

**CHAPTER cxv.**

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Amlwch Armadale and Fraserburgh. A.D. 1914.  
[31st July 1914.]

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

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

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

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

**2.** This Act may be cited as the Pier and Harbour Orders Confirmation (No. 3) Act 1914. Short title.

A.D. 1914.

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SCHEDULE of Orders.

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1. AMLWCH—Transfer of harbour to Urban District Council.
  2. ARMADALE—Construction of a pier &c.
  3. FRASERBURGH—Guarantee of harbour loan by local rating authority  
and appointment of additional Commissioners.
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## AMLWCH HARBOUR.

A.D. 1914.

*Order for transferring the undertaking of the Trustees of the Harbour of Amlwch from those Trustees to the Urban District Council for the Urban District of Amlwch in the County of Anglesey for the discharge of the said Trustees to confer powers on the said Council with reference to the holding maintaining management and improvement of the said Harbour to authorise the said Council to borrow money for the purposes of the said Harbour and otherwise and for other purposes.*

*Amlwch.**Preliminary.*

1. This Order may be cited as the Amlwch Harbour Order 1914. Short title.
2. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order." Commence-  
ment of  
Order.
- 3.—(1) In this Order unless the context otherwise requires— Interpreta-  
tion.
  - "The Council" means the urban district council for the urban district of Amlwch in the county of Anglesey;
  - "The district fund" and "the district rate" mean respectively the district fund and the general district rate of the urban district of Amlwch in the county of Anglesey;
  - "The Harbours Clauses Act 1847" means the Harbours Docks and Piers Clauses Act 1847;
  - "The Act of 1793" means the Act for enlarging deepening cleansing improving and regulating the harbour of Amlwch in the Isle of Anglesea 1793;
  - "The trustees" means the trustees constituted by the Act of 1793 for putting that Act into execution;
  - "The harbour" means the harbour of Amlwch as defined in this Order;
  - "The harbour undertaking" means and includes the harbour and the conveniences connected therewith and the right to levy rates and tolls and all other rights conferred on or vested in the Council by this Order and the entire undertaking of the Council in connection with the harbour;
  - "The harbour revenue" means and includes the rates tolls dues rents 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.

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(2) In this Order the following expressions used in the Harbours Clauses Act 1847 shall have the following meanings (that is to say):—

The expressions “packet boat” and “Post Office packet” 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 the expression “Post Office bag of letters” means a mail bag as defined by the same Act:

Provided that nothing in the Harbours Clauses Act 1847 or in this Order shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

*Undertakers.*

Undertakers.

4. The Council shall be the Undertakers for carrying this Order into execution.

*Transfer of Harbour Undertaking to the Council.*Undertaking  
of trustees  
vested in  
Council.

5. From and after the commencement of this Order the harbour and its undertaking and all other real and personal estate vested in the trustees before the commencement of this Order and all their rights and remedies in respect thereof shall be and the same are hereby vested in and shall be held used maintained and exercised by the Council subject to the provisions of this Order.

Powers of  
trustees  
vested in  
Council.

6. From and after the commencement of this Order all rights powers privileges and authorities of the trustees in or over the harbour and its undertaking shall be and the same are hereby transferred to and vested in the Council and shall subject to the provisions of this Order be had exercised and enjoyed by the Council their officers and servants accordingly and the trustees shall be dissolved and cease to exist and be thenceforth freed and discharged from all liabilities claims demands actions suits or other proceedings present or future in relation to or connection with the harbour and its undertaking.

Debts &c. of  
trustees.]

7. Subject to the provisions of this Order all debts and liabilities of the trustees in relation to or connection with the harbour and its undertaking shall as from the commencement of this Order be respectively paid borne and discharged by the Council who shall in regard thereto be substituted for the trustees in all respects.

Repeal of  
Act of 1793  
and savings.

8.—(1) The Act of 1793 is hereby repealed.

(2) Notwithstanding that repeal any byelaws made by the trustees before the commencement of this Order shall continue in force for one year from that commencement but shall then cease to have effect and be repealed.

(3) The transfer of the undertaking effected by this Order and the repeal of the Act of 1793 or of any byelaws made thereunder shall not affect the following matters:—

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- (A) any right privilege obligation or liability acquired accrued or incurred before the commencement of this Order; or
- (B) any penalty forfeiture or punishment in respect of any offence against the Act of 1793 or byelaws hereby repealed committed before the commencement of this Order or in the case of byelaws before the date on which the byelaws cease to take effect; or
- (C) any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment;

and any such investigation legal proceeding or remedy may be instituted continued or enforced and any such penalty forfeiture or punishment may be imposed as if the transfer or repeal effected by this Order had not been effected but as respects all such matters as aforesaid the Council shall be substituted for all purposes for the trustees.

9. All documents books and writings by the Act of 1793 directed or authorised to be kept and which if this Order had not been made would have been receivable in evidence shall be admitted as evidence in all courts of law and equity and elsewhere.

Documents  
&c. to be  
evidence.

10. Any person who before the commencement of this Order owed any moneys to the trustees or to any person on their behalf shall pay the same with all interest (if any) due or accruing in respect thereof to the Council.

Debts owing  
to trustees  
to be paid to  
Council.

#### *Acquisition of Lands.*

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

Incorporation  
of Lands  
Clauses Acts.

12. The Council may purchase by agreement and hold for extraordinary purposes any lands not exceeding in the whole three acres but nothing in this section shall exempt the Council from any proceedings for nuisance caused or permitted by them on land acquired by them under the power conferred by this section.

Power to  
take lands by  
agreement.

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

Power to  
take ease-  
ments &c. by  
agreement.

A.D. 1914. in over or affecting any such lands and the provisions of the said Acts  
 — with respect to lands so far as the same are applicable in this behalf  
*Amlwch.* shall extend and apply to such grants and to such easements rights  
 and privileges as aforesaid.

*Limits.*

Limits.

14.—(1) The limits within which the Council shall have authority and within which the powers of the harbour master may be exercised shall comprise that part of the Bay of Amlwch which lies south of the red line marked on the map or plan certified by the Board of Trade and signed in triplicate by an assistant secretary of that Board whereof one copy having been deposited at the office of the Board of Trade another copy shall be deposited with the clerk of the peace for the county of Anglesey and the remaining copy at the office of the Council and those limits are in this Order termed "the harbour."

(2) The limits within which the power to levy rates under this Order may be exercised (herein-after termed "the rating limits") shall comprise so much of the harbour as lies south of a line drawn due west from the north end of the pier known as the Watch House Pier together with the piers watchhouses and other works and conveniences connected therewith or which may be erected acquired or leased by the Council for the purposes of the harbour undertaking.

*Works and Powers.*Power to  
maintain  
existing  
works and  
construct  
embank-  
ments &c.

15. The Council may repair and maintain the existing piers quays and works of the harbour and may construct and maintain all necessary embankments walls stairs landing places approaches roads jetties piers dock gates baulks of timber wharves breastworks warehouses sheds cranes buoys lights lighthouses and other works and conveniences in connection with the harbour or the approaches thereto.

Consent to  
works.

16. Works below high-water mark authorised by this Order shall not be commenced without the consent in writing of the Board of Trade having been first obtained and shall be executed only in accordance with the terms of that consent.

Penalty for  
obstructing  
works.

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

Power to  
dredge.

18.—(1) The Council may deepen dredge scour and excavate any portion of the foreshore and bed of the sea to the extent necessary

to secure a sufficient waterway and approach to the harbour for vessels using the same. A.D. 1914.

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

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

19. The Council may from time to time provide purchase take on lease hire and use such dredgers engines lighters tools plant or other vessels machinery and apparatus as they may think necessary for effecting the purposes of this Order and may let the same on hire for such reasonable sums and upon and subject to such terms and conditions as they may think fit or may sell and dispose of the same All sums received in respect of any such letting on hire shall be deemed to form part of the 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 dredgers &c.

20.—(1) The Council may from time to time 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 from time to time licence 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 Council may think fit. Council may provide and licence steam tugs &c.

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

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*Rates.*

*Amlwch.*  
Power to  
levy rates.

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

(2) From and after the commencement of this Order the Council may within the rating limits subject and according to the provisions of this Order demand receive and recover for the use of the harbour and the works and conveniences connected therewith and in respect of vessels boats animals fish and goods and for services described in the schedule to this Order any rates not exceeding those specified in that schedule.

