



CHAP. lxxi.

An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Cliftonville, Gillingham, Rosslare, Saint Just, Fowey, and Padstow. A.D. 1869.
[12th July 1869.]

WHEREAS 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 Queen'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 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 Act, 1869. Short title.

A.D. 1869.

The SCHEDULE OF ORDERS.

1. CLIFTONVILLE.—Construction of a pier.
2. GILLINGHAM.—Power to levy rates at existing pier.
3. ROSSLARE.—Construction of a pier.
4. SAINT JUST.—Construction of a harbour and piers.
5. FOWEY.—Improvement and regulation of harbour.
6. PADSTOW.—Improvement of harbour.

*Cliftonville.***CLIFTONVILLE.**

Order for the construction, maintenance, and regulation of a Pier at Cliftonville, in the parish of Hove, in the county of Sussex.

Incorporation
of Company.

1.—The following persons, namely, James Easton the younger, Edward Easton, William Anderson, and all other persons and corporations subscribing to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a company for the purpose of making, maintaining, and regulating the pier and works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of "The Cliftonville Pier Company," and by that name shall be one body corporate with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions of this Order.

Undertakers.

2.—The Cliftonville Pier Company, in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation
of Clauses
Acts.

3.—"The Companies Clauses Consolidation Act, 1845," and Part I. of "The Companies Clauses Act, 1863," are hereby incorporated with this Order; and the words "special Act" in such Acts mentioned shall apply to and include this Order.

Capital.

4.—The capital of the Company shall be twenty-five thousand pounds in two thousand five hundred shares of ten pounds each.

Shares not to
be issued until
one-fifth paid
up.

5.—The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth part of the amount of such share has been paid up in respect thereof.

Calls.

6.—No call shall exceed two pounds ten shillings a share, or be made payable within three months of a previous call.

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7.—The Company, with the sanction of at least three fifths in value of the votes of the shareholders present in person or by proxy at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one third part of the capital, dividend at a rate not exceeding five pounds per centum per annum, in priority to the dividend on the other shares of the capital.

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Power to create preference shares.

8.—The Company from time to time may borrow on mortgage, at interest, any sum or sums of money not exceeding in the whole six thousand five hundred pounds, but no money shall be so borrowed until the whole of the capital of twenty-five thousand pounds is subscribed for, and one half thereof is paid up, and the Company satisfy the justice who certifies under section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by registered holders thereof, legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Borrowing on mortgage.

9.—The mortgagees of the Company may enforce the payment of the arrears of interest or of principal and interest due on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver is five hundred pounds.

Receiver.

10.—The Company shall not out of any money raised by calls or borrowing pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder interest on money advanced by him beyond the amount of calls actually made, in conformity with the provisions of "The Companies Clauses Consolidation Act, 1845."

No interest on dividend on calls.

11.—The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money not to be used for deposit under Standing Orders, &c.

12.—Every part of the money so raised shall be applied only for the purposes authorized by this Order.

Money to be applied for purposes of order.

13.—The first general meeting of the Company shall be held, within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine.

First general meeting.

14.—The number of directors shall not be more than six or less than three.

Number of directors.

15.—The quorum of a meeting of directors shall be two.

Quorum of directors.

16.—James Easton the younger, Edward Easton, and William Anderson, with such other shareholders (if any) as they add to their number, shall be the first directors; and the first directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and directors shall be elected by the meeting, the retiring directors being eligible.

First directors.

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Confirmation Act, 1869;

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 Qualification.

17.—The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of shares in the capital of the Company to the aggregate nominal amount of at least one hundred pounds.

Remuneration.

18.—The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors as they determine.

Power to take
 lands by agree-
 ment.

19.—For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, and use all such parts of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the proposed pier and works, and the conveniences connected therewith.

Incorporation
 of Lands
 Clauses Act.

20.—“The Lands Clauses Consolidation Act, 1845,” except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and “The Lands Clauses Consolidation Acts Amendment Act, 1860,” shall be incorporated with this Order.

Power to make
 works.

21.—Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections (as far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and works authorized by this Order.

Description of
 works autho-
 rized.

22.—The works authorized by this Order comprise the following:—

A promenade pier at Cliftonville in the parish of Hove in the county of Sussex, with a landing place, and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and for other purposes, commencing at a point one hundred feet, or thereabouts, northward of highwater-mark of spring tides, and distant eleven chains eighteen yards, or thereabouts, eastward of the north-east corner of Mill's Terrace, and extending seawards in a southerly direction twelve hundred feet, or thereabouts, beyond highwater-mark.

Power to take
 rates according
 to Schedule to
 this order.

23.—The Company may for the use of the pier and works demand and receive in respect of the vessels, goods, persons, and things described in the schedule hereto, any sums not exceeding the rates in that schedule specified.

Certain fishing
 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 such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may
 contract with
 persons for the
 use of the pier.

25.—The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such a period, not

exceeding one year, as are agreed on, but so that no preference be given to any person. Such pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit ticket, he shall, for every such offence, be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under "The Harbours, Docks, and Piers Clauses Act, 1847," for all the purposes of which Act this Order shall be deemed the special Act.

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26.—Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage and egress to, on, along, and from the pier, by land and with their vessels, and otherwise, without payment.

Custom House officers exempt from rates.

27.—The Company shall not purchase, for extraordinary purposes, land exceeding in extent, in the whole, three acres.

Lands for extraordinary purposes.

28.—The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Meters and weighers.

29.—The following sections of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order, namely, sections sixteen to nineteen, and twenty-one to twenty-three, all inclusive.

Parts of Harbours, &c. Act 1847, excepted.

30.—The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines and other machinery, vessels and things, as they think necessary, for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Steam engines, diving bells, lighters, &c.

31.—Part V. of "The Harbours and Passing Tolls, &c., Act, 1861," shall apply to the works authorized by this Order.

Part V. of 24 & 25 Vict. c. 47. to apply.

32.—Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers.

Restriction on use of pier.

33.—All the costs, charges, and expenses of and preparatory and incident to the obtaining of this Order, and otherwise in relation thereto, shall be paid by the Company.

Costs of Order.

34.—The Company shall, at the outer extremity of the pier and works authorized by this Order, exhibit from sunset to sunrise such light (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond.

Light to be exhibited.

35.—This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866;" nor shall any works under this Order be commenced within limits affected by any such

Saving rights under Crown Lands Act, 1866.

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rights, interests, powers, authorities, or privileges, without the assent of the Board of Trade having been first obtained.

Short title.

36.—This Order may be cited as “The Cliftonville Pier Order, 1869.”

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE PIER.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—RATES OF GOODS SHIPPED OR UNSHIPED AT THE PIER.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone-dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle :		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0

	s.	d.	A.D. 1869.
Cattle— <i>continued.</i>			
Pigs, each	-	0	6 <i>Cliftonville.</i>
Sheep, each	-	1	0
Chalk, per ton	-	1	0
Cheese, per cwt.	-	0	4
Chimney pots, each	-	0	3
Clay, per ton	-	1	0
Cloth, haberdashery, &c. per package not exceeding cwt.	-	0	6
Carriages :—			
Chaises and other four-wheeled carriages, each	-	7	6
Gigs, carts, and other two-wheeled carriages, each	-	5	0
Hand carts and perambulators, each	-	1	0
Coals, per ton	-	1	0
Copper, per ton	-	3	0
Cordage, per cwt.	-	0	3
Cork, per cwt.	-	0	6
Corpses, each	-	20	0
Crystal, per box or package	-	0	6
Dogs, each	-	0	6
Drugs (in casks, hampers or boxes), per foot	-	0	2
Earthenware (in casks, hampers, or boxes), per foot	-	0	2
Earthenware (in crates), per foot	-	0	1
Eggs, per box	-	0	3
Fish (dried and salted), per cwt.	-	0	3
Ditto, fresh (not enumerated), per cwt.	-	0	2
Flax, per ton	-	2	0
Flour and meal, per sack	-	0	4
Ditto, per barrel	-	0	3
Fruit, per bushel or sieve	-	0	4
Furniture (household), per 5 cubic feet	-	0	4
Glass, per large crate	-	1	6
Ditto, per small crate or case	-	1	0
Ditto, per box	-	0	6
Grains and seeds, per quarter	-	0	6
Groceries (not enumerated)	-	0	6
Guano, per ton	-	1	6
Gunpowder, per barrel or keg	-	0	6
Hams, bacon, or tongues, per cwt.	-	0	4
Hardware, per ton	-	2	6
Hares and rabbits, per dozen	-	0	4
Hay, per ton	-	1	6
Ditto, per truss	-	0	2
Hemp, per ton	-	2	0
Herrings (fresh), per 1,000	-	0	3
Ditto (cured), per barrel	-	0	3
Hides :—			
Ox, cow, or horse (wet or dry), each	-	0	2

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	s.	d.
Iron :—		
Bar, bolt, rod, and shots, per ton	-	1 6
Pig, and old, per ton	-	1 0
Manufactured, per ton	-	2 6
Pots, each	-	0 1
Kelp, per ton	-	2 0
Lead per ton	-	2 6
Leather, tanned and dressed, per cwt.	-	0 3
Lime, per 28 bushels	-	1 4
Limestone, per ton	-	1 0
Machinery, per ton	-	2 6
Manure (not enumerated) per ton	-	1 0
Masts and spars, 10 inches in diameter and upwards, each	-	4 6
Ditto, under 10 inches	-	3 0
Meat (fresh), per cwt.	-	0 6
Milk, per gallon	-	0 0½
Musical instruments, per cube foot	-	0 1
Nets, per 5 cube feet	-	0 4
Oakum, per cwt.	-	0 2
Oils, per ton	-	2 0
Oilcake, per ton	-	2 0
Oranges and lemons, per box	-	0 6
Ores, per ton	-	1 0
Oysters, per bushel	-	0 3
Paint, per cwt.	-	0 4
Pitch and tar, per barrel	-	0 6
Potatoes, per cwt.	-	0 2
Poultry and game, per dozen	-	0 4
Rags and old rope, per ton	-	2 0
Sails, per cwt.	-	0 6
Salt, per cwt.	-	0 1
Sand, per ton	-	1 0
Shrimp baskets, each	-	0 2
Skins :—		
Calf, goat, sheep, lamb, or dog, per dozen	-	0 6
Slates, per ton of 24 cubic feet	-	2 0
Spirits (Foreign and British), per hogshead	-	1 0
Ditto, ditto, per gallon	-	0 1
Stones, per ton of 16 cubic feet	-	1 6
Steel, per ton	-	3 0
Sugar, per cwt.	-	0 3
Tallow, soap, and candles, per cwt.	-	0 3
Tea, per chest	-	1 0
Tiles, per 1,000	-	1 6
Tin and zinc, per ton	-	3 0
Tobacco, per cwt.	-	0 6
Turbot, per score	-	0 3

