



### CHAPTER liii.

An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Elgin and Lossiemouth and Southwold. A.D. 1933.

[28th July 1933.]

**W**HEREAS 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 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 Orders which as amended are 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 (Elgin and Lossiemouth and Southwold) Confirmation Act 1933. Short title.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

The SCHEDULE of Orders.

1. ELGIN AND LOSSIEMOUTH.—Increase of harbour rates &c.
2. SOUTHWOLD.—Transfer of harbour to the Corporation &c.

SCHEDULE.

A.D. 1933.

ELGIN AND LOSSIEMOUTH HARBOUR.

*Elgin and  
Lossiemouth.*

*Provisional Order to authorise the Elgin and Lossiemouth  
Harbour Company to levy and recover new and  
increased rates and charges and for other purposes.*

1.—(1) This Order may be cited as the Elgin and Lossiemouth Harbour Order 1933.

Short title  
construction  
and citation.

(2) This Order and the Elgin and Lossiemouth Harbour Acts and Orders 1856 to 1901 shall be construed together and may be cited together as the Elgin and Lossiemouth Harbour Acts and Orders 1856 to 1933.

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.

Commence-  
ment.

3. In this Order unless the context otherwise requires—

Interpreta-  
tion.

“The Company” means the Elgin and Lossiemouth Harbour Company;

“The harbour” means the Elgin and Lossiemouth Harbour and the lands buildings works plant property and conveniences from time to time connected therewith or any part thereof as the case may be;

“The Order of 1901” means the Elgin and Lossiemouth Harbour Order 1901;

“Authorised rates” and “authorised rate” mean respectively the rates or rate which the Company are for the time being authorised to levy demand and recover in pursuance of the Order of 1901 and this Order.

4. The Company shall be the undertakers for carrying this Order into execution.

Undertakers.

5. From and after the commencement of this Order section 3 (New schedule of rates and duties for Lossiemouth

Increase of  
rates.

**[Ch. liii.]**      *Pier and Harbour*      [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933. Harbour) of and the schedule to the Order of 1901 shall be read and have effect as if—

*Elgin and  
Lossiemouth.*

- (1) the rates specified in Part I—Rates on vessels &c.  
 1. Tonnage rates—of the schedule to the Order of 1901 were severally increased by an amount equal to fifty per centum of the respective amounts thereof:

Provided that the rates which the Company may charge in respect of the undermentioned vessels shall not exceed the following:—

	<i>s.</i>	<i>d.</i>
For every vessel from a port or place in Great Britain or Ireland not on the east coast of Scotland or in the Orkney or Shetland Islands light or in ballast or wind-bound or not loading or discharging	0	4
per register ton		
For every yacht not carrying goods or passengers for hire	0	4
per register ton		

- (2) the schedule to this Order were substituted for Part I—Rates on vessels &c. 2. Rates on fishing vessels &c.—of the schedule to the Order of 1901:

- (3) the rates specified in Part II—Rates on animals and goods shipped transhipped or unshipped at the harbour—of the schedule to the Order of 1901 were severally increased by an amount equal to fifty per centum of the respective amounts thereof:

Provided that the Company may charge in respect of the undermentioned goods shipped transhipped or unshipped at the harbour rates not exceeding the following:—

	<i>s.</i>	<i>d.</i>
Bunker coals	0	9
per ton		
Corn as described in the schedule to the Order of 1901 in quantities of one ton or above	2	0
per ton		
Fish of all kinds (including herrings fresh direct from sea)	0	6
per £ value		
Herring barrel staves per 1,000 superficial feet	1	11
Oil all kinds (including oil fuel for vessels)	3	0
per ton		
Iron hoops	0	1
per bundle		
Manures manufactured and not otherwise enumerated	1	8
per ton		
Wood of all kinds not enumerated	1	8
per 50 cubic feet		

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

(4) the rates specified in Part III—Rates for the use of sheds cranes weighing machines warps &c.—of the schedule to the Order of 1901 under the following headings (namely) 1 Sheds 2 Cranes 3 Weighing machines 4 Warps or planks when used 6 Harbour lights and 8 Ballast were severally increased by an amount equal to fifty per centum of the respective amounts thereof. A.D. 1933.  
 —  
*Elgin and Lossiemouth.*

6.—(1) If it is represented by application in writing to the Minister of Transport (in this section referred to as “the Minister”)— Revision of rates.

(a) By any chamber of commerce or shipping or any representative body of traders or any person who in the opinion of the Minister is a proper person for the purpose; or

(b) By the Company;

that under the circumstances then existing the authorised rates or any of them should be revised the Minister if he thinks fit may make an order revising the authorised rates referred to in the application or any of them and may fix the date as from which such order shall take effect and thenceforth such order shall remain in force until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this section. Provided that before making an order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(2) Where upon an application for revision of authorised rates or an authorised rate an order has been made or the Minister has decided not to make an order no further application for a revision of the rates or rate to which the application related shall be made within twelve months from the date of such order or decision as the case may be.

(3) The provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section—

(a) as if the Minister were referred to therein in lieu of the Board of Trade;

(b) as if the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

*Elgin and  
Lossiemouth.*

with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and

- (c) as if in section 4 of the said Act of 1874 the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand" of the president or of one of the secretaries of the "Board."

(4) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

(5) Section 53 (Revision of rates and limits) of the Elgin and Lossiemouth Harbour Act 1856 and section 5 (Power to Board of Trade to reduce rates) of the Elgin and Lossiemouth Harbour Order 1868 are hereby repealed.

Annual  
accounts to  
be sent to  
Ministry of  
Transport.

7.—(1) The Company shall within three months after the date to which their annual accounts and balance sheet are made up or such longer period as the Minister of Transport may allow send a copy of the same to the Ministry of Transport and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include the Company and any and every such accounts.

(2) The Company 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 the foregoing provisions.

(3) The accounts of the Company referred to in this section and in section 50 of the Harbours Docks and Piers Clauses Act 1847 respectively shall be made up to the end of the thirty-first day of May in each year.

(4) Section 54 (Board of Trade may appoint an auditor to examine accounts) of the Elgin and Lossiemouth Harbour Act 1856 and section 16 (Accounts to be furnished to Board of Trade) of the Elgin and Lossiemouth Harbour Order 1868 are hereby repealed.

Costs of  
Order.

8. 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.

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

SCHEDULE referred to in the foregoing Order.

A.D. 1933.

*Elgin and  
 Lossiemouth.*

RATES ON FISHING VESSELS &C.

	£	s.	d.
For every steam drifter engaged in the herring fishing as a composition in full of tonnage rates payable in advance - - - - - per season	1	10	0
For every motor boat engaged in the herring fishing as a composition payable in advance per season :—			
Not exceeding 15 tons register - - - - - per season	1	0	0
Exceeding 15 tons register - - - - - per season	1	5	0
For every boat engaged in the white fishing or other fishing than the herring fishing as a composition for any fishing season payable in advance :—			
Not exceeding 5 tons register - - - - - per season	0	5	0
Exceeding 5 tons and not exceeding 15 tons register - - - - - per season	0	15	0
Exceeding 15 tons register - - - - - per season	1	5	0
The above composition dues shall not apply to steam trawlers or steam liners of a gross tonnage of more than 30 tons and they shall not apply to boats or vessels of any description not engaged in fishing.			
For every small boat for pleasure purposes using the harbour - - - - - per week or part of a week	£	s.	d.
	0	4	0
For every boat loading or discharging herrings or white fish not paying the above dues :—			
Not exceeding 15 tons register - - - - -	0	2	0
Exceeding 15 tons and not exceeding 30 tons register - - - - -	0	3	0
Exceeding 30 tons register - - - - -	0	4	0
For every boat engaged in the herring or white or other fishing wind-bound :—			
Not exceeding 15 tons register - - - - -	0	1	6
Exceeding 15 tons register - - - - -	0	2	0
For every steam liner or trawler of a gross tonnage of more than 30 tons wind-bound - - - - -	0	5	0

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.  
 —  
*Elgin and  
 Lossiemouth.*

For every vessel laid up in the harbour (including any hull lying in the harbour for the purpose of being repaired completed or engined) for consecutive periods of seven days :—

	£	s.	d.
For each seven days or part thereof - - -	0	5	0
For separate periods under seven days 1s. per day maximum - - - - -	0	5	0

In the event of any boat or fishing vessel not paying composition dues remaining in the harbour more than forty-eight hours the above rates shall be payable for each twenty-four hours or part thereof after the first forty-eight hours.

The seasons above mentioned are :—

- From 1st March to 1st June.
- From 1st June to 1st September.
- From 1st September to 1st December.
- From 1st December to 1st March.

*Southwold.*

**SOUTHWOLD HARBOUR.**

*Provisional Order to make further provision with respect to the Harbour of Southwold in the County of Suffolk and for other purposes.*

PRELIMINARY.

