	3
Cement per ton ...	0	1	0
Chalk per ton ...	0	1	0
Cheeses each ...	0	0	0½
Chimney-pots each ...	0	0	3
Cinders and charcoal per ton ...	0	0	6
Clay per ton ...	0	1	0
Cloth haberdashery &c. per package not exceeding 1 cwt. ...	0	0	1
Coals per ton ...	0	1	0
Copper per ton ...	0	3	0
Cordage per cwt. ...	0	0	3
Cork per cwt. ...	0	0	6
Crystal crockery &c. per cwt. ...	0	0	1
Clams per 37½ gallons ...	0	1	0
Crabs per dozen ...	0	0	2
Dogs each when not the property of those in charge of cattle or sheep being shipped or unshipped ...	0	0	2
Drugs (in casks hampers or boxes) per cubic foot ...	0	0	2
Earthenware (in casks hampers or boxes) per cubic foot ...	0	0	2
„ per cwt. ...	0	0	1
Eggs per 12 dozen ...	0	0	2
Firkin and jar empty ...	0	0	0½
Fish (dried or salted) per cwt. ...	0	0	3
Do. (fresh):			
Boxes containing not more than 2 cwt. each ...	0	0	4
Boxes containing not more than 1 cwt. ...	0	0	2

[5 Edw. 7.] *Millport Piers and Burgh Extension*  
*Order Confirmation Act, 1905.*

[Ch. cv.]

A.D. 1905.

	£	s.	d.
Bricks per ton ... ..	0	1	0
Butter and lard for smearing or other smearing grease per 3 cwt..	0	0	6
Butter eating salt or fresh per 56 lbs. ... ..	0	0	2
Bicycles and tricycles each ... ..	0	0	3
Cakes linseed or rape per cwt. ... ..	0	0	1
Canvas per 36 yards ... ..	0	0	1
Carriages:			
Chaises motor carriages cars cabs and other four-wheeled carriages each ... ..	0	1	6
Gigs and other two-wheeled carriages each ... ..	0	1	0
Carts each ... ..	0	0	6
Hand-carts and perambulators each ... ..	0	0	3
Casks (empty) not being returned packages each ... ..	0	0	1
Cattle:			
Bulls each ... ..	0	1	0
Cows and oxen each ... ..	0	0	6
Horses ponies and foals each ... ..	0	1	6
Sheep and lambs per score... ..	0	0	6
For any smaller number than half a score each sheep ... ..	0	0	0½
Pigs each ... ..	0	0	3
Cement per ton ... ..	0	1	0
Chalk per ton ... ..	0	1	0
Cheeses each ... ..	0	0	0½
Chimney-pots each ... ..	0	0	3
Cinders and charcoal per ton ... ..	0	0	6
Clay per ton ... ..	0	1	0
Cloth haberdashery &c. per package not exceeding 1 cwt. ... ..	0	0	1
Coals per ton ... ..	0	1	0
Copper per ton ... ..	0	3	0
Cordage per cwt. ... ..	0	0	3
Cork per cwt. ... ..	0	0	6
Crystal crockery &c. per cwt. ... ..	0	0	1
Clams per 37½ gallons ... ..	0	1	0
Crabs per dozen ... ..	0	0	2
Dogs each when not the property of those in charge of cattle or sheep being shipped or unshipped ... ..	0	0	2
Drugs (in casks hampers or boxes) per cubic foot ... ..	0	0	2
Earthenware (in casks hampers or boxes) per cubic foot ... ..	0	0	2
,, per cwt. ... ..	0	0	1
Eggs per 12 dozen ... ..	0	0	2
Firkin and jar empty ... ..	0	0	0½
Fish (dried or salted) per cwt. ... ..	0	0	3
Do. (fresh):			
Boxes containing not more than 2 cwt. each ... ..	0	0	4
Boxes containing not more than 1 cwt. ... ..	0	0	2







[5 Edw. 7.] *Millport Piers and Burgh Extension*  
*Order Confirmation Act, 1905.*

[Ch. cv.]

	£	s.	d.	A.D. 1905:
Manure (not enumerated) per ton ... ..	0	1	6	—
Masts and spars 10 inches in diameter and upwards each	0	2	6	
Meat fresh per cwt. ... ..	0	0	6	
„ salted or otherwise preserved per cwt. ... ..	0	0	9	
Milk per gallon ... ..	0	0	0½	
Musical instruments per cubic foot... ..	0	0	1	
Nets per cwt. ... ..	0	0	1	
Oakum per cwt... ..	0	0	2	
Oils per 252 gallons ... ..	0	2	0	
Oilcake per ton ... ..	0	1	0	
Ores per ton ... ..	0	1	0	
Oysters per hundred ... ..	0	0	3	
Paint per cwt. ... ..	0	0	4	
Peats per ton ... ..	0	0	1	
Piano cottage each ... ..	0	0	6	
„ large or grand each ... ..	0	1	0	
Pitch per cwt. ... ..	0	0	4	
Potatoes per cwt. ... ..	0	0	1	
„ in bulk per ton ... ..	0	1	0	
Poultry per dozen ... ..	0	0	6	
Any smaller number than a dozen each ... ..	0	0	1	
Rags and old rope per cwt. ... ..	0	0	1	
Rabbits per dozen ... ..	0	0	4	
Rope all kinds per cwt. ... ..	0	0	2	
Sails per cwt. ... ..	0	0	6	
Salt per cwt. ... ..	0	0	1	
Sand or gravel per ton ... ..	0	0	8	
Scythes per dozen ... ..	0	0	4	
Shell fish other than those herein particularly specified per cwt.	0	0	2	
Shrimps per cwt. ... ..	0	0	2	
Sieves per dozen ... ..	0	0	3	
Skins :				
Calf goat sheep lamb or dog per cwt. ... ..	0	0	3	
Slates per ton ... ..	0	1	0	
Snuff per cwt. ... ..	0	0	6	
Spirits per 63 gallons ... ..	0	0	4	
„ per 36 gallons ... ..	0	0	3	
„ per gallon ... ..	0	0	1	
Sprats or garvies per 37½ gallons ... ..	0	0	4	
Stones asphalte pipes or other building or heavy material per ton	0	1	0	
Steel per ton ... ..	0	3	0	
Sugar per cwt. ... ..	0	0	1	
Tallow soap and candles per cwt. ... ..	0	0	1	
Tar per cwt. ... ..	0	0	2	
Tea per cwt. ... ..	0	0	6	
Tiles per ton ... ..	0	0	8	

[5 Edw. 7.] *Millport Piers and Burgh Extension*  
*Order Confirmation Act, 1905.*

[Ch. cv.]