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Turnips, per ton	0	6	<i>Cliftonville.</i>
Turpentine and varnish, per barrel	0	6	
Turtle, each	2	6	
Vegetables (not enumerated), per cwt.	0	4	
Vinegar, per hogshead	0	6	
Vitriol, per carboy	1	0	
Water, per cask	0	3	
Wine, per hogshead	1	0	
Ditto (bottled), per dozen bottles	0	2	
Wood :			
Fir, pine, and other descriptions not enumerated, per load of			
50 feet	1	6	
Oak or wainscot, per load of 50 feet	2	0	
Firewood, per 216 cubic feet fathom	1	6	
Laths and lathwood, per fathom of 216 cubic feet	2	6	
Handspikes, per 120	3	0	
Oars, per 120	5	0	
Spars, under 22 feet in length, above 2½ and under 4 inches in			
diameter, per 120	5	0	
Ditto, 2½ inches in diameter and under, per 120	4	0	
Ditto, 22 feet in length and upwards, and not exceeding 4 inches			
in diameter, per 120	9	0	
Ditto, above 4 and under 6 inches in diameter, per 120	14	0	
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0	
Ditto, exceeding 2 feet in length, per 120	3	0	
Treenails, per 1,000	2	6	
Wedges, per 1,000	2	6	
Pipe staves and others in proportion, per 120	2	6	
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0	
Wool, per cwt.	0	4	
Yarn, per cwt.	0	2	

All other Goods not particularly enumerated above.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

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 portion of the respective rates shall be charged.

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

1st. Rates of Craneage.

All goods of packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
Exceeding 2 tons and not exceeding 3 tons	0	8
Exceeding 3 tons and not exceeding 4 tons	0	10

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	s.	d.
Exceeding 4 tons and not exceeding 5 tons - - -	1	0
Exceeding 5 tons and not exceeding 6 tons - - -	1	2
Exceeding 6 tons and not exceeding 7 tons - - -	1	4
Exceeding 7 tons and not exceeding 8 tons - - -	1	6
Exceeding 8 tons and not exceeding 9 tons - - -	1	10
Exceeding 9 tons and not exceeding 10 tons - - -	2	4
Exceeding 10 tons - - - - -	3	6

2nd. Weighing Machine.

For goods weighed, for each ton or part of a ton - - -	0	2
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3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package - - -	0	2
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IV.—RATES FOR SUPPLYING WATER ON PIER.

Water, per 1,000 gallons - - - - -	10	0
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V.—RATES ON PASSENGERS AND PROMENADERS USING THE PIER.

For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage-boat, for each and every time any sum not exceeding -	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding - - - - -	0	4
For every bath or sedan chair taken on the pier, for each and every time not exceeding - - - - -	0	6
For every perambulator - - - - -	0	2
For every master of any vessel, boat or wherry, being an inhabitant of the parish of Hove, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	20	0

VI.—RATES ON PASSENGERS' LUGGAGE.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - - -	0	6

	s.	d.	A.D. 1869.
Over 140 lbs. and not exceeding 196 lbs.	-	-	0 7
Over 196 lbs. and not exceeding 2 cwt.	-	-	0 8
And for every cwt. beyond	-	-	0 4
And for every 20 lbs. weight in addition	-	-	0 1

Cliftonville.

GILLINGHAM.

Gillingham.

Order for the maintenance and regulation of a Pier, Wharf, and Landing Place in the parish of Gillingham in the county of Kent.

1.—The Board for the repair of the highways in the parish of Gillingham in the county of Kent, and their successors, in this Order called “The Board,” shall execute and give effect to this Order, and be the undertakers of the works authorized by this Order. Board of Surveyors to be undertakers.

2.—The limits within which the Board shall have authority under this Order (which shall be deemed to be the limits to which this Order shall extend), shall comprise the Gillingham Pier, wharf, and landing place, as constructed by the Lords Commissioners for executing the office of Lord High Admiral of Great Britain and Ireland, near to the eastern side of the new boundary wall of Her Majesty’s dockyard at Chatham, and which pier, wharf, and landing place is or will become, under the provisions contained in “The Chatham Dockyard Act, 1861,” vested in the Board (in the said Act called “The Board of Surveyors of the parish of Gillingham”), and also so much of the river Medway as lies within the distance of seven yards from any part of the same pier, wharf, or landing place. Limits of authorities of Board.

3.—“The Commissioners Clauses Act, 1847,” except the following sections, namely sections 6 to 55 inclusive, 92 to 95 inclusive, 110 and 111, shall be incorporated with this Order, and shall, so far as the nature of the case will admit, apply to the members of the Board collectively and severally, and the expressions “the Commissioners” and “the special Act” in that Act contained shall mean “the Board” and this Order respectively. Commissioners Clauses Act incorporated.

4.—After obtaining possession of the pier, wharf, and landing place the Board may for the use of the same demand and receive in respect of the persons, vessels, cattle, goods, and things described in the schedule to this Order any sums not exceeding the rates in that schedule specified. Power to levy rates.

5.—The Board may from time to time borrow on mortgage, at interest on the security of the pier, wharf, and landing place and the rates authorized by this Order, or of either of them, any sums not exceeding in the whole the sum of £2,000, and any money borrowed under this Order and discharged otherwise than by means of the sinking fund in this Order mentioned may be reborrowed from time to time if required for the purposes of this Order. Power to borrow on mortgage.

6.—The mortgagees of the Board may enforce the payment of arrears of interest or of principal and interest due on their respective mortgages by the Appointment of receiver.

A.D. 1869. appointment of a receiver. The amount to authorize a requisition for a receiver shall be £200.

Gillingham.

Application of money borrowed.

7.—The money borrowed under this Order shall be expended in making, building, and erecting cranes, warehouses, weighing machines, sheds, and wharfinger's house only.

Money to be applied only for purposes of order.

Application of rates.

8.—Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

9.—The Board shall apply all the rates received under this Order for the purposes and in the order following, and not otherwise; that is to say,—

1. In paying the costs of and connected with the preparation and making of this Order.
2. In paying the expenses of the maintenance, repair, management, and regulation of the pier, wharf, and landing place, and the approaches thereto, and of any buildings and works within the limits of this Order, and all outgoings in respect thereof.
3. In paying year by year the interest accruing on money borrowed under this Order.
4. In paying the cost of the works authorized by this Order.
5. In payment of principal money borrowed, or in creating a sinking fund for that purpose, in the manner and, so far as the nature and circumstances of the case will admit, in the proportion specified by "The Commissioners Clauses Act, 1847."

Rates to be revised from time to time.

10.—The Board shall from time to time revise the rates receivable under this Order, so that the income of the Board under this Order may always be as far as practicable sufficient, and not more than sufficient, to meet the expenditure directed or authorized by this Order.

Powers of this Order to be exercised as other powers of Board.

11.—No rates or funds by law authorized to be levied by or otherwise vested in the Board, other than the money and rates which may be levied or received by them under this Order, shall be applicable for any purpose hereby authorized; but, subject to this restriction and the other provisions of this Order and the Acts incorporated herewith, the powers and functions hereby vested in the Board shall be exercised and carried into effect by them as part of their general powers and functions, and with and subject to the like privileges, indemnities, and regulations.

Rates not to be applied for highways.

12.—No rates received under this Order shall be applied in the repair or improvement of any of the highways of the parish of Gillingham other than the approaches to the pier, wharf, and landing place.

Publication of printed accounts.

13.—The Board shall send, in every year, to the Board of Trade their printed statement and account within seven days after the same shall have been first open for inspection, and shall also within such seven days cause one copy thereof at least to be posted in some conspicuous place within the limits of this Order, and shall keep the same so posted for one calendar month at least.

Clauses of Harbours Act not incorporated.

14.—The following sections of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order, namely sections 6 to 19 inclusive, and sections 25 and 26.

A.D. 1869.

15.—Officers of customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, over, and from the pier, wharf, and landing place by land, and with their vessels, without payment.

Gillingham.
Officers of customs to have free access.

16.—The Board shall have the appointment of meters and weighers on or in connexion with the pier, wharf, and landing place.

Meters and weighers.

17.—The Board shall at the outer extremity of their pier exhibit from sunset to sunrise such light, if any, as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond.

Light to be exhibited.

18.—Nothing in this Order shall prejudice or derogate from the rights, powers, liberties, jurisdictions, authorities, dues, franchises, and privileges of the Mayor and Corporation of the city of Rochester.

Reservation of rights of Rochester Corporation.

19.—This Order may be cited as “The Gillingham Pier Order, 1869.”

Short title.

SCHEDULE.

I.—RATES ON PASSENGERS LANDING OR EMBARKING FROM THE PIER, WHARF, OR LANDING PLACE.

	<i>s.</i>	<i>d.</i>
For every passenger who shall land on the said pier from or embark from it on board of any steam vessel, packet, or passage boat, not being an open boat, for each and every time any sum not exceeding	0	0½

II.—RATES ON VESSELS USING THE PIER, WHARF, AND LANDING PLACE.

For every vessel under the burden of 15 tons, per ton	0	0¾
For every vessel of the burden of 15 tons and upwards, per ton	0	1

III.—RATES ON MEAT, CATTLE, AND GOODS, SHIPPED OR UNSHIPED, RECEIVED OR DELIVERED AT THE PIER, WHARF, AND LANDING PLACE.

1. *Meat.*

For every quarter of beef	0	1½
For every carcass of mutton, veal, lamb, kid, or pork	0	1
For every quantity of meat cut up of any weight not exceeding 28 pounds, free.		
Exceeding 28 pounds and not exceeding 56 pounds	0	1
Exceeding 56 pounds and not exceeding 112 pounds	0	1½
Exceeding 112 pounds and not exceeding 224 pounds	0	2
Exceeding 224 pounds and not exceeding 336 pounds	0	2½
If exceeding 336 pounds then for every 28 pounds or part of 28 pounds	0	0½

A.D. 1869.