- Short title.** 1. This Order may be cited as the Southwold Harbour Order 1933.
- Commencement.** 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."
- Interpretation.** 3.—(1) In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Order have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Order unless the context otherwise requires—
- " authorised rates " means the charges dues rates or tolls which the Corporation are for the time being authorised to levy demand and recover in pursuance of this Order and " authorised rate " means any one of the said charges dues rates or tolls;
- " the borough " means the borough of Southwold;



[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

“ the general rate fund ” and “ the general rate ” mean A.D. 1933.  
 respectively the general rate fund and the general rate  
 of the borough; —  
*Southwold.*

“ the conveyance ” means the conveyance dated the seventh  
 day of September one thousand nine hundred and  
 thirty-one which is confirmed by this Order;

“ the Corporation ” means the mayor aldermen and  
 burgesses of the borough of Southwold;

“ the harbour ” means Southwold harbour in the county of  
 Suffolk as comprised within the limits of this Order;

“ the Harbours Clauses Act 1847 ” means the Harbours  
 Docks and Piers Clauses Act 1847;

“ the harbour revenue ” means and includes the charges  
 dues rates tolls and other moneys and receipts which  
 may be taken and received by way of income from  
 or in respect of the harbour undertaking under the  
 authority of this Order;

“ the harbour undertaking ” means and includes as the  
 case may require the harbour the lands property and  
 conveniences held therewith the right to levy charges  
 dues rates and tolls and all other powers rights  
 authorities and privileges relating thereto conferred  
 on or vested in the Corporation by this Order;

“ the Order of 1898 ” means the Southwold Harbour Order  
 1898;

“ the Order of 1907 ” means the Southwold Harbour Order  
 1907;

“ the town clerk ” means the town clerk of the borough.

(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 exempt from rates duties regulation  
 or control any such vessel as aforesaid if she also conveys  
 passengers or goods for hire.

UNDERTAKERS.

4. The Corporation shall be the undertakers for carrying *Undertakers.*  
 this Order into execution.

5.—(1) The Lands Clauses Acts (except so much thereof as *Incorpora-*  
 relates to the purchase and taking of lands otherwise than by *tion of Lands*  
 agreement and to the entry upon lands by the promoters of the *Clauses Acts.*

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

*Southwold.*

undertaking) are incorporated with this Order except as expressly varied thereby.

(2) For the purposes of the incorporation of the said Acts and of the Harbours Clauses Act 1847 the expression "the special Act" in those Acts shall mean this Order.

ACQUISITION OF HARBOUR AND UNDERTAKING BY CORPORATION.

Acquisition  
of harbour  
and under-  
taking by  
Corporation.

6.—(1) The conveyance (a copy of which is set forth in the First Schedule to this Order) is hereby confirmed and made binding on the parties thereto respectively.

(2) Subject to the provisions of the section of this Order of which the marginal note is "Crown rights" the harbour and the harbour undertaking are hereby vested in and may be maintained and carried on by the Corporation.

Harbour  
committee.

7. The Corporation may at any time and from time to time by resolution appoint as members of any committee appointed by the Corporation for the management of the harbour and for such period as the Corporation may determine any number of persons not being members of the Council being persons of experience in or having a special knowledge of the harbour undertaking or being payers of harbour rates and any such person may be at any time removed by the Corporation from such committee and subject as aforesaid the provisions of section 22 of the Municipal Corporations Act 1882 shall apply to any such committee as is referred to in this section.

ACQUISITION OF LANDS.

Power to  
take lands by  
agreement.

8. The Corporation may for the purposes of the harbour undertaking by agreement purchase or take on lease (in addition to any lands now forming any part of the harbour undertaking) any interest in the foreshore and any lands or buildings which the Corporation may deem requisite or convenient not exceeding in the whole fifty acres but with respect to such additional lands nothing in this Order or in the Acts incorporated therewith shall exempt the Corporation from any indictment action or other proceedings for nuisance in the event of any nuisance being caused or permitted by them thereon.

Power to  
grant ease-  
ments &c.

9. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may subject to the provisions of those Acts and of this Order grant to the Corporation for the purposes of this Order any easement right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) in 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

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

shall extend and apply to such easements rights and privileges respectively. A.D. 1933.

—  
*Southwold.*

Power to  
retain sell  
&c. lands.

10.—(1) Notwithstanding anything in any Act or Order to the contrary the Corporation may retain hold and use for such time and for such purposes as they may think fit or may sell let lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Order and may sell exchange or dispose of any rents reserved on the sale lease exchange or other disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange :

Provided that the Corporation shall not without the consent of the Minister of Health sell lease exchange or otherwise dispose of any such lands or any interests therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the said Minister is necessary or has been obtained :

Provided also that nothing in this section shall be taken to dispense with the consent of any Government department to any sale lease appropriation or other disposition of any lands of the Corporation in any case in which such consent would have been required if this Order had not been made.

(2) Nothing in this section contained shall release the Corporation or any person purchasing or acquiring any lands from them under this section from any rents covenants restrictions reservations terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Corporation or any person from or through whom the Corporation may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered exercised enjoyed and enforced in like manner and to the same extent as if this Order had not been made.

#### LIMITS.

11.—(1) The limits within which the power of the Corporation to levy rates under this Order may be exercised (hereinafter termed "the rating limits") shall comprise the lands and any Limits.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933. piers quays wharves jetties buildings apparatus and conveniences connected with the harbour or which may be acquired leased or erected by the Corporation for the purposes of the harbour undertaking together with so much of the river Blyth as lies between an imaginary straight line drawn in a south-south-westerly direction across that river from the western bank of Buss Creek at the confluence of that creek and the river Blyth and the seaward extremities of the piers known as the North and South Piers at the mouth of the river Blyth the whole of Buss Creek below the line of high-water mark of ordinary spring tides Salt Creek and so much of Dunwich Creek below the sluice as is below the highest point to which ordinary tides flow which limits are coloured red on the map or plan referred to in subsection (3) of this section.

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*Southwold.*

(2) The limits within which the Corporation shall have authority and within which the powers of the harbour master may be exercised shall comprise the rating limits and the seaward area up to high-water mark of ordinary spring tides comprised within a radius of one thousand yards measured from the southern end of the North Pier at the mouth of the river Blyth which limits are in this Order termed "the limits of this Order."

(3) A map or plan showing the rating limits having been signed in quadruplicate by an assistant secretary to the Ministry of Transport and one copy thereof having been deposited at the office of the Ministry of Transport another copy thereof shall be deposited at the office of the Mercantile Marine Department of the Board of Trade another copy thereof shall be deposited at the office of the clerk of the county council of the county of East Suffolk and another copy thereof shall be deposited at the office of the Corporation.

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

WORKS AND POWERS.

Power to maintain and improve works.

12.—(1) Subject to the provisions of this Order the Corporation may maintain alter improve and extend the harbour undertaking and in connection therewith may construct maintain alter and improve embankments walls stairs landing places approaches jetties piers wharves quays slips warehouses offices sheds and other buildings cranes weighing machines machinery buoys moorings lights beacons groynes sluices roads sewers drains watercourses gas and water pipes electric light and power and other works and conveniences which may be found necessary and may also from time to time lay down and maintain rails

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

tramways sidings and turntables on and along the piers quays wharves and other harbour works of the Corporation.

A.D. 1933.

—  
*Southwold.*

(2) A line of rails or tramway constructed under the powers of this Order shall not be used for the public conveyance of passengers unless and until it has been inspected and certified by the Ministry of Transport to be fit for that use.

(3) Any electric light and power or other apparatus constructed and maintained under this Order shall be so constructed used and maintained as to prevent any interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

(4) Nothing in this Order shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1928 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.

13.—(1) If the Corporation desire to execute any works within the limits of this Order which may affect the main channel of the river Blyth as marked on the map sealed by the Minister of Agriculture and Fisheries on the eleventh day of March One thousand nine hundred and thirty-one in relation to the East Suffolk Rivers (excluding the River Waveney) Catchment Area they shall give to the East Suffolk Rivers (excluding the River Waveney) Catchment Board twenty-eight days' notice in writing of their desire to execute any such works accompanied by a sufficient plan section and specification of the proposed work and shall not commence to execute or carry out such work until the plan section and specification have been approved by the engineer of the catchment board or by an arbitrator to be appointed as hereinafter provided:

For protection of  
 East Suffolk  
 Rivers  
 Catchment  
 Board.

Provided that the approval of the said engineer shall not be unreasonably withheld and shall be deemed to have been given unless the said engineer signifies his disapproval within the said twenty-eight days.

(2) Any difference between the Corporation and the said catchment board with respect to any of the provisions of this section shall unless otherwise agreed be referred to an engineer to be appointed in default of agreement between the Corporation and the catchment board by the President of the Institution of Civil Engineers on the application of either party after notice thereof to the other.

14.—(1) The Corporation may deepen dredge scour and excavate the harbour as they may consider expedient and may deepen dredge scour and excavate any portion of the foreshore

Power to  
 dredge.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

and bed of the sea to the extent necessary to secure a sufficient waterway and approach to the harbour.

(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 Corporation 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) The powers of the Corporation under this section shall be exercisable subject to the provisions of the section of this Order of which the marginal note is "Crown rights" 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 Corporation 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 Corporation 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.

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

Power to  
purchase  
dredgers &c.

15. The Corporation may provide purchase take on lease hire and use such steam or other dredgers eroders engines lighters 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 sums and upon and subject to such terms and conditions as they may think fit or may sell or dispose of the same All sums received in respect of any such letting on hire shall be deemed to form part of the harbour 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  
provide  
steam tugs  
&c.

