



CHAPTER cxxi.

An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Blackpool Deal Eyemouth and Truro. A.D. 1920.
[4th August 1920.]

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

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

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

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

2. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 2) Act 1920. Short title.

A.D. 1920:

SCHEDULE of Orders.

1. BLACKPOOL PIER.—Increase of rates.
 2. BLACKPOOL SOUTH PIER.—Increase of rates.
 3. DEAL PIER.—Transfer of Pier to Corporation.
 4. EYEMOUTH HARBOUR.—Increase of rates.
 5. TRURO HARBOUR.—Increase of rates and borrowing powers and extension of time for the construction of works.
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BLACKPOOL PIER.

A.D. 1920.

Order for varying certain rates chargeable in respect of the use of Blackpool Pier and for other purposes. Blackpool.

1. This Order may be cited as the Blackpool Pier Order 1920 and the Blackpool Pier Act and Orders 1863 to 1899 and this Order may be cited together as the Blackpool Pier Act and Orders 1863 to 1920. Short and collective titles.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed. Commencement of Order.

3. The Blackpool Pier Company shall be the Undertakers for carrying this Order into execution and are in this Order referred to as "the Company." Undertakers.

4. The following rate shall be substituted for the corresponding rate contained in the first part of the schedule to the Blackpool Pier Order 1863:— Alteration of rate for promenaders.

For every person who shall use the pier for the purpose of walking for exercise pleasure or any other purpose except for embarking or disembarking for each and every time any sum not exceeding 3*d.*

5.—(1) The Company may on any special occasions but not exceeding twelve days in any one year or for more than three days consecutively close the Blackpool Pier (in this section referred to as "the pier") against the public and may if they think fit on such occasions admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Company may think fit. Power to close pier on special occasions.

(2) On all such occasions the Company shall reserve a sufficient passage along the pier from the landing steps to the shore for any persons landing or embarking at the pier the reserved passage to be open for use by those persons at the ordinary charge and without payment of any special rates so long only as they use the pier as a passage and do not remain upon it.

(3) The special rate charged under this section shall be in lieu of and not in addition to the rates specified in the Blackpool Pier Act and Orders 1863 to 1899 as modified by this Order and any person paying the special rate shall not be liable to pay any further

A.D. 1920. or other rate or sum for admission to the pier on the day for which
Blackpool. the special rate is charged.

(4) The Company shall give notice of their intention to close the pier under this section by exhibiting the notice conspicuously at the entrance to the pier during at least two days before the day on which the pier is to be closed.

Costs of
Order.

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

BLACKPOOL (SOUTH) PIER.

Blackpool
(South).

Order for varying certain rates chargeable in respect of the use of Blackpool (South) Pier.

Short and
collective
titles.

1. This Order may be cited as the Blackpool (South) Pier Order 1920 and the Blackpool (South) Pier Orders 1866 and 1891 and this Order may be cited together as the Blackpool (South) Pier Orders 1866 to 1920.

Commence-
ment of
Order.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed.

Undertakers.

3. The South Blackpool Jetty Company Limited shall be the Undertakers for carrying this Order into execution and are in this Order referred to as "the Company."

Alteration
of rate for
promenaders.

4. The following rate shall be substituted for the corresponding rate contained in the first part of the schedule to the South Blackpool Jetty Order 1866:—

For every person using the pier for the purpose of walking for exercise pleasure or any other purpose except for embarking or disembarking for each time any sum not exceeding 3d.

Costs of
Order.

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

DEAL PIER.

A.D. 1920.

Order for the transfer of the Deal Promenade Pier from the Deal Promenade Pier Company Limited to the Deal Corporation for conferring powers on the Corporation with reference to the holding maintenance management and improvement of the said Pier and to authorise the Corporation to borrow money and for other purposes.

Deal.

Preliminary.

1. This Order may be cited as the Deal Pier Order 1920. Short title.
2. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order." Commencement of Order.
- 3.—(1) In this Order unless the context otherwise requires— Interpretation.
 - "The borough" means the borough of Deal;
 - "The district fund" and "the district rate" mean respectively the district fund and the general district rate of the borough;
 - "The Corporation" means the mayor aldermen and burgesses of the borough;
 - "The Harbours Clauses Act 1847" means the Harbours Docks and Piers Clauses Act 1847;
 - "The company" means the Deal Promenade Pier Company Limited;
 - "The Order of 1862" means the Deal and Walmer Pier Order 1862;
 - "The Order of 1863" means the Deal and Walmer Pier Amendment Order 1863;
 - "The pier" means the pier known as Deal Promenade Pier carried out from the South Esplanade Deal constructed in pursuance of the powers of the Order of 1862 lately belonging to the company under the powers conferred upon them by the Order of 1862 and the Order of 1863 together with all works and conveniences now or hereafter connected therewith;
 - "The pier undertaking" means and includes the pier and the undertaking transferred to the Corporation or authorised by this Order;
 - "The pier revenue" means the revenue of the pier undertaking;
 - "The date of transfer" means the thirty-first day of May one thousand nine hundred and twenty.

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Deal.

(2) In the application to this Order of the Harbours Clauses Act 1847 the expressions "packet boat" or "Post Office packet" and "Post Office bag of letters" used in that Act shall mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and a mail bag as defined by the same Act. Provided that nothing in the Harbours Clauses Act 1847 or in this Order shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

Undertakers.

Undertakers.

4. The Corporation shall be the Undertakers for carrying this Order into effect.

Transfer of Pier to the Corporation.

Transfer
of pier to
Corporation
and repeal of
Orders.

5.—(1) From and immediately after the commencement of this Order all the estate and interest of the company in the land and land covered by water delineated on the map referred to in the section of this Order whereof the marginal note is "Limits" and thereon coloured blue together with the pier or landing-stage erected on part thereof and now known as Deal Promenade Pier and all rights now connected therewith shall be deemed to have been transferred to and to have vested in the Corporation as from the date of transfer and shall subject to the provisions of this Order be held maintained used exercised and enjoyed by the Corporation as from the date of transfer freed and discharged from all obligations and liabilities of the company in relation thereto or in connexion therewith.

(2) For the purpose of completing the title of the Corporation to the property and rights hereby transferred to them this Order shall be deemed to be a conveyance by the company to the Corporation as on the date of transfer.

(3) On such day after the commencement of this Order as the Corporation shall think fit (not being later than two months after the date on which the Act confirming this Order receives the Royal Assent) the Corporation shall pay to the company the sum of ten thousand pounds.

(4) As from the date of transfer all rights powers privileges and authorities of the company over and in respect of or connected with the said land and land covered by water and the pier shall cease and determine and the company shall be thenceforth freed and discharged from all obligations and liabilities in respect thereof arising after the date of transfer.

(5) The Order of 1862 and the Order of 1863 are hereby repealed. A.D. 1920.
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6. Subject to the provisions of this Order nothing in this Order contained shall be held to prejudice or affect any right or cause of action or suit or any remedy which immediately before the commencement of this Order the company have against any person or any person has against the company but all such rights causes suits and remedies may be enforced or prosecuted by or against the company as if this Order had not been made. Saving rights
of action.

7. All documents books and writings of the company which if this Order had not been made would have been receivable in evidence shall be admitted as evidence in all courts of law and equity and elsewhere. Documents
&c. to be
evidence.

Acquisition of Lands.

8. The Lands Clauses Acts (except so much of those Acts as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) are hereby incorporated with this Order and for the purposes of that incorporation the term "special Act" in those Acts shall mean this Order. Incorporation of Lands
Clauses Acts.

9. The Corporation may for the purposes of the pier undertaking by agreement purchase or take on lease any interest in the foreshore of the borough and any additional lands which the Corporation may deem requisite or convenient not exceeding in the whole two acres but nothing in this section shall exempt the Corporation from any proceedings for nuisance caused or permitted by them on land acquired by them under the power conferred by this section. Power to
take lands by
agreement.

10. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and this Order grant any easement right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) required for the purposes of this Order in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid. Power to
take ease-
ments &c. by
agreement.

Limits.

11.—(1) The limits within which the Corporation shall have authority under this Order and the powers of the pier-master under this Order may be exercised shall comprise the pier and an area Limits.

A.D. 1920. below high-water mark within a distance of one hundred and fifty feet measured in any direction from any part of the pierhead which limits are in this Order termed "the limits of this Order."
Deal.

(2) A map showing by a red line the limits of this Order having been signed in triplicate by an assistant secretary to the Ministry of Transport and one copy thereof having been deposited at the office of the Ministry of Transport a copy thereof shall be deposited at the office of the clerk of the peace for the county of Kent and the other copy thereof shall be deposited at the office of the town clerk of the borough.

(3) In case of any discrepancy between the limits delineated on the said map and the limits described in subsection (1) of this section the said map shall be deemed to be correct and shall prevail.

Works and Powers.

Power to maintain and extend pier.

12.—(1) The Corporation may maintain repair alter extend improve and enlarge the pier and may fill in solid material between and around the piles of the pier and may construct alter extend improve enlarge and maintain all necessary jetties stairs landing-places approaches roads causeways gates baulks of timber breastworks warehouses sheds cranes buoys lights moorings beacons lighthouses sewers drains water-courses gas and water pipes electric light and power mains and wires and other works and conveniences in connexion with the pier or the approaches thereto respectively and may also from time to time lay down and maintain rails tramways sidings and turntables on and along the pier and other works of the Corporation.

(2) Any electric light and power mains and wires and other works or apparatus constructed provided and maintained under this Order shall be so constructed used and worked as to prevent any interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General.

(3) Nothing in this Order shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

Works below high-water mark not to be commenced without consent of Board of Trade.