2. Cattle.

Gillingham.

									s.	d.
Bulls, each	-	-	-	-	-	-	-	-	0	1½
Cows and oxen, each	-	-	-	-	-	-	-	-	0	1
Calves, each	-	-	-	-	-	-	-	-	0	0¼
Horses, each	-	-	-	-	-	-	-	-	0	1
Asses, each	-	-	-	-	-	-	-	-	0	0½
Pigs, each	-	-	-	-	-	-	-	-	0	0¼
Goats, each	-	-	-	-	-	-	-	-	0	0½
Sheep, per score	-	-	-	-	-	-	-	-	0	3
Lambs, per score	-	-	-	-	-	-	-	-	0	1½

3. Goods.

Ale and porter, per hogshead	-	-	-	-	-	-	-	-	0	3
Ale and porter, per barrel bulk	-	-	-	-	-	-	-	-	0	1½
Apples and all other fruit, per bushel	-	-	-	-	-	-	-	-	0	0½
Bark or catch, per ton	-	-	-	-	-	-	-	-	0	6
Barrels, empty, each	-	-	-	-	-	-	-	-	0	0¼
Battens, per 120	-	-	-	-	-	-	-	-	0	3
Beef or pork, per ton	-	-	-	-	-	-	-	-	0	8
Beef or pork, per barrel	-	-	-	-	-	-	-	-	0	1
Binders, per 100	-	-	-	-	-	-	-	-	0	6
Block stone, per ton	-	-	-	-	-	-	-	-	0	2
Blubber, per ton, 250 gallons	-	-	-	-	-	-	-	-	0	6
Bone dust, per ton	-	-	-	-	-	-	-	-	0	4
Bones of cattle, per ton	-	-	-	-	-	-	-	-	0	3
Bottles, per gross	-	-	-	-	-	-	-	-	0	1
Brass, per 112 pounds	-	-	-	-	-	-	-	-	0	1
Breeze, per chaldron	-	-	-	-	-	-	-	-	0	1
Bricks, per 1,000	-	-	-	-	-	-	-	-	0	1½
Builders' plant, per ton	-	-	-	-	-	-	-	-	0	7
Butter, per firkin	-	-	-	-	-	-	-	-	0	0½
Cabbages, per 112 pounds	-	-	-	-	-	-	-	-	0	0½
Casks, empty, not being returned, package per puncheon	-	-	-	-	-	-	-	-	0	1
Other casks not enumerated in proportion	-	-	-	-	-	-	-	-	0	1
Cement, per ton	-	-	-	-	-	-	-	-	0	1½
Chalk, per ton	-	-	-	-	-	-	-	-	0	1½
Cheese, per ton	-	-	-	-	-	-	-	-	0	8
Chimney pots, per 100	-	-	-	-	-	-	-	-	0	8
Clay fire manufactured, per ton	-	-	-	-	-	-	-	-	0	3
Clay, common, per ton	-	-	-	-	-	-	-	-	0	1½
Cloth, haberdashery, &c. per barrel bulk	-	-	-	-	-	-	-	-	0	1
Coaches, viz. :										
Chaises and other four-wheeled carriages, each	-	-	-	-	-	-	-	-	0	4
Gigs, carts, and other two-wheeled carriages, each	-	-	-	-	-	-	-	-	0	3
Coals, viz. :										
Scotch, English, smithy, and culm, per ton	-	-	-	-	-	-	-	-	0	1½

	s.	d.	A.D. 1869.
Coke, per chaldron	0	1½	<i>Gillingham.</i>
Copper, per 112 pounds	0	1	
Corks, per barrel bulk	0	1	
Corn, viz.:			
Wheat, malt, barley, beans, pease, tares, oats, rye, buckwheat, and Indian corn, per quarter	0	1	
Crystal, per barrel bulk	0	1½	
Deals, per 120	0	4	
Dissolved bones and other artificial manures, per ton	0	4	
Drain pipes, per ton	0	2	
Drapery, per package	0	0½	
Drugs, per barrel bulk	0	1½	
Earthenware, per crate	0	4	
Earthenware, per crib	0	2	
Eggs, per box	0	1	
Flax and hemp, per ton	0	8	
Flints, per ton	0	1½	
Flour, per sack	0	1	
Flour, per barrel	0	0¾	
Floor boards, per square	0	1	
Glass, per barrel bulk	0	1½	
Gravel, per ton	0	1½	
Granite, per ton	0	1½	
Groceries, viz.:			
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like, per barrel bulk	0	1½	
Guano, per ton	0	2	
Guns, per ton	0	1½	
Gunpowder, per barrel	0	1½	
Hardware, per barrel bulk	0	1½	
Hay, per ton	0	4	
Hides, viz.:			
Ox, cow, or horse, salted or dried, per ton	0	8	
Calf skins, per 120	0	5	
Sheep skins, per 120	0	5	
Lamb skins, per 120	0	2½	
Hoops of wood, per 1,000	0	3	
Hops, per 112 pounds	0	1	
Hoops, iron, per ton	0	2	
Household furniture, per barrel bulk	0	0½	
Husbandry utensils, per ton	0	8	
Husbandry utensils, per barrel bulk	0	1	
Iron, viz.:			
Bar, bolt, and rod, per ton	0	2	
Pig or old, per ton	0	2	
Kelp, per ton	0	2	

A.D. 1869.

Gillingham.

	s.	d.
Lead of all kinds, per ton	0	2
Leather, tanned and dressed, per ton	0	6
Lime, per yard	0	1½
Limestone, per ton	0	1½
Loam or moulding sand, per ton	0	1½
Machinery, per ton	0	7½
Machinery, per barrel bulk	0	1½
Mangold wurtzell and other roots, per ton	0	1½
Manure, per ton	0	1½
Fish for manure, per ton	0	1½
Mast or spars, per load of 50 feet	0	6
Meal, per bag of 280 pounds	0	1
Nails, per 112 pounds	0	0½
Oils, per ton	0	6
Oil or other seed cake, per ton	0	1½
Ores, viz. :—		
Copper, iron, lead, and other ores, per ton	0	2
Passengers luggage, not exceeding 4 barrels bulk free, all above 4 barrels bulk, per barrel bulk	0	1½
Peats, per ton	0	1½
Planks, per 120	0	6
Potatoes, per ton	0	1½
Rags of all kinds, and old ropes, per ton	0	2
Ragstone, per ton	0	1½
Rape and oil cakes, per ton	0	1½
Rope coil, per 112 pounds	0	0½
Sand, per ton	0	1½
Salt in bulk, per ton	0	1½
Seeds of all kinds not enumerated, per quarter	0	1
Shingle, per ton	0	1½
Skins, seal, per 120	0	3
Slates under size, per 1,200	0	4½
Slates, sizeable, per 1,200	0	5
Slates, over size, per 1,200	0	6
Soap, per 112 pounds	0	0½
Spirits, Foreign and British, per hogshead of 56 gallons	0	4
Spokes, per 100	0	0½
Stones, viz. :—		
Rubble, per ton	0	1½
Ashlar freestone, per ton	0	2
Pavement, per ton	0	2
Scythe stones, per score	0	0½
Mill stones, each	0	6
Gravestones, each	0	3
Grindstones, each	0	2
Steel, per ton	0	2

	s.	d.	A.D. 1869.
Straw, per ton	0	3	Gillingham.
Sugar, per ton	0	4	
Tallow, per 112 pounds	0	0½	
Tar, pitch, resin, per barrel	0	1	
Tea, per chest	0	1½	
Timber, per load	0	6	
Tiles for roofing, per 1,000	0	2	
Tiles or pipes for land draining, per 1,000	0	2	
Tin of all kinds, per ton	0	8	
Tobacco, per ton	0	8	
Treenails under 2 feet in length, per 1,000	0	3	
Treenails exceeding 2 feet in length, per 1,000	0	6	
Turpentine, per hogshead	0	4	
Vinegar, per hogshead	0	3	
Vitriol, per carboy	0	1	
Whalebone, per ton	1	3	
Wine, per hogshead	0	4	
Wine, bottled, per barrel bulk	0	2	
Wood, viz. :—			
Fir, pine, and other descriptions not enumerated, per load of 50 feet	0	6	
Oak or wainscot, per load of 40 feet	0	6	
Firewood, wood, or burnwood, per fathom	0	3	
Laths and lathwood, per fathom of 216 cubic feet	1	3	
Handspikes, per 120	0	5	
Oars, per 120	1	3	
Spars under 22 feet in length, above 2½ and under 4 inches diameter, per 120	0	6	
Spars, of all lengths, above 4 and under 6 inches diameter, per 120	2	6	
Spars, 2½ inches in diameter and under, per 120	0	3	
Pipe staves, per standard hundred	0	6	
Herring barrel stave, per 1,000 feet	0	4½	
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	0	8	
Wool, per 112 pounds	0	1	
Yarn, per ton	0	3	
Zinc, per ton	0	2	

All other goods not particularly enumerated in the above table, viz. :—

Light goods, per barrel bulk	0	1
Heavy goods, per ton	0	6

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.

Five cubic feet not exceeding two and a half hundredweight to be rated as a barrel bulk.

A.D. 1869.

Gillingham.IV.—RATES FOR THE USE OF SHEDS, WAREHOUSES, CRANES, AND
WEIGHING MACHINES.1. *Sheds and Warehouses.*

For each ton of goods of 8 barrels bulk, or of each ton of goods of twenty hundredweight, which shall remain in any shed or on the pier for a longer time than 48 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 48 hours.

2. *Cranes.*

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

3. *Weighing Machines.*

For goods weighed, for each ton or part of a ton - - -	0	1
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Rosslare.

ROSSLARE.

Order for the construction, maintenance, and regulation of a Pier and Harbour at Rosslare, in Greenore Bay, in the county of Wexford.

Incorporation
of Commis-
sioners.

1. There shall be a body of Commissioners for carrying this Order into execution, not exceeding in number seven, which Commissioners and their successors are hereby for the purposes of this Order incorporated by the name of "The Rosslare Harbour Commissioners," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions of this Order (which Commissioners are in this Order called "the Commissioners").

A.D. 1869.

2. The appointment of Commissioners shall be regulated as follows:—

- (1.) The mayor of the borough of Wexford for the time being shall, as such, be a Commissioner.
- (2.) The person for the time being representing the borough of Wexford in the Commons House of Parliament, shall, as such, be a Commissioner.
- (3.) The Board of Trade may, if they think fit, appoint a person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of that Commissioner, they may, if they think fit, appoint another person to fill the vacancy, and so toties quoties.
- (4.) The Waterford and Wexford Railway Company, acting by their directors, shall, as soon as may be after the passing of the Act confirming this Order, appoint, from among the directors or other shareholders of the company, three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of any one of those three Commissioners, that company, acting by their directors, shall appoint from among the directors or other shareholders of the company another person to fill the vacancy, and so toties quoties: Provided that each appointment of a Commissioner by the directors shall be determinable at any time by the company.
- (5.) The Commissioners of Wexford Harbour shall, as soon as may be after the confirmation of this Order, appoint from among themselves a person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of that Commissioner, they shall appoint from among themselves another person to fill the vacancy, and so toties quoties.

