



CHAPTER lxxix.

An Act to confirm a Provisional Order made by the Minister of Agriculture and Fisheries under the Fishery Harbours Act 1915 relating to Bridlington Harbour. [3rd August 1928.]

A.D. 1928.

WHEREAS a Provisional Order has been made by the Minister of Agriculture and Fisheries under the Fishery Harbours Act 1915 :

5 & 6 Geo. 5.
c. 48.

And whereas it is expedient that the Provisional Order made by the Minister of Agriculture and Fisheries 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 Order as amended and set out in the schedule to this Act shall be and the same is 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.

Confirma-
tion of
Order in
schedule.

2. This Act may be cited as the Bridlington Harbour Confirmation Act 1928.

Short title.

A.D. 1928.

SCHEDULE.

BRIDLINGTON HARBOUR.

Order of the Minister of Agriculture and Fisheries to empower the Commissioners of the Piers and Harbour of Bridlington to increase the dues rates and charges in respect of Bridlington Harbour to borrow money and for other purposes.

Short title.

1. This Order may be cited as the Bridlington Harbour Order 1928.

Construction.

2. The Bridlington Harbour Act 1837 as amended by this Order and this Order shall be construed and read together as one Order except as far as might be inconsistent with or repugnant to the purposes thereof.

Repeal.

3. Sections 21 (Copy of abstract of accounts to be sent to mayor of Newcastle-upon-Tyne &c.) 22 (Copy of abstract of accounts to be laid before Parliament) 47 (Coal duty) 51 (Duties under grant from Queen Elizabeth to be paid by the masters of vessels and to be collected and recovered in the same manner as the duties by this Act granted) 52 (Duties to be paid in respect of foreign vessels) 53 (Power to Her Majesty to reduce duties on foreign vessels) 67 (How tonnage duties ascertained) 84 (For weighing and raising vessels sunk) and 113 (Persons aggrieved may appeal to quarter sessions) of the Act of 1837 are hereby repealed.

Commencement.

4. This Order shall come into operation upon the day of its confirmation.

Interpretation.

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

“The Act of 1837” means the Bridlington Harbour Act 1837;

“The Commissioners” means the Bridlington Piers and Harbour Commissioners as incorporated and constituted by this Order;

“The harbour” means the harbour works and conveniences connected therewith vested in the Commissioners by virtue of the Act of 1837 and any extension and addition thereto or enlargement thereof;

“ Rates ” means tolls dues and rates and other payments of a like nature; A.D. 1928.

“ The harbour revenue ” means and includes the rates and other moneys and receipts which may be taken and received by the Commissioners by way of income under the authority of the Act of 1837 and this Order;

“ The borough ” means the borough of Bridlington;

“ The corporation ” means the mayor aldermen and burgesses of the borough.

(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 duties regulations or control any such vessel as aforesaid if she also conveys passengers or goods for hire.

UNDERTAKERS.

6. The Commissioners shall be the undertakers for carrying the Act of 1837 and this Order into execution. Undertakers.

RECONSTITUTION OF COMMISSIONERS.

7. The Commissioners appointed in accordance with the provisions of the Act of 1837 shall subject to the provisions of this Order retain their office and all property interest rights powers and authorities of or vested in or exerciseable by them until the expiration of one calendar month after the coming into operation of this Order on which day save so far as is otherwise provided by this Order they shall vacate office Section 8 of the Act of 1837 is hereby repealed as from the date when the first Commissioners under this Order come into office and sections 14 and 15 of the Act of 1837 are hereby repealed as from the date of the coming into operation of this Order. Rights of old Commissioners.

8.—(1) For the purpose of carrying the Act of 1837 and this Order into execution there shall be a body of Commissioners not exceeding twenty-two in number and those Commissioners are hereby incorporated by the name of the “ Bridlington Piers and Harbour Commissioners ” and by that name shall be a body corporate with perpetual succession and a common seal Incorporation of Commissioners.

A.D. 1928. — and have power to sue and be sued and to purchase take on lease hold and dispose of lands and other property for the purposes and subject to the provisions and restrictions of the Act of 1837 and this Order.

(2) The first Commissioners shall come into office at the expiration of one calendar month after the coming into operation of this Order.

Appoint-
ment of Com-
missioners.

9.—(1) The appointment of Commissioners shall be regulated as follows:—

- (a) Thomas Lamplugh Wickham-Boynton John Warwick Brown Sidney Charlesworth Yarburgh George Lloyd-Greame Major Lawson John Vickerman Mainprize William Milner John Edward Nightingale Frederick Strickland George Frederick Stonehouse and James Oulton Wentworth being Commissioners of the Piers and Harbour of Bridlington appointed in accordance with the provisions of the Act of 1837 hereinafter referred to as the named Commissioners shall be members of the Bridlington Piers and Harbour Commissioners incorporated by this Order;
- (b) Two members shall be nominated by the East Riding of Yorkshire County Council;
- (c) Four members shall be nominated by the corporation of Bridlington;
- (d) One member shall be nominated by the North Eastern Local Fisheries Committee or in default of such nomination then by the East Riding of Yorkshire County Council;
- (e) One member shall be nominated by the Minister of Agriculture and Fisheries;
- (f) Two members who shall be fishermen shall be nominated by the Bridlington Fishermen's Association or in default of such nomination by the Minister of Agriculture and Fisheries;
- (g) One member who shall be a fish salesman carrying on business in Bridlington shall be nominated by the Commissioners.