13. The Corporation 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 be signified in writing under the hand of an assistant secretary of the Board of Trade and then only

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according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any such work may have been constructed the Corporation shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consents or approvals. If any work be commenced altered extended 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 Corporation and the amount of such costs and charges shall be a debt due from the Corporation to the Crown and shall be recoverable as a Crown debt or summarily.

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

Survey of works by Board of Trade.

15. If a work constructed by the Corporation 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 Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and be recoverable as a Crown debt or summarily.

Abatement of work abandoned or decayed.

16. Any person who wilfully obstructs the Corporation or any person acting under their authority in setting out the lines of any works authorised by this Order or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works or any part thereof shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

17.—(1) The Corporation may deepen dredge scour and excavate any portion of the foreshore and bed of the sea to the extent necessary to secure a sufficient waterway and approach to the pier for vessels using the same.

Power to dredge.

(2) All sand mud and materials dredged up or removed shall be the property of the Corporation who may sell or otherwise dispose of or remove or deposit the same as they think fit. Provided that no sand mud stone or other materials shall be laid down or deposited in any place below high-water mark without the consent in writing of the Board of Trade having been first obtained.

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(3) All money arising from any sale or other disposition of sand mud and other materials under this section after payment of the expenses connected therewith shall be applied in the same manner as under this Order the pier revenue is to be applied.

Power to provide dredgers &c.

18. The Corporation may from time to time provide purchase take on lease hire and use such dredgers engines lighters tools plant or other vessels machinery and apparatus as they may think necessary for effecting the purposes of this Order and may let the same on hire for such reasonable sums and upon and subject to such terms and conditions as they may think fit or may sell and dispose of the same All sums received in respect of any such letting on hire shall be deemed to form part of the pier revenue and all moneys realised by any such sale shall be applied towards carrying into effect any of the purposes of this Order to which capital is properly applicable.

Power to construct and maintain concert hall and baths.

19. The Corporation may erect construct alter and maintain upon the pier and upon any lands vested in or acquired by them under the powers of this Order a concert hall or theatre pavilion recreation and reading rooms shops saloons stalls open and covered sea-water swimming and other baths bathing places and cabins together with all necessary waterclosets urinals lavatories and sanitary and other conveniences connected therewith and may furnish and equip the same and may make such reasonable charges as they think fit for the use thereof and admission thereto.

Power to let concert hall &c. and provide entertainments.

20. The Corporation may in or at any concert hall theatre pavilion band-stand or other buildings on the pier or the approaches thereto provide and carry on or arrange for the provision or carrying on of suitable entertainments exhibitions and amusements (including the sale of programmes and the letting of chairs) or may let any of the aforesaid buildings for the purpose of such entertainments exhibitions or amusements upon such terms and conditions as they may think fit or may let the same for particular entertainments or exhibitions or for meetings.

Rates.

Power to levy rates.

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

(2) From and after the commencement of this Order the Corporation may subject and according to the provisions of this Order demand receive and recover for the use of the pier and in respect of vessels boats animals fish and goods and for services described in the schedule to this Order any rates not exceeding those specified in that schedule.

Power to vary exemptions and

22. The Corporation may confer vary or extinguish exemptions from and compound with any person with respect to the payment of

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rates or charges authorised by this Order but so that no preference be in any case given to any person over any other person using the pier under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Order.

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compound
for rates.

23.—(1) Notwithstanding anything contained in this Order the Corporation may charge for every person entering upon or using the pier between the hours of six p.m. and ten p.m. on any day on which a concert or other public entertainment (lasting for at least one and a half hours between the said hours of six p.m. and ten p.m.) is held on the pier or in any pavilion building or room for the time being on the pier any sum not exceeding sixpence.

Power to
charge
higher rates
at certain
times.

(2) Any person who having already paid the ordinary charge for using the pier remains on the pier after six p.m. on any such day as in the preceding subsection mentioned shall have credit for the sum already paid by him and shall be liable in addition thereto to pay only the difference between the special charge and the sum already paid by him as aforesaid.

(3) The Corporation shall notwithstanding the progress of any concert or other public entertainment reserve a sufficient passage along the pier for all persons landing or embarking at the pier and that reserved passage shall be open for use by such persons at the ordinary charge and without payment of the special rate by this section authorised so long as they use the pier as a passage only and do not remain upon it.

(4) A copy of this section shall be exhibited in print at the entrance to the pier and in some conspicuous place or places on the pier.

24—(1) The Corporation may on any special occasions but not exceeding twelve days in any one year or for more than three days consecutively close the pier against the public and may if they think fit, on such occasions admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Corporation may think fit.

Power to
close pier;
on special
occasions.

(2) On all such occasions the Corporation shall reserve a sufficient passage along the pier from the landing steps to the shore for any persons landing or embarking at the pier the reserved passage to be open for use by those persons at the ordinary charge and without payment of any special rates so long only as they use the pier as a passage and do not remain upon it.

(3) The special rate charged under this section shall be in lieu of and not in addition to the rate specified in the schedule to this Order and any person paying the special rate shall not be liable to pay any

A.D. 1920. further or other rate or sum for admission to the pier on the day for
Deal. which the special rate is charged.

(4) The Corporation shall give notice of their intention to close the pier under this section by exhibiting the notice conspicuously at the entrance to the pier during at least two days before the day on which the pier is to be closed.

Rates for
sheds ware-
houses &c.

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

Pass and
family
tickets.

26.—(1) The Corporation may grant to passengers and promenaders or others for the use of the pier (either exclusively or not of any building or room for the time being thereon) pass tickets or family tickets at such rates on such terms and for such periods not exceeding one year as the Corporation may think fit and may issue books containing any number of pass tickets at a reduced rate and day tickets available for one day or part of a day only but for any number of admissions on such day or part of a day at a reduced rate but so that no preference be given to any person.

(2) The Corporation shall have power to prescribe the conditions on which pass tickets and family tickets are issued and the persons by whom such tickets may be used.

(3) A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted. A pass ticket or family ticket shall not be used otherwise than in accordance with the conditions on which it is issued or after the period limited for its use.

(4) There shall be printed on every pass ticket and family ticket the terms and conditions upon and subject to which the same is issued.

(5) If any person wilfully and with intent to defraud acts in any way in contravention of the provisions of this section or uses or attempts to use any false or counterfeit ticket he shall for each offence be liable to a penalty not exceeding twenty shillings.

Certain fish-
ing vessels
under stress
of weather
exempt from
rates.

27. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges those vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall when forced by stress of

weather to make use of the pier and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

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28. 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 along and from the pier without payment.

Exemption
of lifeboat
crews.

29. The Corporation shall adjust the rates receivable by them under this Order so that the pier revenue may always be so far as practicable sufficient and not more than sufficient for the purposes of the pier undertaking and if at any time the clear annual income derived from such undertaking on the average of the then three last preceding years after payment of all expenses and outgoings shall exceed the amount sufficient to answer the purposes of this Order the Ministry of Transport may if in their discretion they think fit reduce such rates to such amounts as will be sufficient to provide the amount aforesaid and may again at any time raise them to any amount not exceeding the rates specified in the schedule to this Order.

Revision of
rates.

Powers of Leasing.

30.—(1) The Corporation may with the previous consent in writing of and upon such terms conditions and restrictions and for such period as may be sanctioned by the Ministry of Transport lease to any company corporation or person the whole or part of (a) the pier undertaking or (b) the rates and other charges authorised to be taken by this Order.

Power to
lease under-
taking or
rates

(2) As from the date of any lease made under the last preceding subsection the lessee during the continuance of and to the extent provided in his lease shall have and may exercise all or any of the powers conferred upon the Corporation by this Order which the Corporation have or might exercise under this Order and shall be subject to all the liabilities and obligations to which the Corporation are subject and shall perform all the duties of the Corporation under this Order.

(3) No lease made under subsection (1) of this section shall be assignable without the previous consent in writing of the Ministry of Transport.

(4) The Corporation shall within one month after the date of any lease made under this section deposit a certified copy thereof with the Ministry of Transport and shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this subsection.

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(5) No lease made under this section shall be made in consideration or part consideration of any fine premium or other capital sum.

(6) Nothing in this section shall exempt the Corporation from their obligation to keep and render accounts and as from the date of any lease made under this section all the provisions of the Acts incorporated with this Order and of this Order as to the keeping delivery and audit of accounts shall apply to and be binding upon as well the lessee as the Corporation and all moneys received by the Corporation under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Order.

Power to
lease sheds
&c.

31. In addition to any general power in this Order contained the Corporation may let for hire or lease for any term not exceeding seven years any sheds warehouses or other buildings separately from any other part of the pier undertaking to any company corporation or person upon such terms pecuniary or otherwise and under such restrictions and conditions as they think fit.

Finance.

Power to
Corporation
to provide
moneys for
purposes of
Order.

32. The Corporation may and shall provide such moneys as may become necessary for the purposes of this Order or any of them and of the pier undertaking and the maintenance management and improvement thereof and the payment of expenses in connexion therewith out of the pier revenue or subject to the provisions of this Order if that shall be insufficient out of the district fund and the district rate or one or other of them save in so far as such moneys shall be properly payable out of moneys authorised by this Order to be borrowed.

Power to
borrow.

33.—(1) The Corporation may independently of any other borrowing power from time to time borrow at interest not exceeding without the consent of the Ministry of Transport six pounds per centum per annum :—

- (a) Such sum as may be required for the payment of the costs charges and expenses of and incidental to this Order :
- (b) The sum of ten thousand pounds being the amount to be paid to the company under the provisions of this Order :
- (c) With the consent of the Ministry of Transport such further sum or sums as may from time to time be required for the purposes of this Order.