Rosslare.
Appointment
of the several
Commissioners.

3. "The Commissioners Clauses Act, 1847," (except sections 17 to 35, both inclusive,) is hereby incorporated with this Order, and the same shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:—

Incorporation
of parts of
10 & 11 Vict.
c. 16.

- (1.) With reference to section 39 of this Act, the prescribed number (constituting a quorum) of the Commissioners shall be three.
- (2.) The Board of Trade shall, from time to time, appoint a permanent auditor of the accounts of the Commissioners, and fix the salary to be paid to him, and such salary shall be paid to him accordingly by the Commissioners out of the rates levied under this Order.

4. The Commissioners shall be deemed fully constituted, and shall begin to act under this Order, as soon as two persons have been appointed Commissioners in addition to the two ex-officio Commissioners, and any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the non-appointment of or any informality in the appointment of a Commissioner.

Commence-
ment of powers.

5. The Commissioners shall be the undertakers of the works authorized by this Order.

Undertakers.

6. The plans and sections deposited for the purposes of this Order, at the office of the Clerk of the Peace for the county of Wexford and elsewhere, are in this Order referred to as the deposited plans and sections.

Interpretation
of deposited
plans, &c.

A.D. 1869.

Rosslare.

Power to take
lands by agree-
ment.

Incorporation
of Lands
Clauses Acts.

Power to exe-
cute works.

Description of
works.

Limits of
Commissioners
powers.

7. The Commissioners may from time to time, by agreement, enter on, take, and use such of the lands shown on the deposited plan, within the limits of deviation thereon marked, as they from time to time require for the purposes of this Order.

8. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

9. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans or sections, as the Board of Trade require from time to time, before the completion of the works, in order to prevent injury to navigation, the Commissioners may, on the site designated by this Order, and according to the deposited plans and sections, and within the limits of deviation shown on those plans, execute and maintain the works shown on the deposited plans.

10. The works authorized by this Order comprise the following:—

(1.) A causeway, with retaining walls, extending seaward in a northerly direction from a point on the shore near high-water mark, for a distance of one hundred and forty-eight yards or thereabouts.

(2.) An open viaduct, extending in a northerly direction for three hundred and thirty yards from the seaward end of that causeway:

(3.) A pier, extending into the sea from the north end of that viaduct, and, after a curve to the westward for one hundred and seventy yards or thereabouts, continuing straight in a north-westerly direction for one hundred and eighty yards or thereabouts:

(4.) Wharves or landing places for enabling vessels to land and embark passengers, merchandise, cattle, coals, and other goods in the harbour:

together with all quays, jetties, approaches, warehouses, sheds, buildings, and other conveniences requisite for the use of the pier and works.

11. The limits within which the Commissioners shall have authority (which shall be deemed the limits to which this Order extends) shall be the areas following; that is to say:

(A.) An area bounded by the following lines; namely,—

(1.) The line of the eastward and northward side of the causeway viaduct and pier from high-water mark till it intersects line No. 2.

(2.) So much of an imaginary straight line drawn from Carrick Perch touching the northward side of the pier as lies between the point of contact and line No. 3.

(3.) So much of an imaginary straight line drawn north-east by north (true) from Kilsoran Church as lies between line No. 2 and high-water mark on the shore.

(4.) The line of high-water mark on the shore between lines No. 1 and No. 3.

(B.) All the area below high-water mark on the eastward and northward side of the causeway, viaduct, and pier lying within a distance of 200 yards therefrom on the eastward and northward side thereof.

A.D. 1869.

12. Subject and according to the provisions of this Order the Commissioners may, for the use of the pier, harbour, and works, demand and take in respect of the vessels, persons, fish, animals, goods, and things described in the schedules to this Order, any sums not exceeding the several rates therein specified.

Rosslare.
Rates in schedules.

13. Notwithstanding anything in any Act incorporated with this Order, the Commissioners may begin to demand and receive rates under this Order for the use of the pier and harbour as soon as it is certified, under the hand of a competent and impartial inspector appointed by the Board of Trade to inquire and report for the purpose, that the Commissioners have completed such portions of the pier and harbour works authorized by this Order as will afford convenient accommodation for the landing and embarking of passengers and goods, although all the works authorized by this Order are not completed. The inspector so appointed shall receive out of the rates levied under this Order such sum as the Board of Trade shall direct, and the same shall be paid by the Commissioners accordingly.

Commencement of rates.

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

Certain fishing vessels under stress of weather exempt from rates.

15. Officers of customs being in the execution of their duty shall at all times have free ingress, passage, and egress on to, through, over, and from the pier, harbour, and works by land, and with their vessels, and otherwise without payment.

Custom house officers exempt from rates.

16. The Commissioners may receive as remuneration for their services an annual sum not exceeding such an amount as shall from time to time be approved of by the Board of Trade; such annual sum shall be paid only out of the rates and other income received under this Order and not out of any other money, and shall be divided between the Commissioners as they from time to time determine among themselves.

Remuneration of Commissioners.

17. The Commissioners may, from time to time, borrow on mortgage such money as may be required for the purposes of this Order not exceeding in the whole the sum of eighty-five thousand pounds, on the security of the harbour and of the lands, works, and property connected therewith, and of the rates authorized by this Order, or of any of those particulars, or of any other property of the Commissioners.

Borrowing powers.

18. The Commissioners shall apply all money borrowed by them under this Order for the purposes and in the order following; that is to say,

Application of money borrowed.

(1.) In payment of the costs of and connected with the preparation and making of this Order.

(2.) In paying the cost of the works authorized by this Order.

19. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of money borrowed.

A.D. 1869.

Rosslare.
Re-borrowing.

20. Any money borrowed under this Order, and discharged, otherwise than by means of a sinking fund or by instalments, may be re-borrowed, if required, for the purposes of this Order, and so toties quoties.

Receiver.

21. The mortgagees of the Commissioners may enforce the payment of arrears of interest, or of arrears of principal and interest, due to them on their respective mortgages, by the appointment of a receiver; and the amount to authorize a requisition for a receiver is eight thousand five hundred pounds.

Application
of rates and
moneys re-
ceived by the
Commissioners.

22. The Commissioners shall apply all money received by them from rates authorized by this Order, and all other income coming to their hands from the pier, harbour, and works authorized by this Order, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

- (1.) In paying the expenses of the collection and receipt of rates and income the salary payable to the auditor and the sum payable to any inspector appointed by the Board of Trade, and the expenses of the maintenance, repair, management, and regulation of the pier, harbour, and works.
- (2.) In paying year by year the interest accrued due on money borrowed under this Order:
- (3.) In from time to time providing the instalments or creating a sinking fund for the repayment of money borrowed, in such manner, so far as circumstances will admit, that all money borrowed may be discharged within 50 years from the time of borrowing:
- (4.) In paying any remuneration to the Commissioners properly payable under this Order:
- (5.) In paying the cost of the works authorized by and of lands or property acquired for the purposes of this Order, and the other expenses incurred for purposes authorized by this Order.

Commissioners
to furnish
accounts to
Board of
Trade.

23. The Commissioners shall, in the month of January in every year, furnish to the Board of Trade a statement, in such form as the Board of Trade from time to time direct, showing the income, expenditure, credits, and liabilities of the Commissioners in and for the then last preceding year, and the total amount of capital expended by the Commissioners up to the expiration of that year.

Rates to be
revised from
time to time.

24. The Commissioners shall, from time to time, if required by the Board of Trade, revise the rates, tolls, and dues receivable under this Order, so that the income of the Commissioners under this Order may always be as far as practicable sufficient, and not more than sufficient, to meet the expenditure directed or authorized by this Order.

Power to
dredge, &c.

25. The Commissioners, from time to time, may dredge and deepen Greenore, Ballygeary, or South Bay within the limits to which this Order extends, and may place and maintain moorings and buoys within those limits, and do all such lawful acts as they think necessary or proper for preventing or removing obstructions or impediments therein, and generally for preserving and facilitating the navigation within those limits; and the soil, gravel, and

other materials dredged up or removed within those limits shall become and be the property of the Commissioners, who may from time to time sell or otherwise dispose of the same, or remove and lay down the same within those limits, and afterwards, from time to time, again take up and remove and sell, or otherwise dispose of the same; and all money arising therefrom, after payment of the expenses connected therewith, shall be applied as rates received under this Order are applicable.

A.D. 1869.
Rosslare.

26. The Commissioners may, for purposes of works authorized by this Order or other purposes of this Order, from time to time purchase, lease, hire, or otherwise provide such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving bells, piling engines, dredging machines, ballast lighters, rubbish lighters, tools, plant, machinery, and things as they think fit, and may let the same for use, and may demand and receive for the use thereof such sums as they think reasonable.

Commissioners may provide engines, lighters, &c.

27. The Commissioners shall be a local authority within the meaning of "The Merchant Shipping Act, 1854," and the Acts amending the same, and shall have all the powers conferred by those Acts on local authorities.

Lights, buoys, and beacons.

28. The Commissioners shall have the appointment of meters and weighers on or in connexion with the pier and works.

Meters and weighers.

29. The Commissioners shall not acquire for extraordinary purposes lands exceeding in extent in the whole three acres.

Lands for extraordinary purposes.

30. Byelaws made under this Order and "The Harbours, Docks, and Piers Clauses Act, 1847," shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the Harbour Master, by virtue of section 52 of that Act, or of any other authority, or for the Commissioners, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as the byelaws expressly authorize him or them to do so.

Confirmation of byelaws, and provision for management of harbour.

31. Sections 16, 17, 18, 19, and 26 of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order.

Parts of Harbours, &c. Act excepted.

32. The Commissioners shall have the appointment of meters and weighers on or in connexion with the pier and harbour.

Appointment of meters and weighers.

33. The company shall at the outer extremity of the pier and works authorized by this order, exhibit from sunset to sunrise such light (if any) as shall from time to time be directed by the Commissioners of Irish Lights.

Light to be exhibited.

34. Nothing in this order shall take away or abridge any right, privilege, power, jurisdiction, or authority, given or reserved to any person or corporation by any local or special Act of Parliament, without the consent in writing of such person or corporation.

Saving for corporations, &c.

35. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such

Saving rights under "Crown Lands Act, 1866."