	£	s.	d.	A.D. 1905:
Manure (not enumerated) per ton ... ..	0	1	6	—
Masts and spars 10 inches in diameter and upwards each	0	2	6	
Meat fresh per cwt. ... ..	0	0	6	
„ salted or otherwise preserved per cwt. ... ..	0	0	9	
Milk per gallon ... ..	0	0	0½	
Musical instruments per cubic foot... ..	0	0	1	
Nets per cwt. ... ..	0	0	1	
Oakum per cwt... ..	0	0	2	
Oils per 252 gallons ... ..	0	2	0	
Oilcake per ton ... ..	0	1	0	
Ores per ton ... ..	0	1	0	
Oysters per hundred ... ..	0	0	3	
Paint per cwt. ... ..	0	0	4	
Peats per ton ... ..	0	0	1	
Piano cottage each ... ..	0	0	6	
„ large or grand each ... ..	0	1	0	
Pitch per cwt. ... ..	0	0	4	
Potatoes per cwt. ... ..	0	0	1	
„ in bulk per ton ... ..	0	1	0	
Poultry per dozen ... ..	0	0	6	
Any smaller number than a dozen each ... ..	0	0	1	
Rags and old rope per cwt. ... ..	0	0	1	
Rabbits per dozen ... ..	0	0	4	
Rope all kinds per cwt. ... ..	0	0	2	
Sails per cwt. ... ..	0	0	6	
Salt per cwt. ... ..	0	0	1	
Sand or gravel per ton ... ..	0	0	8	
Scythes per dozen ... ..	0	0	4	
Shell fish other than those herein particularly specified per cwt.	0	0	2	
Shrimps per cwt. ... ..	0	0	2	
Sieves per dozen ... ..	0	0	3	
Skins :				
Calf goat sheep lamb or dog per cwt. ... ..	0	0	3	
Slates per ton ... ..	0	1	0	
Snuff per cwt. ... ..	0	0	6	
Spirits per 63 gallons ... ..	0	0	4	
„ per 36 gallons ... ..	0	0	3	
„ per gallon ... ..	0	0	1	
Sprats or garvies per 37½ gallons ... ..	0	0	4	
Stones asphalte pipes or other building or heavy material per ton	0	1	0	
Steel per ton ... ..	0	3	0	
Sugar per cwt. ... ..	0	0	1	
Tallow soap and candles per cwt. ... ..	0	0	1	
Tar per cwt. ... ..	0	0	2	
Tea per cwt. ... ..	0	0	6	
Tiles per ton ... ..	0	0	8	

A.D. 1905.

	£	s.	d.
Tin and zinc per ton ... ..	0	0	8
Tobacco per cwt. ... ..	0	0	6
Tombstones per cwt. ... ..	0	0	4
Toys in boxes per cubic foot ... ..	0	0	1
Turnips per ton... ..	0	1	0
Turpentine and varnish per 36 gallons ... ..	0	0	6
Turtle each ... ..	0	2	6
Vegetables (not enumerated) per cwt. ... ..	0	0	1
Vinegar per 54 gallons ... ..	0	0	6
Vitriol per 10 gallons... ..	0	1	0
Wine in bottles per gallon ... ..	0	0	0½
Ditto per 10 gallons ... ..	0	0	2
Wood:			
Fir pine and other descriptions (not enumerated) per 50 cubic feet ... ..	0	1	6
Oak or wainscot per 50 cubic feet ... ..	0	2	0
Firewood per 216 cubic feet ... ..	0	1	6
Laths and lathwood per 216 cubic feet ... ..	0	2	6
Handspikes per 120 ... ..	0	3	0
Oars per 120 ... ..	0	5	0
Spars under 22 feet in length above 2½ and under 4 inches in diameter per 120 ... ..	0	5	0
Ditto 2½ inches in diameter and under per 120 ... ..	0	4	0
Spars 22 feet in length and upwards and not exceeding 4 inches in diameter per 120 ... ..	0	9	0
Ditto above 4 and under 6 inches in diameter per 120 ... ..	0	14	0
Spokes of wheels not exceeding 2 feet in length per 120 ... ..	0	2	0
Ditto exceeding 2 feet in length per 120 ... ..	0	3	0
Trenails per 1,000 ... ..	0	2	6
Wedges per 1,000 ... ..	0	2	6
Pipe staves and others in proportion per 120 ... ..	0	2	6
Herring-barrel staves per 1,000 superficial feet ... ..	0	1	2
Lignum vitæ fustic logwood teak greenheart mahogany and rosewood per ton ... ..	0	2	0
Wool per 240 lbs. ... ..	0	0	3
Yarn:			
Lint per cwt. ... ..	0	0	2
Cotton per cwt. ... ..	0	0	2
Tow per cwt. ... ..	0	0	1½
Hemp per cwt. ... ..	0	0	1½
Worsted per cwt. ... ..	0	0	4
All other goods not particularly enumerated above:			
Light goods per cubic foot ... ..	0	0	1
Heavy goods per ton ... ..	0	0	8

In charging the rates on goods the gross weight or measurement of all goods to be taken and for any less

[Ch. cv.] *Millport Piers and Burgh Extension* [5 EDW. 7.]  
*Order Confirmation Act, 1905.*

A.D. 1905.

	£	s.	d.
Tin and zinc per ton ... ..	0	0	8
Tobacco per cwt. ... ..	0	0	6
Tombstones per cwt. ... ..	0	0	4
Toys in boxes per cubic foot ... ..	0	0	1
Turnips per ton... ..	0	1	0
Turpentine and varnish per 36 gallons ... ..	0	0	6
Turtle each ... ..	0	2	6
Vegetables (not enumerated) per cwt. ... ..	0	0	1
Vinegar per 54 gallons ... ..	0	0	6
Vitriol per 10 gallons... ..	0	1	0
Wine in bottles per gallon ... ..	0	0	0½
Ditto per 10 gallons ... ..	0	0	2
Wood:			
Fir pine and other descriptions (not enumerated) per 50 cubic feet ... ..	0	1	6
Oak or wainscot per 50 cubic feet ... ..	0	2	0
Firewood per 216 cubic feet ... ..	0	1	6
Laths and lathwood per 216 cubic feet ... ..	0	2	6
Handspikes per 120 ... ..	0	3	0
Oars per 120 ... ..	0	5	0
Spars under 22 feet in length above 2½ and under 4 inches in diameter per 120 ... ..	0	5	0
Ditto 2½ inches in diameter and under per 120 ... ..	0	4	0
Spars 22 feet in length and upwards and not exceeding 4 inches in diameter per 120 ... ..	0	9	0
Ditto above 4 and under 6 inches in diameter per 120 ... ..	0	14	0
Spokes of wheels not exceeding 2 feet in length per 120 ... ..	0	2	0
Ditto exceeding 2 feet in length per 120 ... ..	0	3	0
Trenails per 1,000 ... ..	0	2	6
Wedges per 1,000 ... ..	0	2	6
Pipe staves and others in proportion per 120 ... ..	0	2	6
Herring-barrel staves per 1,000 superficial feet ... ..	0	1	2
Lignum vitæ fustic logwood teak greenheart mahogany and rosewood per ton ... ..	0	2	0
Wool per 240 lbs. ... ..	0	0	3
Yarn:			
Lint per cwt. ... ..	0	0	2
Cotton per cwt. ... ..	0	0	2
Tow per cwt. ... ..	0	0	1½
Hemp per cwt. ... ..	0	0	1½
Worsted per cwt. ... ..	0	0	4
All other goods not particularly enumerated above:			
Light goods per cubic foot ... ..	0	0	1
Heavy goods per ton ... ..	0	0	8

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 weights shall be charged.