(2) In order to secure the repayment of moneys borrowed for the purposes mentioned in this section and the payment of interest thereon the Corporation may mortgage or charge as well the district

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fund and the district rate or either of them as the pier revenue but in such manner that the district fund and the district rate shall only be collaterally liable. A.D. 1920.
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34. The power of borrowing money given by this Order shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any sums which they may borrow under this Order shall not be reckoned. Section 234
of Public
Health Act
not to apply.

35. All moneys borrowed by the Corporation under the powers of this Order shall be applied only to the purposes for which such moneys are authorised to be borrowed and to which capital is properly applicable. Application
of money
borrowed.

36. The Corporation may raise all or any moneys which they are authorised to borrow under this Order by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others Provided that the provisions of this Order relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 (Discharge of loan by sinking fund) of that Act. Mode of
raising
money.

37. Sections 236 237 and 238 of the Public Health Act 1875 shall extend and apply to all mortgages granted under this Order. Provisions of
Public Health
Act as to mort-
gages to apply.

38. A person lending money to the Corporation under this Order shall not be concerned to inquire as to the observance by the Corporation of any of the provisions of this Order or be bound to see to the application or be answerable for any loss or non-application of the money lent or any part thereof. Protection of
lenders from
inquiry.

39. All moneys borrowed by the Corporation under the section of this Order whereof the marginal note is "Power to borrow" shall be repaid within the respective periods following (in this Order referred to as "the prescribed periods") (that is to say):— Periods for
repayment
of money
borrowed.

(a) As to the money borrowed for the purposes (a) mentioned in the said section of this Order within five years from the commencement of this Order:

(b) As to the money borrowed for the purposes (b) mentioned in the said section of this Order within thirty years from the date of transfer:

(c) As to the money borrowed for the purposes (c) mentioned in the said section of this Order within such period from the date of borrowing the same as the Ministry of Transport may prescribe.

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*Deal.*Mode of pay-
ment off of
moneys
borrowed.

40. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of 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 those methods and partly by another or others of them and the payment of the first instalment shall be made within twelve months if a yearly instalment or within six months if a half-yearly instalment after the date of borrowing the sum in respect of which it is made and the first payment to the sinking fund shall be made within twelve months after the date of borrowing the sum in respect of which it is made.

Sinking fund.

41.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed under this Order the sinking fund shall be formed and maintained either—

(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 by way of compound interest at a rate not exceeding three pounds ten shillings per centum per annum or such higher rate as may from time to time be approved by the Ministry of Health will be sufficient to pay off within the prescribed period the moneys for the repayment of which the 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 trust moneys 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 as defined by section 34 of the Local Loans Act 1875 but exclusive in every case of the securities of the Corporation and the Corporation shall be at liberty from time to time to vary and transpose the investments.

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

[10 & 11 GEO. 5.] *Pier and Harbour Orders* [Ch. cxxi.]
Confirmation (No. 2) Act, 1920.

A.D. 1920.

Deal.

(4) The Corporation 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 Corporation 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 the sinking fund or the part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5) 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 equal annual payments to the fund are based any deficiency shall be made good by the Corporation.

(6) 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 equal annual payments to the fund are based any such excess may be applied towards such annual payments.

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

(8) If it appears to the Corporation 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 (in the case of an accumulating sinking fund) the probable accumulations thereon will 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 Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Ministry of Health that any such increase is necessary the Corporation shall increase the payments to such extent as that Ministry may direct.

(9) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(10) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with (in the case of an accumulating sinking fund) the probable accumulations thereon will in the opinion of the Ministry of Health be more than sufficient to repay within the prescribed period the moneys for

A.D. 1920. the repayment of which the sinking fund is formed the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Ministry approve.

Deal.

(11) If the amount in any sinking fund at any time together with (in the case of an accumulating sinking fund) the probable accumulations thereon will in the opinion of the Ministry of Health be sufficient without any further payments thereto to repay the loan in respect of which it is formed within the prescribed period the Corporation may with the consent of that Ministry discontinue the equal annual payments to the sinking fund until that Ministry otherwise direct.

(12) 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 or purposes as the Corporation with the consent of the Ministry of Health may determine.

Annual
return to
Ministry of
Health with
respect to
sinking
fund.

42. The town clerk of the Borough shall within twenty-one days after the thirty-first day of March in each year during which any sum is required to be paid as an instalment or to a sinking fund in pursuance of the provisions of this Order or in respect of any moneys raised thereunder and at any other time when the Ministry of Health may require such a return to be made transmit to the Ministry of Health a return in such form as may be prescribed by that Ministry and (if required by that Ministry) verified by statutory declaration of the said town clerk showing the amounts which have been paid as instalments or paid to or invested or applied for the purposes of the sinking fund during the year preceding the making of such return and the description of the securities upon which any investment has been made and also showing the purposes to which any portion of the money invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the Corporation shall for each such offence be liable to a penalty not exceeding twenty pounds which shall be paid to the Ministry of Health and shall be recoverable by that Ministry by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by that Ministry out of the High Court. If it appears to the Ministry of Health by such return or otherwise that the Corporation have failed to pay any instalment or to pay the sum required for any sinking fund under this Order or have applied any portion of any sinking fund to any purposes other than those authorised by this Order the Ministry of Health may by order direct that a sum not exceeding double the amount in respect

of which such default shall have been made shall be paid or applied as in such order mentioned and such order shall be enforceable by writ of Mandamus to be obtained by the Ministry of Health out of the High Court and the provisions of this section shall apply mutatis mutandis to appropriations and annual payments. A.D. 1920.
Deal.

43.—(1) The Corporation shall have power—

(a) to borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or

(b) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

Power to
re-borrow.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(a) by instalments or annual payments; or

(b) by means of a sinking fund; or

(c) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

44.—(1) Subject to the provisions of this section any mortgagee of the Corporation in respect of a mortgage under this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. Receiver.

(2) The application for the appointment of a receiver shall be made to the High Court and the court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him:

[Ch. cxxi.] *Pier and Harbour Orders* [10 & 11 GEO. 5.]
Confirmation (No. 2) Act, 1920.

A.D. 1920.

Deal.

Provided that no such application shall be entertained unless the amount of arrears due to the applicant or in the case of a joint application by two or more mortgagees to the applicants collectively be not less than five hundred pounds in the whole.

Contingency fund.

45. The Corporation may if they think fit for the purpose of forming and maintaining a contingency fund not exceeding at any time the sum of one thousand pounds to meet any extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the pier appropriate and set apart subject to the provisions of this Order as to application of revenue any amount which they think fit in any year out of the revenue received under this Order and shall deposit any such amount in some joint stock bank to be increased by accumulation in the way of compound interest or otherwise or shall invest the same in securities upon which trust moneys may be invested (other than securities of the Corporation) until required for any of the aforesaid purposes.

Application of pier revenue.

46. The Corporation shall apply the pier revenue for the purposes and in the order following and not otherwise (that is to say):—

- (1) In paying the costs of and connected with the preparation and making of this Order and otherwise incurred in reference thereto except in so far as they may be provided for out of moneys borrowed by the Corporation for the purpose under this Order:
- (2) In paying the expenses properly chargeable to revenue of conducting managing and maintaining the pier undertaking:
- (3) In paying year by year the interest as it accrues due on money borrowed under this Order and in paying or making provision for the interest on the said sum of ten thousand pounds payable to the company:
- (4) In paying the instalments as they become due in respect of any principal money borrowed under this Order and repayable by instalments and in providing in accordance with the terms of this Order a sinking fund for the discharge of any principal money so borrowed and not repayable by instalments:
- (5) In making such payments (if any) as the Corporation think fit into a contingency fund established under the provisions of this Order:
- (6) In repaying to the district fund all moneys and interest paid thereout for the purposes of the pier undertaking whether in respect of money borrowed or otherwise:

[10 & 11 GEO. 5.] *Pier and Harbour Orders* [Ch. cxxi.]
Confirmation (No. 2) Act, 1920.

(7) The surplus (if any) after providing for the purposes aforesaid shall be applied by the Corporation in the general improvement of the pier undertaking. A.D. 1920.
Deal.

47. In case the pier revenue shall in any year be insufficient for the purpose of defraying the costs charges and expenses of the Corporation with respect to the pier undertaking the Corporation shall include the amount of such insufficiency in their estimate for that or the following year and defray the same out of the district rate but in such a manner and so that the district rate shall not be liable in any year to contribute for the purposes of the pier undertaking including the repayment of moneys borrowed under this Order or any interest thereon a sum greater than the amount produced by a general district rate of threepence in the pound. *Making up deficiencies in pier revenue.*

48. The Corporation shall keep a separate account to be called the "Pier Account" of all the receipts payments credits and liabilities on capital and revenue accounts respectively in respect of the execution by them of this Order and such account shall be subject to the same provisions as to audit and otherwise as other accounts of the Corporation. *Separate pier accounts.*

49.—(1) The Corporation shall within two months after the date to which their annual accounts are made up send a copy of the same to the Ministry of Transport and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account. *Annual accounts to be sent to Ministry of Transport.*

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

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

(4) In addition to the account to be lodged with the clerk of the peace in accordance with section 50 of the Harbours Clauses Act 1847 the Corporation shall also lodge with him a full and detailed statement showing the capital expenditure made by the Corporation during the year covered by the said account.

Byelaws.

50.—(1) The byelaws which may from time to time be made by the Corporation in exercise of the power in that behalf conferred on them by section 83 of the Harbours Clauses Act 1847 may provide for imposing a penalty not exceeding forty shillings for the breach or non-observance of any of the byelaws. *Byelaws.*

A.D. 1920.

Deal.