A.D. 1869. rights, interests, powers, authorities, or privileges, without the assent of the
 Board of Trade having been first obtained.
 Rosslare.
 Short title. 36. This Order may be cited as "The Rosslare Harbour Order, 1869."

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE PIER OR HARBOUR.

	<i>s.</i>	<i>d.</i>
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters for each trip, per ton	0	6
All boats entirely open, landing or taking on board goods, each	0	6

II.—RATES OF GOODS SHIPPED OR UNSHIPED AT THE PIER OR HARBOUR.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Beef or pork, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty) not being returned packages, per puncheon	0	3
Other casks in proportion.		

	s.	d.	A.D. 1869.
Cattle:			
Bulls, Cows, and oxen, each	3	0	<i>Rosslare.</i>
Calves, each	1	0	
Horses, each	4	0	
Pigs, each	0	6	
Sheep, each	1	0	
Chalk, per ton	1	0	
Cheese, per cwt.	0	4	
Chimney pots, each	0	3	
Clay, per ton	1	0	
Cloth, haberdashery, &c. per package not exceeding cwt.	0	6	
Carriages:			
Chaises and other four-wheeled carriages, each	7	6	
Gigs, carts, and other two-wheeled carriages, each	5	0	
Hand-carts and perambulators, each	1	0	
Coals, per ton	1	0	
Copper, per ton	3	0	
Cordage, per cwt.	0	3	
Cork, per cwt.	0	6	
Crystal, per box or package	0	6	
Dogs, each	0	6	
Drugs (in casks, hampers, or boxes), per foot	0	2	
Earthenware (in casks, hampers, or boxes), per foot	0	2	
Earthenware (in crates), per foot	0	1	
Eggs, per box	0	3	
Fish (dried and salted), per cwt.	0	3	
Ditto, fresh (not enumerated), per cwt.	0	2	
Flax, per ton	2	0	
Flour and meal, per sack	0	4	
Ditto, per barrel	0	3	
Fruit, per bushel or sieve	0	4	
Furniture (household), per 5 cubic feet	0	4	
Glass, per large crate	1	6	
Ditto, per small crate or case	1	0	
Ditto, per box	0	6	
Grains and seeds, per quarter	0	6	
Groceries (not enumerated)	0	6	
Guano, per ton	1	6	
Gunpowder, per barrel or keg	0	6	
Hams, bacon, or tongues, per cwt.	0	4	
Hardware, per ton	2	6	
Hares and rabbits, per dozen	0	4	
Hay, per ton	1	6	
Ditto, per truss	0	2	
Hemp, per ton	2	0	
Herrings (fresh), per 1,000	0	3	
Ditto (cured), per barrel	0	3	

A.D. 1869.

Rosslare.

	s.	d.
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather, tanned and dressed, per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cube foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushels	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:		
Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign or British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0

	s.	d.	A.D. 1869.
Tobacco, per cwt.	1	6	<i>Rosslare.</i>
Turbot, per score	0	3	
Turnips, per ton	0	6	
Turpentine and varnish, per barrel	0	6	
Turtle, each	2	6	
Vegetables (not enumerated), per cwt.	0	4	
Vinegar, per hogshead	0	6	
Vitriol, per carboy	1	0	
Water, per cask	0	3	
Wine, per hogshead	1	0	
Ditto, bottled, per dozen bottles	0	2	
Wood:			
Fir, pine, and other descriptions, not enumerated, per load of 50 feet	1	6	
Oak or wainscoat, per load of 50 feet	2	0	
Firewood, per 216 cubic feet fathom	1	6	
Laths and lathwood, per fathom of 216 cubic feet	2	6	
Handspikes, per 120	3	0	
Oars, per 120	5	0	
Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0	
Ditto, 2½ inches in diameter and under, per 120	4	0	
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0	
Ditto, above 4 and under 6 inches in diameter, per 120	14	0	
Spokes of wheels not exceeding 2 feet in length, per 120	2	0	
Ditto, exceeding 2 feet in length, per 120	3	0	
Trenails, per 1,000	2	6	
Wedges, per 1,000	2	6	
Pipe staves, and others in proportion, per 120	2	6	
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0	
Wool, per cwt.	0	4	
Yarn, cwt.	0	2	

All other goods not particularly enumerated above.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

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 portion of the respective rates shall be charged.

III.—RATES FOR USE OF WEIGHING MACHINES.

For goods weighed, for each ton or part of a ton	0	2
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A.D. 1869.

IV.—RATES ON PASSENGERS AND PROMENADERS USING THE PIER.

	s.	d.
<i>Rosslare.</i> For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding - -	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - -	0	4
For every bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - -	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - -	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Kilsoran, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	20	0

V.—RATES ON PASSENGERS LUGGAGE.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - -	0	6
Over 140 lbs. and not exceeding 196 lbs. - - - -	0	7
Over 196 lbs. and not exceeding 2 cwt. - - - -	0	8
And for every cwt. beyond - - - -	0	4
And for every 20 lbs. weight in addition - - - -	0	1

St. Just.

SAINT JUST.

*Order for the construction, maintenance, and regulation of a Harbour and Pier at Saint Just, in the county of Cornwall.*Incorporation
of Company.

1.—The following persons, namely, Albertus Henry Dennis Vivian, John Boyns, Alfred William Ray, and John Rule Daniell, and all other persons and corporations subscribing to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a company for the purpose of making, maintaining, and regulating the harbour and works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name "The Saint Just Harbour and Pier Company," and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

Undertakers.

2.—The Saint Just Harbour and Pier Company, in this Order called the Company, shall be the undertakers of the works authorized by this Order.

A.D. 1869.

3.—“The Companies Clauses Consolidation, Act, 1845,” “The Lands Clauses Consolidation Acts, 1845 and 1860,” except so much as relates to the purchase or taking of lands otherwise than by agreement, and Part I. of “The Companies Clauses Act, 1863,” shall respectively be incorporated with this Order.

St. Just.
Incorporation
of Clauses Acts.

4.—The capital of the Company shall be seventy thousand pounds, in seven thousand shares of ten pounds each.

Capital.

5.—The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one-fifth part of the amount of such share has been paid in respect thereof.

Shares not to
be issued until
one-fifth paid
up.

6.—No call shall exceed two pounds a share or be made payable within three months of a previous call.

Calls.

7.—The Company, with the sanction of at least three-fifths in value of the votes of the shareholders present in person or by proxy at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one-third part of the capital, dividend at a rate not exceeding five pounds per centum per annum, in priority to the dividend on the other shares of the capital.

Power to create
preference
shares.

8.—The Company from time to time may borrow on mortgage at interest any sum or sums of money not exceeding in the whole seventeen thousand five hundred pounds; but no money shall be so borrowed until the whole of the capital of seventy thousand pounds is subscribed for and taken and one-half thereof is paid up, and the Company satisfy the justice who certifies under section forty of “The Companies Clauses Consolidation Act, 1845,” before he so certifies, that the whole of the capital has been issued and accepted, and that one-half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued *bonâ fide*, and is held by registered holders thereof legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Borrowing on
mortgage.

9.—The mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver is one thousand seven hundred pounds.

Receiver.

10.—The Company shall not out of any money raised by calls or borrowing pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder interest on money advanced by him beyond the amount of calls actually made as may be in conformity with “The Companies Clauses Consolidation Act, 1845.”

No interest or
dividend on
calls.

11.—The Company shall not out of any money so raised pay or deposit any money required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money not to
be used for
deposit under
Standing
Order.

A.D. 1869.

St. Just.
Money to be applied for purposes of Order.

First general meeting.

Number of directors.

Quorum of directors.

First directors.

Qualification.

Remuneration.

Power to take lands by agreement.

Lands for extraordinary purposes.

Power to make works.

Description of works authorized.

12.—Every part of the money so raised shall be applied only for the purposes authorized by this Order.

13.—The first general meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine.

14.—The number of directors shall not be more than seven nor less than four.

15.—The quorum of a meeting of directors shall be three.

16.—Albertus Henry Dennis Vivian, John Boyns, Alfred William Ray, and John Rule Daniel, with such other shareholders (if any) as they add to their number, shall be the first directors, and the first directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and directors shall be elected by the meeting, the retiring directors being eligible for re-election.

17.—The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of shares in the capital of the Company to the aggregate nominal amount of at least one hundred pounds.

18.—The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors as they determine.

19.—For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or such parts of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the proposed harbour, pier, and works, and the conveniences connected therewith.

20.—The Company may purchase and hold for extraordinary purposes any land not exceeding in the whole twenty acres.

21.—Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the harbour, pier, and works authorized by this Order.

22.—The works authorized comprise the following:

- (1.) A harbour and basin occupying the site of the beach called "Por-nenven Beach," between Bollowal Cliff on the north and Letcher Cliff on the south, bounded on the west by a pier or breakwater extending from under Bollowal Cliff in a southerly direction a length of about one hundred and seventy feet towards the Crow Rock, called pier No. 1; and another pier or breakwater, extending from

under Letcher Cliff about one hundred and twenty feet in a northerly direction towards the south extremity of the before-mentioned pier No. 1, and called pier No. 2; on the south by a wharf about two hundred and fifty-five feet in length, extending in an easterly direction from the south end of pier No. 2, and called wharf No. 1; on the east by a wharf about two hundred and thirty feet in length, extending across Pornenvan Beach in a northerly direction from the eastern end of wharf No. 1, and called wharf No. 2; on the north-east by a wharf about two hundred and fifty feet in length, extending in a north-westerly direction along the line of Bollowal Cliff from the northern extremity of wharf No. 2, and called wharf No. 3; on the north-west by a wharf about one hundred and thirty feet in length, extending from the north-west end of wharf No. 3 to the north end of pier No. 1, and called wharf No. 4:

A.D. 1869.

St. Just.

- (2.) A pier or breakwater extending in a westerly direction from or near the south end of pier No. 2, the north face being about two hundred and twenty-five feet in length, and the south face about four hundred and ten feet in length, and called pier No. 3:
- (3.) A pier or breakwater extending from a point under Bollowal Cliff about three hundred and forty feet north-west of the north-west end of wharf No. 3 in a south-westerly direction about seven hundred feet in length, and called pier No. 4.

23.—The Company may also make, execute, and maintain the following works authorized by this Order:—

Additional works.

- (1.) All embankments, piers, jetties, piles, wharves, loading-berths, landing-places, roads, approaches, warehouses, sheds, and other works and conveniences in and connected with the harbour and pier before described; and
- (2.) The sufficient and effectual dredging, scouring, cleansing, and removing of any banks of sand, shingle, or mud within or adjoining the harbour and works or in the approaches to the harbour.