(2) Provided that when and as often as any of the named Commissioners or any of their successors hereinafter to be appointed under the provisions of this Order shall die resign or refuse to act or through any reason become incapable of acting as a Commissioner the remaining named Commissioners and/or their successors shall appoint some person to be a Commissioner in the room of every Commissioner so dying resigning or refusing

to act or becoming incapable of acting and every person who shall be so appointed a Commissioner being duly qualified shall and may act with the remaining or continuing Commissioners in the same manner as if he had been originally named a Commissioner in this Order :

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Provided always that when and as often as the number of Commissioners who shall be lords and feoffees of the manor of Bridlington shall by any of the causes aforesaid have been reduced to four the named Commissioners and/or their successors shall and they are hereby required to fill the last vacancy by the election of some person who shall be a lord and feoffee of the said manor duly qualified and in case there shall not be found among such of them as shall not already be Commissioners one duly qualified to be a Commissioner under the Act of 1837 and this Order then such vacancy shall be supplied by the election of some person duly qualified who shall for the time being be an assistant lord of the said manor.

(3) The persons nominated as Commissioners by the East Riding of Yorkshire County Council the corporation of Bridlington the North Eastern Local Fisheries Committee and the Bridlington Fishermen's Association shall be deemed to have vacated their office as Commissioners on ceasing to be members of the bodies nominating them.

(4) Any nomination of a Commissioner under the provisions of this section shall be determinable at any time by the body nominating such Commissioner.

(5) A Commissioner may resign office at any time by giving notice in writing of his resignation to the Commissioners or their clerk.

10.—(1) The Commissioners may act notwithstanding any vacancy in their body but if the number of Commissioners is reduced below eight they shall act only for the purpose of causing vacancies in their body to be filled up.

Validity of
acts of Com-
missioners.

(2) Every act of the Commissioners or of any person acting under their authority shall notwithstanding any defect in the appointment of or any disqualification of any person party to or doing the act be as valid as if there had been no such defect or disqualification.

11. Section 9 of the Act of 1837 shall not apply to the Commissioners nominated under this Order by the East Riding of Yorkshire County Council the Corporation of Bridlington the North Eastern Local Fisheries Committee the Minister of Agriculture and Fisheries or the Bridlington Fishermen's Association or to the fish salesmen of Bridlington nominated by the Commissioners.

Qualification
of Commis-
sioners to
remain
Exceptions.

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LIMITS.

Limits of
harbour.

12.—(1) The limits within which the Commissioners shall have authority to levy rates hereinafter termed "the rating limits" shall comprise so much of the foreshore and the bed of the sea as is occupied by the harbour works or enclosed by such works and a line drawn from the seaward extremity of the North Pier to the seaward extremity of the South Pier.

(2) The limits within which the Commissioners shall have authority and within which the powers of the harbour master may be exercised shall comprise the area within the limits specified in subsection (1) of this section and in addition such parts of the foreshore and bed of the sea as lie outside the said limits and within one hundred and fifty yards of the seaward extremity of either the North or South Pier and such limits shall be "the limits of the harbour" for the purposes of this Order.

(3) The Commissioners shall cause copies of a map showing the rating limits and the limits of the harbour certified by an assistant secretary to the Ministry of Agriculture and Fisheries to be deposited at the office of the Board of Trade at the office of the Ministry of Transport at the office of the Commissioners of Crown Lands at the office of the clerk of the peace for the East Riding of the county of York and at the office of the Commissioners.

MEETINGS.

Election of
chairman.

13. So much of section 16 of the Act of 1837 as relates to the election of a chairman to preside at the meetings of the Commissioners is hereby repealed and section 37 of the Commissioners Clauses Act 1847 is hereby incorporated with this Order.

RATES.

Rates.

14. From and after the commencement of this Order the schedule to this Order shall be substituted for the several duties specifically mentioned in section 48 of the Act of 1837 and the said section 48 shall take effect as if the rates included in the schedule to this Order were the duties mentioned in the said section. Section 62 of the Harbours and Passing Tolls &c. Act 1861 is hereby repealed.

Power to
vary exemp-
tions and
compound
for rates.

15. The Commissioners may confer vary or extinguish exemptions from and compound with any person with respect to the payment of the rates or charges authorised by the Act of 1837 and 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.

16. The Commissioners (so far as the rates specified in the schedule to this Order do not extend) may demand and recover such reasonable rates or other consideration as they may determine for the use of any warehouses sheds buildings yards wharves jetties docks quays piers slipways or other premises weighing machines mooring posts buoys works and conveniences belonging to or provided by the Commissioners or in respect of any services rendered by them in connection with the landing and storage of goods animals fish and things Provided always that the Commissioners shall not be entitled to demand and recover payment of any rates or other consideration for admission to the North and South Piers or exclude any person therefrom or from other premises belonging to the Commissioners to which the public have had by custom and usage access thereto free of charge in the past.

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Rates for
warehouses
&c.