(2) No byelaw shall come into operation until it has received the allowance and confirmation of the Ministry of Transport and that allowance and confirmation shall be sufficient for all purposes.

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

*Life-saving Apparatus.*Provision for
life-saving
apparatus.

51. Sections 16 to 19 of the Harbours Clauses Act 1847 shall not be incorporated with this Order.

Life-saving
apparatus
may be
attached to
pier.

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

Lifebuoys to
be kept.

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

Lights.

As to lights.

54.—(1) The Corporation shall within six months from the commencement of this Order exhibit in such place or places on the pier as may be required from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) and shall take such other steps for the prevention of danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for such directions.

(2) The Corporation 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 or comply with any such directions.

Provision
against
danger to
navigation.

55. In case of injury to or destruction or decay of the pier or works connected therewith or any part thereof the Corporation shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for directions as to the means to be taken and the Corporation 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 obey any direction given in reference to the means to be taken.

Miscellaneous.

A.D. 1920.

Deal.

56. The Corporation shall have the appointment of meters and weighers within the limits of this Order.

Meters and weighers.

57. The Corporation may appoint officers for securing the observance of the byelaws and regulations made by the Corporation under this Order in respect of the pier and may from time to time procure such officers to be sworn as constables for that purpose but no such officers shall act as constables until so sworn in and unless in uniform or provided with a warrant.

Appointment of officers to enforce byelaws and regulations.

58. For all the purposes of the Harbours Clauses Act 1847 this Order shall be deemed the special Act but sections 6 to 13 of that Act shall not be incorporated with this Order.

Application of Act 10 & 11 Vict. c. 27.

59. All penalties under this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Clauses Act 1847.

Recovery of penalties.

60. Officers of the Board of Trade and Ministry of Transport and police officers acting in the execution of their duty shall at all times have free ingress passage and egress to along and from the pier without payment.

Officers exempt from rates.

61. Part V. of the Harbours and Passing Tolls &c. Act 1861 shall be incorporated with this Order.

Harbours and Passing Tolls &c. Act.

62. The Corporation shall within the limits of this Order be a local lighthouse authority within the meaning of the Merchant Shipping Act 1894.

Local lighthouse authority.

63. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation 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 the said Commissioners and Board are hereby respectively authorised to give).

Crownrights.

64. Notwithstanding the provisions contained in the section of this Order of which the marginal note is "Crown rights" or in any public statute His Majesty and His lessees for their respective interests

Crown minerals.

[Ch. cxxi.] *Pier and Harbour Orders* [10 & 11 GEO. 5.]
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A.D. 1920. Deal. may work any minerals belonging to the Crown under or adjacent to the lands and works of the Corporation authorised to be taken or constructed by this Order but in the event of any such right being at any time intended to be exercised the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near the railway shall apply when the workings reach a point the distance of which from the nearest of such lands would not if measured horizontally exceed one-half the depth of such workings below the surface level of such lands and in the application of those provisions the term "company" shall mean the Corporation and the term "railway" shall mean the said lands and works.

Pier to be
in borough.

65. The pier shall be deemed to be for all purposes within the parish and borough of Deal in the county of Kent.

Costs of
Order.

66. All costs charges and expenses of and incidental to the preparing and obtaining of this Order and otherwise incurred in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the pier revenue or out of the rate authorised by the section of this Order the marginal note whereof is "Making up deficiencies in pier revenue" or out of moneys borrowed for the purpose under this Order.

The SCHEDULE referred to in the foregoing Order.

PART I.

RATES ON PASSENGERS.

	s.	d.
For every passenger or other person landing on the pier or embarking to go on board any vessel boat or wherry from the pier or any part thereof for each and every time any sum not exceeding - - - - -	0	4
For every person using the pier or approaches thereto for the purpose of walking for exercise pleasure or otherwise for each and every time any sum not exceeding - - - - -	0	3
For every bath or sedan chair (including the person in charge) taken on the pier for each time any sum not exceeding - - - - -	0	6
For every perambulator (including the person in charge) taken on the pier for each time any sum not exceeding - - - - -	0	3

[10 & 11 GEO. 5.] *Pier and Harbour Orders* [Ch. cxxi.]
Confirmation (No. 2) Act, 1920.

BATHS.	s.	d.	A.D. 1920.
For every person bathing from the pier any sum (inclusive of the pier toll) not exceeding - - - - -	0	6	<u>Deal.</u>

RATES ON PASSENGERS' LUGGAGE.

For every trunk portmanteau box parcel or other package whatsoever within the description of luggage (other than luggage carried by a passenger) shipped or unshipped at or within the pier the rates following (viz.):—

	s.	d.
Not exceeding 28 lbs. - - - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - - -	0	6
Over 140 lbs. and not exceeding 196 lbs. - - - - -	0	7
Over 196 lbs. and not exceeding 2 cwt. - - - - -	0	8
And for every 28 lbs. weight in addition - - - - -	0	1

PART II.

RATES ON VESSELS.

For every ship or vessel which shall load or unload at or otherwise make use of the pier the several rates following (viz.):—

Under 100 tons - - - - -	2d.	per ton registered tonnage.	
Of 100 tons but not exceeding } 150 tons - - - - -	3d.	"	"
Of 150 tons but not exceeding } 250 tons - - - - -	4d.	"	"
Upwards of 250 tons - - - - -	6d.	"	"

RATE FOR STEAM TUGS FOR TOWING PURPOSES.

	s.	d.
To or from the pier - - - - -	2	0 each way.

MOORINGS.

When moorings are supplied by the Corporation a charge of 1s. per day or 3s. per week may be made.

A.D. 1920.

RATES ON GOODS SHIPPED UNSHIPPED OR TRANSHIPPED AT THE PIER.

Deal.

	s.	d.
Agricultural implements per ton	1	4
Ale porter cider or vinegar per 18 gallons	0	1
Animals:—		
Horses each	0	2
Oxen and cows each	0	2
Donkeys each	0	1
Sheep per score	0	6
Lambs per score	0	3
Pigs and calves each	0	0½
Dogs each	0	1
Asphalt per ton	0	6
Bark per ton	0	8
Bed or bedstead each	0	2
Birds each	0	0½
Biscuits per ton	1	4
Ditto per cwt.	0	2
Bottles empty per gross	0	3
Boxes packages or parcels per 56 lbs.	0	1
Bricks per 1,000	0	8
Brooms hair per gross	1	0
Ditto heath per gross	0	6
Butter or lard per cwt.	0	3
Carriages four wheels each	5	0
Ditto two wheels each	2	6
Cement or plaster of Paris per ton	0	4
Chaff per ton	0	8
Chimney pots per dozen	0	3
China per ton	1	4
Coals per ton	0	6
Corn—wheat malt and all other kinds per quarter	0	4
Deals per ton	0	3
Drain pipes per ton	0	6
Drapery goods per cwt.	0	2
Earthenware per cwt.	0	2
Ditto common loose per ton	1	0
Fish salted or fresh per cwt.	0	3
Flour per sack of 4 bushels	0	2
Fruit per bushel	0	4
Furniture per ton	4	0

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	s.	d.	A.D. 1920.
Glass mirrors windows or unenumerated per cwt.	-	0 1	<u>Deal.</u>
Glazed bricks per 1,000	-	1 0	
Grocery goods all kinds per ton	-	1 4	
Gunpowder per cwt.	-	0 3	
Hay and straw per ton	-	0 8	
Hides or leather per ton	-	2 0	
Hops per cwt.	-	0 2	
Household goods per ton	-	4 0	
Hurdles wood per dozen	-	0 2	
Ditto iron per ton	-	1 4	
Iron lead copper or other metals per ton	-	1 4	
Iron manufactured not enumerated per ton	-	1 4	
Lemons or oranges per cwt.	-	0 2	
Lime per ton	-	1 0	
Manures artificial per ton	-	0 6	
Ditto street per ton	-	0 2	
Margarine per cwt.	-	0 1	
Marine stores (new) per ton	-	1 4	
Ditto (old) per ton	-	0 8	
Meal bran or pollard per ton	-	0 4	
Meat of all kinds per ton	-	1 4	
Mineral waters per ton	-	1 0	
Molasses per cwt.	-	0 1	
Moss litter per ton	-	0 8	
Nails per ton	-	1 4	
Oil cake per ton	-	0 8	
Oil petroleum per 40 gallons	-	0 2	
Other kinds per ton	-	0 8	
Paint per cwt.	-	0 1	
Pavers per 1,000	-	1 0	
Pianofortes harmoniums and organs per ton	-	5 0	
Pipe clay per ton	-	1 0	
Pipes drain per 1,000	-	0 6	
Potatoes per ton	-	0 6	
Poultry and game per dozen	-	0 4	
Salt per ton	-	0 10	
Ditto agricultural per ton	-	0 6	
Sand chalk shingle or gravel per ton	-	0 2	
Seeds agricultural per ton	-	1 4	
Ditto per cwt.	-	0 1	
Slates per ton	-	0 6	

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	s.	d.
Soda per ton - - - - -	0	8
Spars under 16 feet in length - - - - -	0	1
Ditto over 16 feet in length - - - - -	0	2
Stones rough and paving per ton - - - - -	0	4
Stones grinding or millstones per ton - - - - -	0	8
Ditto grave or marble per ton - - - - -	1	4
Tar or pitch per cwt. - - - - -	0	1
Tea per cwt. - - - - -	0	3
Tiles roofing per 1,000 - - - - -	0	8
Ditto paving or ornamental per 1,000 - - - - -	1	4
Timber per 50 cubic feet - - - - -	0	6
Tobacco per cwt. - - - - -	0	6
Tobacco pipes per cwt. - - - - -	0	2
Trees bundles under 112 lbs. - - - - -	0	2
Ditto above 112 lbs. - - - - -	0	4
Turf per ton - - - - -	0	4
Vegetables per ton - - - - -	0	6
Wines or spirits per 63 gallons - - - - -	0	8
Ditto bottled per ton - - - - -	2	0
Wool or yarn per ton - - - - -	1	4
All other commodities not enumerated above per cwt. - - - - -	0	1

The Corporation may demand for goods remaining on the pier or quay for a longer time than 48 hours threepence per ton each day during which the goods shall remain after the first 48 hours.