Power to  
vary exemp-  
tions and  
compound  
for rates.

22. The Council 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 harbour under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Order.

Supply of  
and rate for  
water.

23. If and so long as the Council shall make and maintain such provisions and appliances as may be necessary for furnishing to vessels resorting to the works a supply of pure and wholesome water they shall be entitled to make and recover such reasonable charge as they may think fit not exceeding the rate specified for that purpose in the schedule to this Order for pure and wholesome water supplied by them.

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  
crews.

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 also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to along and from the harbour without payment.

Revision of  
rates.

26. The Council shall adjust the rates receivable by them under this Order so that the harbour revenue may always be so far as practicable sufficient and not more than sufficient for the purposes of the harbour and if at any time the clear annual income derived from the harbour on the average of the then three last preceding years after



payment of all expenses and outgoings shall exceed the amount sufficient to answer the purposes of this Order the Board of Trade may if in their discretion they think fit reduce such rates to such amounts as will be sufficient to provide the amount aforesaid with power to the Board of Trade at any time to raise them again to any amount not exceeding the rates specified in the schedule to this Order.

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*Amlwch.**Powers of Leasing.*

27.—(1) The Council may with the previous consent in writing of and upon such terms conditions and restrictions and for such period as may be sanctioned by the Board of Trade lease to any company corporation or person (a) the entire harbour undertaking or (b) the rates and other charges authorised to be taken by this Order.

Power to  
lease under-  
taking or  
rates.

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

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

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

(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 Council from their obligation to keep and render accounts and as from the date of any lease made under this section all the provisions of the Acts incorporated with this Order and of this Order as to the keeping delivery and audit of accounts shall apply to and be binding upon as well the lessee as the Council and all moneys received by the Council under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Order.

28. The Council may let for hire or lease for any term not exceeding seven years any sheds warehouses or other buildings separately from any other part of the undertaking to any company corporation

Power to  
lease sheds  
&c.

A.D. 1914. or person upon such terms pecuniary or otherwise and under such  
*Amlwch.* restrictions and conditions as they think fit.

*Finance.*

Power to  
Council to  
provide  
moneys for  
purposes of  
Order.

29. The Council 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 and out of the moneys authorised by this Order to be borrowed.

Power to  
borrow.

30.—(1) The Council may independently of any other borrowing power from time to time borrow at interest not exceeding five pounds per centum per annum—

- (A) Such sum as may be required for the payment of the costs charges and expenses of and incidental to this Order ;
- (B) Such sum not exceeding the sum of two hundred pounds as may be necessary to pay off and discharge the debts and liabilities of the trustees incurred in connection with their undertaking and existing at the commencement of this Order ;
- (c) With the consent of the Board of Trade such further sum or sums as may from time to time be required for the purposes of this Order.

(2) In order to secure the repayment of moneys borrowed for the purposes mentioned in this section and the payment of interest thereon the Council may mortgage or charge as well the district fund and district rate as the harbour revenue but in such manner that the district fund and district rate shall only be collaterally liable and so that the district rate shall not be liable to make good in any year a deficiency exceeding the amount produced by a district rate of twopence in the pound.

Periods for  
repayment  
of money  
borrowed.

31. All moneys borrowed by the Council under the last preceding section of this Order shall be repaid within the respective periods following (in this Order referred to as "the prescribed periods") (that is to say) :—

- (A) As to the money borrowed for the purposes (A) mentioned in the last preceding section of this Order within ten years from the commencement of this Order ;
- (B) As to the money borrowed for the purposes (B) mentioned in the last preceding section of this Order within thirty years from the date of borrowing the same ;

(c) As to the money borrowed for the purposes (c) mentioned in the last preceding section of this Order within such period from the date of borrowing the same as the Board of Trade may prescribe.

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32. The power of borrowing money given by this Order shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Council may borrow under that Act any sums which they may borrow under this Order shall not be reckoned.

Section 234  
of Public  
Health Act  
not to apply.

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

Application  
of money  
borrowed.

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

Mode of  
raising  
money.

35. Sections 236 237 and 238 of the Public Health Act 1875 shall extend and apply to all mortgages granted under this Order.

Provisions of  
Public Health  
Act as to mort-  
gages to apply.

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

Protection of  
lenders from  
inquiry.

37. The Council shall pay off all moneys borrowed by them on mortgage under the powers of this Order either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them.

Mode of  
payment  
of money  
borrowed.

38.—(1) If the Council 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 herein-after called a non-accumulating sinking fund; or

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(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 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 herein-after 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 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 Council and the Council 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 Council towards the equal annual payments to the fund.

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

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

(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 Council in addition to the payments provided for by this Order.

(8) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with (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 Council 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 Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as that Board may direct.

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

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

(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 Local Government Board be sufficient without any further payments thereto to repay the loan in respect of which it is formed within the prescribed period the Council may with the consent of that Board discontinue the equal annual payments to the sinking fund until that Board 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 Council with the consent of the Local Government Board may determine.

39.—(1) The Council 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 Council in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

Power to  
re-borrow.

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

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

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

(A) by instalments or annual payments; or

(B) by means of a sinking fund; or

(C) out of 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.

Receiver.

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

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

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

Annual  
return to  
Local Go-  
vernment  
Board with  
respect to  
sinking  
fund.

41. The Clerk to the Council shall within twenty-one days after the thirty-first day of March in each year during which any sum is required to be paid as an instalment or to be set apart for a sinking fund in pursuance of the provisions of this Order or in respect of any moneys raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and (if required by that Board) verified by statutory declaration of the said clerk showing the amount which has been paid as an instalment or invested for the purposes of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the money invested

for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the Council shall for each such offence be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by that Board out of the High Court. If it appears to the Local Government Board by such return or otherwise that the Council have failed to pay any instalment or to set apart the sum required for any sinking fund under this Order or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Order the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court and the provisions of this section shall apply mutatis mutandis to appropriations and annual payments.

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*Amlwch.*

42. The Council shall apply the harbour revenue for the purposes and in the order following and not otherwise (that is to say):—

Application  
of harbour  
revenue.

- (1) In paying the expenses properly chargeable to revenue of conducting managing and maintaining the harbour undertaking :
- (2) In paying year by year the interest as it accrues due on money borrowed under this Order :
- (3) In paying the instalments as they become due in respect of any principal money borrowed under this Order and in providing in accordance with the terms of this Order a sinking fund for the discharge of any principal money so borrowed and not repayable by instalments :
- (4) In repaying to the district fund all moneys and interest paid thereout for the purposes of the harbour undertaking whether in respect of money borrowed or otherwise :
- (5) In the general improvement of the harbour undertaking.

43. In case the harbour revenue shall in any year be insufficient for the purpose of defraying the costs charges and expenses of the Council with respect to the harbour undertaking the Council shall include the amount of such insufficiency in their estimate for that or the following

Making up  
deficiencies  
in harbour  
revenue.

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year and defray the same out of the district rate but in such a manner and so that the district rate shall not be liable in any year to contribute for the purposes of the harbour undertaking a sum greater than the amount produced by a district rate of twopence in the pound.

Separate  
harbour  
accounts.

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

Annual  
account to  
be sent to  
Board of  
Trade.

45.—(1) The Council shall within one month after sending to the clerk of the peace the copy of their annual account in abstract send a copy of the same to the Board of Trade and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account.

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

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

*Byelaws.*

Byelaws.

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

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

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

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

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

(2) The Council shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site in 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 Council 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.

A.D. 1914.

*Amlwch.*

48. 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.

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

Lifebuoys to  
be kept.*Lights.*

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

As to lights.

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

*Miscellaneous.*

51. The Council shall have the appointment of meters and weighers within the harbour.

Meters and  
weighers.

52. For all the purposes of the Harbours Clauses Act 1847 this Order shall be deemed the special Act but sections 6 to 11 inclusive of that Act shall not be incorporated with this Order.

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

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

Recovery of  
penalties.

54. Officers of the Board of Trade 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.

A.D. 1914.

*Amlwch.*Harbours and  
Passing Tolls  
&c. Act.Local light-  
house autho-  
rity.Saving of  
rights of  
Council.

Crownrights.

Harbour to  
be in urban  
district of  
Amlwch.Costs of  
Order.