In weighing and measuring packages to be included.

Animals (live) other than those particularly enumerated each ... 0 1 0

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

1.—*Rates of Cranage.*

All goods of packages not exceeding one ton	...	...	0	0	4
Exceeding one ton and not exceeding two tons	...	...	0	0	6
Exceeding two tons and not exceeding three tons	...	...	0	0	8
Exceeding three tons and not exceeding four tons	...	...	0	0	10
Exceeding four tons and not exceeding five tons	...	...	0	1	0
Exceeding five tons and not exceeding six tons	...	...	0	1	2
Exceeding six tons and not exceeding seven tons	...	...	0	1	4
Exceeding seven tons and not exceeding eight tons	...	...	0	1	6
Exceeding eight tons and not exceeding nine tons	...	...	0	1	10
Exceeding nine tons and not exceeding ten tons	...	...	0	2	4
Exceeding ten tons	...	...	0	3	6

2.—*Weighing Machines.*

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

3.—*Shed Dues.*

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

For any portmanteau trunk parcel or other article of passengers' luggage for each day or part of a day after first twenty-four hours per package ... 0 0 2

IV.—RATES FOR SUPPLYING WATER ON PIER &c.

Water per 100 gallons ... 0 0 2

V.—RATES ON PASSENGERS AND PASSENGERS' LUGGAGE.

(A) For every person above twelve years of age landing from or embarking in any vessel ... 0 0 2

weights measures and quantities than those above specified a proportion of the respective weights shall be charged.

In weighing and measuring packages to be included.

Animals (live) other than those particularly enumerated each ... 0 1 0

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

1.—*Rates of Cranage.*

All goods of packages not exceeding one ton	...	...	0	0	4
Exceeding one ton and not exceeding two tons	...	...	0	0	6
Exceeding two tons and not exceeding three tons	...	...	0	0	8
Exceeding three tons and not exceeding four tons	...	...	0	0	10
Exceeding four tons and not exceeding five tons	...	...	0	1	0
Exceeding five tons and not exceeding six tons	...	...	0	1	2
Exceeding six tons and not exceeding seven tons	...	...	0	1	4
Exceeding seven tons and not exceeding eight tons	...	...	0	1	6
Exceeding eight tons and not exceeding nine tons	...	...	0	1	10
Exceeding nine tons and not exceeding ten tons	...	...	0	2	4
Exceeding ten tons	...	...	0	3	6

2.—*Weighing Machines.*

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

3.—*Shed Dues.*

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

For any portmanteau trunk parcel or other article of passengers' luggage for each day or part of a day after first twenty-four hours per package ... 0 0 2

IV.—RATES FOR SUPPLYING WATER ON PIER &c.

Water per 100 gallons ... 0 0 2

V.—RATES ON PASSENGERS AND PASSENGERS' LUGGAGE.

(A) For every person above twelve years of age landing from or embarking in any vessel ... 0 0 2

A.D. 1905.

	£	s.	d.
(B) For every person under twelve years of age with parent guardian master or servant ... ..	0	0	1
Children in arms free.			
Servants going for or with luggage not to be charged but the luggage to be paid for as below.			
(c) Passengers' luggage each article unless carried by themselves	0	0	1

Provided that the rates set forth in subsections (A) and (B) of Part V. of this Schedule authorised to be charged on passengers at Millport Pier (as the said pier presently exists or as it may be extended) shall not commence to be charged at that pier until the Town Council receive the written consent thereto of the Marquis of Bute for the time being:

Provided further that the rates and dues payable at and for the use of the old or inner harbour at Millport by fishermen resident in Great Cumbrae Island shall not exceed the sums leviable thereat from such fishermen at the date of the commencement of this Order.

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### THE THIRD SCHEDULE.

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AGREEMENT between ARCHIBALD ROBERT CRAUFURD PITMAN W.S. Edinburgh Commissioner for the Most Honourable JOHN CRICHTON STUART MARQUIS OF BUTE and EARL OF WINDSOR in the Peerage of Great Britain and EARL OF DUMFRIES AND BUTE &c. in the Peerage of Scotland conform to Commission granted by the said Marquis in his favour dated twenty-seventh and registered in the Books of Council and Session twenty-ninth September one thousand nine hundred and two (the said Marquis being herein-after called "the first party") of the first part and the PROVOST MAGISTRATES AND COUNCILLORS OF THE BURGH OF MILLPORT being a body corporate under the Burgh Police (Scotland) Act 1892 (herein-after called "the second party") of the second part.

WHEREAS an action was raised in the Court of Session at the instance of the Honourable Lord Edmund Bernard Talbot of number one Buckingham Palace Gardens in the County of Middlesex and others the Trustees of the late Most Honourable John Patrick Crichton Stuart Marquess of Bute and of the first party against the Right Honourable Andrew Graham Murray His Majesty's Advocate on behalf of His Majesty and of the Committee of the Privy Council appointed for the consideration of matters relating to trade commonly called the Board of Trade and also of the Commissioners of Woods and Forests and Land Revenues and also against the Millport Pier and Harbour Company Limited incorporated under the Companies Acts

A.D. 1905.

	£	s.	d.
(B) For every person under twelve years of age with parent guardian master or servant ... ..	0	0	1
Children in arms free.			
Servants going for or with luggage not to be charged but the luggage to be paid for as below.			
(c) Passengers' luggage each article unless carried by themselves	0	0	1

Provided that the rates set forth in subsections (A) and (B) of Part V. of this Schedule authorised to be charged on passengers at Millport Pier (as the said pier presently exists or as it may be extended) shall not commence to be charged at that pier until the Town Council receive the written consent thereto of the Marquis of Bute for the time being:

Provided further that the rates and dues payable at and for the use of the old or inner harbour at Millport by fishermen resident in Great Cumbrae Island shall not exceed the sums leviable thereat from such fishermen at the date of the commencement of this Order.