17.—(1) The master or owner of any vessel (not being a pleasure boat) with a take or cargo of fish shall on the arrival of the vessel within the harbour as soon as practicable furnish to the collector of rates a true and accurate statement of his take or cargo of fish and the name of every person obtaining delivery thereof He shall also as soon as practicable furnish to the collector a true account of the proceeds of the sale of the fish 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.

Master of
fishing
vessel to
report take
of fish.

(2) For the purposes of rates under the Act of 1837 and this Order the value of the fish shall if it is sold within the harbour or in the vicinity thereof be taken to be the net proceeds of sale after payment of salesmen's commission (if any) If the fish is not so sold the value shall be such reasonable sum as the harbour master may determine.

18. 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 and in the case of a vessel with a take or cargo of fish until the master or owner of the vessel has given in the account of his take or cargo of fish or of any sale of fish required by this Order.

Harbour
master may
prevent
sailing of
vessel.

19. 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 coasts of the United Kingdom shall when forced by stress of weather to make use of the harbour and not breaking bulk while within the harbour be exempt from tonnage duties leviable under this Order.

Certain
fishing
vessels under
stress of
weather
exempt from
tonnage
duties.

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Exemption
of lifeboat
crew.

20. 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 all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to along and from the premises and works belonging to the Commissioners.

Minister of
Agriculture
and Fisher-
ies may
reduce rates.

21.—(1) The rates to be received by the Commissioners shall be adjusted by them in such a 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 Minister of Agriculture and Fisheries from the annual account to be sent to him under this Order that the clear annual income derived from the rates leviable by the Commissioners on the average of the then three last preceding years after payment of all expenses and outgoings exceeds the amount sufficient for the purposes of the harbour (including the provision of a contingency fund referred to in section 27 of this Order) the Minister of Agriculture and Fisheries after consultation with the Minister of Transport may if in his discretion he thinks 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.

POWER TO DREDGE.

Power to
dredge.

22.—(1) The Commissioners may deepen dredge scour and excavate any portion of the harbour to the extent necessary to secure a sufficient waterway within the harbour for the vessels using the same.

(2) All sand mud and other materials dredged up or removed for the purposes and to the extent aforesaid shall be the property of the Commissioners and they may sell or otherwise dispose of or remove or deposit the same as they think fit:

Provided that no sand mud or other material 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.

(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 the harbour revenue under this Order is to be applied.

(4) The powers of the Commissioners under this section shall be exercisable subject to the provisions of the section of this Order of which the marginal note is "Saving rights of Crown" and in particular and without prejudice to that general limitation any consent given to the exercise of such powers by the Commissioners of Crown Lands or the Board of Trade on behalf of His Majesty may be given subject to such restrictions and conditions including the payment by the Commissioners to the Commissioners of Crown Lands or the Board of Trade of royalties rents or sums of money in respect of materials raised from any place below high-water mark and sold by the Commissioners under this section or in respect of any place below high-water mark upon which materials may be deposited as may be fixed by the Commissioners of Crown Lands or the Board of Trade as the case may be.

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FINANCE.

23.—(1) The power of the Commissioners to borrow money under section 94 of the Act of 1837 shall after the date when this Order comes into operation only be exercisable with the consent of the Minister of Agriculture and Fisheries.

Power to borrow.

(2) The Commissioners may with the consent of the Minister of Agriculture and Fisheries from time to time borrow at interest not exceeding the rates sanctioned by the Minister of Agriculture and Fisheries on the security of the harbour revenue or any part thereof such further money as may be necessary for any of the purposes of their undertaking (including works of extension and improvement) For the purpose of securing any money so borrowed the Commissioners may subject to the conditions on which the loan is granted being approved by the Minister of Agriculture and Fisheries from time to time convey assign and charge by means of mortgages the harbour revenue or any part thereof and may execute and do all deeds acts and things necessary or proper for that purpose.

(3) All money borrowed by the Commissioners under this section shall be repaid within such period (if any) as may be prescribed by the Minister of Agriculture and Fisheries.

(4) All money borrowed under the Act of 1837 and/or this Order shall be applied to those purposes of the Commissioners' undertaking for which capital money may properly be applied or for such other purposes as may be allowed by the Minister of Agriculture and Fisheries.

24. Any person advancing money to the Commissioners shall not be bound to require any further or other evidence of the power of the Commissioners to borrow the money advanced by such person than such as is afforded by a certificate signed by the clerk to the Commissioners and two of the Commissioners

Protection of lenders.

A.D. 1928.

that the Commissioners are not exceeding the powers of borrowing conferred on them by the Act of 1837 and this Order.

Application of section 56 and sections 75 to 88 of Commissioners Clauses Act 1847.

25. Section 56 and sections 75 to 88 (both inclusive) of the Commissioners Clauses Act 1847 are hereby incorporated with this Order and the expression "Commissioners" therein shall mean the Commissioners and the expressions "mortgage" and "mortgagee" therein shall respectively include any security for money borrowed under this Order and the holder of any such security.

Repayment of borrowed money.

26. All money borrowed by the Commissioners under this Order shall be repaid 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 such instalments and partly by a sinking fund.

Contingency fund.