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

56. The Council shall within the harbour be a local lighthouse authority within the meaning of the Merchant Shipping Act 1894.

57. Nothing in this Order contained shall extend or be construed to extend to take away alter abridge or interfere with any of the estates rights interests powers privileges authorities or jurisdiction of the Council.

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

59. The harbour shall for all purposes be deemed and taken to be within and form part of the urban district of Amlwch in the county of Anglesey.

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

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The SCHEDULE to which the foregoing Order refers.

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I.—RATES ON VESSELS.

Every steam vessel plying regularly to and from the harbour per register ton sixpence.

Every vessel (other than a steam vessel plying regularly as aforesaid or an open or undecked vessel) using the harbour or loading or unloading or transshipping goods or passengers thereat per register ton eightpence.

Every vessel entering the harbour without loading or unloading whole or part cargo per register ton fourpence. A.D. 1914.

*Amlwch.*

A rebate of one penny per register ton from the above rates respectively to be made if the vessel in question shall leave the harbour within thirty days after date of arrival but this rebate shall not apply to vessels going to or coming from any foreign port.

Every open or undecked vessel one shilling each time of using the harbour or loading or unloading or transshipping goods or passengers thereat.

Fishing boats engaged in fishing only free.

II.—RATES ON ANIMALS FISH AND GOODS SHIPPED TRANSHIPPED OR UNSHIPED AT THE HARBOUR.

	s.	d.
Ale beer or porter per 54 gallons	0	6
Animals ( <i>see</i> cattle dogs fowls geese hares horses lambs pigs sheep).		
Asphalte per ton	0	6
Bark in bulk or bag per ton	0	10
Beef fresh or salt per cwt.	0	2
Biscuit and bread per cwt.	0	2
Bones per ton	0	6
Books and stationery per cwt.	0	4
Bone dust per ton	0	8
Bottles per gross	0	2
Boxes full per 5 cubic feet	0	4
Bricks per 1000	0	8
Butter per cwt.	0	2
Carriages:—		
With four wheels each	0	8
With two wheels each	0	6
Cattle each	0	2
Casks empty not being returned each	0	3
Cement per cwt.	0	1
Cheese per cwt.	0	4
Chimney cans each	0	2
Clay per ton	0	6
Cloth haberdashery per 2½ cwt.	0	2
Clover seed per quarter	0	2
Coach or cart wheels per pair	0	2
Coals per ton	0	3
Copper and brass per ton	1	4
Copper and other ores per ton	1	0

A.D. 1914.

Amlwch.

							s.	d.
Corks per 2½ cwt.	-	-	-	-	-	-	0	2
Corn per quarter	-	-	-	-	-	-	0	2
Cordage per cwt.	-	-	-	-	-	-	0	2
Crystal and crockery per 2½ cwt.	-	-	-	-	-	-	0	2
Dogs each	-	-	-	-	-	-	0	2
Drugs per 2½ cwt.	-	-	-	-	-	-	0	2
Dissolved bones per ton	-	-	-	-	-	-	0	8
Earthenware per 2½ cwt.	-	-	-	-	-	-	0	2
Eggs per 2½ cwt.	-	-	-	-	-	-	0	2
Felt per cwt.	-	-	-	-	-	-	0	1
Fish :—								
Fresh salted or dried per cwt.	-	-	-	-	-	-	0	1
Landed from boats and not forwarded by railway	-	-	-	-	-	-		Free
Flax per cwt.	-	-	-	-	-	-	0	1
Flour per 196 lbs.	-	-	-	-	-	-	0	2
Fowls and ducks (live) per dozen	-	-	-	-	-	-	0	2
Freestone per ton	-	-	-	-	-	-	0	2
Fruit per cwt.	-	-	-	-	-	-	0	1
Gates each	-	-	-	-	-	-	0	1
Geese and turkeys (live) each	-	-	-	-	-	-	0	1
Glass per 2½ cwt.	-	-	-	-	-	-	0	3
Grain per quarter	-	-	-	-	-	-	0	1
Grates or stoves each	-	-	-	-	-	-	0	2
Gravel per ton	-	-	-	-	-	-	0	1
Grease and greaves per cwt.	-	-	-	-	-	-	0	1
Groceries per cwt.	-	-	-	-	-	-	0	3
Guano and artificial manures per ton	-	-	-	-	-	-	0	8
Gunpowder per cwt.	-	-	-	-	-	-	0	1
Hardware per 2½ cwt.	-	-	-	-	-	-	0	3
Hares and rabbits per dozen or any less quantity	-	-	-	-	-	-	0	2
Hay per ton	-	-	-	-	-	-	0	6
Hemp and cotton unwrought per ton	-	-	-	-	-	-	1	4
Hides each	-	-	-	-	-	-	0	0½
Household furniture per 2½ cwt.	-	-	-	-	-	-	0	2
Hurdles each	-	-	-	-	-	-	0	1
Herrings :—								
Cured per 26⅔ gallons	-	-	-	-	-	-	0	2
Fresh per 37½ gallons	-	-	-	-	-	-	0	2
Horses asses and mules each	-	-	-	-	-	-	0	2
Husbandry utensils per ton	-	-	-	-	-	-	1	4
Iron all kinds per ton	-	-	-	-	-	-	1	0
Kelp per ton	-	-	-	-	-	-	0	8

	s.	d.	A.D. 1914.
Lambs per score - - - - -	0	3	Amlwch.
Lathwood per 216 cubic feet - - - - -	3	0	
Lead of all kinds zinc per ton - - - - -	1	4	
Leather per cwt. - - - - -	0	1	
Lime per cwt. - - - - -	0	1	
Limestone per ton - - - - -	0	3	
Machinery per ton - - - - -	1	4	
Malt per quarter - - - - -	0	4	
Manure per ton - - - - -	0	2	
Masts and spars each - - - - -	1	6	
Meal per 280 lbs. - - - - -	0	2	
Meat per cwt. - - - - -	0	2	
Milk per gallon - - - - -	0	0½	
Millstones each - - - - -	0	6	
Oakum per cwt. - - - - -	0	1	
Oil per 10 gallons - - - - -	0	4	
Oil cake per ton - - - - -	0	8	
Oysters per bushel - - - - -	0	2	
Passengers' luggage:—			
Not exceeding 2½ cwt. - - - - -		Free	
All above 2½ cwt. per cwt. - - - - -	0	1	
Pease or beans per quarter - - - - -	0	2	
Peats per ton - - - - -	0	4	
Pigs each - - - - -	0	0½	
Ploughs ( <i>see</i> husbandry utensils).			
Potatoes per ton - - - - -	0	6	
Rape cake per ton - - - - -	0	8	
Rags per cwt. - - - - -	0	1	
Ropes per cwt. - - - - -	0	1	
Rye grass seeds per quarter - - - - -	0	2	
Salt per cwt. - - - - -	0	0½	
Sand per ton - - - - -	0	1	
Seaware or wreck per ton - - - - -	0	1	
Seeds not enumerated per cwt. - - - - -	0	1	
Sheep per score - - - - -	0	6	
Skins dried per dozen - - - - -	0	4	
Slates:—			
Undersize per thousand - - - - -	0	6	
Sizeable per thousand - - - - -	0	8	
Oversize per thousand - - - - -	1	0	
Soda water or lemonade per gross - - - - -	0	6	
Spirits per 56 gallons - - - - -	0	8	
Spokes and naves for wheels per 120 - - - - -	0	4	

A.D. 1914.

*Amlwch.*

							s.	d.
Steel per ton	-	-	-	-	-	-	1	0
Stones per ton	-	-	-	-	-	-	0	1
Stones pavement per ton	-	-	-	-	-	-	0	4
Straw per ton	-	-	-	-	-	-	0	4
Stucco per ton	-	-	-	-	-	-	0	6
Sugar per ton	-	-	-	-	-	-	0	6
Tallow per ton	-	-	-	-	-	-	1	0
Tar pitch or rosin per 2½ cwt.	-	-	-	-	-	-	0	2
Tea per cwt.	-	-	-	-	-	-	0	6
Tiles or pipes per 1,000	-	-	-	-	-	-	0	6
Turpentine per 54 gallons	-	-	-	-	-	-	0	8
Timber unwrought of all kinds per 50 cubic feet	-	-	-	-	-	-	0	8
Tin of all kinds per ton	-	-	-	-	-	-	1	4
Turnips per ton	-	-	-	-	-	-	0	6
Tobacco per ton	-	-	-	-	-	-	2	6
Vitriol in carboys per gallon	-	-	-	-	-	-	0	0½
Whiskey per 56 gallons	-	-	-	-	-	-	0	8
Wine :—								
in cask per 63 gallons	-	-	-	-	-	-	1	0
in bottle per dozen	-	-	-	-	-	-	0	1
Wool per stone	-	-	-	-	-	-	0	1
Yarn per cwt.	-	-	-	-	-	-	0	1
All other articles not enumerated as follows :—								
If by measurement per 5 cubic feet	-	-	-	-	-	-	0	2
If by weight per ton	-	-	-	-	-	-	1	4

Articles which can be measured to pay per cubic foot all others by weight.