RATE FOR SUPPLYING WATER.

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

WEIGHING MACHINES.

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

A.D. 1920.

Order to amend the Eyemouth Harbour Order 1882 to increase the rates and charges leviable at the harbour of Eyemouth in the county of Berwick and for other purposes. Eyemouth.

1. This Order may be cited as the Eyemouth Harbour Order 1920 and the Eyemouth Harbour Order 1882 and this Order may be cited together as the Eyemouth Harbour Orders 1882 and 1920. Short and collective titles.

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

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

"The Order of 1882" means the Eyemouth Harbour Order 1882;

"The Trustees" means the Trustees acting in virtue of an Act passed in the second year of the reign of Her late Majesty Queen Victoria chapter. 36 entitled "An Act for more effectually repairing improving and maintaining the harbour of Eyemouth in the county of Berwick" of the Eyemouth Harbour Order 1874 and of the Order of 1882;

"The harbour" means the harbour of Eyemouth as defined in the Order of 1882;

"Rates" means the duties dues rates and charges which the Trustees are by this Order authorised to levy.

(2) In the application to this Order of the Harbours Docks and Piers Clauses Act 1847 the expressions "packet boat or Post Office packet" and "Post Office bag of letters" used in that Act shall mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and a mail bag as defined by the same Act Provided that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Order shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

4. The Trustees shall from and after the commencement of this Order be known and called and may be referred to for all purposes as "the Eyemouth Harbour Trustees." Style of Trustees.

A.D. 1920.

Eyemouth.
Undertakers.Repeal of
Act of 1839
Order of
1874 and
portions of
Order of
1882.Power to levy
new rates.Power to vary
exemptions
and com-
pound for
rates.Rates for
fish recover-
able from
salesmen &c.

5. The Trustees shall be the Undertakers for carrying this Order into execution.

6. The Act of the second year of the reign of Her late Majesty Queen Victoria chapter thirty-six intituled "An Act for more effectually repairing improving and maintaining the harbour of Eyemouth in the county of Berwick" the Eyemouth Harbour Order 1874 and section 26 (Power to levy rates on fishing boats and fish) section 27 (Existing rates to cease at a certain time) and section 28 (Power to levy new rates) of the Order of 1882 are hereby repealed.

7. From and after the commencement of this Order the Trustees may for the use of the harbour and works connected therewith and for services rendered levy recover demand and receive any sums not exceeding the several rates specified in the schedule to this Order and subject to the provisions of this Order the provisions of the Order of 1882 shall extend and apply to such rates as if they had been expressly incorporated in this Order Provided that all rates becoming due before the commencement of this Order may be received and recovered in like manner as if this Order had not taken effect.

8. The Trustees may confer vary or extinguish exemptions from and compound with any persons with respect to the payment of the rates authorised by this Order but so that no preference be in any case given to any person over any other person using the harbour under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Order.

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

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

(3) If any such fish salesman auctioneer purchaser or receiver when so required refuses or fails to give and verify an account under

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this section or gives or subscribes a false account he shall for each offence be liable to a penalty not exceeding ten pounds. A.D. 1920.
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10.—(1) The Trustees may demand levy recover and receive the rates for oil petrol paraffin benzole or other oil fuel and spirit (hereinafter referred to as "oil or spirit fuel") supplied in the harbour to and taken on board vessels for use in motor engines (without prejudice to their rights to levy demand recover and receive the rates from any other person) either from the purveyor of such oil or spirit fuel or from the person delivering the same (otherwise than as carriers) to any vessel. Rates for oil and spirit fuel recoverable from purveyor &c.

(2) Any such purveyor or person who shall pay such rates to the Trustees shall be entitled to demand and recover the amount of such rates from the purchaser or receiver thereof and shall when required by the Trustees or their collector of rates furnish to them an account under their hands of the quantity of oil or spirit fuel so sold or delivered and verify the account by the production of their books accounts and other documents to the Trustees or their collector of rates.

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

11.—(1) The master or owner of any vessel (not being a pleasure boat) with a take or cargo of fish shall on arrival of the vessel within the harbour forthwith furnish to the Trustees' collector of rates a true and accurate statement of his take or cargo of fish and the names of every person obtaining delivery thereof. Masters of fishing vessel to report take of fish.

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

12. The harbour master may prevent the removal or sailing from within the harbour of any vessel in respect of which or of the goods imported or exported therein any rates are payable until evidence has been produced to him of the payment of those rates to the collector. Harbour master may prevent sailing of vessels.

13.—(1) In the event of laying up rates in respect of any vessel laid up in the harbour being in arrear for the period of thirty days or more the Trustees may (without prejudice to their power to recover such rates in any other manner and without any judicial procedure or other authority) take possession of such vessel and may remove it from the harbour to such place as they think fit after giving fourteen days' notice of their intention so to do or may sell Recovery of rates in arrear.

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such vessel or the contents thereof or any part of such contents after giving thirty days' notice of their intention so to do. Such notice shall be given (a) by public notice in a newspaper circulating in the burgh of Eyemouth and (b) in writing by the clerk to the Trustees to the owner master or person in charge of such vessel or having the management thereof unless such owner master or person cannot be found. Provided that the Trustees shall not carry out any such sale until the expiry of thirty days from the date of the newspaper containing such notice.

(2) In the event of a sale under subsection (1) of this section any balance of the proceeds of such sale remaining after payment of such arrears of rates and of the expenses incurred by the Trustees in connexion therewith shall be paid over to the owner of such vessel. Provided that if such owner cannot be found or no satisfactory evidence of his title can be given to the Trustees the said balance shall be consigned in bank in the joint names of the Trustees and such owner pending ascertainment of ownership of such balance in due legal form. Provided further that if such balance is not claimed within five years from the date when it is consigned into bank it shall be repaid to the Trustees and shall be applied by them for the general purposes of the harbour.

(3) The Trustees shall not by exercising the powers contained in this section thereby incur any liability to third parties having claims against the said vessel whether by way of mortgage loan or in any other manner or way. Provided that where the Custom House Register of such vessel records the existence of a mortgage or mortgages on such vessel the Trustees shall previously to the giving of the notice provided by subsection (1) of this section give to the mortgagee or mortgagees in right of such mortgage or mortgages notice of their intention to exercise such powers. Such notice shall be given by registered letter under the hand of the clerk to the Trustees addressed to such mortgagee or mortgagees at the address or addresses contained in such Custom House Register.

Costs of
Order

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

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The SCHEDULE to which the foregoing Order refers.

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PART I.

TONNAGE DUTIES.

For each vessel to or from any port or place on the east coast of Scotland or England entering the harbour to load or unload per register ton - - - - -	s. d. 0 8
For each such vessel windbound or otherwise and not loading or unloading and not paying the aforesaid rate per register ton - - - - -	0 4
For each steam tug entering the harbour towing or to tow vessels per register ton - - - - -	0 6
For each vessel to or from all other ports or places in Great Britain or Ireland per register ton - - - - -	1 0
For each such vessel windbound or otherwise and not loading or unloading and not paying the aforesaid rate per register ton - - - - -	0 6
For each vessel to or from foreign ports or places per register ton - - - - -	1 4
For each such vessel windbound or otherwise and not loading or unloading and not paying the aforesaid rate per register ton - - - - -	0 8
For each vessel leaving the harbour and putting back by stress of weather and not having accomplished its voyage no additional rate shall be charged on such return.	
For each pleasure boat entering the harbour per register ton	0 6
And for each week or part of a week during which such pleasure boat frequents the harbour after the first 48 hours after arrival per register ton - - - - -	0 6
For each vessel or boat (other than pleasure boats) remaining in the harbour beyond a week after arrival for each additional week after the first week a fraction of a week being considered as a week per register ton - - - - -	0 3

NOTE.—The Trustees may remit such last-mentioned rate on vessels loading or unloading cargoes if in their opinion such loading or unloading has been carried out with all reasonable despatch.

WATER MONEY AND HARBOUR LIGHTS DUES.

Each vessel shall pay—	s. d.
For water per register ton - - - - -	0 1½
For lights per register ton - - - - -	0 1½

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But dues for lights shall only be demanded and received so long as a light or lights are exhibited in accordance with the provisions of the Eyemouth Harbour Order 1882.

PART II.

RATES FOR FISHING BOATS EXCLUSIVE OF THEIR CARGOES.

(a) Every fishing vessel whether a sailing boat or propelled by steam or other motive power regularly engaged at the port in the prosecution of the herring fishery or white fishing or any other fishery as a composition in full of tonnage duty payable in advance for—

- | | |
|---|--------------|
| (1) The period of the summer fishing season from 1st
May to 1st October for every foot of length of the
vessel over all | s. d.
1 6 |
| (2) The period of the winter fishing season from 1st
October to 1st May for every foot of length of the
vessel over all | s. d.
1 6 |

(b) Every fishing vessel loading or discharging herrings white fish or fish of any other kind not paying the aforesaid composition on each occasion of entering the harbour whether during the period of the summer fishing season or during the period of the winter fishing season as above described—

	s. d.
If propelled by steam	5 0
If propelled by other motive power	3 0
If a sailing vessel	3 0

(c) Every such fishing vessel entering the harbour wind-bound or otherwise and not paying the aforesaid composition and not loading or discharging fish on each occasion of such entry whether during the period of the summer fishing season or during the period of the winter fishing season as above described—

	s. d.
If propelled by steam	3 0
If propelled by other motive power	2 6
If a sailing vessel	2 6

WATER RATES.