27. The Commissioners may for the purpose of meeting any extraordinary claim or demand or any unforeseen accident or damage or for meeting any extraordinary expenditure which may become necessary for the proper development of the harbour form and maintain a contingency fund not exceeding at any time the sum of seven thousand pounds and the Commissioners may subject to the provisions of this Order as to the application of revenue appropriate and set apart any amount which they think fit in any year out of the harbour revenue and shall deposit such amount in some joint stock bank to be increased by accumulation in the way of compound interest or invest the same and the accumulated interest thereof in trust securities (other than the securities of the Commissioners) until required for any of the aforesaid purposes.

Application of harbour revenue.

28. The revenue of the harbour received under the Act of 1837 and this Order shall be applicable for the purposes and in the order following and not otherwise:—

- (1) In payment of the cost of and connected with the preparation and obtaining of this Order:
- (2) In payment of the expenses properly chargeable to revenue of the maintenance repair and management of the harbour and all conveniences connected therewith:
- (3) In payment year by year of the interest accruing on money borrowed under the Act of 1837 or this Order:
- (4) In payment of the instalments as they become due in discharge of any money so borrowed and repayable by instalments and in forming any sinking fund required by the terms of the consent to the borrowing of any money under this Order:
- (5) In making such payments (if any) as the Commissioners think fit into a contingency fund established under the provisions of this Order.

The surplus (if any) after providing for the purposes aforesaid shall be applied by the Commissioners in the further general improvement of the harbour. A.D. 1928.
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29.—(1) The Commissioners shall within two months of the date to which their annual accounts are made up send a copy of an abstract and summary of the accounts to the clerk of the peace for the East Riding of the county of York the corporation of Bridlington the chief lord feoffee of the manor of Bridlington the Ministry of Health the Ministry of Transport the Ministry of Agriculture and Fisheries the North Eastern Local Fisheries Committee and the East Riding of Yorkshire County Council and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account. Annual accounts.

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

(3) The Commissioners shall as from the expiration of the month of May 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.

(4) In addition to the accounts to be lodged with the clerk of the peace the Commissioners shall also lodge with him a full and detailed statement showing the capital expenditure made by the Commissioners during the year covered by the said accounts.

30.—(1) The Minister of Agriculture and Fisheries shall unless he sees special reason to the contrary appoint a person to be permanent auditor to examine and audit the accounts of the Commissioners and shall fix the payments to be made to him for salary and for expenses (if any) and the amount of the salary and expenses (if any) shall be paid by the Commissioners out of the rates or other income received by them under this Order. Appointment of auditor.

(2) The Minister of Agriculture and Fisheries may at any time revoke the appointment of any person as auditor and thereupon shall unless he sees special reason to the contrary appoint another person as auditor.

(3) The Commissioners shall on demand by the auditor produce to him all books accounts deeds papers writings and other documents or information in their possession or power and afford him all reasonable facilities for conducting the examination and audit.

(4) If the Commissioners refuse or neglect to comply with any of the provisions of this section they shall be liable to a

A.D. 1928. — penalty not exceeding twenty pounds for every month during which they neglect or refuse so to comply.

(5) In the event of the Minister of Agriculture and Fisheries not appointing a person to be auditor to examine and audit the accounts of the Commissioners the Commissioners shall appoint a member of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors or an accountant approved by the Minister to audit their accounts.

Commis-
sioners may
borrow from
bankers.

31. The Commissioners may subject to the provisions of section 23 of this Order for the purpose of raising any money by this Order authorised to be borrowed accept and take from any bank or banking company credit to any amount not exceeding in the whole the amount for the time being of the unexhausted borrowing powers of the Commissioners under this Order.

STRANDED OR SUNKEN VESSELS.

Removal of
stranded or
sunk
vessels.

32.—(1) Whenever any vessel is stranded or sunk in the harbour or in or near any approach thereto from the sea or is laid by in the harbour or neglected as unfit for sea service the Commissioners may cause that vessel to be raised or removed or to be blown up or otherwise destroyed so as to clear the harbour and its approaches therefrom.

(2) The Commissioners may cause any such vessel and the furniture tackle and apparel thereof or any part thereof which shall be raised or saved and also all or any part of the cargo goods chattels and effects which may be raised or saved from any such vessel to be sold in such manner as they think fit (subject to such notice being given of the intended sale as is prescribed by the first proviso to section 530 of the Merchant Shipping Act 1894) and out of the proceeds of sale may reimburse themselves for the expenses incurred by them under this section and also for any expenses incurred by them in marking watching lighting or otherwise controlling the vessel and shall hold the surplus (if any) of the proceeds of sale in trust for the persons entitled thereto:

Provided always that the Commissioners shall before selling any such cargo goods chattels or effects as aforesaid pay all duties which may be payable to His Majesty in respect of the cargo goods chattels or effects to be sold and they may retain the amount of the duties so paid out of the proceeds arising from the sale of such cargo goods chattels or effects.

(3) If the proceeds of sale are insufficient to reimburse the Commissioners for the aforesaid expenses the Commissioners may recover the deficiency or in case of an appeal under subsection (4) of this section such sum as is awarded by the arbitrator to be payable in respect of the deficiency from the person who at

the time of the sinking or stranding of the vessel was the registered owner thereof or from the executors or administrators of such owner as a debt either summarily as a civil debt or in any court of competent jurisdiction. A.D. 1928.