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

### III.—RATES FOR THE USE OF QUAYS SHEDS WAREHOUSES CRANES AND WEIGHING MACHINES.

#### 1. Quays sheds &c.

For each ton of goods which shall remain on any quay pier or other work and the roads accesses and conveniences connected with the harbour or in any shed or warehouse for a longer time than forty-eight hours the sum of fourpence and the sum of twopence per ton for each complete twenty-four hours during which such goods shall remain after the first forty-eight hours.

2. *Rates on Cranage.*

	s.	d.	A.D. 1914.
All goods or packages per ton - - - - -	0	4	<i>Amtwch.</i>

3. *Weighing Machines.*

For goods weighed for each ton or part of a ton - - - - -	0	1	
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## IV.—WATER MONEY.

For each 25 gallons or part of 25 gallons of pure and whole- some drinking water supplied to any vessel - - - - -	0	1½	
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## V.—BALLAST.

For all ballast supplied by the Harbour Authority to vessels or discharged from vessels within the harbour per ton - - - - -	0	1	
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## ARMADALE PIER.

*Order for the Incorporation of Pier Trustees and for the Construction of a Pier and Access Road at Armadale Bay in the Parish of Sleat Island of Skye and County of Inverness and for the Maintenance and Regulation of the same.* *Armadale.*

*Preliminary.*

1. This Order may be cited as the Armadale Pier Order 1914. *Short title.*
2. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order." *Commencement of Order.*
- 3.—(1) In this Order unless the context otherwise requires— *Interpretation.*
  - "The pier" means the pier authorised by this Order;
  - "The works" means the works authorised by this Order;
  - "The undertaking" means and includes the works and the conveniences connected therewith and the right to levy rates tolls and other charges and all other rights conferred on or vested in the Trustees incorporated by this Order;
  - "The pier revenue" means and includes the rates tolls dues rents and other moneys and receipts which may be taken and received by way of income from or in respect of the undertaking under the authority of this Order;
  - "The Harbours Clauses Act 1847" means the Harbours Docks and Piers Clauses Act 1847.

[Ch. cxv.] *Pier and Harbour Orders* [4 & 5 GEO. 5.]  
*Confirmation (No. 3) Act, 1914.*

A.D. 1914. (2) The following expressions used in the Harbours Clauses Act  
*Armadale.* 1847 shall have the following meanings (that is to say):—

The expressions “packet boat” and “Post Office packet” 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 the expression “Post Office bag of letters” means a mail bag as defined by the same Act:

Provided that nothing in the Harbours Clauses Act 1847 or in this Order shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

*Undertakers.*

Undertakers. 4. The Armadale Pier Trustees as incorporated by this Order (in this Order called “the Trustees”) shall be the Undertakers for carrying this Order into execution.

*Incorporation and Constitution of Trustees.*

Incorporation of Trustees. 5. For the purpose of carrying this Order into execution there shall be a body of Trustees not exceeding four in number constituted as provided in this Order and those Trustees are hereby incorporated by the name of “The Armadale Pier Trustees” and by that name shall be a body corporate with perpetual succession and a common seal and have power to sue and be sued and to purchase take lease hold and dispose of lands and other property for the purposes and subject to the provisions and restrictions of this Order.

Incorporation of Commissioners Clauses Act. 6. The Commissioners Clauses Act 1847 is incorporated with this Order except so much thereof as relates to the election and rotation of the commissioners where the commissioners are to be elected by the ratepayers or other like class of electors and except as expressly varied by or inconsistent with this Order.

First Trustees named. 7.—(1) The following three persons shall be the first Trustees:—  
The Honourable Godfrey Macdonald curator bonis to Lord Macdonald;  
Lieutenant-Colonel Martin Martin R.E. Upper Ostaig Broadford Skye; and  
A person appointed within seven days of the commencement of this Order by the Board of Agriculture for Scotland being a member or officer of the said Board.

(2) The first Trustees shall come into office (so far as possible) at the expiration of twenty-one days from the commencement of this Order and shall go out of office at the expiration of ten days after the



statutory meeting of the parish council of Sleat to be held in December one thousand nine hundred and sixteen. A.D. 1914.

—  
*Armadaie.*

8.—(1) As on and from the expiration of the period of ten days after the statutory meeting of the parish council of Sleat to be held in December one thousand nine hundred and sixteen there shall be one ex-officio and three appointed or elected Trustees. Provisions  
for future  
Trustees.

(2) The factor to or other local representative of the Macdonald Estate for the time being shall be ex-officio a Trustee.

(3) A member or officer of the Board of Agriculture for Scotland appointed by that Board for the purpose shall be a Trustee.

(4) The Skye District Committee of the county council of Inverness shall at their first meeting after the election of county and parish councillors for the district in December one thousand nine hundred and sixteen and at their first meeting after each such succeeding triennial election elect one person to act as Trustee until the expiration of ten days after the first meeting of such district committee after the election of county and parish councillors for the district in each third following December.

(5) The parish council of Sleat shall at their statutory meeting in December one thousand nine hundred and sixteen and at their statutory meeting after each succeeding triennial election elect one of their members or some other person to act as Trustee until the expiration of ten days after the statutory meeting of the parish council aforesaid in each third following December.

9.—(1) A retiring Trustee may be re-elected.

(2) The quorum for a meeting of Trustees shall be three.

(3) A Trustee may resign his office at any time by giving not less than three weeks' notice in writing of his resignation to the Trustees or their clerk.

Re-election  
quorum and  
resignation.

10.—(1) In the event of a casual vacancy occurring in the office of elected Trustee by reason of death resignation failure to make a valid election or otherwise from any cause other than retirement from office in the regular course the other Trustees shall as soon as may be thereafter at a meeting of the Trustees elect a person to fill the vacancy and the Trustee so elected shall continue in office for the same period and retire from office at the same time as the person whose vacancy he fills would in ordinary course have continued in office or retired from office. Casual  
vacancies.

(2) Any casual vacancy occurring at any time after the commencement of this Order in the office of the Trustee appointed by the Board of Agriculture for Scotland shall be filled by that Board.

(3) Any casual vacancy occurring otherwise than as mentioned in subsection (2) of this section in the office of Trustee before the statutory

A.D. 1914. meeting of the parish council of Sleat to be held in December one thousand nine hundred and sixteen shall be filled up by the appointment of a person co-opted by the other two Trustees.  
*Armadale.*

(4) In case of an equality of votes at any such election as contemplated in this section the chairman for the time being of the Trustees shall have a second or casting vote.

Validity of  
acts of Trus-  
tees.

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

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

Meetings.

12.—(1) The Trustees need not hold monthly meetings but they may hold meetings at any time and place they think fit.

(2) The Trustees shall hold at least two meetings in every year.

(3) The first meeting of the Trustees shall be held within twenty-eight days after the commencement of this Order at twelve o'clock noon at the Armadale Estate Office Armadale Skye.

(4) The annual meeting of the Trustees shall be held at such time and place in the parish of Sleat as may be fixed by the Trustees.

(5) Sections 42 and 43 of the Commissioners Clauses Act 1847 as incorporated with this Order shall be read as if the word "monthly" wherever it occurs therein were omitted therefrom.

(6) The clerk to the Trustees on requisition being made to him stating in writing the object of the intended meeting and signed by the chairman or any two of the Trustees shall cause a special meeting to be called within forty-eight hours and to be held within seven days after the receipt of such requisition.

(7) Two shall form a quorum for any committee of the Trustees.

#### *Acquisition of Land.*

Incorporation of Lands  
Clauses  
Acts.