16. The Corporation may provide purchase contract for or hire and may maintain use and let steam tugs hoppers barges or other power for the use and accommodation of vessels frequenting the harbour and may also license such number of steam tugs hoppers barges or other power belonging to any person for such period and on such terms and conditions as the Corporation may think fit.

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

17. The Corporation may fix such reasonable rates as they may determine for or in respect of the use of any steam tugs hoppers barges or other power maintained used and let or licensed by the Corporation and those rates shall be paid by the owner agent master consignee or other person having charge of the vessel obtaining the assistance of the steam tug hopper barge or other power to the Corporation or to the person with whom the Corporation may contract or to the owner of the steam tug hopper barge or other power if licensed by the Corporation as the case may be and those rates shall be due and payable whether the steam tug hopper barge or other power is actually employed or not provided the assistance thereof has been required and in consequence of a requisition has been tendered by the Corporation or by the master or other person having the command of the steam tug hopper barge or other power.

A.D. 1933.

—  
*Southwold.*  
 Charges for  
 use of steam  
 tugs &c.

RATES.

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

Power to  
 levy rates.

(2) The Corporation may within the rating limits subject and according to the provisions of this Order levy demand receive and recover for the use of the harbour and the conveniences connected therewith and in respect of vessels boats persons goods and things of every description and for services described in the Second Schedule to this Order any rates not exceeding those specified in that schedule over and above the ancient and accustomed payments to the harbour master or masters of two shillings for every vessel entering the harbour.

19. As from the commencement of this Order the Southwold Pier and Harbour (Temporary Increase of Charges) Order 1932 shall cease to have effect but without prejudice to the right of the Corporation to recover and receive any charges dues rates or tolls then already accrued due or payable.

Annulment  
 of Tempo-  
 rary Increase  
 of Charges  
 Order.

20. The Corporation may confer vary or extinguish exemptions from and compound with any person with respect to the payment of 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 works under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Order.

Power to  
 vary exemp-  
 tions and  
 compound  
 for rates.

21. The Corporation may make reasonable charges for all work done services rendered facilities afforded and plant and machinery or appliances provided by them for the despatch of

Charges for  
 services not  
 otherwise  
 provided for.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933. business at the harbour or the convenience of shipmasters  
*Southwold.* merchants and others concerned with the traffic thereat in so  
far as such charges are not expressly provided for by this Order.

Master of  
fishing vessel  
to report  
take of fish.

22.—(1) The master or owner of any vessel (not being a pleasure boat) with a take or cargo of fish shall if required by the Corporation on the arrival of the vessel within the harbour forthwith 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.

(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.

Harbour  
master may  
prevent  
sailing of  
vessels.

23. The harbour master may prevent the removal or sailing from within the limits of this Order 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 if required by the Corporation under section 22 of this Order.

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

24. 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 harbour and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Exemption  
of lifeboat  
crew.

25. 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 harbour.

Revision of  
rates.

26.—(1) If it is represented by application in writing to the Minister of Transport (in this section referred to as "the Minister")—

(a) By any chamber of commerce or shipping or any representative body of traders or any person who in the opinion of the Minister is a proper person for the purpose; or

(b) By the Corporation;

that under the circumstances then existing the authorised rates or any of them should be revised the Minister if he thinks fit may



[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

make an order revising the authorised rates referred to in the application or any of them and may fix the date as from which such order shall take effect and thenceforth such order shall remain in force until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this section Provided that before making an order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

A.D. 1933.

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*Southwold.*

(2) Where upon an application for revision of authorised rates or an authorised rate an order has been made or the Minister has decided not to make an order no further application for a revision of the rates or rate to which the application related shall be made within twelve months from the date of such order or decision as the case may be.

(3) The provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section—

- (a) as if the Minister were referred to therein in lieu of the Board of Trade;
- (b) as if the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and
- (c) as if in section 4 of the said Act of 1874 the words “under the seal of the Minister of Transport” were substituted for the words “by writing under the hand of the president or of one of the secretaries of the Board.”

(4) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

POWERS OF SALE AND LEASING.

*Southwold.*  
Power to  
sell.

27.—(1) The Corporation may at any time with the previous consent in writing of and upon such terms conditions and restrictions as may be approved by the Minister of Transport sell the harbour undertaking or any part thereof and the purchaser to the extent authorised by his conveyance shall have and may exercise all or any of the powers conferred upon the Corporation by this Order or 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.

(2) The Corporation shall within one month after the date of any conveyance made under this section deposit a certified copy thereof at the Ministry of Transport and shall upon failure to do so be liable to a penalty not exceeding twenty pounds.

Power to  
lease under-  
taking or  
rates.

28.—(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 approved by the Minister of Transport lease to any company corporation or person (a) the harbour undertaking or (b) the right to collect and retain the authorised rates.

(2) As from the commencement 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 Minister of Transport and the provisions of this Order with respect to such lease or to the lessee shall apply to any such assignment or to the assignee respectively.

(4) The Corporation shall within one month after the date of any lease made under this section deposit a certified copy thereof at the Ministry of Transport and shall upon failure to do so be liable to a penalty not exceeding twenty pounds.

(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

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

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.

A.D. 1933.  
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*Southwold.*

29. 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 rooms shops sheds warehouses or other buildings separately from any other part of the harbour undertaking to any company corporation or person upon such terms pecuniary or otherwise and under such restrictions and conditions as they may determine.

Power to  
 lease ware-  
 houses &c.

FINANCE.

30. 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 harbour undertaking and the maintenance management and improvement thereof and the payment of expenses in connection therewith out of the harbour revenue or subject to the provisions of this Order if that shall be insufficient out of the general rate fund and the general 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  
 Corporation  
 to provide  
 money for  
 purposes of  
 Order.

31.—(1) The Corporation may independently of any other borrowing power from time to time borrow at a rate of interest not exceeding without the consent of the Minister of Transport six per centum per annum—

Power to  
 borrow.

(a) For the payment of the costs charges and expenses of and incidental to this Order such sum as may be required for the purpose; and

(b) With the consent of the Minister of Transport such further sum or sums as may from time to time be required for any of the purposes of the harbour undertaking.

(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 the harbour undertaking or any part or parts thereof respectively and the general rate fund and the general rate or either of them and the harbour revenue.

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

32. The money borrowed under this Order shall be applied only for the purposes of this Order for which capital money may properly be applied and not otherwise.

Application  
 of money  
 borrowed.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.  
—  
*Southwold.*  
Mode of raising money.

33. 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.

Protection of lenders.

34. A person lending money to the Corporation 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 misapplication or non-application of the money lent or any part thereof.

Periods for repayment of moneys borrowed.

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

(a) As to the moneys borrowed for the purpose (a) mentioned in the section of this Order of which the marginal note is "Power to borrow" within five years from the commencement of this Order; and

(b) As to moneys for the purposes (b) mentioned in the same section within such period from the date or dates of borrowing the same as the Minister of Transport shall prescribe.

Proceeds of sale of lands to be treated as capital.

36. The proceeds of sale of any lands of the Corporation under the powers of this Order and all other moneys received on capital account not being borrowed moneys shall be distinguished as capital in the accounts of the Corporation and shall be applied in discharge of moneys borrowed by the Corporation under this Order. Provided that such proceeds when used to pay off borrowed moneys shall not be applicable to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Minister of Health.

Appointment of a receiver.

37.—(1) The holders of any security given in respect of money borrowed under this Order may enforce payment of arrears of interest or principal or principal and interest due on their securities by the appointment of a receiver.

(2) In order to authorise the appointment of a receiver in respect of arrears of principal or principal and interest the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten per centum of the total amount of the money then borrowed under this Order and not paid off.

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

(3) Sections 86 and 87 of the Commissioners Clauses Act 1847 shall be incorporated with this Order and in those sections the expression "commissioners" shall mean the Corporation and the expressions "mortgage" and "mortgagee" shall respectively include any security for money borrowed under this Order and the holder of any such security.

A.D. 1933.

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*Southwold.*

38. The Corporation may if they think fit for the purpose of forming and maintaining a reserve fund not exceeding at any time the sum of five thousand pounds or such larger sum as the Minister of Transport may from time to time sanction which fund shall be applicable to answer any deficiency at any time happening in the income of the undertakers or to meet any extraordinary claim or demand in respect of the harbour undertaking or for payment of the cost of renewing any part of that undertaking or for extending and improving any works for the purpose of that undertaking 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 purposes aforesaid.

Reserve  
fund.

39. The Corporation shall apply the harbour revenue including the interest on the reserve fund when that fund amounts to the maximum prescribed in the order following and not otherwise :—

Application  
of harbour  
revenue.

- (1) in payment of the costs of and connected with the preparation and making of this Order except in so far as they may be provided for out of money borrowed by the Corporation for the purpose under this Order ;
- (2) in payment of the expense properly chargeable to revenue of the maintenance repair and management of the harbour undertaking and all conveniences connected therewith ;
- (3) in payment year by year of the interest accruing on money borrowed under this Order ;
- (4) in payment of the instalments as they become due in discharge of any moneys so borrowed and repayable by instalments and in forming a sinking fund in accordance with this Order for payment of principal moneys borrowed under this Order ;
- (5) in extending and improving (if the Corporation think fit) the harbour undertaking ;

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

- (6) in making such payments (if any) as the Corporation think fit into a reserve fund established under the provisions of this Order;
- (7) in repayment to the general rate fund of all moneys paid thereout for the purposes of the harbour undertaking; and
- (8) in reduction of any principal moneys borrowed under this Order.