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WHEREAS an action was raised in the Court of Session at the instance of the Honourable Lord Edmund Bernard Talbot of number one Buckingham Palace Gardens in the County of Middlesex and others the Trustees of the late Most Honourable John Patrick Crichton Stuart Marquess of Bute and of the first party against the Right Honourable Andrew Graham Murray His Majesty's Advocate on behalf of His Majesty and of the Committee of the Privy Council appointed for the consideration of matters relating to trade commonly called the Board of Trade and also of the Commissioners of Woods and Forests and Land Revenues and also against the Millport Pier and Harbour Company Limited incorporated under the Companies Acts



1862 to 1898 and having their registered office at number eight Bath Street Largs for declarator that inter alia the whole foreshore ex adverso of the Island of Cumbrae belonged to the Pursuers and for reduction of (*First*) a disposition by the Honourable James Kenneth Howard one of the Commissioners of Woods and Forests and Land Revenues in favour of James Miller of Millburn Millport Cumbrae and others in trust for the Millport Pier and Harbour Company dated twenty-eighth May one thousand eight hundred and fifty-nine and recorded in the Particular Register of Sasines &c. for the Shires of Dumbarton Argyll and Bute eleventh June one thousand eight hundred and fifty-nine and (*Second*) a disposition by Edward Stafford Howard one of the Commissioners of Woods and Forests and Land Revenues in favour of the said Millport Pier and Harbour Company Limited dated first and recorded in the Division of the General Register of Sasines applicable to the County of Bute eighth both days of March one thousand eight hundred and ninety-nine :

A.D. 1905.  
—

And whereas defences were lodged by the said Millport Pier and Harbour Company Limited to the said action and a record made up and closed and after further sundry procedure a joint minute was lodged for the Pursuers and the Defenders the said Millport Pier and Harbour Company Limited by which it was inter alia provided—

- “ 1. That the said Defenders admit the right and title of the Pursuers  
“ to the old or inner harbour and mid and small piers enclosing  
“ it and consent to decree of reduction of the disposition sought  
“ to be reduced in the second place in the summons being  
“ pronounced :
- “ 2. That the Pursuers admit the right and title of these Defenders  
“ to the steamboat pier and offices and accesses thereto in so  
“ far as situated on the foreshore and consent to these Defenders  
“ being assoilzied from the conclusion for reduction of the dis-  
“ position sought to be reduced in the first place in the summons :
- “ 3. That these Defenders give to the Marquis of Bute the option to  
“ purchase the steamboat pier offices and accesses thereto as  
“ at first October one thousand nine hundred and four on his  
“ giving one month's previous notice at the price of five  
“ thousand pounds sterling payable within one month of said  
“ first October nineteen hundred and four and will convey the  
“ said steamboat pier offices and accesses thereto and all their  
“ right title and interest therein under the said disposition first  
“ sought to be reduced and otherwise :
- “ 5. That these Defenders are to be entitled to all dues usually paid in  
“ slump for the season or year first May nineteen hundred and  
“ four to first May nineteen hundred and five though payable or  
“ paid after first October nineteen hundred and four but in con-  
“ sideration thereof shall be liable for the whole year's rates and  
“ taxes both on the steamboat pier and old or inner harbour :”

1862 to 1898 and having their registered office at number eight Bath Street Largs for declarator that inter alia the whole foreshore ex adverso of the Island of Cumbrae belonged to the Pursuers and for reduction of (*First*) a disposition by the Honourable James Kenneth Howard one of the Commissioners of Woods and Forests and Land Revenues in favour of James Miller of Millburn Millport Cumbrae and others in trust for the Millport Pier and Harbour Company dated twenty-eighth May one thousand eight hundred and fifty-nine and recorded in the Particular Register of Sasines &c. for the Shires of Dumbarton Argyll and Bute eleventh June one thousand eight hundred and fifty-nine and (*Second*) a disposition by Edward Stafford Howard one of the Commissioners of Woods and Forests and Land Revenues in favour of the said Millport Pier and Harbour Company Limited dated first and recorded in the Division of the General Register of Sasines applicable to the County of Bute eighth both days of March one thousand eight hundred and ninety-nine :

A.D. 1905.  
—

And whereas defences were lodged by the said Millport Pier and Harbour Company Limited to the said action and a record made up and closed and after further sundry procedure a joint minute was lodged for the Pursuers and the Defenders the said Millport Pier and Harbour Company Limited by which it was inter alia provided—

- “ 1. That the said Defenders admit the right and title of the Pursuers  
“ to the old or inner harbour and mid and small piers enclosing  
“ it and consent to decree of reduction of the disposition sought  
“ to be reduced in the second place in the summons being  
“ pronounced :
- “ 2. That the Pursuers admit the right and title of these Defenders  
“ to the steamboat pier and offices and accesses thereto in so  
“ far as situated on the foreshore and consent to these Defenders  
“ being assoilzied from the conclusion for reduction of the dis-  
“ position sought to be reduced in the first place in the summons :
- “ 3. That these Defenders give to the Marquis of Bute the option to  
“ purchase the steamboat pier offices and accesses thereto as  
“ at first October one thousand nine hundred and four on his  
“ giving one month's previous notice at the price of five  
“ thousand pounds sterling payable within one month of said  
“ first October nineteen hundred and four and will convey the  
“ said steamboat pier offices and accesses thereto and all their  
“ right title and interest therein under the said disposition first  
“ sought to be reduced and otherwise :
- “ 5. That these Defenders are to be entitled to all dues usually paid in  
“ slump for the season or year first May nineteen hundred and  
“ four to first May nineteen hundred and five though payable or  
“ paid after first October nineteen hundred and four but in con-  
“ sideration thereof shall be liable for the whole year's rates and  
“ taxes both on the steamboat pier and old or inner harbour :”

A.D. 1905. To which joint minute the authority of the Court was interponed by interlocutor pronounced by Lord Kyllachy Ordinary dated thirtieth January nineteen hundred and four and decree pronounced in terms thereof:

And whereas the subjects contained in the title to which the said option applies were held in fee simple by the said Pier Company:

And whereas the first party offered to make over to the second party the said right acquired by him under the said option to the said steamboat pier and offices and accesses thereto (herein-after called "the Millport Pier") referred to in the said joint minute on the conditions herein-after specified and which offer was subject to the terms of this agreement herein-after written accepted by the second party:

And whereas the second party were unable without parliamentary authority to raise the funds necessary to enable them to take over and pay for the said Millport Pier and requested the first party to make the advances necessary therefor until such powers are obtained:

And whereas the first party agreed to do so and has paid to the said Millport Pier and Harbour Company Limited the price of the said Millport Pier being five thousand pounds and the further sum of thirty pounds being the agreed-on value of certain moveable effects connected with the said pier and has obtained a conveyance thereto from the said Company of the said pier dated first and recorded in the Division of the General Register of Sasines applicable to the County of Bute third November nineteen hundred and four which conveyance was submitted to and has been approved of by the second party or their agents:

And whereas it was part of the arrangement between the first party and the second party that the first party should convey the said Millport Pier to the second party by a fee-simple title on the confirmation of this agreement by a Provisional Order to be promoted as herein-after mentioned and subject to the conditions herein-after written and on payment by the second party to the first party of the sum of five thousand pounds and the further sum of thirty pounds being the agreed-on value of the said moveable effects connected with the said Millport Pier and the other sums specified in the second article hereof:

And whereas the second party has agreed with the first party that the second party may in the Provisional Order herein-after mentioned apply for and may obtain compulsory powers over (1) such other parts of the property of or connected with the said Millport Pier not contained in the said conveyance by the said Millport Pier and Harbour Company Limited in favour of the first party and (2) the Old or Inner Harbour of Millport and mid and small piers enclosing it in respect that the first party is liferenter of the said subjects and that the compulsory acquisition of the same may be necessary in the event of the second party desiring to obtain the subjects by an absolute parliamentary title thereto:

And whereas the Keppel Pier Company Limited are tenants under the first party of a piece of ground at Keppel Port for the period of thirty-one

A.D. 1905. To which joint minute the authority of the Court was interponed by interlocutor pronounced by Lord Kyllachy Ordinary dated thirtieth January nineteen hundred and four and decree pronounced in terms thereof:

And whereas the subjects contained in the title to which the said option applies were held in fee simple by the said Pier Company:

And whereas the first party offered to make over to the second party the said right acquired by him under the said option to the said steamboat pier and offices and accesses thereto (herein-after called "the Millport Pier") referred to in the said joint minute on the conditions herein-after specified and which offer was subject to the terms of this agreement herein-after written accepted by the second party:

And whereas the second party were unable without parliamentary authority to raise the funds necessary to enable them to take over and pay for the said Millport Pier and requested the first party to make the advances necessary therefor until such powers are obtained:

And whereas the first party agreed to do so and has paid to the said Millport Pier and Harbour Company Limited the price of the said Millport Pier being five thousand pounds and the further sum of thirty pounds being the agreed-on value of certain moveable effects connected with the said pier and has obtained a conveyance thereto from the said Company of the said pier dated first and recorded in the Division of the General Register of Sasines applicable to the County of Bute third November nineteen hundred and four which conveyance was submitted to and has been approved of by the second party or their agents:

And whereas it was part of the arrangement between the first party and the second party that the first party should convey the said Millport Pier to the second party by a fee-simple title on the confirmation of this agreement by a Provisional Order to be promoted as herein-after mentioned and subject to the conditions herein-after written and on payment by the second party to the first party of the sum of five thousand pounds and the further sum of thirty pounds being the agreed-on value of the said moveable effects connected with the said Millport Pier and the other sums specified in the second article hereof:

And whereas the second party has agreed with the first party that the second party may in the Provisional Order herein-after mentioned apply for and may obtain compulsory powers over (1) such other parts of the property of or connected with the said Millport Pier not contained in the said conveyance by the said Millport Pier and Harbour Company Limited in favour of the first party and (2) the Old or Inner Harbour of Millport and mid and small piers enclosing it in respect that the first party is liferenter of the said subjects and that the compulsory acquisition of the same may be necessary in the event of the second party desiring to obtain the subjects by an absolute parliamentary title thereto:

And whereas the Keppel Pier Company Limited are tenants under the first party of a piece of ground at Keppel Port for the period of thirty-one

years from Whitsunday eighteen hundred and eighty-eight under a lease dated twenty-fifth and twenty-eighth April eighteen hundred and eighty-eight on which piece of ground the said Company have erected a pier :

And whereas the second party are negotiating with the said the Keppel Pier Company Limited for the purchase of the said pier at Keppel Port (herein-after called "the Keppel Pier") and for acquiring the tenants' part of the said lease and the rights and interests of the Keppel Pier Company therein :

And whereas the second party have applied to the first party to grant them a conveyance of his right and interest in the subjects included in the said lease in the event of terms of purchase being arranged between them and the said Keppel Pier Company Limited :

And whereas the first party has agreed to do so subject to the conditions herein-after contained :

And whereas it is desirable to put the agreements in formal shape :

Therefore the parties have agreed and do hereby agree unto each other as follows viz. :—

*First.*—The second party shall promote in the coming Session of Parliament a Bill or Provisional Order to enable them to acquire the Millport Pier and the other property forming part of the same not included in the foresaid conveyance and to raise funds to meet the sums payable by them under this agreement and in the event of said Bill or Provisional Order not receiving the Royal Assent during the coming Session they shall be bound to promote it in the following Session.

*Second.*—In the event of the said Bill or Provisional Order receiving the Royal Assent during the Session of nineteen hundred and five the second party shall pay to the first party as at Martinmas nineteen hundred and five the following sums viz. :—

- (1) Five thousand pounds being the price paid by the first party to the said Millport Pier and Harbour Company Limited for the said pier ;
- (2) Thirty pounds being the value of the said moveable effects taken over by the first party from the said Company with the approval of the second party ;
- (3) The expenses of the conveyance by the said Company to the first party in so far as said expenses were payable by the first party including the expenses of recording the same ;
- (4) Any sums expended by the first party on the said pier in so far as they may not be paid out of the revenue thereof ; and
- (5) Any arrears of interest due to the first party as after provided.

*Third.*—In the event of the said Bill or Provisional Order not receiving the Royal Assent until the Session of nineteen hundred and six the said sums shall be payable by the second party to the first party not later than Martinmas nineteen hundred and six.

years from Whitsunday eighteen hundred and eighty-eight under a lease dated twenty-fifth and twenty-eighth April eighteen hundred and eighty-eight on which piece of ground the said Company have erected a pier :

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- (1) Five thousand pounds being the price paid by the first party to the said Millport Pier and Harbour Company Limited for the said pier ;
- (2) Thirty pounds being the value of the said moveable effects taken over by the first party from the said Company with the approval of the second party ;
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- (5) Any arrears of interest due to the first party as after provided.

*Third.*—In the event of the said Bill or Provisional Order not receiving the Royal Assent until the Session of nineteen hundred and six the said sums shall be payable by the second party to the first party not later than Martinmas nineteen hundred and six.

[Ch. cv.] *Millport Piers and Burgh Extension* [5 EDW. 7.]  
*Order Confirmation Act, 1905.*

A.D. 1905.