13. The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) shall be incorporated with this Order.

Power to  
take land by  
agreement.

14. For the purposes of the works the Trustees may from time to time by agreement enter on take and use all or such parts of the land shown on the plans deposited with reference to this Order and land immediately adjacent thereto as they may think requisite for the purposes of this Order not exceeding in the whole two acres.

15. The Trustees may in addition to the lands vested in or authorised to be taken by them under this Order by agreement purchase and hold for extraordinary purposes any land not exceeding in the whole two acres.

A.D. 1914.

*Armadale.*  
Lands for  
extraordinary  
purposes.

16. This Order or anything therein contained shall not exempt the Trustees from any proceedings on account of any nuisance caused or permitted by them on any land acquired by them under this Order.

Nuisance not  
authorised.*Limits.*

17. The limits within which the Trustees shall have authority and within which the powers of the pier master and the power to levy rates may be exercised (herein-after called "the pier limits") shall comprise that part of the sea or sound of Sleat below high-water mark which is shown within the red lines marked on the map or plan certified by the Board of Trade and signed in triplicate by an assistant secretary of the Board of Trade of which one copy having been deposited at the Board of Trade another copy shall be deposited at the office of the sheriff clerk for the county of Inverness and the third copy shall be deposited at the office of the Trustees.

Limits.

*Works and Powers.*

18. Subject to the provisions of this Order and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade may require from time to time before the completion of the works the Trustees shall in the lines and situations and according to the levels shown on the deposited plans and sections and within the limits of deviation shown on those plans and herein-after prescribed make and maintain the works authorised by this Order.

Construction  
of works.

19. The works authorised by this Order are—

Description  
of works.

(1) A partly solid pier or quay (with open bridgeway about 360 feet in length) on the south side of Armadale Bay commencing at a point on the foreshore one hundred yards east of Messrs. MacBrayne's store and extending seawards in an easterly direction three hundred and eighty-five feet or thereby :

(2) An access road commencing at the landward extremity of the aforesaid pier and extending in a westerly direction along the foreshore till it joins at a point opposite Messrs. MacBrayne's store the public road from the present landing-place to the main road leading from the village of Ardvasar to Broadford.

A.D. 1914.

*Armadale.*Powers of  
deviation.

20. Subject to the provisions of this Order and with the consent in writing of the Board of Trade the Trustees may in the execution of the works deviate laterally from the lines of such works within the limits of lateral deviation marked on the deposited plans and they may with the like consent deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding four feet.

Improve-  
ment and  
maintenance  
of pier &c.

21. Subject to the provisions of this Order the Trustees may from time to time maintain and with the consent of the Board of Trade alter improve and extend the works and may lay down and construct cranes shelters stores weighing machines and other works within the limits of deviation.

Consent to  
works below  
high-water  
mark.

22. No part of the works below the line of high-water mark shall be commenced without the consent in writing of the Board of Trade having been first obtained and those works shall be executed only in accordance with the terms of such consent.

Penalty for  
obstructing  
works.

23. Every person who wilfully obstructs any person acting under the authority of the Trustees in setting out the lines of the works or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works or defaces or destroys those works or any part thereof shall for every such offence be liable to a penalty not exceeding five pounds.

Powers to  
lapse in cer-  
tain events.

24.—(1) If within two years from the commencement of this Order the works should not be substantially commenced the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2) If the works after having been substantially commenced should be virtually suspended for twelve consecutive months the powers given by this Order for executing such works or otherwise in relation thereto shall cease except as to so much of such works as shall be then completed unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the commencement of this Order.

(3) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Power to  
dredge.

25.—(1) The Trustees may deepen dredge scour and excavate any portion of the foreshore and bed of the sea to the extent necessary to

secure a sufficient waterway and approach to the pier for vessels using the same.

A.D. 1914.

*Armadale.*

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

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

26. The Trustees 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 pier revenue and all moneys realised by any such sale shall be applied towards carrying into effect any of the purposes of this Order to which capital is properly applicable.

Power to  
purchase  
dredgers &c.

27. For the purposes of and subject to the provisions and restrictions of this Order the Trustees may purchase lease build or otherwise acquire any buildings offices or stores proper or necessary for the residence of a pier master and collector of rates the office of the Trustees and of the pier master stores for the storage of goods sheds for cattle or any other legitimate purpose of this Order.

Power to  
construct  
buildings &c.

#### *Rates.*

28. When in addition to the certificate to be granted under section 26 of the Harbours Clauses Act 1847 a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary for the due construction of the pier have been given the Trustees may within the pier limits subject and according to the provisions of this Order demand receive and recover for the use of the pier and the conveniences connected therewith and in respect of passengers vessels boats luggage goods animals fish and things and for services described in the Schedule to this Order any rates not exceeding those specified in that Schedule.

Power to  
levy rates.

A.D. 1914.

*Armadale.*  
Rates may  
be levied  
though pier  
not com-  
pleted.

29. If it is at any time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade but to be paid by the Trustees that the pier has been so far completed as to afford accommodation for the purposes for which the pier may be used the Trustees may notwithstanding section 25 of the Harbours Clauses Act 1847 and although the whole of the pier has not then been completed demand receive and recover such of the rates or such proportion of all or any of the rates specified in the Schedule to this Order as will in the opinion of the Board of Trade be commensurate with the increased accommodation afforded.

Power to  
vary exemp-  
tions and  
compound  
for rates.

30. The Trustees 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 pier under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Order.

Rates for  
warehouses  
&c.

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

Masters of  
fishing boats  
to report  
take of fish.

32. The master or owner of every fishing boat or vessel (not being a pleasure boat) with a take or cargo of fish shall within twelve hours after the arrival within the pier limits report the same to the collector of rates and shall furnish to him a true and correct statement of his take or cargo of fish and the name of the person obtaining delivery thereof and if he fail to do so he shall be liable to a penalty not exceeding ten pounds.

Pier master  
may prevent  
sailing of  
vessels.

33. The pier master may prevent the removal or sailing out of the pier limits of any vessel or boat in respect of which any rate has become payable until evidence shall have been produced to him of the payment of such rate to the collector of rates and in the case of a fishing boat or vessel with a take or cargo of fish until the master or owner of the boat or vessel has given in a statement of his take or cargo of fish in accordance with this Order.

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

34. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges those vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall when forced by stress of weather to make use of the pier limits and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

35. 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 a lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to or along and on and from the pier without payment.

A.D. 1914:

*Armadale.*Lifeboat  
crews exempt  
from rates.

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

Board of  
Trade may  
reduce rates.

(2) If at any time it appears to the Board of Trade from the annual account to be sent to them under this Order that the clear annual income derived from the rates leviable by the Trustees on the average of the then three last preceding years after payment of all expenses and outgoings exceeds the amount sufficient for the purposes of this Order the Board may if in their discretion they think fit reduce the rates leviable under this Order to such amounts as will be sufficient to provide the amount aforesaid and may again at any time raise the rates to any amount not exceeding the rates specified in the Schedule to this Order.

#### *Powers of Leasing.*

37.—(1) The Trustees may with the previous consent in writing of and upon such terms conditions and restrictions and for such period as may be sanctioned by the Board of Trade lease to any company corporation or person—

Power to  
lease under-  
taking or  
rates.

(A) The entire undertaking of the Trustees ; or

(B) The rates and other charges authorised to be taken by this Order.

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

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

A.D. 1914.  
*Armadales.*

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

(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 Trustees from their obligation to keep and render accounts and as from the date of any lease made under this section all the provisions of the Acts incorporated with this Order and of this Order as to the keeping delivery and audit of accounts shall apply to and be binding upon as well the lessee as the Trustees and all moneys received by the Trustees under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Order.

Power to  
lease ware-  
houses &c.

38. The Trustees may let for hire or lease for any term not exceeding seven years any sheds warehouses or other buildings separately from any other part of the undertaking to any company corporation or person upon such terms pecuniary or otherwise and under such restrictions and conditions as they think fit.

#### *Finance.*

Power to bor-  
row.

39.—(1) The Trustees may from time to time borrow at interest not exceeding five pounds per centum per annum such money as may be required for the purposes of this Order not exceeding in the whole the sum of three thousand five hundred pounds on the security of the rates dues and charges authorised by this Order and any money borrowed under the provisions of this Order which shall be discharged otherwise than by means of a sinking fund or by instalments may be re-borrowed from time to time if required for the purposes of this Order.