Making up deficiencies in harbour revenue.

40. If the harbour revenue shall in any year be insufficient for the purpose of defraying the costs charges and expenses of the Corporation with respect to the harbour 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 general rate.

Separate harbour accounts.

41. The Corporation shall keep the accounts in respect of the harbour undertaking separate from all their other accounts distinguishing therein capital from revenue.

Mode of payment off of money borrowed.

42. The Corporation shall pay off all money borrowed by them 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 or the first payment to the sinking fund shall be made within one year from the date of borrowing or when the money is repayable by half-yearly instalments within six months.

Power to re-borrow.

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.

(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 the period prescribed for the repayment of that loan 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

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

any instalment or making any annual payment which has or may become due in respect of borrowed moneys. A.D. 1933.

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

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*Southwold.*

- (a) by instalments or annual payments; or
- (b) by means of a sinking fund; or
- (c) out of moneys derived from the sale of land; or
- (d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

44.—(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—

Sinking  
fund.

- (a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or
- (b) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations by way of compound interest at a rate not exceeding three pounds per centum per annum or such other rate as the Minister of Health shall from time to time approve 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.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed. Provided that if the Corporation shall avail themselves of this power in the case of an accumulating sinking fund they shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund 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 Minister of Health that any such increase is necessary the Corporation shall increase the payments to such extent as that Minister may direct.

(9) If the Corporation desire to accelerate the repayment of any loan they may with the approval of the Minister of Health 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 Minister of Health be more than sufficient to repay within the prescribed period the moneys for the repayment of which the



[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

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 Minister may approve.

A.D. 1933.

—  
*Southwold.*

(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 Minister 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 Minister discontinue the equal annual payments to the sinking fund until that Minister 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 Minister of Health may determine.

45. If the Corporation out of the proceeds of the sale or disposition of lands or other moneys received on capital account repay any principal moneys borrowed under the powers of this Order the payments to any sinking fund applicable to the repayment of such principal moneys may be reduced to such extent and upon such terms as may from time to time be approved by the Minister of Health.

Sinking fund may be adjusted in certain events.

46.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under the authority of this Order.

Return to Minister of Health with respect to repayment of debt.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister of Health may require and shall if so required by him be verified by statutory declaration of the town clerk or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister of Health by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

or annual payment or sum is required by the order in pursuance of which the moneys are raised or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

Annual  
account to  
be sent to  
Ministry of  
Transport.

47.—(1) The Corporation shall within two months after the date to which their annual accounts relating to the harbour undertaking are made up send a copy in abstract to the Ministry of Transport and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include the Corporation and any and every such accounts.

(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 the foregoing provisions.

(3) The accounts of the Corporation referred to in this section and in section 50 of the Harbours Clauses Act 1847 respectively shall be made up to the end of the thirty-first day of March in each year.

Power to  
accept con-  
tributions.

48. The Corporation may accept and apply towards the purposes of the harbour and the harbour undertaking any moneys which may be granted or contributed to them for those purposes or any of them.

BYELAWS.

Additional  
byelaws.

49.—(1) In addition to the powers of making byelaws contained in the Harbours Clauses Act 1847 the Corporation may from time to time make vary or repeal such byelaws to take effect within the limits of this Order as they shall think fit for all or any of the following purposes (that is to say):—

- (i) For regulating the taking on board and landing or discharging of passengers;
- (ii) For the regulation licensing and control of vessels and boats plying for hire and also of persons plying for hire with such vessels or boats and for regulating and fixing the fares to be charged by such persons.

(2) Any person aggrieved by the refusal of the Corporation to grant any licence which they are empowered by the provisions of this section to grant or by the withdrawal of or refusal to

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

renew any such licence may appeal to a petty sessional court who shall have the power to hear and determine such appeal and to make such order as they may think fit.

A.D. 1933.  
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*Southwold.*

(3) The byelaws which may from time to time be made by the Corporation under this section or section 83 of the Harbours Clauses Act 1847 may provide for imposing a penalty not exceeding five pounds for the breach or non-observance of any of the byelaws and no such byelaw shall come into operation until it has received the allowance and confirmation of the Minister of Transport which allowance and confirmation shall be sufficient for all purposes :

Provided that in the case of any byelaw which the said Minister in consultation with the Board of Trade shall deem primarily to concern the interests of navigation the provisions of this section shall apply as if the said Board were substituted for the said Minister and the allowance and confirmation of any such byelaw by the Minister of Transport or the Board of Trade respectively shall be sufficient evidence of compliance with the provisions of this section.

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

LIFE-SAVING APPARATUS.

50.—(1) Sections 16 to 19 inclusive of the Harbours Clauses Act 1847 shall not be incorporated with this Order.

Provision for  
 life-saving  
 apparatus.

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

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

51. 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-saving  
 apparatus  
 may be  
 attached to  
 harbour.

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

Life-buoys  
 to be kept.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

LIGHTS.

*Southwold.*  
Permanent  
lights on  
works.

53.—(1) The Corporation shall every night from sunset to sunrise and according to the requirements of the traffic and season of the year exhibit and keep burning such lights (if any) 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.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Provision  
against  
danger to  
navigation.

54. In case of injury to or destruction or decay of the harbour or any part thereof under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides 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 on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

MISCELLANEOUS.

Removal of  
stranded  
sunk or  
abandoned  
vessels.

55.—(1) Whenever any vessel is stranded sunk or abandoned in the harbour or in or near any approach thereto from the sea the Corporation 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 Corporation may cause any such vessel and the furniture tackle and apparel thereof or any part thereof respectively 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 buoying 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 :

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

Provided always that the Corporation 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.

A.D. 1933.

—  
*Southwold.*

(3) If the proceeds of sale are insufficient to reimburse the Corporation for the aforesaid expenses and duties the Corporation 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 stranding or abandonment 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.

(4) If on demand being made under this section 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 Corporation under subsection (1) of this section shall not be exercised in respect of a vessel if the registered owner thereof within twenty-four hours after notice from the Corporation of the sinking stranding or abandonment of the vessel takes such steps as may in the opinion of the harbour master be necessary for the raising or removal thereof and does all things necessary to raise and remove the vessel as speedily as possible.

(6) The powers conferred by this section on the Corporation shall be in addition to and not in derogation of any other powers exerciseable by them for or with respect to the removal of wrecks.

(7) Except for the purpose of removing any obstruction to the harbour nothing in this section shall entitle the Corporation to remove any wreck (as defined by section 510 of the Merchant Shipping Act 1894) to the prejudice or in derogation of the rights

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

with respect to such wreck of the Receiver of Wreck under the provisions of Part IX of the said Merchant Shipping Act and if the Corporation shall for any such purpose as aforesaid remove any such wreck they shall (without prejudice to the rights of sale conferred upon them by the foregoing provisions of this section) hold and dispose of the same or any such surplus of the proceeds of sale thereof as is referred to in subsection (2) of this section in accordance with such directions (if any) as may be given to them by the said receiver.

Further  
power to  
deal with  
unservice-  
able vessels.

56. In addition to the powers conferred on the Corporation and the harbour master by section 57 of the Harbours Clauses Act 1847 and to the powers conferred on the Corporation by the Merchant Shipping Act 1894 the Corporation may on giving notice of their intention by advertisement inserted three times in each of two local newspapers and in writing to the registered owner thereof if ascertainable sell break up or otherwise dispose of or cause to be sold broken up or otherwise disposed of any vessel laid by or neglected as unserviceable in the harbour and may receive the moneys (if any) arising therefrom and may retain out of such moneys any expenses incurred by the Corporation in respect or on account of such vessel and also any charges or expenses incurred by the Corporation or the harbour master under section 57 of the Harbours Clauses Act 1847 or section 530 of the Merchant Shipping Act 1894 rendering the balance (if any) to the owner and if there be no such moneys or if any such moneys be insufficient to cover the expenses or charges the Corporation may recover such expenses or charges or the unsatisfied balance thereof from the owner by proceeding or action in any court of summary or competent jurisdiction.

Cables pipes  
or wires  
under or  
across tidal  
waters.

57. Notwithstanding anything in this Order any cables pipes or wires to be laid or placed under the powers of this Order by the Corporation on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides shall be laid or placed at such depth under or such height over the tidal waters or tidal lands as the Board of Trade may require.

Meters and  
weighers.

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

Appoint-  
ment of  
officers to  
enforce  
byelaws and  
regulations.

59. 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 harbour 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.

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

60. Sections 12 and 13 of the Harbours Clauses Act 1847 shall not be incorporated with this Order.

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

61. All penalties under this Order or under any byelaw made under this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Clauses Act 1847. Recovery of penalties.

62. 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 harbour without payment. Officers exempt from rates.

63. The Corporation shall within the limits of this Order be a local lighthouse authority for the purposes of the Merchant Shipping Act 1894. Local lighthouse authority.

64. 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 Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or of the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose. Crown rights.

65. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall with any necessary modifications extend and apply to the purposes of this Order as if the same were re-enacted herein. Application of section 265 of Public Health Act 1875.