Every fishing vessel engaged in fishing at the harbour and paying the aforesaid composition shall pay along therewith for water charges:—

- | | |
|--|-------|
| (1) For the period of the summer fishing season as above
described— | s. d. |
| If propelled by steam | 20 0 |
| If propelled by other motive power | 20 0 |

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	s.	d.	A.D. 1920.
If a motor yawl under 40 feet over all -	10	0	Eyemouth.
If a sailing vessel - - - - -	2	6	
(2) For the period of the winter fishing season as above described—			
If propelled by steam - - - - -	10	0	
If propelled by other motive power - - - - -	10	0	
If a motor yawl under 40 feet over all -	10	0	
If a sailing vessel - - - - -	2	6	

And if not paying the aforesaid composition then for each occasion of entering the harbour whether during the period of the summer fishing season or during the period of the winter fishing season as above described—

	s.	d.
If propelled by steam - - - - -	1	0
If propelled by other motive power - - - - -	0	9
If a sailing vessel - - - - -	0	6

RATES FOR FRESH WATER FOR BOILERS &c.

Each steam vessel (other than fishing vessels) over 60 tons register for filling or partly filling boilers each time -	12	6
If under 60 tons each time - - - - -	10	6
Each steam fishing vessel for filling or partly filling boilers each time - - - - -	10	0

The above charges for water shall apply to weekdays only and in the event of boilers being filled on a Sunday an additional charge of 2s. 6d. will be imposed in all cases.

The above charges include the use of water hose which will be supplied and fixed by the Trustees.

No vessel shall take a supply of water for filling boilers except with the sanction of the harbour-master or of the town water officer of the burgh of Eyemouth.

LIGHTS DUES.

Each fishing vessel engaged at the harbour and paying the aforesaid composition shall pay along therewith for lights charges:—

	s.	d.
(1) For the period of the summer fishing season as above described—		
If propelled by steam - - - - -	5	0
If propelled by other motive power - - - - -	4	0
If a sailing vessel - - - - -	3	0

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(2) For the period of the winter fishing season as above described--	s.	d.
If propelled by steam	5	0
If propelled by other motive power	4	0
If a sailing vessel	3	0

And if not paying the aforesaid composition then for each occasion of entering the harbour whether during the period of the summer fishing season or during the period of the winter fishing season as above described—

	s.	d.
If propelled by steam	1	0
If propelled by other motive power	0	9
If a sailing vessel	0	6

LYING-UP RATE.

Every fishing vessel whether a sailing boat or propelled by steam or other motive power laid up in the harbour shall pay—

	s.	d.
(1) For the summer fishing season as above described or for any part thereof for every foot of length of the vessel over all	1	3
(2) For the winter fishing season as above described or any part thereof for every foot of length of the vessel over all	1	3

General Note.—Fishing vessels whether sailing boats or propelled by steam or other motive power laid up in the harbour cutway or river within the limits of the harbour for the purpose of being repaired shall if not paying the aforesaid composition pay for each week or part of a week during the time they are laid up for such purpose—

2 6

PART III.

RATES ON ARTICLES OF IMPORT AND EXPORT BY BOATS OR VESSELS.

Acorns per bushel	0	1
Alabaster per cwt.	0	2
Ale beer porter mum cider perry or vinegar per 10 gallons	0	2
Alum per cwt.	0	2
Aquafortis per cwt.	0	2
Ashes pot pearl or soap per cwt.	0	4
Ashes fern or wood per cwt.	0	1

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Ballast :—	s.	d.	A.D. 1920.
Inward whether landed or shifted into another vessel			<i>Exmouth.</i>
per ton - - - - -	3	0	
Outward whether taken out of another vessel or from			
the quay or shore per ton - - - - -	3	0	
Barilla per ton - - - - -	2	0	
Bark per ton - - - - -	2	0	
Bark Jesuits' per lb. - - - - -	0	1	
Barley (<i>See Corn</i>):			
Shelled or pearl ditto per 20 stones - - - - -	0	2	
Barrels kit and boxes (empty) each - - - - -	0	1	
Baskets hand per dozen - - - - -	0	6	
Battens and ends (<i>See Wood</i>)			
Beef mutton pork veal bacon hams and tripe (fresh salted			
or preserved) per cwt. - - - - -	0	3	
Beeswax per cwt. - - - - -	0	6	
Bells and bell metal per cwt. - - - - -	0	2	
Bellows per cwt. - - - - -	0	4	
Blankets per dozen - - - - -	0	8	
Blubber for every ton of oil produced by it - - - - -	1	0	
Bones and bone ash per ton - - - - -	2	0	
Books and stationery per cwt. - - - - -	0	4	
Bottles glass per gross - - - - -	0	8	
Ditto stone per dozen - - - - -	0	2	
Ditto broken per ton - - - - -	1	0	
Bran per cwt. - - - - -	0	1	
Brandy per gallon - - - - -	0	1	
Brass per cwt. - - - - -	0	2	
Bread per cwt. - - - - -	0	2	
Bricks common per 1,000 - - - - -	1	0	
Ditto stock or fire flat or flooring per 1,000 - - - - -	1	4	
Brimstone per cwt. - - - - -	0	4	
Bulrushes per cwt. - - - - -	0	2	
Burnt ore per ton - - - - -	0	8	
Butter per cwt. - - - - -	0	4	
Calicoes and other cotton goods per cwt. - - - - -	0	4	
Candles per cwt. - - - - -	0	4	
Ditto wax per cwt. - - - - -	0	8	
Canvas or sail cloth per 36 yards - - - - -	0	2	
Carpets per cwt. - - - - -	0	4	
Carriage or cart 2 wheels - - - - -	3	0	
Ditto 4 wheels - - - - -	6	0	
Carrots and cabbages per ton - - - - -	1	0	
Casks empty each - - - - -	0	4	
Ditto if under 36 gallons - - - - -	0	2	

A.D. 1920.		Cattle viz. :—		s.	d.
<i>Eyemouth.</i>	Bulls cows and oxen each	-	-	2	0
	Calves each	-	-	0	6
	Cement and concrete of all kinds per ton	-	-	1	0
	Cheese per cwt.	-	-	0	4
	Cinders coke and charcoal of all kinds per ton	-	-	1	0
	Clay per ton	-	-	0	6
	Chalk per ton	-	-	0	6
	Cloth hair per cwt.	-	-	0	4
	Ditto linen per cwt.	-	-	0	8
	Cloth sack per cwt.	-	-	0	5
	Ditto woollen and other woollen goods per cwt.	-	-	0	8
	Coals per ton	-	-	1	0
	Ditto bunker per ton	-	-	0	6
	Copper wrought or unwrought per cwt.	-	-	0	2
	Ditto ore per ton	-	-	1	0
	Copperas per cwt.	-	-	0	6
	Coprolite per ton	-	-	1	0
	Cordage twine and netting per cwt.	-	-	0	2
	Cork and corks per cwt.	-	-	0	4
	Corn and grain viz. :—				
	Wheat barley beans oats peas tares rye Indian corn and malt per quarter	-	-	1	0
	Cotton per cwt.	-	-	0	4
	Cream of tartar per cwt.	-	-	0	8
	Cutch and Gambia per cwt.	-	-	0	6
	Deals and deal ends (See Wood.)				
	Dimities per cwt.	-	-	0	4
	Drugs per lb.	-	-	0	1
	Dusters brooms and brushes per doz.	-	-	0	2
	Dyeing stuffs not otherwise charged per cwt.	-	-	0	2
	Earthenware per cwt.	-	-	1	0
	Eggs per chest of 1,600	-	-	2	0
	Ditto per 120	-	-	0	2
	Esparto grass per ton	-	-	2	0
	Feathers flock and quills per cwt.	-	-	0	4
	Fish viz. :—				
	Herrings fresh when landed per 37½ gallons	-	-	0	4
	or at the option of the Trustees per £1 value	-	-	0	6
	Ditto salt sprinkled or iced	-	-	0	4
	or at the option of the Trustees per £1 value	-	-	0	6
	Herrings cured exported or imported per barrel of 26⅔ gallons	-	-	0	6
	Ditto per half barrel of 13¼ gallons	-	-	0	4

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Fish— <i>continued.</i>	s.	d.	A.D. 1920.
Salmon fresh salt or dried per cwt.	0	4	<i>Eyemouth.</i>
or at the option of the Trustees per £1 value	0	6	
Other fish fresh when landed per cwt.	0	3	
or at the option of the Trustees per £1 value	0	6	
Ditto cured exported or imported per cwt.	0	3	
Fish offal and refuse per cwt.	0	1	
Livers per cwt.	0	1	
Flax dressed or undressed per cwt.	0	2	
Ditto if in bulk per cwt.	0	3	
Flour groats or meal per 20 stones	0	6	
And if in bulk per cwt.	0	3	
Fruit of all kinds not otherwise charged per cwt.	0	8	
Ditto per bushel	0	2	
Fullers' earth per cwt.	0	1	
Glass window per cwt.	0	6	
Ditto broken per cwt.	0	2	
Glasses decanters and other white glass per cwt.	1	0	
Glue and gum per cwt.	0	4	
Greaves per cwt.	0	2	
Groceries viz. :—			
Coffee sugar confections dried fruits molasses ginger spices rice soap tobacco snuff &c. manufactured or unmanufactured per cwt.	0	8	
Gunpowder per cwt.	0	8	
Haberdashery and millinery goods per cwt.	0	8	
Hair (horse or cattle) per cwt.	0	8	
Handscopes per dozen	0	1	
Handspikes dressed per dozen	1	0	
Hats per stone	1	0	
Hay per ton	3	0	
Hemp per ton	3	4	
Hides skins and pelts per cwt.	0	4	
Horses and mules each	2	0	
Hoops wooden per cwt.	0	1	
Ditto iron per cwt.	0	4	
Hops per cwt.	0	8	
Horns or horn tips per cwt.	0	4	
Hosiery and clothing of all kinds per cwt.	2	0	
Household furniture per cwt.	0	6	
Husbandry implements and utensils per cwt.	0	4	
Ice per ton	1	0	
Indigo per cwt.	0	8	