(2) The Trustees may accept and take from any bank or banking company in Scotland credit on a cash account to be opened and kept with such bank or banking company in the name of the Trustees according to the usage of bankers in Scotland to the extent of the sum which the Trustees are authorised to borrow or any part thereof and may assign the rates dues and charges authorised by this Order in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon Provided that the whole principal sums due and owing by the Trustees on such cash account and for moneys otherwise borrowed



by them on such security shall not when taken together exceed the sum by this Order authorised to be borrowed. A.D. 1914.

40. Every part of the money borrowed under this Order shall be applied only for the purposes authorised by this Order to which capital is properly applicable. Application  
of money  
borrowed.

41. Any person lending or paying money to the Trustees under this Order shall not be bound to require any further or other evidence of the power of the Trustees to borrow the money advanced by such person than such as is afforded by a certificate signed by two of the Trustees that the powers of borrowing conferred on the Trustees by this Order are not being exceeded. Protection of  
lenders.

42.—(1) The mortgagees of the Trustees may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor. Appointment  
of judicial  
factor.

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

(3) In sections 86 and 87 of the Commissioners Clauses Act 1847 as incorporated with this Order the expression "receiver" shall mean judicial factor.

43. It shall not be obligatory on the Trustees under section 90 of the Commissioners Clauses Act 1847 as incorporated with this Order to cause the statement and accounts therein mentioned to be printed and notwithstanding anything in the said Act the same person may be both clerk and treasurer to the Trustees. Annual  
statement  
need not be  
printed.

44. The Trustees shall in every year appropriate and set apart subject to the provisions of this Order as to application of revenue such a sum out of the pier revenue as will be sufficient to pay off the whole of the principal moneys borrowed under this Order within forty years after the date when those moneys are respectively borrowed or the said moneys may be repaid within the like period by means of yearly or half-yearly instalments. Sinking fund.

45. The Trustees may if they think fit for the purpose of forming and maintaining a reserve fund not exceeding at any time the sum of five hundred pounds to meet any extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the works 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 pier revenue and shall deposit any such amount in some joint stock bank of issue in Scotland to be increased by accumulation in the way of compound interest or otherwise invested in securities in which trustees in Scotland may lawfully invest trust moneys until required for any of the aforesaid purposes. Reserve fund.

A.D. 1914.

*Armadale.*  
Application  
of revenue.

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

- (1) In paying the costs of and connected with the preparation obtaining and making of this Order :
- (2) In paying any feu-duties and rents payable in respect of the lands and property belonging and leased to the Trustees and the expenses properly chargeable to revenue of the maintenance management and regulation of the undertaking and of the lands and property connected therewith :
- (3) In paying year by year the interest on any money borrowed under this Order :
- (4) In creating a sinking fund in manner specified in this Order or in paying the instalments of principal as they fall due in discharge of any moneys borrowed under this Order and repayable by instalments :
- (5) In forming and maintaining if they think fit a reserve fund not exceeding the sum of five hundred pounds in manner specified in this Order :
- (6) Subject to and after answering the purposes aforesaid the surplus revenue (if any) shall be applied by the Trustees in the improvement of the undertaking.

Auditor.

47.—(1) The accounts of the Trustees shall be audited annually by the Board of Agriculture for Scotland.

(2) The Trustees shall on demand by the said Board produce to them all books accounts deeds papers writings and other documents and furnish them with all information in their possession or power and afford any officer of the Board appointed for that purpose all reasonable facilities for conducting the examination and audit.

(3) If the Trustees refuse or neglect to comply with any of the provisions of this section they shall be liable to a penalty not exceeding twenty pounds for every month during which they refuse or neglect so to comply.

Annual  
account to  
be sent to  
Board of  
Trade.

48.—(1) The Trustees shall within one month after sending to the sheriff clerk the copy of their annual account in abstract send a copy of the same to the Board of Trade and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account.

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

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

*Byelaws.*

A.D. 1914.

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

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

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

(3) If the Trustees 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 and without payment attach or cause to be attached to any part of the pier spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the pier. *Life-saving apparatus may be attached to pier.*

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

*Lights.*

53. Before commencing the pier the Trustees shall apply to the Board of Trade for directions as to the lights to be exhibited and other means to be taken for preventing danger to navigation and shall in all respects obey any directions given upon such application or *Temporary lights on works,*

A.D. 1914. afterwards from time to time given as to such matters by the Board of Trade during the construction of the pier and compliance with the directions so given shall satisfy and be in place of every other statutory requirement as to such matters during the construction of the pier and the Trustees shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any such directions.

As to lights after completion of works.

54. After completion or permanent discontinuance or abandonment of the pier the Trustees shall at the outer extremity of the pier or the completed portions thereof or in such other place or places as may be required exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) and take such steps for the prevention of danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for such directions and the Trustees shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or to observe any such directions.

Provision against danger to navigation.

55. In case of injury to or destruction or decay of the pier or any part thereof the Trustees shall lay down such buoys exhibit such light or lights or take such other means for preventing (as far as may be) danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be taken and the Trustees shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to obey any such directions.

#### *Miscellaneous.*

Meters and weighers.

56. The Trustees shall have the appointment of meters and weighers within the pier limits.

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

57. For all the purposes of the Harbours Clauses Act 1847 this Order shall be deemed the special Act.

Recovery of penalties.

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

Exemptions and savings for Government Departments.

59. Sections 28 and 99 of the Harbours Clauses Act 1847 as incorporated with this Order shall apply to and for the benefit of any Government Department in the same manner as they apply to and for the benefit of the Government Departments specially named in those sections.

Partial incorporation of Harbours and Passing Tolls &c. Act 1861.

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

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61. The Trustees shall within the pier limits be a local light-house authority for the purposes of the Merchant Shipping Act 1894.

*Armadale.*  
Local light-house authority.

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

Officers exempt from rates.

63. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained shall authorise the Trustees 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 heritages subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown rights.

64. Notwithstanding the provisions contained in the section of this Order of which the marginal note is "Crown rights" or in any public statute His Majesty and His lessees for their respective interests may work any minerals belonging to the Crown under or adjacent to the lands and works of the Trustees authorised to be taken or constructed by this Order but in the event of any such right being at any time intended to be exercised the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 relating to notice and compensation shall apply when the workings reach a point the distance of which from the nearest of such lands would not if measured horizontally exceed one half the depth of such workings below the surface level of such lands.

Crown minerals.

65. The works shall be deemed to be for all purposes within the parish of Sleat in the county of Inverness.

Pier and works to be in parish of Sleat.

66. All the costs charges and expenses of and incidental to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Trustees out of the funds at their disposal as such Trustees within five years from the commencement of this Order.

Costs of Order.

A.D. 1914.

Armadale.

The SCHEDULE to which the foregoing Order refers.

## I.—RATES ON VESSELS AND FISHING BOATS.

## A.—Vessels.

	<i>s.</i>	<i>d.</i>
For every vessel under 15 tons - - - per registered ton	0	4
For every vessel of 15 tons and under 50 tons per registered ton	0	6
For every vessel of 50 tons and under 100 tons per registered ton	0	8
For every vessel of 100 tons and under 150 tons per registered ton	0	10
For every vessel of 150 tons and upwards - per registered ton	1	0
All lighters from any vessel inside the pier limits shall be exempted from rates but if the vessel do not enter the pier limits every lighter shall pay for each trip - per registered ton	0	2

Proviso 1.—In the case of any vessel calling at Armadale and also calling or attempting to call during the same trip at other piers or ports being not less than five inclusive of Armadale the tonnage rates shall not be charged on the registered tonnage of the vessel but shall be ascertained and calculated in respect of such vessel on each call on the basis of the tonnage of cargo shipped or unshipped at the pier whichever of those cargoes shall be the greater provided that this quantity shall in no case be treated as less than one ton. In calculating for this purpose the tonnage of cargo shipped or unshipped fifteen passengers with their free luggage or three horses or bulls or cows or five ponies or ten calves or stirks or fifteen sheep or lambs or pigs shall be computed as equal to one ton of goods.