66. Nothing in this Order shall prejudice or affect the rights or privileges (if any) enjoyed by fishermen or boatmen of beaching boats or of erecting or occupying huts on the conditions obtaining prior to the commencement of this Order on the foreshore and beach adjacent thereto between a point two hundred and fifty yards measured from the southmost corner of the pier known as the North Pier at the mouth of the river Blyth and Gun Hill. Saving rights of fishermen and boatmen.

67. Nothing in this Order shall prejudice or affect any right of fishing in or drainage into the harbour any rights of way whether public or private or any rights of ferry affecting the harbour. Saving for other rights.

68. The harbour shall be deemed to be for all purposes within the borough. Harbour to be in borough of Southwold.

69.—(1) The Order of 1898 and the Order of 1907 are hereby repealed. Repeal and savings.

(2) The repeal of the said Orders shall not prejudice or affect—

(a) any action or suit right or cause of action or suit or any remedy which at the commencement of this Order may

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

be pending by or against the Corporation or which the Corporation may have against any person or which any person may have against the Corporation;

(b) any penalty forfeiture or punishment in respect of any offence against the said Orders or any byelaws made thereunder;

and any such actions suits rights causes remedies penalties forfeitures and punishments may be instituted enforced prosecuted and imposed as if this Order had not been made.

(3) All byelaws with respect to the harbour undertaking legally in force at the commencement of this Order shall continue in force until repealed or altered by the Corporation and may be enforced by the Corporation.

Costs of  
Order.

70. 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 Corporation.

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SCHEDULES to which the foregoing Order refers.

Stamp.



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FIRST SCHEDULE.

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Commission-  
ers of Inland  
Revenue.  
Adjudged  
duly  
stamped.  
24/9/31.

THIS CONVEYANCE made the seventh day of September one thousand nine hundred and thirty-one between BARCLAYS BANK LIMITED whose registered office is at 54 Lombard Street in the city of London (hereinafter called "the Bank") of the first part SYDNEY EDWARD JONES formerly of 7 Lawrence Pountney Hill but now of 2 Suffolk Lane Cannon Street in the city of London solicitor of the second part BERTHA BLES of Elterholm Madingley Road in the borough of Cambridge widow SIR FREDERICK GOWLAND HOPKINS of 71 Grange Road in the said borough of Cambridge Knight M.A. F.R.C.P. F.R.S. and GODFREY HAROLD ALFRED WILSON of the said borough of Cambridge the Master of Clare College in the University of Cambridge M.A. M.P. (hereinafter called "Bles' Trustees") of the third part SAMUEL DAVID BLES of 23 Down Street Mayfair in the county of London merchant of the fourth part WILLIAM ASHLEY OAKES of 4 South Place in the city of London chartered accountant and MAURICE CHARLES SPENCER of 3 Fredericks Place Old Jewry in the city of London chartered



[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

accountant (hereinafter called "Fasey's Trustees") of the fifth part and the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF SOUTHWOLD in the county of Suffolk (hereinafter called "the Corporation") of the sixth part. A.D. 1933.  
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*Southwold.*

WHEREAS by the Southwold Harbour Order 1898 (hereinafter called the Order of 1898) the harbour of Southwold as situate in the river Blyth below a straight line drawn across that river from the upper or north-western bank of Buss Creek including that creek Saltworks Creek and Dunwich Creek the piers quays wharves houses warehouses sheds buildings machinery cranes work and conveniences lands property rights powers privileges connected therewith and appertaining thereto (therein and hereinafter called the harbour) were vested in the Corporation and by the said Order the Corporation was empowered to sell the harbour undertaking of the Corporation or any part thereof in manner therein mentioned.

And whereas by an agreement (hereinafter called the agreement of 1906) dated the first day of June one thousand nine hundred and six and made between the Corporation of the one part and Anthony Fasey and William Robert Fasey carrying on business as the Southwold Harbour Company (hereinafter called the company) of the other part the Corporation agreed to sell and convey to the company the undertaking known as the Southwold Harbour as defined by the Order of 1898 (thereinafter referred to as the Harbour Undertaking) together with the full benefit of the Order of 1898 and the powers rights and privileges thereby conferred the said sale and transfer of the harbour undertaking to be subject to the sanction of the Board of Trade being obtained and by the agreement of 1906 it was provided that the Corporation should be entitled within six calendar months after the company or any member thereof becoming subject to the bankruptcy laws or insolvent to require an assignment and conveyance to the Corporation of the said undertaking on the terms therein mentioned.

And whereas by an indenture (hereinafter called the conveyance of 1906) dated the thirteenth day of July one thousand nine hundred and six and made between the Corporation of the one part and Anthony Fasey and William Robert Fasey carrying on business as the Southwold Harbour Company of the other part the undertaking known as Southwold Harbour including the land covered with water the foreshores and the lands contiguous to and held with the harbour and all piers jetties quays and buildings forming part thereof as shown on the map annexed to the said indenture except and reserved as therein mentioned was assured to the use of the Southwold Harbour Company in fee simple subject to the public highways therein mentioned and

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933. to the right of ferry therein mentioned And by the same  
— indenture the Southwold Harbour Order 1898 and the full benefit  
*Southwold.* of all powers rights and privileges thereby conferred including  
the right to license harbour pilots was assigned to the Southwold  
Harbour Company absolutely.

And whereas the said Anthony Fasey died on the ninth day  
of December one thousand nine hundred and six having by his  
will dated the fifth day of April one thousand eight hundred and  
ninety-four appointed Eliza Fasey sole executrix thereof who duly  
proved the same on the ninth day of March one thousand nine  
hundred and seven.

And whereas by an indenture (hereinafter called the lease)  
dated the eleventh day of April one thousand nine hundred and  
seven and made between the Corporation of the first part the  
said Eliza Fasey of the second part and the said William Robert  
Fasey of the third part All those several pieces or parcels of  
land situate lying and being near the harbour at Southwold  
aforesaid containing twenty-nine acres two roods more or less  
comprising numbers 4 5 and 6 Haven beach marshes and a  
portion of the Denes contiguous thereto which said premises  
were shown on the plan attached to the lease were demised to  
the said William Robert Fasey from the first day of January  
one thousand nine hundred and seven for the term of seventy-  
five years except and reserving as therein mentioned at the  
yearly rent of twenty-nine pounds ten shillings and subject to  
the covenants on the part of the lessee and conditions therein  
contained.

And whereas by the Southwold Harbour Order 1907 (here-  
inafter called the Order of 1907) the agreement of 1906 which  
had been duly sanctioned by the Board of Trade was confirmed  
and the same was directed to be carried into effect and the  
company (meaning the said William Robert Fasey carrying on  
business under the style of the Southwold Harbour Company  
and his assigns or other the persons or person or corporation  
carrying on that business other than the Corporation) was  
authorised to borrow as in the Order of 1907 mentioned.

And whereas by an indenture (hereinafter called the first  
charge) dated the nineteenth day of July one thousand nine  
hundred and seven and made between the said William Robert  
Fasey of the one part and the Bank (therein called Barclay and  
Company Limited) of the other part the said William Robert  
Fasey charged in favour of the Bank the rent rates dues tolls  
charges and revenue arising from the Southwold Harbour Under-  
taking for securing payment to the Bank on demand of the  
moneys and interest therein mentioned.

And whereas by an indenture (hereinafter called the crown  
grant) dated the twelfth day of August one thousand nine hundred

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.  
—  
*Southwold.*

and seven and made between the King's most Excellent Majesty of the first part the Board of Trade of the second part the said William Robert Fasey carrying on business as the Southwold Harbour Company of the third part and the said Eliza Fasey of the fourth part All those two pieces of land being part of the bed of the sea below low water mark situate at the mouth of the river Blyth at either side thereof and adjacent to the parishes of Southwold and Dunwich respectively in the county of Suffolk as would be occupied by the pillars and supports of the extensions which the said William Robert Fasey proposed to make to the then existing North Pier and South Pier at the entrance to the said Southwold Harbour which pieces of land were delineated on the plan annexed to the crown grant and therein coloured red Excepting and reserving as therein mentioned were assured to the use of the said William Robert Fasey his heirs and assigns at the yearly rent payable to the King's Majesty of one shilling if demanded and subject to the covenants on the part of the grantees and conditions therein contained.

And whereas by an indenture (hereinafter called the second charge) dated the tenth day of October one thousand nine hundred and seven and made between the said William Robert Fasey of the one part and the said Sydney Edward Jones of the other part the said William Robert Fasey charged in favour of the said Sydney Edward Jones the rents rates duties tolls charges and revenue arising or to arise from the Southwold Harbour Undertaking with repayment to the said Sydney Edward Jones of the sum of seven thousand five hundred pounds and interest as therein mentioned.

And whereas by a letter in writing dated the twentieth day of February one thousand nine hundred and eight under the hand of the said William Robert Fasey and addressed to Messrs. Young Jones and Company (meaning thereby the said Sydney Edward Jones) the said William Robert Fasey charged certain moneys then to be received by the Southwold Harbour Company with repayment to the said Sydney Edward Jones of the sum of one thousand pounds and interest thereon.