24.—The limits within which the Company shall have authority, and which shall be deemed the limits to which the provisions of this Order extend, shall comprise the whole of the space within fifty fathoms outside the outer face of pier No. 3 and pier No. 4 and a line drawn from the outer extremity of pier No. 3 to the outer extremity of pier No. 4.

Limits of harbour.

25.—The Company may for the use of the harbour, pier, and works demand and take, in respect of the vessels, persons, fish, animals, and goods in the Schedule hereto annexed, any sums not exceeding the rates in that Schedule specified.

Power to take rates in Schedule.

26.—Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels, when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the

Certain fishing vessels under stress of weather exempt from rates.

[Ch. lxxi.] *The Pier and Harbour Orders* [32 & 33 VICT.]
Confirmation Act, 1869.

A.D. 1869. harbour and pier authorized by this Order, and not breaking bulk while
St. Just. making use thereof, be exempt from rates leviable under this Order.

Exemption of Custom House officers from rates. 27.—Officers of customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into and over the harbour, pier, and works by land and with their vessels without payment.

Steam engines, lighters, &c. 28.—The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Meters and weighers. 29.—The Company shall have the appointment of meters and weighers on or in connexion with the harbour and pier.

Restriction on use of pier. 30.—Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the pier for the embarking or landing of passengers.

Light to be exhibited. 31.—The Company shall, at the outer extremity of the pier and works authorized by this Order, exhibit from sunset to sunrise such light (if any) as shall from time to time be directed by the corporation of Trinity House, Deptford Strond.

Saving rights under Crown Lands Act, 1866. 32.—This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges, without the assent of the Board of Trade having been first obtained.

Short title. 33.—This Order may be cited as "The Saint Just Harbour and Pier Order, 1869."

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE HARBOUR OR PIER.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8

	s.	d.	A.D. 1869.
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10	<i>St. Just.</i>
For every vessel of the burden of 150 tons and upwards, per ton	1	0	
All lighters, for each trip, per ton	0	2	
All boats, entirely open, landing or taking on board goods, each	0	6	
All boats belonging to the harbour engaged in the seine fishery, per annum	20	0	
All boats not belonging to the harbour engaged in the seine fishery, per month, to be paid in advance	7	6	
All boats engaged in hook and line fishery, per annum	10	0	

II.—RATES ON GOODS SHIPPED OR UNSHIPED AT THE PIER.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	9
Anchors, per cwt.	0	1
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being return packages, per puncheon	0	3
Other casks in proportion.		
Cattle :		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c. per package not exceeding cwt.	0	6
Carriages :		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0

		s.	d.
A.D. 1869.	Coals, per ton	1	0
<i>St. Just.</i>	Copper, per ton	3	0
	Cordage, per cwt.	0	3
	Cork, per cwt.	0	6
	Corpses, each	20	0
	Crystal, per box or package	0	6
	Dogs, each	0	6
	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
	Eggs, per box	0	3
	Fish, per hogshead, each way, in and out	2	6
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
	Ditto, per barrel	0	3
	Fruit, per bushel or sieve	0	4
	Furniture (household), per 5 cubic feet	0	4
	Glass, per large crate	1	6
	Ditto, per small crate or case	1	0
	Ditto, per box	0	6
	Grains and seeds, per quarter	0	6
	Groceries (not enumerated)	0	6
	Guano, per ton	1	6
	Gunpowder, per barrel or keg	0	6
	Hams, bacon, or tongues, per cwt.	0	4
	Hardware, per ton	2	6
	Hares and rabbits, per dozen	0	4
	Hay, per ton	1	6
	Ditto, per truss	0	2
	Hemp, per ton	2	0
	Herrings (fresh), per 1,000	0	3
	Ditto (cured), per barrel	0	3
	Hides, ox, cow, or horse (wet or dry), each	0	2
	Iron :		
	Bar, bolt, rod, and shots, per ton	1	6
	Pig and old, per ton	1	0
	Manufactured, per ton	2	6
	Pots, each	0	1
	Kelp, per ton	2	0
	Lead, per ton	2	6
	Leather (tanned and dressed), per cwt.	0	3
	Lime, per 28 bushels	1	4
	Limestone, per ton	1	0
	Machinery, per ton	2	6
	Manure (not enumerated), per ton	1	0
	Masts and spars, 10 inches in diameter and upwards, each	4	6
	Ditto, under 10 inches	3	0

	s.	d.	A.D. 1869.
Meat (fresh), per cwt.	0	6	St. Just.
Milk, per gallon	0	0½	
Musical instruments, per cube foot	0	1	
Nets, per 5 cube feet	0	4	
Oakum, per cwt.	0	2	
Oils, per ton	2	0	
Oil cake, per ton	2	0	
Oranges and lemons, per box	0	6	
Ores, per ton	1	0	
Oysters, per bushel	0	3	
Paint, per cwt.	0	4	
Pitch and tar, per barrel	0	6	
Potatoes, per cwt.	0	2	
Poultry and game, per dozen	0	4	
Rags and old rope, per ton	2	0	
Sails, per cwt.	0	6	
Salt, per cwt.	0	1	
Sand, per ton	1	0	
Shrimp baskets, each	2	0	
Skins :			
Calf, goat, sheep, lamb, or dog, per dozen	0	6	
Slates, per ton of 24 cubic feet	2	0	
Spirits (Foreign or British), per hogshead	1	0	
Ditto, ditto, per gallon	0	1	
Stone, per ton of 16 cubic feet	1	6	
Steel, per ton	3	0	
Sugar, per cwt.	0	3	
Tallow, soap, and candles, per cwt.	0	3	
Tea, per chest	1	0	
Tiles, per thousand	1	6	
Tin and zinc, per ton	3	0	
Tobacco, per cwt.	0	6	
Turbot, per score	0	3	
Turnips, per ton	0	6	
Turpentine and varnish, per barrel	0	6	
Turtle, each	2	6	
Vegetables (not enumerated), per cwt.	0	4	
Vinegar, per hogshead	0	6	
Vitriol, per carboy	1	0	
Water, per cask	0	3	
Wine, per hogshead	1	0	
Ditto, bottled, per dozen bottles	0	2	
Wood :			
Fir, pine, and other descriptions not enumerated, per load of			
50 feet	1	6	
Oak or wainscot, per load of 50 feet	2	0	

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	s.	d.
Firewood, per 216 cubic feet fathom - - - - -	1	6
Laths and lathwood, per fathom of 216 cubic feet - - - - -	2	6
Handspikes, per 120 - - - - -	3	0
Oars, per 120 - - - - -	5	0
Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120 - - - - -	5	0
Ditto 2½ inches in diameter and under, per 120 - - - - -	4	0
Ditto 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120 - - - - -	9	0
Ditto above 4 and under 6 inches in diameter, per 120 - - - - -	14	0
Spokes of wheels not exceeding 2 feet in length, per 120 - - - - -	2	0
Ditto exceeding 2 feet in length, per 120 - - - - -	3	0
Trenails, per 1,000 - - - - -	2	6
Wedges, per 1,000 - - - - -	2	6
Pine staves (and others in proportion), per 120 - - - - -	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt. - - - - -	0	4
Yarn, per cwt. - - - - -	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cubic foot - - - - -	0	1
Heavy goods, per ton - - - - -	2	0

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

III.—RATES FOR USE OF CRANES, WEIGHING MACHINERY, AND SHEDS.

1st. Rates of Craneage.

All goods or packages not exceeding 1 ton - - - - -	0	4
Exceeding 1 ton and not exceeding 2 tons - - - - -	0	6
" 2 tons " 3 " - - - - -	0	8
" 3 " 4 " - - - - -	0	10
" 4 " 5 " - - - - -	1	0
" 5 " 6 " - - - - -	1	2
" 6 " 7 " - - - - -	1	4
" 7 " 8 " - - - - -	1	6
" 8 " 9 " - - - - -	1	10
" 9 " 10 " - - - - -	2	4
" 10 " - - - - -	3	6

2nd. Weighing Machines.

For goods weighing, for each ton or part of a ton - - - - -	0	3
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3rd. Shed Dues.

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For each ton of goods of 40 cubic feet, and for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 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 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day, or part of a day, per package - - 0 2

IV.—RATES FOR SUPPLY OF WATER ON PIERS.

Water, per 1,000 gallons - - - - - 10 0

V.—RATES ON PASSENGERS LUGGAGE.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - - 0 2
 Over 28 lbs. and not exceeding 84 lbs. - - - 0 4
 „ 84 lbs. „ 112 lbs. - - - 0 5
 „ 112 lbs. „ 140 lbs. - - - 0 6
 „ 140 lbs. „ 196 lbs. - - - 0 7
 „ 196 lbs. „ 2 cwt. - - - 0 8
 And for every cwt. beyond - - - 0 4
 And for every 20 lb. in weight in addition - - - 0 1

FOWEY.

Order for the management and improvement of the Harbour of Fowey, in the county of Cornwall.

Fowey.

1.—There shall be a body of Commissioners for carrying this Order into execution, not exceeding eleven in number, which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of “The Fowey Harbour Commissioners,” and by that name shall be a body corporate, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of land and other property for the purposes but subject to the restrictions of this Order, and which Commissioners are in this Order called “the Commissioners.”

Incorporation of Commissioners.

2.—The appointment of the several Commissioners under this Order shall be regulated as follows:

Appointment of the several Commissioners.

- (1.) The mayor and burgesses of the borough of Lostwithiel, in this Order called “the corporation,” shall as soon as may be appoint one person to be Commissioner, and whenever a vacancy is caused from time to time by death, resignation, or otherwise in the office of such Commissioner, shall appoint another person to fill the vacancy.
- (2.) The Lostwithiel and Fowey Railway Company, acting by their directors, shall, as soon as may be, appoint three persons to be Commissioners, and whenever a vacancy is caused from time to time by death,

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Fowey.

resignation, or otherwise in the office of any one of such three Commissioners, the directors shall appoint another person to fill the vacancy.