*Fourth.*—In the event of the said Bill or Provisional Order not receiving the Royal Assent during the Session of nineteen hundred and six this agreement shall in the option of the first party come to an end.

*Fifth.*—On payment of the said sums by the second party to the first party the first party will grant to the second party a conveyance of the subjects acquired by him from the said Millport Pier and Harbour Company Limited by disposition in ordinary form subject to all the conditions under which the first party holds the same and subject also to the following conditions viz. (1) that a toll on passengers using the pier shall not at any time be levied or charged without the consent of the first party or the proprietor for the time being of the Bute Estate in the Island of Cumbrae and (2) that the plans of any extension of the pier shall be submitted to the first party or his successors in the Bute Estate for approval before any alteration is made on the existing works And as the conveyance to the first party by the said Millport Pier and Harbour Company Limited was for the convenience of the second party the first party will grant warrandice from fact and deed only The whole expenses of this agreement and the said disposition to be granted in implement thereof including stamp duty revising fees and searches (if required by the second party) will be borne by the second party.

*Sixth.*—The first party will at the same time and subject to the foregoing conditions grant to the second party at the expense of the second party but without any consideration to be paid by the second party to the first party such a corroborative title as he has himself and can confer on others to the portions of the said pier not embraced in the title of the said Millport Pier and Harbour Company Limited and will also at the expense of the second party convey to the second party the Old or Inner Harbour of Millport and mid and small piers enclosing it but only in so far as he has a title thereto himself and can confer it on others with warrandice from fact and deed only in both cases but as regards the Old or Inner Harbour subject to this condition that no dues are to be exacted from fishermen resident in the Island of Cumbrae for the use thereof at a higher rate than the said fishermen have been in the custom of paying for landing at and the use of that harbour The conditions referred to in this and the preceding articles will be made real burdens on the portions of the subjects to which they are applicable and will be fenced with the usual irritant and resolute clauses If at the date of the conveyances to be granted by the first party in implement of the provisions of this article he shall not be feudally vested in the subjects therein mentioned he will if desired by the second party obtain the concurrence to the said conveyances of the said trustees of the late John Patrick Crichton Stuart Marquess of Bute as feudally vested therein in trust for the first party and the other heirs mentioned in the trust-disposition and settlement and relative codicils of the said Marquess of Bute.

*Seventh.*—Until the application for the said Bill or Provisional Order and until the same receives the Royal Assent and until payment by the

[Ch. cv.] *Millport Piers and Burgh Extension* [5 EDW. 7.]  
*Order Confirmation Act, 1905.*

A.D. 1905.

*Fourth.*—In the event of the said Bill or Provisional Order not receiving the Royal Assent during the Session of nineteen hundred and six this agreement shall in the option of the first party come to an end.

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*Seventh.*—Until the application for the said Bill or Provisional Order and until the same receives the Royal Assent and until payment by the



second party to the first party of all sums herein-before provided for but no longer the Millport Pier shall be managed by a committee consisting of John Windsor Stuart the present factor on the Bute Estates whom failing the factor for the time on the said estates and two members of the Millport Town Council to be nominated by the second party. A majority of the said committee shall be a quorum but no expenditure on the said Millport Pier shall be undertaken either in the way of repairs or improvements thereon during the said committee's management without the consent of the said factor and the first party shall not be bound to make any expenditure in excess of the free income derived from the said pier after meeting the interest payable to him.

A.D. 1905.

*Eighth.*—The whole revenue to be derived from or on account of the Millport Pier shall during the continuance of the committee as provided in the last preceding paragraph be paid into an account to be kept in the names of the said committee but only while and so long as the committee retains its functions under this agreement with the Union Bank of Scotland Limited Millport. All disbursements to be made for the said pier offices and accesses shall be paid by cheques drawn on the said account. Said cheques shall be signed by one member of the committee nominated by the Town Council and by the said factor.

*Ninth.*—The second party shall subject to the restriction after-mentioned pay to the first party interest at the rate of four per cent. on the said sums of five thousand pounds and thirty pounds from first November nineteen hundred and four to the date when they are paid by the second party to the first party or to the date of the termination of this agreement.

*Tenth.*—In the event of the revenue in any year including the balance if any brought from the previous year not being sufficient to meet the expenses and interest at the rate aforesaid the first party will restrict the rate of interest for that year and the same is hereby restricted to three per cent. or such higher rate less than four per cent. as said revenue including as aforesaid shall be sufficient to provide.

*Eleventh.*—The foresaid joint minute shall so far as applicable regulate the rights of the parties as to matters with which it deals.

*Twelfth.*—In the event of the completion of the negotiations between the second party and the said Keppel Pier Company Limited for the purchase by the second party of said Keppel Pier and for the second party acquiring right to the tenants' part of said lease the first party will if required in writing by the second party prior to the term of Martinmas nineteen hundred and six without any consideration to be paid therefor by the second party to the first party and at the expense of the second party grant to the second party such a conveyance and title as he has himself and can confer on others to the ground embraced in the said lease subject to all the conditions therein contained so far as they may then be applicable but with warrandice from fact and deed only. And the second party may apply for and obtain compulsory powers to acquire a fee-simple parliamentary title to said Keppel Pier if the second party so desire.

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A.D. 1905.

*Thirteenth.*—In the event of the second party exercising any compulsory powers which the second party may obtain for the purpose of acquiring the said properties herein-before mentioned or any part of the same (other than the Millport Pier herein-before defined and intended to be conveyed by fee-simple title to the second party) it is agreed that the first party shall not exact the payment of any interest on the amount which may be ascertained or fixed in the course of the procedure arising on the exercise of such compulsory powers as the value of the property or properties which may be so compulsorily acquired and that any such interest on such sum so ascertained shall during the life of the first party belong to and be paid over to the second party.

*Fourteenth.*—In the event of any difference arising between the parties as to the meaning of these presents or the implement thereof in any manner of way the same is hereby submitted and referred to the amicable decision of the Dean of the Faculty of Advocates for the time whom failing the Dean of the Faculty of Procurators Glasgow for the time as sole arbiter chosen by the parties for the purpose.

*Fifteenth.*—This agreement is conditional on the confirmation of the same by Parliament either by Bill or Provisional Order and shall be subject to such alterations as Parliament may make thereon but in the event of any material alteration being made it shall be in the power of either party to withdraw. In witness whereof these presents consisting of this and the four preceding pages are executed in duplicate by the parties hereto as follows videlicet They are subscribed at a meeting of the said Provost Magistrates and Councillors of the Burgh of Millport by John Rowatt fruiterer Millport Provost and William Mackinlay Writer Glasgow Town Clerk of the said Burgh and sealed with the Common Seal of the said Burgh all at Millport on the sixteenth day of December one thousand nine hundred and four before these witnesses Robert Adam Burgh Surveyor Millport and Archibald Cameron Burgh Collector there and they are subscribed by the said Archibald Robert Craufurd Pitman as Commissioner aforesaid at Edinburgh on the twenty-first day of said month of December and year last mentioned before these witnesses John Archibald Vicars and James Wittet both Clerks to the firm of John and Francis Anderson Writers to the Signet Edinburgh.