And whereas by an agreement (hereinafter called the third charge) dated the seventeenth day of December one thousand nine hundred and ten and made between the said William Robert Fasey of the first part Charles Marcus Bles of the second part and the Bank (therein described as Barclay and Company Limited) of the third part after reciting amongst other things that the said William Robert Fasey and Charles Marcus Bles were carrying on business together as contractors under the firm of Anthony Fasey and Son as further security for the payment of a sum of five thousand pounds to be advanced by the Bank the said William Robert Fasey and Charles Marcus Bles charged with

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

repayment of the same and interest all the securities then held by the Bank as security for previous advances amounting to thirty-eight thousand five hundred pounds And the said William Robert Fasey by way of additional security for the repayment of the said sum of five thousand pounds and interest thereon thereby charged with the payment thereof the Southwold Harbour Undertaking subject nevertheless to the then subsisting charges in such undertaking therein stated to amount in the whole to thirteen thousand five hundred pounds.

And whereas by an agreement (hereinafter called the fourth charge) dated the twenty-eighth day of November one thousand nine hundred and eleven and made between the said William Robert Fasey carrying on business as the Southwold Harbour Company (therein called the company) of the one part and the said William Robert Fasey and Charles Marcus Bles carrying on business as Anthony Fasey and Son (therein called the firm) the company charged in favour of the firm the rents rates duties tolls charges revenue and all other the Southwold Harbour Undertaking with the payment to the firm by the company of the sum of thirteen thousand pounds and interest as therein mentioned subject to the then existing charges in favour of the Bank and the said Sydney Edward Jones.

And whereas by an agreement (hereinafter called the sub charge) dated the twenty-sixth day of April one thousand nine hundred and twelve and made between the said William Robert Fasey and Charles Marcus Bles carrying on business as Anthony Fasey and Son and therein called the firm of the one part and Edward Jeremiah Bles the said Samuel David Bles and Philip Brunner of the other part by way of security for repayment to the said Edward Jeremiah Bles Samuel David Bles and Philip Brunner of the sum of eight thousand pounds and such further sums and interest as therein mentioned the firm charged in favour of the said Edward Jeremiah Bles Samuel David Bles and Philip Brunner the said debt of thirteen thousand pounds and interest secured by the fourth charge and by way of further security charged in favour of the said Edward Jeremiah Bles Samuel David Bles and Philip Brunner the benefit of and the security afforded by the charge in favour of the firm contained in the fourth charge.

And whereas by an indenture (hereinafter called the fifth charge) dated the twenty-third day of July one thousand nine hundred and fourteen and made between the said William Robert Fasey of the one part and the said Charles Marcus Bles of the other part after reciting that the said firm of Anthony Fasey and Son was dissolved on the thirty-first day of December one thousand nine hundred and thirteen and that upon taking the accounts of the said partnership it had been found that the sum of fourteen thousand two hundred and seventy-four pounds and twopence

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

with interest was due to the said Charles Marcus Bles from the said William Robert Fasey all the share estate and interest and all benefit and advantage whatsoever which the said William Robert Fasey then had or might at any time thereafter during the continuance of that security have of and in or under or by reason or in respect of the Southwold Harbour Undertaking was assigned to the said Charles Marcus Bles absolutely subject to the prior charges thereon by way of mortgage to secure repayment to the said Charles Marcus Bles of the said sum of fourteen thousand two hundred and seventy-four pounds and twopence with interest as therein mentioned.

A.D. 1933.  
—  
*Southwold.*

And whereas by an indenture (hereinafter called the transfer) dated the twenty-third day of July one thousand nine hundred and fourteen and made between the said William Robert Fasey and Charles Marcus Bles of the one part and the said Charles Marcus Bles of the other part of the principal sum of thirteen thousand pounds then owing upon the security of the fourth charge and the interest thereon was assigned and released to the said Charles Marcus Bles subject to the principal moneys and interest owing on the sub charge and by the transfer all the security intended to have been effected by the fourth charge and the full benefit and advantage of the fourth charge and of all securities provisions and stipulations therein contained was assigned and released to the said Charles Marcus Bles subject to any equity of redemption in favour of the Southwold Harbour Company subsisting therein under the fourth charge and subject to the prior charge if and so far as subsisting And subject to the charges created by the sub charge.

And whereas the said Charles Marcus Bles duly made his will dated the eleventh day of April one thousand nine hundred and ten and thereby appointed the said Edward Jeremiah Bles (therein called Jeremiah Edward Bles) and the said Samuel David Bles executors and trustees of his will and gave all the residue of his estate to his trustees upon trust to convert the same and thereout to pay his funeral and testamentary expenses and debts and to hold the residue in trust as to one moiety for the said Edward Jeremiah Bles absolutely and as to the other moiety for the said Samuel David Bles absolutely.

And whereas the said Charles Marcus Bles died on the twenty-ninth day of August one thousand nine hundred and sixteen and on the twenty-fourth day of December one thousand nine hundred and eighteen his said will was duly proved by the said Edward Jeremiah Bles and Samuel David Bles.

And whereas on the tenth day of January one thousand nine hundred and twenty-two a receiving order in bankruptcy was made by the High Court of Justice against the said William Robert Fasey.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

And whereas at an adjourned meeting of creditors of the said William Robert Fasey held on the seventh day of February one thousand nine hundred and twenty-two the said William Ashley Oakes and Maurice Charles Spencer were appointed trustees in bankruptcy of the said William Robert Fasey and such appointment was duly confirmed by the Board of Trade.

And whereas on the eleventh day of April one thousand nine hundred and twenty-two the said William Robert Fasey was duly adjudicated a bankrupt.

And whereas the Corporation did not within the period prescribed by the agreement of 1906 require an assignment or conveyance to the Corporation of the harbour undertaking.

And whereas by an indenture dated the eighteenth day of June one thousand nine hundred and twenty-three and made between the said William Ashley Oakes and Maurice Charles Spencer of the first part the Corporation of the second part and the said Sydney Edward Jones of the third part All the premises demised by the lease were assigned to the said Sydney Edward Jones for the residue of the term of seventy-five years granted by the lease subject to the rents covenants and conditions of the lease.

And whereas Jeremiah Edward Bles (also known as the said Edward Jeremiah Bles) duly made his will dated the fifteenth day of February one thousand nine hundred and twenty-three and thereby appointed the said Bertha Bles Sir Hugh Kerr Anderson and the said Sir Frederick Gowland Hopkins to be executors and trustees of his will and gave the residue of his estate to his trustees upon trust for sale and conversion as therein mentioned.

And whereas the said Edward Jeremiah Bles died on the third day of May one thousand nine hundred and twenty-six and on the twenty-third day of July one thousand nine hundred and twenty-six his said will was duly proved by the said Bertha Bles Hugh Kerr Anderson and Frederick Gowland Hopkins.

And whereas the said Hugh Kerr Anderson died on the second day of November one thousand nine hundred and twenty-eight.

And whereas by an appointment dated the fourteenth day of May one thousand nine hundred and thirty and made between the said Bertha Bles and Frederick Gowland Hopkins of the one part and the said Godfrey Harold Alfred Wilson of the other part the said Godfrey Harold Alfred Wilson was duly appointed a trustee of the said will of the said Edward Jeremiah Bles in the place of the said Hugh Kerr Anderson.

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

—  
*Southwold.*

And whereas in the year one thousand nine hundred and the said Edward Jeremiah Bles and Samuel David Bles acquired all the interest of the said Philip Brunner in the sub charge and by reason thereof and of the death of the said Edward Jeremiah Bles as aforesaid the said Samuel David Bles is now solely entitled in equity to the principal moneys and interest secured by the sub charge.

And whereas the said Sydney Edward Jones having paid to the Bank under a guarantee in that behalf all the principal moneys and interest due to the Bank under and by virtue of the first charge and the third charge is now entitled in equity to the said two charges and to have the same transferred to him (as the Bank hereby acknowledges).

And whereas Fasey's Trustees have agreed with the Corporation for the sale and release to the Corporation of the harbour undertaking and also the property comprised in and conveyed by the conveyance of one thousand nine hundred and six and the crown grant and all the interest of the said William Robert Fasey therein for the sum of ten shillings.

And whereas for the consideration hereinafter mentioned the said parties hereto of the second third and fourth parts have respectively agreed with the Corporation to assign and release to the Corporation their respective interests under the first second third fourth and fifth charges respectively and the sub charge and the said charge of the twentieth day of February one thousand nine hundred and eight in the property hereby assured and the said Sydney Edward Jones has also agreed with the Corporation for the surrender to the Corporation of the premises comprised in the lease for all the residue of the said term thereby granted.

And whereas the Bank at the request of the said Sydney Edward Jones has agreed to concur in these presents in manner hereinafter appearing.