- (3.) The trustees or trustee of the will and codicil of Joseph Thomas Treffry, and of "Treffry's Estate Act, 1853," shall, as soon as may be, appoint two persons to be Commissioners, and whenever a vacancy is caused from time to time by death, resignation, or otherwise in the office of either of such two Commissioners, then such trustees or trustee, so long as any of the trusts of such will and codicil or of the Estate Act shall be subsisting, and when all such trusts have ceased then the lord or lords for the time being of the manor of Fowey otherwise Foy and Langurthowe shall appoint another person to fill the vacancy.
- (4.) The owners of property and other persons rated to the relief of the poor for the parish of Fowey, in the county of Cornwall, upon a rateable value of not less than ten pounds a year, shall, on the third Monday in August one thousand eight hundred and sixty-nine, and on the third Monday in August in every following year, elect two persons to act as Commissioners for the year commencing on the first day of September following such election, and thence ensuing.
- (5.) The owners of property and other persons rated to the relief of the poor for the township of Polruan, in the county of Cornwall, upon a rateable value of not less than ten pounds a year, shall on the third Monday in August one thousand eight hundred and sixty-nine, and on the third Monday in August in every following year, elect one person to act as a Commissioner for the year commencing on the first day of September following such election, and thence ensuing.
- (6.) The Board of Trade may, if they think fit, appoint one person to be a Commissioner, and whenever any vacancy is caused from time to time by death, resignation, or otherwise in the office of such Commissioner, may, if they think fit, appoint another person to fill the vacancy.
- (7.) The Council of His Royal Highness the Prince of Wales, or the Crown, as the case may be, in right of the duchy of Cornwall, may at any time, if they think fit, appoint one person to be a Commissioner, and whenever any vacancy is caused from time to time by death, resignation, or otherwise in the office of such Commissioner may, if they think fit, appoint another person to fill the vacancy.

Determination
of appointment
of Commis-
sioners.

3.—The appointment of any Commissioner under this Order, not being a Commissioner elected by ratepayers, may at any time be determined by the authority, body, or person in whom in case of the death or resignation of such Commissioner the appointment of another Commissioner in his place is vested.

Commence-
ment of powers.

4.—The Commissioners shall be deemed fully constituted and have power to act under this Order as soon as five persons have been appointed or elected Commissioners; and any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the non-appointment or non-election of or any informality in the appointment or election of a Commissioner.

5.—The Commissioners Clauses Act, 1847, so far as not inconsistent with this Order, shall be and is hereby incorporated with this Order, and shall, so far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:—

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Incorporation
of Commis-
sioners Clauses
Act.

- (1.) Sections 6, 7, 20, 25, 32, 54, and 84 of the said Act shall not be incorporated with this Order.
- (2.) Sections 17 to 19 inclusive, 21 to 24 inclusive, 26 to 31 inclusive, and 33 to 35 inclusive, of the said Act, shall apply only to the election of the two Commissioners to be elected by the ratepayers of the parish of Fowey and the Commissioners to be elected by the ratepayers of the township of Polruan respectively.
- (3.) With reference to sections 36 and 40 of the said Act, the first meeting of the Commissioners shall be held in the Town Hall of the town of Fowey on the first day of September next after the passing of the Act confirming this Order, at twelve o'clock noon; and an annual meeting of the Commissioners shall be held on the first Monday in the month of September in every year thereafter, at the place and hour above mentioned, or at such other place and hour as the Commissioners shall from time to time appoint.
- (4.) With reference to section 39 of the said Act, the prescribed number (constituting a quorum) of the Commissioners shall be three.
- (5.) The Board of Trade shall from time to time appoint a permanent auditor of the accounts of the Commissioners, and fix the salary to be paid to him, and such salary shall be paid to him accordingly by the Commissioners out of the rates levied under this Order.

6.—The Commissioners shall pay to the corporation, as compensation for the loss of the tolls heretofore levied in respect of the harbour by the corporation, an annual sum equal to the net annual revenue received by the corporation from such tolls upon the average of the three years next preceding the passing of the Act confirming this Order, the amount of such annual sum, if not agreed upon in writing between the corporation and the Commissioners before the first day of January one thousand eight hundred and seventy, to be ascertained by an arbitrator to be nominated for the purpose by the Board of Trade and paid by the Commissioners. Such annual sum shall be paid by equal half-yearly payments on the first day of March and the first day of September in each year, the first payment to be made on the first day of March one thousand eight hundred and seventy.

Compensation
to Lostwithiel
Corporation.

7.—From and after the first day of September one thousand eight hundred and sixty-nine, all the estate, right, and interest of the corporation in or over the harbour of Fowey, and in, over, or in respect of the rights and privileges connected therewith, shall be and are hereby vested in the Commissioners, subject to the debts, contracts, obligations, and liabilities affecting the same; and the harbour and works shall thereafter be maintained, repaired, regulated, extended, and improved by the Commissioners, under the authority and subject to the provisions of this Order.

Harbour and
works vested in
Commissioners.

8.—The Commissioners shall be the undertakers of the works authorized by this Order.

Commissioners
to be under-
takers.

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*Fowey.*Limits of har-
bour.

9.—The limits within which the Commissioners shall have authority, and which shall be deemed the limits to which the provisions of this Order extend, shall comprise the harbour of Fowey and the river Fowey, between a line drawn from Punche's Cross to Saint Catherine's Point and Lostwithiel Bridge.

Works autho-
rized.

10.—The works by this Order authorized, and which may be executed and maintained by the Commissioners, comprise the dredging of the harbour and the bar therein, and the dredging, scouring, cleansing, and removing the banks of sand and mud within or adjoining the harbour, and the deepening the harbour and the entrance thereto, the improvement of the harbour in other respects, the laying down buoys and moorings, and the erecting or placing of other appliances or conveniences for the use of vessels frequenting the harbour.

Power to levy
rates.

11.—The Commissioners may demand and receive, on any and every vessel anchoring or mooring within the limits of this Order or otherwise using the harbour, any sum not exceeding the rate of one penny per ton register of such vessel; and if the same shall remain in the harbour more than two months continuously, then for every month or part of a month during which the same shall so remain after the first two months a further sum not exceeding the rate of one halfpenny per ton register of such vessel; provided that all vessels forced by stress of weather to seek shelter within the limits of this Order, and not breaking bulk while making use thereof, shall be exempt from rates leviable under this clause of this Order.

On enlarge-
ment of en-
trance channel.

12.—As soon as a channel or cut through the bar shall be made, so as to provide a clear depth throughout it of twelve feet at least below low-water of ordinary spring tides, and of a clear width throughout it of two hundred feet at least, and so long as this channel shall be maintained at such depth and width at least, the Commissioners may, in addition to the rates authorized by the last preceding clause of this Order, demand and receive in respect of every vessel liable to payment of rates under the same clause, and drawing twelve feet of water or upwards, a further sum not exceeding the rate of one halfpenny per ton register of such vessel, and may also demand and receive, in respect of every other vessel drawing twelve feet of water or upwards, which shall go above Whitehouse Point, a sum not exceeding the rate of one halfpenny per ton register of such vessel.

Extension of
time for com-
pleting works.

13.—The Board of Trade, if it appears to them expedient, may from time to time extend the period for the completion of the works authorized by this Order.

As to evidence
of completion
of entrance
channel.

14.—The chairman of quarter sessions of the county of Cornwall, on proof being adduced to him that the channel through the bar is throughout made of the depth of twelve feet at least and of the width of two hundred feet at least, or having been so made has ceased to be maintained of that depth or width at least, as the case may be, shall from time to time sign and give to the Commissioners, or any other person applying for this purpose, a certificate of the fact proved before him, which certificate shall be conclusive evidence of the

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matters therein certified, provided that such chairman shall have power to hear parties in opposition to the granting of such certificate.

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15.—Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels, when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour and limits to which this Order relates, and not breaking bulk while making use thereof, and also all yachts, pleasure boats, and open boats, shall be exempt from all rates leviable under this Order.

Certain fishing vessels under stress of weather, and other boats exempt from rates.

16.—The Board of Trade at any time, on application in writing from six or more of the owners of vessels or boats resorting to the harbour, and after hearing the Commissioners, may, if the rates authorized by this Order appear to the Board of Trade excessive, or disproportionate to the benefits conferred, reduce the same, but without prejudice to the rights of any mortgagee; and the Board of Trade may at any time raise the rates to any amount not exceeding the amounts authorized by this Order; and the powers conferred by this section of this Order may be exercised from time to time as the Board of Trade may see fit.

Power to Board of Trade to reduce rates.

17.—The Board of Trade, at any time after the expiration of three years from the passing the Act confirming this Order, on such application as mentioned in the last preceding section, and after hearing the Commissioners, may, if it appear to the Board inexpedient that the powers of the Commissioners should be continued, either by reason of such powers not being exercised or not being properly exercised, or for any other cause, declare all such powers at an end, and upon a declaration so made this Order shall be deemed repealed, and shall cease to have any effect; but no declaration under this Order shall be made by the Board of Trade while any principal money borrowed under this Order, or any interest thereon, remains unpaid.

Power to Board of Trade, in certain events, to supersede this Order.

18.—Officers of customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, through, and out of the harbour and the works of the Commissioners, by land and with their vessels and otherwise, without payment.

Customs officers.

19.—The Commissioners may from time to time lease the rates authorized by this Order for any period not exceeding ten years, to take effect in possession, and for such rent or consideration and on such terms and conditions as they think fit; and the lessees shall have and may exercise during the continuance of such lease the same powers of levying and recovering the rates as the Commissioners have or might exercise under this Order.

Rates may be leased.

20.—The Commissioners may from time to time borrow at interest any sum required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of two thousand pounds, on the security of the rates authorized by this Order; and any money borrowed under this Order, and discharged otherwise than by means of the sinking fund, may be re-borrowed, if required for the purposes of this Order, and so toties quoties.

Borrowing powers.

21.—Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Monies to be applied for the purposes of Order.

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Fowey.
Application of
rates and
income.

22.—The Commissioners shall apply all money received by them from the rates authorized by this Order for the purposes and in the order following, and not otherwise:—

- (1.) In paying the costs of and connected with the preparation and making of this Order:
- (2.) In paying the expense of the maintenance, repair, management, and regulation of the harbour and the works connected therewith:
- (3.) In paying year by year the interest accruing on money borrowed under this Order:
- (4.) In paying to the corporation the annual sum by way of compensation payable to them under this Order:
- (5.) The surplus revenue of the harbour (if any), after providing for the purposes aforesaid, shall be applied in creating a sinking fund for the repayment of the principal monies borrowed by the Commissioners.

Commission
may provide
dredges,
engines, &c.

23.—The Commissioners may from time to time purchase, lease, provide, or hire such dredges, engines, tugs, vessels, lighters, tools, plant, or other materials as they think fit, and may from time to time demand and receive such sums for the use of the same as they think fit, or may sell and dispose of the same; and the money thereby realised shall be applied for carrying into effect the purposes of this Order, or some of them.