JOHN A. VICARS Witness.

A. R. C. PITMAN.

JAS. WITTET Witness.

ROBT. ADAM Witness.

JOHN ROWATT

Provost.

ARCH. CAMERON Witness.

WILLIAM MACKINLAY

Town Clerk.

Seal.

A.D. 1905.

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WILLIAM MACKINLAY

Town Clerk.

Seal.

THE FOURTH SCHEDULE.

A.D. 1905.

AGREEMENT between the KEPPEL PIER COMPANY LIMITED incorporated under the Companies Acts 1862 to 1886 and having its registered office at 190 West George Street Glasgow (herein-after called "the first party") of the first part and the PROVOST MAGISTRATES AND COUNCILLORS OF THE BURGH OF MILLPORT being the local and municipal authority of that Burgh under the Burgh Police (Scotland) Act 1892 and Acts amending that Act (herein-after called "the second party") of the second part.

WHEREAS by minute of agreement and lease between Frederick Pitman Writer to the Signet Edinburgh commissioner for the Most Noble John Patrick Crichton Stuart Marquess of Bute and Earl of Windsor etc. in the peerage of the United Kingdom and Earl of Dumfries and Bute etc. in the peerage of Scotland K.T. conform to Commission dated the tenth and registered in the Books of Council and Session the twentieth days of October eighteen hundred and sixty-eight granted by the said Marquess in favour of the said Frederick Pitman of the first part and the said the Keppel Pier Company Limited of the second part the said Frederick Pitman on the narrative therein stated let to the said the Keppel Pier Company Limited but expressly excluding assignees and sub-tenants legal and conventional excepting heritable creditors as therein-after mentioned without the consent in writing of the said Marquess or his commissioner or factor (but with power nevertheless to the said the Keppel Pier Company Limited to borrow any sum or sums of money not exceeding in all two thousand pounds on the security of the pier to be erected on the ground after mentioned and of the said minute of agreement and lease without the consent of the said Marquess) All and whole that piece of ground situated at Keppel Port in the Island of Cumbrae and County of Bute extending to one acre and thirty-four poles imperial measure or thereby bounded on the west by the boundary of the Burgh of Millport along which it extends three hundred and twenty feet or thereby to high-water mark on the north by the south side of the public road along which it extends six hundred feet or thereby on the east by a line running from the east end of the last-mentioned boundary to the sea along which it extends fifty feet or thereby to high-water mark and on the south by the sea all as delineated and coloured red on the plan or sketch annexed and signed as relative to the said minute of agreement and lease and that (subject to the declaration thereafter written) for the space of thirty-one years from and after the term of Whitsunday eighteen hundred and eighty-eight and that on the terms and conditions more fully set forth in the said minute of agreement and lease And whereas by the Keppel Pier Order 1889 confirmed by the Pier and Harbour Orders Confirmation (No. 1) Act 1889 the first party were empowered and authorised to erect and maintain upon the said ground at Keppel Port a pier (since known and

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*Order Confirmation Act, 1905.*

A.D. 1905. herein-after referred to as "the Keppel Pier") and to demand and receive for the use of the said pier and works in respect of vessels boats passengers animals goods matters and things described in the Schedule to the said Order any sums not exceeding the several rates specified in the said Schedule and were granted certain other powers rights privileges and authorities all as more fully specified in the said Order And whereas the first party have agreed to sell to the second party the whole of the said subjects known as Keppel Pier together with all the rights of the first party therein and the powers rights authorities and privileges contained in and conferred by the aforesaid Keppel Pier Order 1889 and that on the terms and conditions herein-after stated Therefore these presents witness that the parties hereto have agreed and do hereby agree as follows viz. :—

*First.*—The first party agree to sell to the second party and the second party agree to purchase from the first party the whole subjects known as Keppel Pier and their whole right title and interest therein including (*First*) The said subjects leased to the first party by the minute of agreement and lease above narrated and their whole right title and interest in and to the said subjects in terms of the said minute of agreement and lease (*Second*) The said pier and whole works therewith connected erected by the first party upon or adjacent to the said subjects and (*Third*) The whole powers rights privileges and authorities granted to and conferred upon the first party by the said Keppel Order 1889.

*Second.*—The price of the said subjects of sale shall be two thousand pounds sterling which price shall be payable by the second party to the first party as at the first term of Whitsunday or Martinmas after the Provisional Order to be obtained by the second party as herein-after provided has received the Royal Assent with interest on the said price from the said term till payment at the rate of five per cent. per annum.

*Third.*—The second party shall promote in the coming session of Parliament a Bill or Provisional Order to enable them to acquire the said subjects of sale and to raise funds to meet the sums payable by them under this agreement and in the event of said Bill or Provisional Order not receiving the Royal Assent during the coming session they shall be bound to promote it in the following session The first party will if and when required by the second party give any assistance they can in the promotion of the said Bill or Provisional Order.

*Fourth.*—In the event of the said Bill or Provisional Order not receiving the Royal Assent during the session of nineteen hundred and six this agreement shall in the option of either party come to an end.

*Fifth.*—On payment of the said price and interest by the second party to the first party the first party will grant to the second party such formal conveyance of the subjects of sale as shall be required by the second party and as shall be within the power of the first party to grant The whole expenses of this agreement and of the said conveyance to be granted in implement thereof shall be borne by the second party In the event of the consent of

[Ch. cv.] *Millport Piers and Burgh Extension* [5 EDW. 7.]  
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*Second.*—The price of the said subjects of sale shall be two thousand pounds sterling which price shall be payable by the second party to the first party as at the first term of Whitsunday or Martinmas after the Provisional Order to be obtained by the second party as herein-after provided has received the Royal Assent with interest on the said price from the said term till payment at the rate of five per cent. per annum.

*Third.*—The second party shall promote in the coming session of Parliament a Bill or Provisional Order to enable them to acquire the said subjects of sale and to raise funds to meet the sums payable by them under this agreement and in the event of said Bill or Provisional Order not receiving the Royal Assent during the coming session they shall be bound to promote it in the following session The first party will if and when required by the second party give any assistance they can in the promotion of the said Bill or Provisional Order.

*Fourth.*—In the event of the said Bill or Provisional Order not receiving the Royal Assent during the session of nineteen hundred and six this agreement shall in the option of either party come to an end.