Now this Deed witnesseth as follows :—

1. In pursuance of the said agreement and in consideration of the sums paid by the Corporation as follows namely the sum of ten shillings to the said Sydney Edward Jones the sum of ten shillings to Bles' Trustees the sum of ten shillings to the said Samuel David Bles and the sum of ten shillings to the said William Ashley Oakes and Maurice Charles Spencer (the receipt of which respective sums is hereby acknowledged) the Bank as mortgagee at the request of the said Sydney Edward Jones as to the first charge and third charge hereby assigns and releases and the said Sydney Edward Jones as mortgagee as to the first charge the second charge and the third charge and the said charge of the twentieth day of February one thousand

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

*Southwold.*

nine hundred and eight hereby assigns releases and confirms and Bles' Trustees as mortgagees as to all their interest in the fourth charge and fifth charge respectively hereby assign and release and the said Samuel David Bles as mortgagee as to the sub charge and as to all his interest in the fourth charge and the fifth charge respectively hereby assigns and releases and Fasey's Trustees as trustees hereby convey and confirm unto the Corporation all that the undertaking known as Southwold Harbour Undertaking the land covered with water the foreshores and other land contiguous to and held with the harbour and all piers jetties quays and buildings forming part thereof as the same premises are more particularly delineated upon the Ordnance survey map annexed hereto and thereon coloured green and also the Southwold Harbour Order 1898 and the Southwold Harbour Order 1907 and the full benefit of all powers rights and privileges thereby conferred including the right to license harbour pilots and all other if any the property comprised in the conveyance of 1906 To hold unto the Corporation in fee simple subject to the rights of fishing and drainage into the harbour as now enjoyed Subject to the public highways from the town to the ferry in the conveyance mentioned and to the right of ferry mentioned in the said conveyance but discharged from all principal moneys and interest secured by and from all claims and demands under the first charge the second charge the third charge the fourth charge the sub charge and the fifth charge and the charge of the twentieth day of February one thousand nine hundred and eight or any of them.

2. In further pursuance of the said agreement and for the consideration aforesaid Fasey's Trustees as trustees hereby convey and each of them the Bank the said Sydney Edward Jones Bles' Trustees and the said Samuel David Bles as mortgagee as to their several interests (if any) in the property hereby assured hereby respectively convey and release All and singular the premises comprised in and granted by the crown grant To hold unto the Corporation in fee simple subject to the exceptions and reservations in the crown grant contained and subject to the rent thereby reserved and the covenants on the part of the grantee and conditions therein contained.

3. In further pursuance of the said agreement and for the consideration aforesaid the said Sydney Edward Jones as beneficial owner hereby surrenders and assigns unto the Corporation all and singular the premises comprised in and demised by the lease to the intent that the said term of seventy-five years granted by the lease may merge and be absolutely extinguished in the freehold reversion of the Corporation in the said premises.

4. The said Samuel David Bles as to the document specified in the First Schedule hereto (the possession of which is retained



[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

by him) and Bles' Trustees as to the documents specified in the Second Schedule hereto (the possession of which is retained by them) hereby respectively acknowledge the right of the Corporation to the production of the documents specified in the said schedules and to delivery of copies thereof. A.D. 1933.  
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Southwold.

In witness whereof the Bank has caused its common seal and the Corporation has caused its corporate seal to be affixed to these presents and the other parties hereto have set their respective hands and seals the day and year first above written.

The FIRST SCHEDULE above referred to.

DATE.	PARTIES.	DESCRIPTION.
24th December 1918	{ Jeremiah Edward Bles Samuel David Bles	Probate of Will of Charles Marcus Bles dated 11th April 1910.

The SECOND SCHEDULE above referred to.

DATE.	PARTIES.	DESCRIPTION.
23rd July 1926	{ Bertha Bles Sir Hugh Kerr Anderson Frederick Gowland Hopkins	Probate of Will dated 15th February 1923 of Jeremiah Edward Bles (otherwise Edward Jeremiah Bles).
14th May 1930	1. Bertha Bles Sir Frederick Gowland Hopkins 2. Godfrey Harold Alfred Wilson	Appointment of New Trustee of Will.

Signed sealed and delivered by }  
the above-named SYDNEY ED- } (Sgd) SYDNEY EDW. JONES.  
WARD JONES in the presence of } (Seal)

(Sgd) D. PELLEN  
2 Suffolk Lane  
Cannon Street E.C.  
Clerk to Messrs. Young Jones  
& Co. Solicitors.

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.  
 —  
*Southwold.*

Signed sealed and delivered by  
 the above-named BERTHA BLES  
 in the presence of

(Sgd) BERTHA BLES.  
 (Seal)

Notar I.  
 Bez. des Preuss  
 Oberlandesgerichts  
 zu Düsseldorf.  
 Justizrat Wilhelm  
 Pütz

Reg. Nr. 727 für 1931.  
 Der unterzeichnete Justizrat Wilhelm  
 Pütz Notar zu Düsseldorf beglaubigt  
 die vorstehende Unterschrift der  
 Frau Bertha Bles geborene Bach-  
 mann zu Cambridge—als vor ihm  
 vollzogen—Düsseldorf 7 September  
 1931. Pütz Notar

Signed sealed and delivered by  
 the above-named SIR FRED-  
 ERICK GOWLAND HOPKINS in  
 the presence of

(Sgd) F. G. HOPKINS.  
 (Seal)

(Sgd) I. M. SALISBURY  
 Clerk  
 Biochemical School  
 Cambridge.

Signed sealed and delivered by  
 the above-named GODFREY  
 HAROLD ALFRED WILSON in  
 the presence of

(Sgd) G. H. A. WILSON.  
 (Seal)

(Sgd) A. M. G. GLYNN  
 Spinster  
 Brynbella Hall  
 St. Asaph  
 N. Wales.

Signed sealed and delivered by  
 the above-named SAMUEL  
 DAVID BLES in the presence of

(Sgd) S. D. BLES.  
 (Seal)

(Sgd) F. E. BANBURY  
 20 Cophall Avenue E.C.  
 Member Stock Exchange.

Signed sealed and delivered by  
 the above-named WILLIAM  
 ASHLEY OAKES in the presence  
 of

(Sgd) W. ASHLEY OAKES.  
 (Seal)

(Sgd) L. E. DAY  
 4 South Place  
 London E.C.2  
 Private Secretary.

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

Signed sealed and delivered by }  
the above-named MAURICE } (Sgd) M. C. SPENCER.  
CHARLES SPENCER in the pre- } (Seal)  
sence of

A.D. 1933.  
—  
*Southwold.*

(Sgd) C. S. BEAL  
c/o Homer Sandy  
Trevene Cornwall  
Planter F.M.S.

The corporate seal of the MAYOR  
ALDERMEN and BURGESSES of  
the BOROUGH OF SOUTHWOLD  
was hereto affixed by order of  
the council of the borough of  
Southwold at a council meet-  
ing duly convened and held on  
the fourteenth day of July  
one thousand nine hundred  
and thirty-one in the presence  
of

(Seal)

(Sgd) G. BERNARD BEE Mayor.  
(Sgd) ERNEST G. NAUNTON Town Clerk.

The common seal of BARCLAYS  
BANK LIMITED was hereunto }  
affixed in the presence of

(Seal)

(Sgd) E. H. GALSWORTHY Director.  
(Sgd) HUGH CARROLL Assistant Secretary.  
96894

Stamp.

Commissioners of Inland Revenue.  
Adjudged duly stamped.



Whereas the within named Fasey's Trustees obtained from the Board of Trade their official release as trustees in the bankruptcy of the within named William Robert Fasey number 1507 of 1921 by release number 144417 dated the twenty-second day of January one thousand nine hundred and thirty notice of which release duly appeared on page 2240 in the London Gazette of Friday the fourth day of April one thousand nine hundred and thirty and by virtue of subsection 5 of section 93 of the Bankruptcy Act 1914 I the undersigned The Honourable Walter John Harry Boyle the Senior Official Receiver in Bankruptcy of His Majesty's High Court of Justice ipso facto become the Trustee Now know all men by these presents that in consideration of the sum of five pounds paid to me on or before

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.  
 —  
*Southwold.*

the execution of these presents by the within named Corporation (the receipt whereof I hereby acknowledge), I the said Walter John Harry Boyle hereby ratify and confirm the within written conveyance expressed to be made by Fasey's Trustees.

In witness whereof I have hereunto set my hand and seal this seventh day of September one thousand nine hundred and thirty-one.

Signed sealed and delivered }  
 by the above-named THE } (Sgd) W. J. H. BOYLE.  
 HON. WALTER JOHN HARRY } (Seal)  
 BOYLE in the presence of }

(Sgd) C. G. WELD  
 17 Serjeants Inn E.C.4  
 Solicitor.

SECOND SCHEDULE.

I.

DUES OR TOLLS FOR USING THE PIERS.

For every person using the piers for the time being forming part of the harbour undertaking (other than and except persons connected with the fishing industry or any trade connected with the harbour) a sum not exceeding twopence.

II.

RATES ON VESSELS ENTERING WITHIN THE RATING LIMITS OF THE HARBOUR OR USING THE WORKS.

	£	s.	d.
For every vessel other than a vessel discharging coal or a fishing vessel or a yacht - per registered ton	0	0	8
For every vessel discharging coal per registered ton	0	0	4
For every fishing vessel of under 40 feet of keel—			
(a) for each time of entering the harbour -	0	0	2
or			
(b) a composition rate payable in advance per annum.	0	15	0
For every other fishing vessel—			
(a) for each time of entering the harbour -	0	0	4
or			
(b) a composition rate payable in advance per annum.	1	10	0

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

	£	s.	d.	A.D. 1933.
For every yacht - - - per registered ton	0	0	4	—
For every vessel remaining in the harbour after the expiration of 14 days from the date of arrival—				<i>Southwold.</i>
(a) for each week or part thereof for the next following 4 weeks - per registered ton	0	0	2	
(b) for each subsequent week or part thereof per registered ton	0	0	1	
For every vessel entering the harbour for shelter whether loaded or unloaded but if loaded not breaking bulk - - - per registered ton	0	0	2	

III.