Proviso 2.—In the case of other vessels belonging to owners engaged in a regular trade to Armadale and making not less than forty calls between the first day of January and the thirty-first day of December in any one year at the pier there shall be charged per registered ton in respect of each such vessel or of any vessel the property of or chartered by the same owner substituted for such vessel on any trip not more than one-half of the actual tonnage rates for the time being in force. Provided always that up to forty calls the rates shall be paid in full and on the completion of forty calls one moiety of such rates already paid shall be repaid to the owners.

## B.—Fishing Boats.

A.D. 1914.

s. d.

Armada.

For every sailing fishing boat including those fitted with auxiliary motor power - - - - - each time	0	3
Or in full of rates per annum payable in advance - - - - -	10	0

Fishing boats propelled by steam or other mechanical power except auxiliary motor power to be rated as vessels.

## II.—RATES ON GOODS.

		s.	d.
Ale and porter - - - - -	per 54 gallons	0	5
„ bottled - - - - -	- per 2½ cwt.	0	3
Bark - - - - -	- per ton	1	0
Beef or pork - - - - -	- per cwt.	0	1
Bicycles and tricycles - - - - -	- each	0	2
Blubber - - - - -	per 252 gallons	1	0
Bone dust - - - - -	- per ton	0	8
Bones - - - - -	- per ton	0	6
Bottles - - - - -	- per gross	0	2
Bricks - - - - -	- per 1,000	0	8
Casks empty not being returned packages:—			
Hogsheads tierces puncheons and other large casks	each	0	3
Barrels and other small casks - - - - -	each	0	1
Cattle:—			
Bulls - - - - -	each	0	3
Cows and oxen - - - - -	each	0	2
Calves - - - - -	each	0	0½
Horses - - - - -	each	0	2
Pigs - - - - -	each	0	0½
Sheep - - - - -	per score	0	6
Lambs - - - - -	per score	0	3
Chalk - - - - -	per ton	0	8
Chimney cans - - - - -	per 100	1	4
Clay fire manufactured - - - - -	per ton	0	6
Clay common - - - - -	per ton	0	2
Cloth haberdashery &c. - - - - -	per 2½ cwt.	0	2
Coaches:—			
Four-wheeled carriages - - - - -	each	0	8
Gigs carts and other two-wheeled carriages - - - - -	each	0	6
Coals - - - - -	per ton	0	3
Copper - - - - -	per ton	1	4
Corks - - - - -	per 2½ cwt.	0	2

A.D. 1914.							s. d.		
Armadale.	Corn viz. :—								
	Wheat and malt	-	-	-	-	-	per quarter	0 3	
	Barley beans peas tares oats rye buckwheat and Indian corn						per quarter	0 2	
	Crystal	-	-	-	-	-	per 2½ cwt.	0 2	
	Dissolved bones and other artificial manures					-	per ton	0 8	
	Dogs :—								
	Farmers' and shepherds' sheep dogs accompanying passengers	-	-	-	-	-	each	Free	
	Terriers accompanying passengers					-	each	0 1	
	Sheep dogs and terriers not accompanying passengers						each	0 2	
	All other dogs	-	-	-	-	-	each	0 2	
	Drugs	-	-	-	-	-	per 2½ cwt.	0 3	
	Earthenware	-	-	-	-	-	per 5 cwt.	0 8	
	Eggs	-	-	-	-	-	per 2½ cwt.	0 2	
	Fish dried and salted					-	per ton	1 4	
	„ haddocks cod salmon and all fresh fish not enumerated						per 2½ cwt.	0 2	
	„ herrings fresh	-	-	-	-	-	per 37½ gallons	0 1	
	„ „ cured	-	-	-	-	-	per 26⅔ gallons	0 3	
	Flax	-	-	-	-	-	per ton	1 4	
	Flour	-	-	-	-	-	per 5 bushels	0 2	
	„	-	-	-	-	-	per 280 lbs.	0 2	
	Glass	-	-	-	-	-	per 2½ cwt.	0 3	
	Groceries viz. :—								
	Almonds figs cinnamon currants pepper pimento plums								
	prunes raisins and the like	-	-	-	-	-	per 2½ cwt.	0 3	
	Guano	-	-	-	-	-	per ton	0 8	
	Gunpowder	-	-	-	-	-	per 100 lbs.	0 3	
	Handspokes	-	-	-	-	-	per 120	0 10	
	Hardware	-	-	-	-	-	per 2½ cwt.	0 3	
	Hares and rabbits	-	-	-	-	-	per dozen	0 2	
	Any less quantity	-	-	-	-	-	-	0 1	
	Hay or straw	-	-	-	-	-	per ton	0 8	
	Hemp	-	-	-	-	-	per ton	1 4	
	Hides :—								
	Ox cow or horse salted or dried	-	-	-	-	-	per ton	1 4	
	Calf skins	-	-	-	-	-	per 120	0 10	
	Sheep skins	-	-	-	-	-	per 120	0 10	
	Lamb skins	-	-	-	-	-	per 120	0 5	
	Hoops of wood	-	-	-	-	-	per 1500	1 0	
	Household furniture other than furniture in course of removal on change of residence	-	-	-	-	-	per 2½ cwt.	0 1	





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*Armadale.*

							s.	d.
Skins seals	-	-	-	-	-	-	per 120	0 8
Slates:—								
Under size	-	-	-	-	-	-	per 1000	0 6
Sizeable	-	-	-	-	-	-	per 1000	0 10
Over size	-	-	-	-	-	-	per 1000	1 4
Spirits foreign and British	-	-	-	-	-	-	per 54 gallons	0 8
Spokes of wheels not exceeding 2 feet in length	-	-	-	-	-	-	per 120	0 4
Exceeding 2 feet in length	-	-	-	-	-	-	per 120	0 6
Steel	-	-	-	-	-	-	per ton	1 4
Stones:—								
Rubble	-	-	-	-	-	-	per 16 cubic feet	0 2
Hewn ashlar freestone	-	-	-	-	-	-	per 16 cubic feet	0 4
Rough ashlar freestone	-	-	-	-	-	-	per 16 cubic feet	0 3
Pavement not exceeding 3 inches thick	-	-	-	-	-	-	per 70 feet	0 4
Pavement above 3 inches thick	-	-	-	-	-	-	per 16 cubic feet	0 4
Scythe stones	-	-	-	-	-	-	per score	0 1
Mill stones	-	-	-	-	-	-	each	0 8
Sugar	-	-	-	-	-	-	per ton	1 4
Tallow	-	-	-	-	-	-	per ton	1 4
Tar	-	-	-	-	-	-	per 42 gallons	0 2
Tea	-	-	-	-	-	-	per 22 lbs.	0 2
Tiles roofing	-	-	-	-	-	-	per 1000	0 10
Tiles or pipes for draining	-	-	-	-	-	-	per ton	1 4
Tin of all kinds	-	-	-	-	-	-	per ton	1 4
Tobacco	-	-	-	-	-	-	per ton	2 6
Treenails under 2 feet in length	-	-	-	-	-	-	per 1000	0 6
„ exceeding 2 feet in length	-	-	-	-	-	-	per 1000	1 0
Turpentine	-	-	-	-	-	-	per 42 gallons	0 5
Vegetables:—								
Potatoes	-	-	-	-	-	-	per ton	0 8
Turnips	-	-	-	-	-	-	per ton	0 6
All others vegetables	-	-	-	-	-	-	per 10 cwt.	0 2
Vinegar	-	-	-	-	-	-	per 42 gallons	0 4
Vitriol	-	-	-	-	-	-	per 10 gallons	0 2
Whalebone	-	-	-	-	-	-	per ton	2 6
Wine	-	-	-	-	-	-	per 54 gallons	0 8
Wine bottled	-	-	-	-	-	-	per 2½ cwt.	0 4
Wood:—								
Fir pine and other descriptions not enumerated	-	-	-	-	-	-	per 50 feet	0 10
Oak or wainscot	-	-	-	-	-	-	per 50 feet	1 0
Firewood	-	-	-	-	-	-	per 216 cubic feet	0 6
Laths and lathwood	-	-	-	-	-	-	per 216 cubic feet	2 6
Spars under 22 feet in length above 2½ inches and under 4 inches in diameter	-	-	-	-	-	-	per 120	2 6

	s.	d.	A.D. 1914.
Spars 2½ inches in diameter and under - - - per 120	1	4	<u>Armada</u> le.
Spars 22 feet in length and upwards and not exceeding 4 inches in diameter - - - - - per 120	6	6	
Spars of all lengths above 4 and under 6 inches diameter per 120	12	0	
Wedges - - - - - per 1000	1	0	
Pipe staves and others in proportion - - - per 100	1	0	
Lignum vitæ fustic logwood mahogany and rosewood per ton	1	4	
Wool - - - - - per cwt.	0	2	
Yarn - - - - - per ton	1	4	
Zinc - - - - - per ton	1	4	
All other goods not particularly enumerated in the above table - - - - - per ton	1	4	

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

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

#### 1. Cranes.

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

#### 2. Weighing Machines.

For goods weighed one penny for each ton or part of a ton.