(4) If on demand being made under this provision for payment of any deficiency the person on whom the demand is made is dissatisfied with the amount demanded he may within fourteen days after the receipt of the demand appeal to the Board of Trade who shall appoint an arbitrator to determine and award whether any and if so what sum is payable in respect of the deficiency and the award of the arbitrator appointed by the Board of Trade that no sum is payable or as to the sum payable as the case may be shall be conclusive and binding on both parties. The costs of the appeal and the award shall be in the absolute discretion of the arbitrator and he shall award and order how those costs are to be borne and paid and any costs so awarded and ordered to be paid by either party may be recovered by the other party in the same manner as the sum payable in respect of the deficiency is recoverable under subsection (3) of this section.

(5) The powers given to the Commissioners under subsection (1) of this section shall not be exercised if the registered owner of the vessel stranded or sunk shall within twenty-four hours after the vessel shall have been stranded or sunk take such steps as may in the opinion of the harbour master be necessary for the raising or removal thereof and shall thenceforth continuously and diligently and to the satisfaction of the harbour master prosecute and do all such works and things as may in the opinion of the harbour master be necessary and proper for the raising and removal of the vessel as speedily as possible.

(6) Nothing in this Order shall have effect so as to prejudice any powers or duties of a receiver of wreck under Part IX of the Merchant Shipping Act 1894.

33. If any craft or vessel is abandoned and the owner thereof cannot be discovered and the harbour dues thereon have not been paid for a period of one complete year the Commissioners may after advertising in a local newspaper of their intention so to do sell such craft or vessel by public auction and out of the proceeds thereof reimburse themselves for any harbour dues owing and for the expenses attending the selling of the same and the cost of advertising such sale and return any overplus (if any) to the owner of such craft if discovered. Abandoned vessels.

MISCELLANEOUS.

34. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Commissioners to take Saving rights of Crown.

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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 lands hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Crown minerals.

35. Notwithstanding the provisions contained in section 34 of this Order or in any public statute His Majesty and His lessees for their respective interests may work any minerals belonging to His Majesty in right of His Crown under or adjacent to lands and works of the Commissioners authorised to be taken or constructed by this Order.

Saving rights of Trinity House.

36. Nothing in this Order shall affect the rights powers and privileges of the Corporation of Trinity House of Deptford Strond (commonly called the Corporation of Trinity House London).

Saving rights of Corporation.

37. Nothing contained in this Order or the Act of 1837 shall authorise or be deemed to authorise the Commissioners to take use or in any manner interfere with any lands premises or foreshore belonging to or vested in the Corporation or shall prejudice alter limit or affect or be deemed to prejudice alter limit or affect any of the rights powers privileges or authorities of the Corporation.

Pier to be in district.

38. The pier and approaches thereto shall be deemed to be for all purposes within the parish and borough of Bridlington in the East Riding of the county of York.

Life-saving apparatus may be attached to harbour.

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

Life-buoys to be kept.

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

Provision against danger to navigation.

41. The Commissioners shall lay and maintain such buoys exhibit and keep burning from sunset to sunrise such lights and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct If the Commissioners fail to comply in any

respect with the provisions of this section they shall for each month during which they so fail be liable to a penalty not exceeding ten pounds. A.D. 1928.
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42. Except as in this Order expressed nothing in this Order shall take away abridge or prejudicially affect any estate interest right power or authority of the Commissioners under the Act of 1837. Saving existing powers.

43. Officers of the Board of Trade the Ministry of Transport the Ministry of Agriculture and Fisheries the Corporation 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 harbour without payment. Officers exempt from rates.

44. All costs charges and expenses of and incidental to the preparation and obtaining of this Order and otherwise incurred in relation thereto shall be paid by the Commissioners. Costs of Order.

45.—(1) The byelaws which may from time to time be made by the Commissioners in exercise of the power in that behalf conferred on them by section 83 of the Harbours Docks and Piers 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.

(2) No byelaw made by the Commissioners after the date when this Order comes into operation under section 91 of the Act of 1837 or the Harbours Docks and Piers Clauses Act 1847 shall come into operation until it has received the allowance and confirmation of the Minister of Agriculture and Fisheries and that allowance and confirmation shall be sufficient for all purposes and a copy of any byelaw made under either of the said Acts purporting to be signed by the clerk to the Commissioners and to be certified by him to be a true copy and to have received the allowance and confirmation of the said Minister shall be evidence in all legal proceedings of the due making confirmation allowance publication and existence of such byelaw without further or other proof.

Settled by the Minister of Agriculture and Fisheries as a Provisional Order under the Fishery Harbours Act 1915 the nineteenth day of May nineteen hundred and twenty-eight.

HENRY G. MAURICE
Fisheries Secretary.

A.D. 1928.

The SCHEDULE.

PART I.

RATES ON VESSELS (OTHER THAN FISHING VESSELS AND
PLEASURE BOATS) ENTERING OR LEAVING THE HARBOUR.