RATES ON GOODS SHIPPED UNSHIPED OR TRANSHIPPED WITHIN THE RATING LIMITS OF THE HARBOUR OR AT THE WORKS.

Animals—	£	s.	d.
Bulls cows and oxen - - - each	0	0	4
Calves - - - each	0	0	2
Horses mares or geldings - - - each	0	1	0
Pigs - - - each	0	0	1
Sheep - - - per score	0	1	0
Lambs - - - per score	0	0	6
Ale and porter - - - per ton	0	1	8
Ale and porter per dozen bottles (quarts and under) -	0	0	2
Alum - - - per ton	0	2	0
Ballast—			
For every ton of ballast - - -	0	1	0
Bark - - - per ton	0	2	0
Beans—see Corn			
Bicycles and tricycles - - - each	0	0	6
Bottles - - - per ton	0	1	0
Bowls used for keeping nets afloat 15 ins. long and 9 ins. wide - - - each	0	0	0½
Brass - - - per ton	0	1	8
Bricks - - - per 1000	0	1	8
Bricks fire - - - per ton	0	0	10
Carriages &c.—			
Four-wheeled carriage - - - each	0	5	0
Two-wheeled carriage - - - each	0	3	6
Cement stone or cement - - - per ton	0	2	0
Cider and perry - - - per ton	0	1	8
Cider and perry per dozen bottles (quarts and under)	0	0	2
Cinders - - - per ton	0	1	0

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.		£	s.	d.
	Clover - - - - -	per ton	0	1 0
<i>Southwold.</i>	Coal coke and culm - - - - -	per ton	0	1 0
	Coffee - - - - -	per cwt.	0	0 3
	Copper - - - - -	per ton	0	1 8
	Cordage - - - - -	per ton	0	2 0
	Cotton - - - - -	per ton	0	2 0
	Corn and seeds—			
	Wheat barley oats and malt - - - - -	per quarter	0	0 2
	Beans peas tares canary mustard flax rape and other seeds - - - - -	per 500 lbs.	0	0 2
	Clover trefoil and other heavy seeds			
		per sack of 280 lbs.	0	0 2
	Earthenware - - - - -	per cwt.	0	0 2
	Empties—boxes casks trunks cases &c. - - - - -	- each	0	0 1
	Fireclay - - - - -	per ton	0	0 10
	Fish—			
	Herrings fresh - - - - -	per cran	0	0 6
	Herrings cured dried or salted - - - - -	per ton	0	1 8
	Sprats - - - - -	per bushel	0	0 4
	Fish except as otherwise herein provided—fresh			
		per ton	0	2 6
	Flour - - - - -	per ton	0	1 4
	Fruit - - - - -	per cwt.	0	0 2
	Fuel patent - - - - -	per ton	0	0 8
	Glass - - - - -	per cwt.	0	0 4
	Glass broken - - - - -	per ton	0	0 10
	Groceries and preserves (fish fruit meat and provi- sions) except as otherwise herein provided	per ton	0	2 0
	Hay and cinque foil - - - - -	per ton	0	1 0
	Hemp - - - - -	per ton	0	2 0
	Hides raw - - - - -	per cwt.	0	0 1
	Hops - - - - -	per cwt.	0	0 6
	Ice - - - - -	per ton	0	1 0
	Iron—			
	Pig railway chairs scrap and dross for ballast			
		per ton	0	0 10
	Wire - - - - -	per ton	0	1 0
	Except as otherwise herein provided - - - - -	per ton	0	2 0
	Joinery - - - - -	per ton	0	2 0
	Lead - - - - -	per ton	0	1 8
	Leather—tanned hides and calf skins - - - - -	per cwt.	0	0 2
	Loam - - - - -	per ton	0	0 10

[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

	£	s.	d.	A.D. 1933.
Machinery per ton of 40 cubic foot - - - - -	0	3	4	
Madder and madder roots - - - - - per cwt.	0	0	2	<i>Southwold.</i>
Manures—				
Street and stable and night soil - - - - -			Free	
Guano and artificial - - - - - per ton	0	1	8	
Except as otherwise herein provided - - - - -	0	0	10	
Marble - - - - - per cubic foot	0	0	1	
Meal middlings and sharps - - - - - per quarter	0	0	2	
Mineral waters per gross bottles (quarts and under) -	0	2	0	
Molasses - - - - - per 72 gallons	0	1	0	
Motor cars - - - - - each	0	5	0	
Motor cycles - - - - - each	0	3	6	
Oil—fuel mineral or vegetable - - - - - per ton	0	1	8	
Oil—fuel mineral or vegetable per dozen bottles (quarts and under) - - - - -	0	0	2	
Oil cake - - - - - per ton	0	0	8	
Onions - - - - - per cwt.	0	0	1	
Ore—copper iron lead and other ores - - - - - per ton	0	0	10	
Paper new - - - - - per ton	0	2	0	
Paper old - - - - - per ton	0	0	10	
Peas— <i>see</i> Corn.				
Petroleum and petroleum spirit per ton of 250 gallons	0	1	8	
Pelts - - - - - per 100	0	0	9	
Pewter - - - - - per ton	0	1	8	
Pipe clay - - - - - per ton	0	0	10	
Pipe staves - - - - - per 1000	0	2	0	
Plaster of Paris - - - - - per ton	0	1	0	
Pollard and bran - - - - - per ton	0	1	8	
Potatoes - - - - - per sack of 168 lbs.	0	0	1	
Preserves (fish fruit meat and provisions)— <i>see</i> Groceries.				
Rags - - - - - per ton	0	0	10	
Rice - - - - - per ton	0	1	8	
Rope - - - - - per ton	0	0	10	
Saccharine - - - - - per ton	0	2	0	
Salt—fishery and agricultural - - - - - per ton	0	1	0	
Sand - - - - - per ton	0	0	10	
Seeds— <i>see</i> Corn.				
Shingle for concrete - - - - - per ton	0	0	8	
Soda - - - - - per ton	0	1	8	
Spices - - - - - per cwt.	0	0	3	
Spirits and wines - - - - - per ton	0	3	4	
Spirits and wines per dozen bottles (quarts and under)	0	0	2	
Stone - - - - - per ton	0	1	8	
Straw - - - - - per ton	0	1	0	

[Ch. liii.] *Pier and Harbour* [23 & 24 GEO. 5.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

A.D. 1933.

*Southwold.*

	£	s.	d.
Tan - - - - - per ton	0	2	0
Tea - - - - - per cwt.	0	0	3
Tiles - - - - - per 1000	0	1	8
Timber and deals viz. :—			
Mahogany oak teak elm pine beech and fir timber per 50 cubic feet squared or 40 cubic feet rough	0	1	0
Deals and battens - - - per 50 cubic feet	0	1	0
Lath wood - - - - - per 40 cubic feet	0	0	8
Firewood - - - - - per ton	0	0	8
Masts and spars 20 feet and upwards - - - each	0	3	0
Masts and spars under 20 feet - - - each	0	1	0
Barrel staves - - - - - per 50 cubic feet	0	1	0
All timber except as otherwise herein provided per ton	0	4	0
Vinegar - - - - - per ton	0	1	8
Vinegar per dozen bottles (quarts and under) - - -	0	0	2
Vitriol - - - - - per 36 gallons	0	0	2
Wines—see Spirits.			
Whiting - - - - - per ton	0	0	10
Wool - - - - - per ton	0	2	0
Yarn - - - - - per ton	0	2	0

IV.

RATES FOR SUPPLY OF WATER.

	£	s.	d.
Per ton of 224 gallons - - - - -	0	3	0
Minimum - - - - -	0	0	2

V.

(CHARGES FOR VESSELS ALLOWED ON THE HARD.

	£	s.	d.
For every fishing vessel allowed on the Hard—			
(a) for first 36 hours - - - - -	0	12	6
and			
(b) for every tide thereafter - - - - -	0	6	3
For every other vessel—			
(a) for first 36 hours per registered ton - - -	0	0	2½
and			
(b) for every tide thereafter - - - - -	0	12	6

NOTE.—No charge to be made for Sundays  
Christmas Day and Good Friday.



[23 & 24 GEO. 5.] *Pier and Harbour* [Ch. liii.]  
*Orders (Elgin and Lossiemouth and Southwold)*  
*Confirmation Act, 1933.*

VI.

A.D. 1933.

CRANAGE CHARGES.

*Southwold.*

	£	s.	d.
Cranage on any goods - - - - - per ton	0	1	3

VII.

RATES FOR BALLAST.

	£	s.	d.
Ballast (exclusive of Rates levied under Part III of this schedule and of charges for labour) - per ton	0	2	0

A fraction of a ton to be charged as a ton.

For all other goods merchandise articles matters and things not particularly enumerated or referred to in this schedule such reasonable rates or sums as the Corporation may from time to time order and direct being as nearly as possible similar to the rates or sums chargeable upon or to be taken for or in respect of any goods merchandise articles matters and things specified or referred to in this schedule of like bulk quantity nature description or value.

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Printed by EYRE AND SPOTTISWOODE LIMITED,  
 FOR  
 WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of  
 Acts of Parliament.

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