#### 3. Sheds.

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

[Ch. cxv.] *Pier and Harbour Orders* [4 & 5 GEO. 5.]  
*Confirmation (No. 3) Act, 1914.*

A.D. 1914.

IV.—RATES ON PASSENGERS AND PASSENGERS' LUGGAGE.

*Armadale.*

	s.	d.
For every person above twelve years of age landing from or embarking in any vessel - - - - -	0	2
For every person using the pier and not embarking in any vessel - - - - -	0	1
Servants going for or with luggage not to be charged but the luggage to be paid for as below:—		
Passengers' luggage:—		
Light articles carried by passengers - - - - -		Free.
Trunks boxes and portmanteaux exceeding 1 cwt. each	0	2
Other articles not exceeding 1 cwt. - - - - - each	0	1

Provided always that the master and every member of the crew of any vessel or boat in respect of which rates have been paid shall be entitled to use the pier free of charge for the purpose of landing from or embarking on board his vessel or boat.

FRASERBURGH HARBOUR.

*Fraserburgh.* *Order for enabling the Provost Magistrates and Councillors of the Burgh of Fraserburgh in the County of Aberdeen to guarantee repayment of Money lent to the Fraserburgh Harbour Commissioners from the Development Fund and for other purposes.*

Short and collective titles.

1. This Order may be cited as the Fraserburgh Harbour Order 1914 and this Order and the Fraserburgh Harbour Act 1878 the Fraserburgh Harbour Order 1884 the Fraserburgh Harbour Order 1891 the Fraserburgh Harbour Order 1894 and the Fraserburgh Harbour Order 1905 may for all purposes be cited together as the Fraserburgh Act and Orders 1878 to 1914.

Commencement of Order.

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

Interpretation.

3. In this Order unless the context otherwise requires—

"The harbour" means the harbour of Fraserburgh;

"The Harbour Commissioners" means the Fraserburgh Harbour Commissioners incorporated by the Fraserburgh Harbour Act 1878;

"The burgh" means the burgh of Fraserburgh in the county of Aberdeen;

"The Town Council" means the provost magistrates and councillors of the burgh.

4.—(1) The power conferred on the Town Council by section 3 of the Fraserburgh Harbour Order 1894 and section 17 of the Fraserburgh Harbour Order 1905 of charging any fund or rate under their control for the purpose of aiding the Harbour Commissioners in raising a loan from the Public Works Loan Commissioners may be exercised by the Town Council for the purpose of aiding the Harbour Commissioners in raising a loan or loans from the Development Fund and the Town Council may give such aid by guaranteeing the principal and interest of the loans or by borrowing the sums required and advancing them to the Harbour Commissioners or partly in the one way and partly in the other.

A.D. 1914.  
Fraserburgh.  
Town Council may guarantee repayment of loan to Harbour Commissioners from Development Fund.

(2) The Town Council may grant such guarantee and may charge or assign any fund or rate under their control prior to the actual advance of such loans or of any instalments thereof.

5. The following sections of the Fraserburgh Harbour Order 1894 shall extend and apply to the exercise by the Town Council of any powers granted by this Order of guaranteeing a loan or loans made by the Treasury from the Development Fund to the Harbour Commissioners in the same manner and to the same extent as if the said sections had been re-enacted in this Order and made applicable to a loan from the Development Fund (that is to say):—

Application of sections of Fraserburgh Harbour Order 1894.

Section 4 But only under special resolution ;

Section 5 Harbour Commissioners to furnish accounts to Town Council ;

Section 6 Proceedings in case of default ;

Section 8 Sums paid under guarantee to be repaid ;

Section 9 Application of money repaid ;

Section 10 Powers to Town Council to provide sums for purpose of guarantee ;

Section 12 Saving for existing charges ;

Section 13 Reference of disputes :

Provided that in the application of the said sections the expression “the Treasury or their nominees or assignees in right of such guarantee” shall be substituted for the expression “the Public Works Loan Commissioners” where the same occurs in those sections.

6. Any guarantee by the Town Council under this Order of a loan or loans from the Development Fund shall not require the Town Council in any year to make payments under their guarantees of loans from the Public Works Loan Commissioners and the Development Fund together in excess of the annual amount which the Town Council have at the commencement of this Order made themselves liable to pay to the Public Works Loan Commissioners in respect of loans to

Provision for abatement of guarantee.

A.D. 1914. the Harbour Commissioners and if in any year any annual instalment  
*Fraserburgh.* or any balance of an annual instalment is thereby left outstanding under any guarantee of a loan from the Development Fund such annual instalment or balance shall be totally remitted both to the Town Council and to the Harbour Commissioners.

Saving rights of Public Works Loan Commissioners.

7. Nothing in this Order and no guarantee given thereunder by the Town Council shall prejudice any guarantee given by the Town Council to the Public Works Loan Commissioners under the authority of the Fraserburgh Harbour Order 1894 and the Fraserburgh Order 1905 or affect the priority of any existing charge upon the rates of the burgh for the repayment of any loan to those Commissioners.

Resolution of Town Council effective though passed before making of this Order.

8. Any special or other formal resolution passed by the Town Council before the commencement of this Order but in other respects in compliance with the requirements of this Order and in contemplation of the same being made shall be deemed to be a sufficient resolution for the purposes of this Order.

Time for repayment of moneys borrowed.

9. The period of time allowed by the Fraserburgh Harbour Order 1905 for the repayment of moneys borrowed shall be extended in the case of loans from the Development Fund to the period of fifty years from the first day of April one thousand nine hundred and sixteen.

Additional Harbour Commissioners to be elected by Town Council.

10. The number of persons to be annually elected by the Town Council from their own number in pursuance of section 17 of the Fraserburgh Harbour Act 1878 to act as Harbour Commissioners shall be increased from two to five and the total number of elected Harbour Commissioners shall be sixteen instead of thirteen as prescribed by that section.

Saving for Harbour Commissioners and Town Council.

11. Save as herein expressly otherwise provided nothing in this Order shall abridge affect or interfere with any powers rights or privileges of the Harbour Commissioners or of the Town Council.

Appointment of an auditor.

12.—(1) Section 56 of the Fraserburgh Harbour Act 1878 is hereby repealed.

(2) The Board of Trade shall unless they see special reason to the contrary appoint a person to be permanent auditor to examine and audit the accounts of the Harbour Commissioners and shall fix the payments to be made to him for salary and for expenses (if any) and the amount of the salary and expenses (if any) shall be paid by the Harbour Commissioners out of the rates or other income received by them under the Fraserburgh Harbour Act 1878.

(3) The Board of Trade may at any time revoke the appointment of any person as auditor and thereupon shall unless they see special reason to the contrary appoint another person as auditor.

(4) The Harbour Commissioners shall on demand by the auditor produce to him all books accounts deeds papers writings and other documents and furnish him with all information in their possession or power and afford him all reasonable facilities for conducting the examination and audit. A.D. 1914.  
*Fraserburgh.*

(5) If the Harbour Commissioners refuse or neglect to comply with any of the provisions of this section they shall be liable to a penalty not exceeding twenty pounds for every month during which they neglect or refuse so to comply.

13. Section 9 of the Fraserburgh Harbour Order 1891 is hereby repealed and the annual account in abstract of the Harbour Commissioners a copy whereof is to be sent to the clerk of the peace and to the Board of Trade shall be made up at the end of the day on the thirty-first day of October in each year. Account to be made up on thirty-first day of October.

14. All costs charges and expenses of and incident to the preparation and obtaining of this Order or otherwise incurred in reference thereto shall be paid by the Harbour Commissioners and if paid out of borrowed moneys any loans raised for the purpose shall be paid off out of revenue within five years from the commencement of this Order. Costs of Order.

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