	£	s.	d.
For every vessel to or from any port in Great Britain Ireland Isle of Man and the Channel Islands per register ton	0	0	4
For every vessel to or from any foreign port per register ton	0	0	8
For every vessel entering the harbour with cargo and loading outward a different cargo for any port in Great Britain Ireland Isle of Man and the Channel Islands per register ton	0	0	6
For every vessel entering the harbour with cargo and loading outward a different cargo for any foreign port per register ton	0	0	10
For every vessel in ballast entering the harbour to load cargo per register ton.... ..	0	0	1
For every vessel entering the harbour for shelter whether laden or unladen but if laden not breaking bulk per register ton	0	0	1
For every vessel entering the harbour for bunker coal per register ton	0	0	1
For every vessel remaining in the harbour— After four weeks per register ton per fortnight or part thereof	0	0	2
For every vessel or hulk used as a store or warehouse per register ton for every period of six months or less	0	1	0
For every tug not exceeding 20 tons register per entry	0	3	0
For every tug exceeding 20 tons register per register ton	0	0	2
For every tug not exceeding 20 tons register when towing into or out of the harbour per register ton	0	0	2
For every tug exceeding 20 tons register when towing into or out of the harbour per register ton ...	0	0	4

RATES ON FISHING VESSELS.

For every steam or motor trawler not exceeding 50 tons register per entry	0	4	0
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[18 & 19 GEO. 5.] *Bridlington* [Ch. lxiix.]
Harbour Confirmation Act, 1928.

	£	s.	d.	A.D. 1928.
For every steam or motor trawler exceeding 50 tons register per register ton per entry	0	0	1	—
For every steam drifter or motor vessel (other than a motor trawler) not exceeding 40 tons register per entry	0	3	0	
For every steam drifter or motor vessel (other than a motor trawler) exceeding 40 tons register per register ton per entry	0	0	1	
Or as a composition in full of tonnage rates for a period of 12 months payable in advance—				
For every motor vessel decked not exceeding 20 tons register paying dues on fish landed within the harbour	5	0	0	
For every motor vessel decked exceeding 20 tons but not exceeding 40 tons register paying dues on fish landed within the harbour	7	10	0	
For every motor vessel decked exceeding 40 tons register paying dues on fish landed within the harbour	10	0	0	
For every sailing vessel not exceeding 30 tons register per entry	0	2	0	
For every sailing vessel exceeding 30 tons register per register ton per entry	0	0	1	
Or as a composition in full of tonnage rates for a period of 12 months payable in advance—				
For every sailing coble used for fishing or fishing and pleasure	0	12	6	
For every motor coble used for fishing or fishing and pleasure	5	0	0	

RATES ON PLEASURE BOATS AND YACHTS.

For every licensed boat or vessel (other than vessels propelled by sails or oars)—				
registered to carry not more than 50 passengers per annum	10	0	0	
registered to carry more than 50 passengers and not more than 110 passengers per annum ...	15	0	0	
registered to carry 111 passengers and not more than 150 passengers per annum	20	0	0	
registered to carry 151 passengers and not more than 200 passengers per annum	25	0	0	
with an additional £5 for every 50 passengers or part thereof over 200.				
For every private yacht—				
not exceeding 4 tons register per entry	0	1	0	
exceeding 4 tons register and not exceeding 10 tons register per entry	0	2	0	
exceeding 10 tons register per entry	0	3	0	

[Ch. lxxix.] *Bridlington* [18 & 19 GEO. 5.]
Harbour Confirmation Act, 1928.

A.D. 1928.

	£	s.	d.
Or as a composition in full of tonnage rates for a period of 12 months payable in advance—			
not exceeding 4 tons register	1	0	0
exceeding 4 tons register but not exceeding 10 tons register	3	0	0
exceeding 10 tons register	5	0	0
For every rowing boat licensed to ply for hire per annum	0	6	0
For every motor coble or launch not registered and used for pleasure only per entry	0	3	0
Or as a composition in full of tonnage rates for a period of 12 months payable in advance ...	2	0	0
For every other vessel per register ton per entry ...	0	0	2

PART II.

RATES ON GOODS SHIPPED OR UNSHIPED OR TRANSHIPPED WITHIN THE HARBOUR.

		s.	d.
Aerated waters	per dozen	0	1
Agricultural implements	per cwt.	0	2
Ammunition	per ton	1	0
Anchors iron or steel	per cwt.	0	3
Animals live :			
Bulls cows oxen calves and horses	each	0	4
Dogs	each	0	6
Pigs sheep and lambs	each	0	2
Arms :			
Cannon or mortar	per ton	1	0
Small arms	per ton	3	0
Asphalt	per ton	0	6
Bacon	per cwt.	0	0½
Ballast	per ton	0	1
Bark	per ton	0	6
Baskets	per dozen	0	6
Beer :			
In casks	per hogshead of 63 gallons	0	3
Bottled	per 2½ cwts.	0	2
Bottled	per dozen bottles	0	1
Biscuit	per cwt.	0	1
Boats	each	2	6
Bones whole crushed or dust	per ton	1	0
Bottles	per gross	0	2
Brass	per ton	0	4
Bread	per cwt.	0	1
Bricks :			
Common	per 1,000	1	0
Stock pressed fireclay and bath	per 1,000	1	6

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Harbour Confirmation Act, 1928.