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A.D. 1920.	Iron viz. :—	s.	d.
<i>Eyemouth.</i>	Pig iron per ton	1	0
	Cast iron per ton	2	0
	Wrought and bar per cwt.	0	2
	Broken or old per ton	1	0
	Ironmongery goods per cwt.	0	2
	Isinglass per cwt.	0	4
	Kelp per ton	1	0
	Lard and grease per cwt.	0	4
	Lathwood (See Wood.)		
	Lead per cwt.	0	2
	Ditto white red or black per cwt.	0	2
	Lead shot per cwt.	0	2
	Leather per cwt.	0	4
	Lemons or oranges per cwt.	1	0
	Lime per ton	1	0
	Live animals not otherwise charged each	0	6
	Manures artificial guano bone-dust phosphates &c. per ton	2	0
	Manure street dung and the like per ton	0	3
	Marble per ton	3	0
	Mats per 120	1	0
	Musical instruments of all kinds per cwt.	1	0
	Mussels per ton	1	6
	Nuts per cwt.	0	4
	Oakum per cwt.	0	1
	Oil paraffin and petroleum per cwt.	0	2
	Oil petrol paraffin benzole or other oil fuel or spirit for use in motor engines per gallon	0	0¼
	Oilcake and feeding stuffs not otherwise charged per cwt.	0	1
	Paints of all kinds per cwt.	0	2
	Paper and millboards of all kinds per cwt.	0	4
	Peats per ton	0	6
	Pewter per ton	3	4
	Pipes tobacco per cwt.	1	0
	Pitch per cwt.	0	2
	Plaster of Paris per cwt.	0	2
	Potatoes per ton	1	0
	Pyrites per ton	1	0
	Quicks or twigs per cwt.	0	4
	Rags old ropes marine stores &c. per ton	1	0
	Rosin per cwt.	0	2
	Rotten stone per cwt.	0	2
	Rugs per cwt.	0	8

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	s.	d.	A.D. 1920.
Sails per 50 yards	0	4	<i>Eyemouth.</i>
Salt per ton	1	6	
Salts Glauber per cwt.	0	8	
Saltpetre per cwt.	0	4	
Seeds viz:—			
Clover per cwt.	0	2	
Flax and rape per cwt.	0	1	
Hemp and canary per cwt.	0	2	
Mustard per cwt.	0	4	
Ryegrass per quarter	0	2	
Turnip per bushel	0	2	
Garden seeds and all others not before mentioned per cwt.	0	4	
Scythe or whet stones per 120	0	4	
Sheep and lambs each	0	4	
Shoes and boots per cwt.	1	0	
Sickles per cwt.	0	4	
Sieves per cwt.	0	4	
Silk wrought or unwrought per cwt.	1	0	
Slates per ton	1	0	
Smelts per cwt.	0	2	
Soot per ton	1	0	
Spades and shovels per dozen	0	4	
Spirits and wines of all kinds not otherwise charged British or foreign per 10 gallons	0	8	
Spokes carriage waggon or cart per 120	0	2	
Starch per cwt.	0	4	
Staves barrel per ton or 50 cubic feet	2	0	
Hogshead per ton or 50 cubic feet	2	0	
Pipe per ton or 50 cubic feet	0	6	
Cutting or board ends per 1,000	0	6	
Steel per cwt.	0	2	
Stones viz:—			
Rubble per ton	0	4	
Freestone per ton	0	8	
Pavement per ton	0	8	
Curb per ton	0	8	
Paving and causeway stones per ton	0	4	
Grindstones each	0	8	
Millstones each	3	0	
Ragstones per 120	0	4	
Gravestones each	4	0	
Straw per ton	2	0	
Sulphur ore per ton	1	0	

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	s.	d.
Tar per cwt. - - - - -	1	0
Tea per cwt. - - - - -	1	0
Tiles viz. :—		
Drain tiles per 1,000 - - - - -	1	0
Pan tiles per 1,000 - - - - -	1	0
Maltsters' per 1,000 - - - - -	1	8
Tin and tin plates of all kinds per ton - - - - -	2	0
Tow per cwt. - - - - -	0	2
Toys of all kinds per cwt. - - - - -	0	4
Treenails per 1,000 - - - - -	0	4
Trees young per cwt. - - - - -	0	4
Turnips and mangold and the like per ton - - - - -	0	8
Turpentine per cwt. - - - - -	0	2
Varnish per cwt. - - - - -	0	2
Vitriol per cwt. - - - - -	0	2
Whalebone per cwt. - - - - -	0	2
Wheels carriage or cart per pair - - - - -	0	6
Whiting per ton - - - - -	1	0
Wire and wire netting per cwt. - - - - -	0	2
Wood on all timber of any denomination not otherwise charged		
per ton or 50 cubic feet - - - - -	1	6
Mahogany per ton or 40 cubic feet - - - - -	2	6
Wool per cwt. - - - - -	1	0
Yarn cotton per cwt. - - - - -	0	4
Linen per cwt. - - - - -	0	4
Wick for candles per cwt. - - - - -	0	4
Woollen per cwt. - - - - -	0	4
Yeast per cwt. - - - - -	0	4
All heavy articles not particularly mentioned in this schedule		
per ton - - - - -	1	0
Every article however small not otherwise charged - - - - -	0	1

All goods not enumerated in the above schedule to be charged in proportion to other goods of a similar kind specified in the schedule.

In charging the rates on goods for any less weight measure or quantity than those above specified the proper proportion shall be charged.

Goods imported and shifted to another vessel for exportation and not landed to pay only single duty.

All goods having paid dues outwards are exempted from dues when brought inwards if they be returned goods to the original shipper and in the original state.

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In weighing and measuring goods for ascertaining the dues payable the weight or measurement of the packages is to be included. A.D. 1920.
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All articles left upon any of the piers or quays or other part of the harbour and works more than 24 hours to be charged one-half of the foregoing rates for each 24 hours or parts thereof of additional time over and above the rates specified in the schedule.

PART IV.

RATES ON PASSENGERS AND PASSENGERS' LUGGAGE.

	s.	d.
For each passenger embarking or disembarking in the harbour	0	3
For the personal luggage of each such passenger if exceeding one cwt. for each cwt. or part of a cwt.	-	0 3

TRURO HARBOUR.

For the amendment of the Truro Harbour Orders 1903 and 1909 and for conferring further powers upon the mayor aldermen and citizens of the city of Truro in the county of Cornwall in relation to Truro Harbour. Truro.

Preliminary.

1.—(1) This Order may be cited as the Truro Harbour Order 1920 and the Truro Harbour Order 1883 (in this Order called "the Order of 1883") as amended by the Truro Harbour Order 1903 (in this Order called "the Order of 1903") the Order of 1903 as amended by the Truro Harbour Order 1909 (in this Order called "the Order of 1909") and the Order of 1909 as amended by this Order and this Order may together be cited as the Truro Harbour Orders 1883 to 1920. Short title commencement and interpretation.

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

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

"The Corporation" means the mayor aldermen and citizens of the city of Truro acting by the council of that city;

"The city" means the city of Truro;

"The harbour" has the same meaning as that assigned to it by the Order of 1903;

"The harbour revenue" means and includes the rates tolls rents and other moneys and receipts which may be taken and

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received by way of income from or in respect of the harbour and the conveniences connected therewith under the authority of the Order of 1903 the Order of 1909 or this Order or otherwise.

Undertakers.

Undertakers. 2. The Corporation shall be the Undertakers for carrying this Order into execution.

Revival of Powers.

Revival of powers for construction of works under Orders of 1903 and 1909.

3. The powers conferred by the Order of 1903 and the Order of 1909 upon the Corporation with respect to the construction of works and all the provisions of those Orders in relation thereto shall be and the same are hereby revived and may be exercised and enforced and shall have effect in like manner and subject to the like restrictions and with the same consequences whether as to commencement or cesser of powers execution or completion of works or otherwise as if such powers and provisions had been contained in this Order.

Rates.

Repeal of rates under Orders of 1903 and 1909 and substitution of other rates.

4.—(1) Section 23 (Power to levy rates) of the Order of 1903 and section 5 (Repeal of rates under Order of 1903 and substitution of other rates) of the Order of 1909 and the respective schedules to the said Orders are hereby repealed.

(2) From and after the commencement of this Order the Corporation may subject to the provisions of the Order of 1903 and the Order of 1909 as amended by this Order demand recover and receive for the use of the harbour and in respect of vessels boats passengers materials merchandise minerals and goods and also in respect of services rendered described in the schedule to this Order any sums not exceeding the several rates tolls and dues specified in that schedule.

(3) All dues rates and moneys leviable and becoming due before the commencement of this Order may be levied received and recovered in like manner as if this Order had not been made.

Revision of rates.