*Fifth.*—On payment of the said price and interest by the second party to the first party the first party will grant to the second party such formal conveyance of the subjects of sale as shall be required by the second party and as shall be within the power of the first party to grant The whole expenses of this agreement and of the said conveyance to be granted in implement thereof shall be borne by the second party In the event of the consent of



A.D. 1905.

the said Marquess or his successor being required to the said conveyance such consent shall be obtained by the second party The first party shall relieve the second party of any claim that may be made against them by the tenant of the said Keppel Pier for compensation for breach of his existing lease or otherwise.

*Sixth.*—In the event of any difference arising between the parties as to the meaning of these presents or the implement thereof in any manner of way the same is hereby submitted and referred to the amicable decision of the Dean of the Faculty of Procurators in Glasgow for the time being as sole arbiter chosen by the parties for the purpose.

*Seventh.*—This agreement is conditional on the confirmation of the same by Parliament either by Bill or Provisional Order and shall be subject to such alteration as Parliament may make thereon but in the event of any alteration being made which is material in the opinion of the arbiter herein-before appointed it shall be in the power of either party to withdraw from this agreement In witness whereof these presents consisting of this and the preceding page are executed in duplicate by the parties hereto as follows viz. They are subscribed by John Rowatt fruiterer Millport Provost and William Mackinlay writer Glasgow Town Clerk of the said Burgh and sealed with the common seal of the Town Council all at Millport on the sixteenth day of December one thousand nine hundred and four before these witnesses Robert Adam Burgh surveyor Millport and Archibald Cameron Burgh collector there and they are subscribed by John Cunningham baker Millport and James M'Millan retired shipmaster residing at Crossburn Millport two of the Directors and William Hunter the Secretary all of the said the Keppel Pier Company Limited for and on behalf of said Company and they are sealed with the common seal of said Company all at Millport on the sixteenth day of said month of December and year last mentioned before these witnesses the said Robert Adam and the said Archibald Cameron.

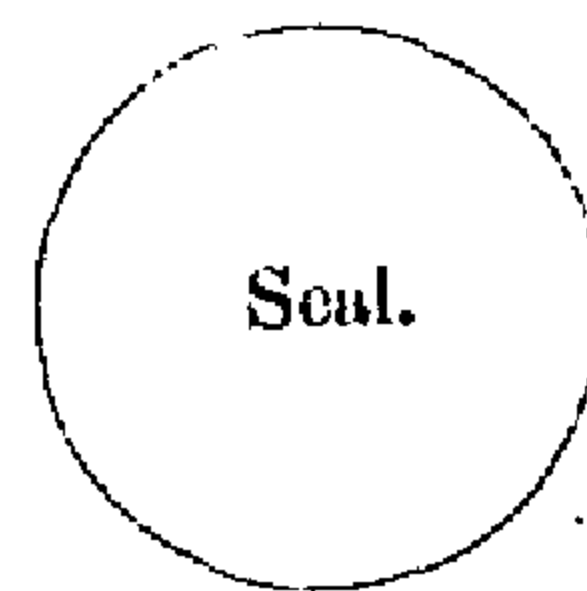
ROBT. ADAM Witness.

JOHN CUNNINGHAM  
 Director.

ARCH. CAMERON Witness.

JAMES M'MILLAN  
 Director.

W. HUNTER Secretary.

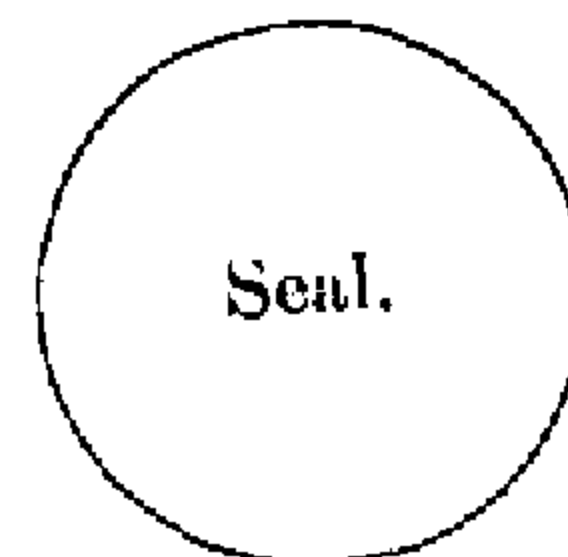


ROBT. ADAM Witness.

JOHN ROWATT  
 Provost.

ARCH. CAMERON Witness.

WILLIAM MACKINLAY  
 Town Clerk.



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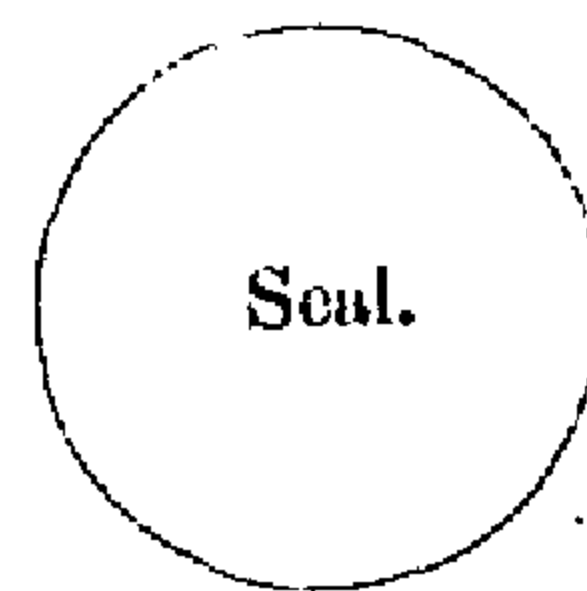
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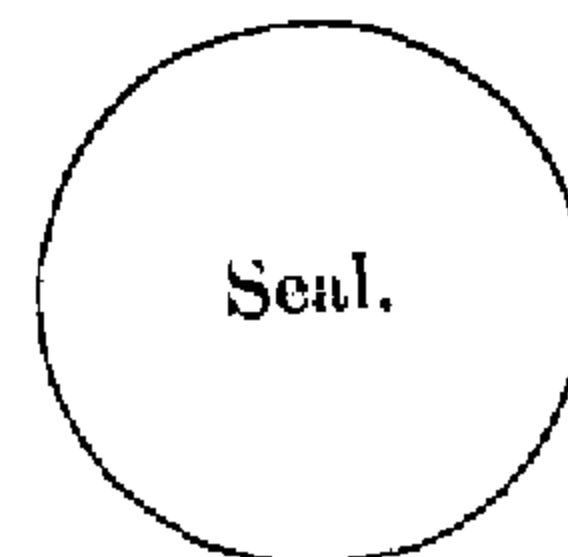


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