		s.	d.	A.D. 1928.
Brushes per 2½ cwts.	0	1	—
Butter per cwt.	0	2	
Cables iron or hempen	... .. per ton	0	6	
Cake linseed cotton rape or other similar kind	per cwt.	0	1	
Candles	... .. per cwt.	0	0½	
Carriages not propelled by mechanical power :				
Four wheels	... .. each	2	6	
Two wheels	... .. each	1	3	
Casks or boxes empty other than fish barrels or boxes not being returned packages	... .. each	0	1	
Cement	... .. per ton	1	0	
Chalk	... .. per ton	0	6	
Cheese	... .. per cwt.	0	1	
Chimney pots	... .. each	0	1	
Clay :				
Common	... .. per ton	0	3	
Fire manufactured or pipe	... .. per ton	1	0	
Coal coke or culm	... .. per ton	0	7½	
Copper	... .. per ton	0	4	
Cordage	... .. per cwt.	0	1	
Cork	... .. per cwt.	0	1	
Corn meal &c. :				
Barley oats rye peas beans maize buckwheat wheat	per quarter	0	2	
Bran	... .. per ton	0	6	
Flour meal	... .. per cwt.	0	0½	
Malt	... .. per quarter	0	3	
Cutch	... .. per cwt.	0	1	
Derelict goods wrecks &c.	... .. per ton	1	0	
Earthenware	... .. per ton	1	0	
Eggs	... .. per box of 1,600	0	6	
Felt	... .. per cwt.	0	0½	
Fish (not sold by auction) :				
Crabs lobsters and oysters	... .. per cwt.	0	4	
Herrings fresh or salt	... .. per 1,000	0	3	
Turbot brill halibut soles cod and ling	per cwt.	0	2	
Other fish not enumerated	... .. per cwt.	0	1½	
Fish of all kinds (sold by auction) including shell fish	£ value	0	4	
Flax	... .. per cwt.	0	0½	
Flocks	... .. per cwt.	0	0½	
Fruit :				
Apples and pears	... .. per cwt.	0	1	
Not otherwise specified	... .. per cwt.	0	0½	
Fuel patent or manufactured	... .. per ton	0	6	
Furniture household per ton	2	6	
Glassware per cwt.	0	2	
Groceries not otherwise specified per cwt.	0	3	

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A.D. 1928.

							s.	d.
Guano	per ton	0	6
Gunpowder	per cwt.	0	6
Hair :								
For mortar &c.	per cwt.	0	2
Curled	per cwt.	0	3
Hams ...	...	...	...	...	...	per cwt.	0	0 $\frac{1}{2}$
Handcarts ...	...	...	...	...	...	... each	1	0
Hardware ...	...	...	...	...	...	per ton	0	6
Hay ...	...	...	...	...	...	per ton	0	6
Hemp ...	...	...	...	...	...	per cwt.	0	0 $\frac{1}{2}$
Hides ox cow or horse	...	...	...	...	...	per cwt.	0	0 $\frac{1}{2}$
Hoops wooden iron or steel ...	...	...	...	...	...	per ton	1	6
Hops ...	...	...	...	...	...	per cwt.	0	3
Horns animals	...	...	...	...	...	per ton	1	0
Ice ...	...	...	...	...	...	per ton	1	0
Iron or steel :								
Manufactured ...	...	...	...	...	...	per ton	1	0
Scrap ...	...	...	...	...	...	per ton	0	6
Iron pig ...	...	...	...	...	...	per ton	0	6
Iron pots ...	...	...	...	...	...	... each	1	0
Launches—motor or steam ...	...	...	...	...	...	... each	5	0
Lard ...	...	...	...	...	...	per cwt.	0	2
Lead :								
Black red white ...	...	...	...	...	...	per ton	0	6
Sheet manufactured and pig	...	...	...	...	...	per ton	0	6
Leather tanned or dressed ...	...	...	...	...	...	per cwt.	0	2
Lemons ...	...	...	...	...	...	per cwt.	0	3
Lime ...	...	...	...	...	...	per ton	0	6
Loam ...	...	...	...	...	...	per ton	0	3
Machines and machinery not otherwise specified	...	...	...	...	...	per ton	1	0
Manure not otherwise specified	...	...	...	...	...	per ton	0	6
Marble ...	...	...	...	...	...	per ton	1	0
Meat—beef mutton and pork	...	...	...	...	...	per ton	1	0
Metals not otherwise specified	...	...	...	...	...	per ton	0	6
Molasses ...	...	...	...	...	...	per ton	1	0
Motor cycles ...	...	...	...	...	...	... each	2	6
Musical instruments ...	...	...	...	...	...	per cubic foot	0	1
Nitrate of soda ...	...	...	...	...	...	per ton	1	0
Nuts with or without husks	...	...	...	...	...	per bushel	0	1
Oakum... ..	...	...	...	...	...	per cwt.	0	1
Oars ...	...	...	...	...	...	per dozen	0	6
Oil :								
Used for internal combustion engines...	...	...	...	...	...	per 2 gallons	0	0 $\frac{1}{4}$
Not otherwise specified...	...	...	...	...	...	per ton	1	0
Oranges ...	...	...	...	...	...	per cwt.	0	3
Ores not otherwise specified	per ton	0	6
Paints and colours	per cwt.	0	4
Perambulators each	0	6

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Harbour Confirmation Act, 1928.