Pilots to be
within certain
limits subject
to harbour
master.

24.—All pilots acting within the limits of this Order shall, as regards the berthing and mooring of vessels, be subject to and shall obey the directions of the Commissioners or their harbour master; but any pilot who shall misconduct himself shall be amenable only to and punishable only by the pilotage authority of the port of Fowey, which authority are by this Order required to act accordingly on any complaint preferred to that authority by the Commissioners or their harbour master.

Parts of Har-
bours, Docks,
&c. Act not
incorporated.

25.—The following sections of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order; namely, sections 6 to 11 inclusive, sections 25 and 26, sections 37 to 42 inclusive, and section 45; and, notwithstanding anything in that Act contained, byelaws made under that Act and this Order shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Reservation of
jurisdiction of
Trinity House.

26.—Nothing in this Order contained shall prejudice or affect the rights or jurisdiction of the corporation of Trinity House, Deptford Strond, in respect of any lights, buoys, or beacons, or any other matter of which they have the management or control.

Commence-
ment of Order.

27.—The provisions contained in this Order with respect to the appointment and election and meeting of the Commissioners, and proceedings at such meeting, shall take effect and be in force immediately after the passing of the Act confirming this Order; and all the other provisions of this Order shall take effect and be in force, and the dues authorized by this Order may be demanded and received, from and after the first day of September one thousand eight hundred and sixty-nine.

Saving of
rights under
Crown Lands
Act, 1866.

28.—This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the

Board of Trade by "The Crown Lands Act, 1866;" nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges, without the assent of the Board of Trade having been first obtained.

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Fowey.

29.—This Order shall not prejudice or affect the rights and privileges of the Honourable George Matthew Fortescue, his heirs, successors, or assigns, as owners of any ancient ferry within the limits of this Order.

Saving rights
of the Hon.
G.M. Fortescue.

30.—This Order may be cited as "The Fowey Harbour Order, 1869."

Short title.

PADSTOW.

Padstow.

Order for the improvement and further regulation of the Harbour of Padstow in the County of Cornwall.

1.—The Commissioners constituted under the Act of the seventh year of the reign of Her present Majesty Queen Victoria, cap. 24, intituled "An Act for regulating, maintaining, and improving the port of Padstow in the county of Cornwall, and the navigable parts of the River Camel or Allen, in the same county," in this Order called "the Local Act," shall be the undertakers of the works authorized by this Order, and the expression "the Commissioners," used in this Order, shall mean the Commissioners under that Act.

Preamble.

2.—From and after the passing of the Act confirming this Order, section 113 of the Local Act shall be and is hereby repealed.

Repeal of
sect. 113. of the
Local Act.

3.—For the purposes of the works authorized by this Order, the Commissioners may from time to time, by agreement, enter upon, take, and use all or any part of the land shown on the plans deposited for the purposes of this Order, as intended to be taken and used for the purposes of the proposed works.

Power to take
lands by agree-
ment.

4.—Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans and sections deposited for the purposes of this Order, as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Commissioners may, on the sites designated by this Order, and in accordance with the deposited plans and sections, execute and maintain within the limits of deviation shown on the plans the works authorized by this Order, with such alterations and additions (if any) thereto as the Board of Trade may from time to time consent to for the benefit of navigation.

Power to ex-
ecute works.

5.—The works authorized by this Order comprise the following:—

Description of
works.

1. The lowering of the bluff of Stepper Point on the western side of the entrance to the harbour of Padstow, commencing at the outer end, on the lines and according to the plan laid down by the Royal Commissioners on Harbours of Refuge, for the improvement of Padstow as a Harbour of Refuge, and specified in the report of the said Royal Commissioners addressed to Her most gracious Majesty, and dated the 15th day of April 1859.

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Padstow.

2. The making and maintaining a place of deposit for the stone and material which may be raised and removed during the lowering of the said bluff.
3. The building of six or more cottages at a place near Hawker's Cove, in the said harbour, for the purpose of providing residences for a boat's crew as near the entrance of the harbour as convenient.

Further powers
as to works.

6.—The Commissioners may also execute and maintain all landing-places, roads, approaches, buildings, and other works and conveniences which from time to time they may think necessary for effectuating any of the purposes of this Order; and may do any of the works authorized by this Order, either by themselves, their servants, or by others; or may contribute any portion of the cost of the said works, should the same or any part thereof be undertaken by persons other than the said Commissioners, and generally make such arrangements as may appear to them desirable for carrying out the said works.

Power to take
leases from
C. P. Brune,
Esq., and
succeeding
Lords of the
Manor of
Padstow.

7.—The Commissioners may, upon such conditions as they may be able to arrange, take to themselves, their successors and assignees, a lease for any term not exceeding 10 years from the 29th day of September 1869 from Charles Prideaux Brune, Esq., lord of the manor of Padstow, or his successors, of the lands at or near Stepper Point shown upon the deposited plans, and by such lease obtain authority from him or them to lower the same Bluff at Stepper Point, and to make and maintain the said place of deposit; and also a lease for any term not exceeding seventy-two years from the 25th day of March 1870, of the land near Hawker's Cove, shown upon the said plans, as a site on which to build the proposed cottages, and which cottages, with the gardens annexed thereto, shall occupy a space not exceeding three acres; and any three of the Commissioners may by their hands and seals execute the counterparts of such leases on behalf of the whole number of Commissioners.

Power to sell
materials to be
removed from
Stepper Point.

8.—The Commissioners may make marketable and sell the material to be removed from Stepper Point by reason of the lowering of the said bluff, as authorized by this Order.

Power to levy
new rates.

9.—The Commissioners may demand and receive, in addition to the tolls and rates by the Local Act authorized to be levied for and at the said harbour of Padstow, any sums not exceeding the several rates specified in the schedule hereto in respect of the vessels described in the same schedule.

Application of
rates and
income.

10.—The Commissioners shall apply all money received by them from the rates authorized by the Local Act or this Order, and all other income coming into their hands in respect of the works authorized by that Act or this Order, or from land or property connected therewith, for the purposes and in the order following, and not otherwise:

- (1.) In paying the costs of and connected with the preparation of this Order, so far as the same are not payed out of money borrowed:
- (2.) In paying the expense of the maintenance, repair, management, and regulation of the harbour.

Subject to providing for payments (1) and (2) the rates authorized by this Order, or so much of such rates as shall not be required for the purpose of making such payments, shall be applied as follows:—

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(3.) In paying year by year the interest accruing on money borrowed and applied for the purposes of works authorized by this Order, which interest shall be deemed payable out of the rates authorized by this Order in exoneration so far as may be of the rates authorized by the Local Act:

(4.) In creating a sinking fund for the discharge of the principal of money borrowed and applied for the purposes of works authorized by this Order.

And subject to payments (1) and (2), which shall be made primarily out of the rates authorized by the Local Act, the last-mentioned rates shall be applied as follows:—

(5.) In paying year by year the interest on money borrowed and applied for the purposes of the Local Act, and so much of the interest on money borrowed for the purposes of this Order as shall not be discharged by payment (3):

(6.) The surplus (if any) of the rates authorized by the Local Act shall be disposed of according to the provisions of that Act.

11.—The operation of the 53rd and 68th sections of the Local Act shall be extended to suit the purposes of this Order, so that it shall be lawful for the Commissioners from time to time to borrow at interest on the credit of the rates leviable by them under the Local Act and this Order, and any other property vested in them, any sum or sums of money which they may be entitled to raise under the said 53rd section, and apply the same for the purposes authorized by the Local Act and this Order, and also to apply the same for payment of the costs of and connected with the preparation of this Order.

Extension of borrowing powers contained in the Local Act.

12.—All money borrowed under the Local Act or this Order shall be applied only for the purposes of the Local Act and this Order.

Application of money borrowed.

13.—The Commissioners shall keep a separate account of the rates received under this Order, and the application thereof, as distinguished from the rates received under the Local Act, and also a separate account of the moneys expended for the purposes of works authorized by this Order only as distinguished from the purposes of the Local Act; and when by means of the sinking fund in this Order mentioned there shall have been provided a sum equal to the amount expended for the purposes of works authorized by this Order, then the additional rates authorized by this Order shall cease to be levied, unless the Board of Trade shall otherwise direct, and then such rates shall be levied to such extent only, and subject to such conditions, as the Board of Trade may approve.

Separate account of moneys. Limitation of levy of rates.

14.—All the other provisions of the Local Act, so far as applicable, and not altered by this Order, shall extend to the works by this Order authorized, and to the harbour of Padstow as improved by virtue of the provisions in this Order contained; and to all deeds, contracts, orders, matters, and things which are by this Order authorized to be executed and done by or on behalf of the Commissioners.

Application of rest of the Local Act.

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Confirmation Act, 1869.

- A.D. 1869. 15.—“The Harbours, Docks, and Piers Clauses Act, 1847,” shall not be incorporated with this Order.
- Padstow.*
- Certain fishing vessels under stress of weather exempt from rates. 16.—Fishing vessels belonging to the countries with which for the time being treaties exist, exempting from duties and port charges such 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 the Local Act and this Order.
- Customs' officers. 17.—Officers of customs in the execution of their duty shall at all times have free ingress, passage, and egress to, through, and out of the harbour and works of the Commissioners, by land, and with their vessels and otherwise, without payment.
- Commissioner may provide dredges, engines, &c. 18.—The Commissioners may, for the purposes of the harbour, or any of them, from time to time purchase, provide, lease, or hire such dredges, engines, tugs, vessels, lighters, tools, plant, or other materials as they think fit, and may from time to time demand and receive such sums for the use of the same as they think fit; or may sell or dispose of the same, and the money thereby realised shall be applied to carrying into effect the purposes of this Order, or some of them.
- Saving rights under Crown Lands Act. 19.—This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by “The Crown Lands Act, 1866;” nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges, without the consent of the Board of Trade having been first obtained.
- Construction of Acts. 20.—The Local Act, so far as not by this Order repealed, and this Order, shall be read and construed together as one Act.
- Short title. 21.—This Order may be cited as “The Padstow Harbour Improvement Order, 1869.”

SCHEDULE to which the foregoing Order refers.

	£	s.	d.
For every vessel, laden or partly laden, entering the said harbour, and being within a line drawn from the outer end of Stepper Point to Trebetherick Point, and not approaching nearer to the town of Padstow than a line drawn from the south side of Saint George's Cove to the south side of Bray Hill, per register ton	0	0	1
For every vessel in ballast or unladen, entering the said harbour, and being within the said limits, and departing again without taking in any cargo, per register ton	0	0	0½