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

(2) If at any time it appears to the Ministry of Transport from the annual account to be sent to them under the Order of 1883 that the clear annual income derived from the rates leviable by the

Corporation on the average of the then three last preceding years after payment of all expenses and outgoings exceeds the amount sufficient for the purposes of the harbour the Ministry may if in their discretion they think fit reduce the rates leviable under this Order to such amounts as will be sufficient to provide the amount aforesaid and may again at any time raise the rates to any amount not exceeding the rates specified in the schedule to this Order.

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6. The Corporation may confer vary or extinguish exemptions from and enter into compositions with any persons with respect to the payment of the rates authorised by this Order but so that no preference be in any case given to any person and that anything done under this section shall not prejudice the other provisions of this Order. Provided nevertheless that the levying of different rates at different quays wharves and landing-places in the harbour shall not be deemed a preference within the meaning of this Order and that the Corporation may levy such rates accordingly notwithstanding the provisions of section 17 of the General Pier and Harbour Act 1861 Amendment Act.

Power to vary exemptions from rates and to enter into compositions &c.

Finance.

7.—(1) The Corporation may from time to time in addition to any other borrowing power borrow at interest at a rate not exceeding without the consent of the Ministry of Transport seven per cent. on the security of the harbour revenue and if thought fit as collateral security on the city fund and city rate of the city for the purposes following (that is to say):—

Power to borrow.

- (a) Such sum or sums not exceeding in the whole ten thousand pounds as may be necessary for the execution and completion of the works authorised by the Order of 1903 and the Order of 1909 respectively as amended by this Order;
- (b) Such sum or sums not exceeding in the whole eight thousand pounds as may be necessary for the purchase of a steam or other dredger;
- (c) Such sum as may be required for the payment of the costs charges and expenses of this Order; and
- (d) With the consent of the Ministry of Transport such further sum or sums as may from time to time be required for the purposes of the Order of 1903 the Order of 1909 and this Order.

(2) The Corporation may secure by mortgage under this section the payment with interest of any money due or to become due to any contractor for the execution of the works authorised by the Order

A.D. 1920. of 1903 and the Order of 1909 respectively as amended by this Order
Truro. and any money so secured shall be considered to be money borrowed under this Order.

(3) Sections 236 237 238 and 239 of the Public Health Act 1875 shall apply to all mortgages made under this Order.

(4) A person lending money to the Corporation shall not be concerned to inquire as to the observance by them of any provisions of the Order of 1903 the Order of 1909 or this Order or be bound to see to the application or be answerable for any loss or non-application of the money lent.

Periods for
repayment of
borrowed
money.

8. All moneys borrowed by the Corporation under this Order shall be repaid within the respective periods following (that is to say):—

As to moneys borrowed for the purposes (a) and (b) mentioned in the last preceding section of this Order within thirty years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (c) mentioned in the same section within five years from the commencement of this Order;

As to moneys borrowed for the purpose (d) mentioned in the same section within such period from the date or dates of borrowing the same as the Ministry of Transport may prescribe.

Incorporation of
provisions of
Order of
1909.

9. The following provisions of the Order of 1909 shall with any necessary modifications extend and apply to the exercise of the powers conferred upon the Corporation by this Order as if the same were re-enacted in this Order (namely):—

Section 12 (Mode of payment off of moneys borrowed);

Section 13 (Sinking fund);

Section 14 (Sinking fund may be adjusted in certain events);

Section 15 (Power to re-borrow);

Section 16 (Return respecting sinking fund to Local Government Board);

Section 18 (Power to borrow under Local Loans Act 1875);

and

Section 20 (Application of borrowed moneys):

Provided that in the application to this Order of section 13 (Sinking fund) of the Order of 1909 subsection 1 of that section shall be read and construed as if the words "or such other rate as the Ministry of Health may from time to time approve" were inserted therein immediately after the words "three pounds per centum per annum."

[10 & 11 GEO. 5.] *Pier and Harbour Orders* [Ch. cxxi.]
Confirmation (No. 2) Act, 1920.

10.—(1) Section 28 (Application of revenue) of the Order of 1903 and section 19 (Application of rates and revenue) of the Order of 1909 are hereby repealed. A.D. 1920.
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Application
of harbour
revenue.

(2) The harbour revenue shall be applied for the purposes and in the order following and not otherwise:—

- (i) In paying the expenses of the maintenance and repair of the harbour and all works buildings and conveniences connected therewith and the management and regulation of the same and in defraying all other expenses of the Corporation properly incurred in relation to the harbour:
- (ii) In paying the interest on all moneys borrowed under the Order of 1903 the Order of 1909 and this Order which are for the time being outstanding:
- (iii) In providing the requisite appropriations instalments and sinking fund payments in respect of all moneys borrowed under the Order of 1903 the Order of 1909 and this Order which are for the time being outstanding:
- (iv) In repaying to the city fund and city rate of the city all moneys and interest which may have been paid thereout respectively for the purposes of the harbour:
- (v) In the general improvement of the harbour and the works buildings and conveniences connected therewith or in reduction of any principal moneys borrowed under the Order of 1903 the Order of 1909 and this Order or any of them which may for the time being be outstanding.

11. All the costs charges and expenses of and incidental to the obtaining of this Order or otherwise incurred in relation thereto as taxed by the proper officer shall be paid by the Corporation. Costs of
Order.

The SCHEDULE to which the foregoing Order refers.

I.—RATES FOR USE OF QUAYS WHARVES AND LANDING-PLACES
 BELONGING TO THE CORPORATION.

	s.	d.
For every passenger who shall land on or embark from any quay wharf or landing-place belonging to the Corporation for each time of landing or embarking any sum not exceeding	0	1

[Ch. cxxi.] *Pier and Harbour Orders* [10 & 11 GEO. 5.]
Confirmation (No. 2) Act, 1920.

A.D. 1920. *Truro.* II.—RATES ON PASSENGERS' LUGGAGE LANDED SHIPPED OR TRANSHIPPED
 AT THE QUAYS WHARVES AND LANDING-PLACES BELONGING TO THE
 CORPORATION.

	<i>s.</i>	<i>d.</i>
For every trunk portmanteau box parcel or other package within the description of luggage and not borne by passengers a sum not exceeding - - - - -	0	2

III.—RATES ON VESSELS USING THE HARBOUR BUT NOT SHIPPING
 UNSHIPPING OR TRANSHIPPING GOODS.

	<i>s.</i>	<i>d.</i>
For every vessel (moved by steam or other mechanical power) employed in carrying passengers and their luggage for hire which shall enter or come within the harbour per ton register not exceeding - - - - -	0	2

IV.—RATES ON VESSELS AND BOATS USING THE HARBOUR FOR SHIPPING
 UNSHIPPING OR TRANSHIPPING GOODS.

	<i>s.</i>	<i>d.</i>
On each coasting vessel per ton register - - - - -	0	5
On each vessel from or to foreign parts per ton register -	0	7½
If any such vessel whether coasting or otherwise remains in the harbour for more than two months continuously then for every month or part of a month after the first two months per ton register - - - - -	0	2½

V.—RATES ON OTHER VESSELS.

On each wind-bound vessel remaining more than forty-eight hours and not breaking bulk for each week or part of a week after the first forty-eight hours per ton register -	0	1¼
On each vessel entering the harbour for orders or for refuge and remaining more than a week and not breaking bulk for each week or part of a week after the first week per ton register - - - - -	0	1¼

VI.—RATES ON TIMBER BRICKS CEMENT LIME LIMESTONE STONE
 MERCHANDISE AND MINERALS SHIPPED UNSHIPPED OR TRANSHIPPED
 WITHIN THE HARBOUR FOR ANY PORT OUTSIDE THE HARBOUR OR
 CARRIED IN VESSELS OR BOATS OR BY RAFT ABOVE VICTORIA POINT
 IN THE TRURO RIVER OR ABOVE THE FERRY HOUSE IN THE
 TRESILLIAN RIVER.

	<i>s.</i>	<i>d.</i>
For every fifty cubic feet of timber - - - - -	0	3¼
For bricks cement limestone salt and manures (other than and except guano sulphate of ammonia and nitrate of soda) per ton - - - - -	0	3¼

[10 & 11 GEO. 5.] *Pier and Harbour Orders* [Ch. cxxi.]
Confirmation (No. 2) Act, 1920.

For all merchandise and minerals not already paying dues *s. d.* A.D. 1920.
 (including guano sulphate of ammonia and nitrate of soda) *Truro.*
 per ton - - - - - 0 7½

In charging dues the gross measurement or weight shall be taken and for any less measurement or weight than above mentioned a proportionate amount shall be charged.

The owner or charterer of any vessel carrying materials merchandise and minerals as aforesaid and plying to and from the harbour shall be entitled to compound for the tonnage rates leviable on such vessel under the provisions of this Order by paying to the Corporation on the first day of January or on the day of the first visit of such vessel to the harbour in any year an amount equal to five times the tonnage rates on such vessel and from and after such payment the said vessel shall for the current year or part of a year ending the 31st day of December next ensuing only be free of all tonnage rates but this provision shall in no way affect the liability (if any) of such vessel to dues in respect of the materials merchandise and minerals carried by any such vessel.

VII.—TOLLS AND DUES ON COALS CORN GRAIN PULSE AND FLOUR
 IMPORTED INTO OR EXPORTED FROM THE HARBOUR.

	<i>s. d.</i>
Coals per chaldron or one ton and a half - - - - -	0 10
Corn grain and pulse per quarter - - - - -	0 2½
Flour per sack of 280 lbs. - - - - -	0 1¼

Provided that one half only of the foregoing tolls and dues shall be chargeable if the use of a meter is not required:

Provided further that in lieu of the said toll and due upon corn grain and pulse when imported into the harbour and exported without breaking bulk there shall be levied a toll or due of 1*s.* 3*d.* per cargo.

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