						s.	d.	A.D. 1928.
Phosphates	per ton	1 0	—
Pipes :								
Sanitary	per ton	0 6	
Tobacco	...	...	...	...	...	per cwt.	0 2	
Pitch and tar	...	...	...	...	...	per barrel of 196 lbs.	0 3	
Coal tar	...	...	...	...	...	per ton	0 6	
Plaster of paris	...	...	...	...	...	per ton	0 6	
Potatoes	...	...	...	...	...	per cwt.	0 1	
Rags	...	...	...	...	...	per cwt.	1 0	
Ropes :								
Coil	...	...	...	...	...	per cwt.	0 1	
Old	...	...	...	...	...	per ton	1 0	
Sails	...	...	...	...	...	per cwt.	0 2	
Salt	...	...	...	...	...	per ton	1 0	
Sand	...	...	...	...	...	per ton	0 3	
Seeds of all kinds	...	...	...	...	...	per quarter	0 2	
Skins animal	...	...	...	...	...	per dozen	0 6	
Slates	...	...	...	...	...	per ton	1 0	
Soap	...	...	...	...	...	per cwt.	0 0½	
Stone	...	...	...	...	...	per ton	0 6	
Sugar	...	...	...	...	...	per cwt.	0 0½	
Tallow	...	...	...	...	...	per cwt.	0 0½	
Tea	...	...	...	...	...	per chest of 22 lbs.	0 2	
Tiles :								
Roofing	...	...	...	...	...	per 1,000	1 0	
Drainage	...	...	...	...	...	per 1,000	0 6	
Tin	...	...	...	...	...	per ton	0 6	
Tobacco	...	...	...	...	...	per cwt.	0 3	
Tongues fresh or preserved	...	...	...	...	...	per cwt.	0 0½	
Turpentine	...	...	...	...	...	per 54 gallons	0 8	
Vehicles mechanically propelled	...	...	...	...	...	... each	5 0	
Varnish	...	...	...	...	...	per 54 gallons	0 8	
Vegetables not otherwise specified	...	...	...	...	...	per cwt.	0 2	
Vinegar	...	...	...	...	...	per 18 gallons	0 3	
Vitriol	...	...	...	...	...	per 10 gallons	0 1	
Wheelbarrows	...	...	...	...	...	... each	1 0	
Whitening	...	...	...	...	...	per ton	0 6	
Wines and spirits	...	...	...	...	...	per hogshead of 56 gallons	0 6	
Bottled	...	...	...	...	...	per dozen bottles	0 1	
Wire iron or steel	...	...	...	...	...	per cwt.	0 0½	
Wood	...	...	...	...	...	per fathom of 216 cubic feet	1 0	
Deals battens and boards	...	...	...	...	...	per load of 50 cubic feet	0 6	
Laths and lathwood	...	...	...	...	...	per 216 cubic feet	1 0	
Pit props	...	...	...	...	...	per 50 cubic feet	0 9	
Scoops	...	...	...	...	...	per fathom of 216 cubic feet	0 1	
Timber square or round	per load of 50 cubic feet	0 6	
Wood spars not exceeding 6 inches in diameter	per 120	3 0	

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Harbour Confirmation Act, 1928.

A.D. 1928_a

	<i>s.</i>	<i>d.</i>
Wood staves per load of 50 cubic feet	0	6
Wood trenails per 1,000	0	6
Wood wedges per 1,000	0	6
Wood of all kinds not enumerated per load of 50 cubic feet ...	0	6

In charging the rates on goods the gross weight or measurement to be taken and for any less weight measures and quantities than those above specified a portion of the respective rates shall be charged.

For all articles not specified in this Part of the schedule sums may be charged equal to the rates payable in respect of goods specified therein which are as nearly as may be of like nature package and quantity.

PART III.

RATES FOR USE OF CRANES RENT &C.

(1) *Cranes.*

	<i>s.</i>	<i>d.</i>
All goods or packages not exceeding one ton	0	4
All goods or packages exceeding one ton and not exceeding two tons	0	6
All goods or packages exceeding two tons and not exceeding three tons	0	8
All goods or packages exceeding three tons and not exceeding four tons	0	10
All goods or packages exceeding four tons and not exceeding five tons	1	0
All goods or packages exceeding five tons and not exceeding six tons	1	2
All goods or packages exceeding six tons and not exceeding seven tons	1	4
All goods or packages exceeding seven tons and not exceeding eight tons	1	6
All goods or packages exceeding eight tons and not exceeding nine tons	1	10
All goods or packages exceeding nine tons and not exceeding ten tons	2	4
All goods or packages exceeding ten tons	3	6

(2) *Rent.*

For every 100 square feet of any wharf pier or jetty used for storing fish boxes &c. per month	2	0
For every ton of ballast remaining on the piers per week	0	1

(3) *Rates for supplying Water.*

A.D. 1928.

	<i>s. d.</i>
For each 25 gallons or part of 25 gallons of water supplied to any vessel	0 1½

PART IV.

RATES ON PERSONS LANDING OR EMBARKING IN THE HARBOUR.

For every person who within the harbour lands from or embarks on a boat or vessel used for pleasure whether the landing or embarking is direct from or on the vessel or by means of a boat 0 1

Provided that this rate shall not be payable by the owner master or any member of the crew of the boat or vessel or by or in respect of any person landing from or embarking on a boat or vessel in respect of which harbour rates are paid in accordance with Part I of this Schedule except such as have transhipped in the vicinity of the harbour from a vessel in respect of which harbour rates in accordance with Part I of this Schedule are not paid.

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