



CHAPTER xlix.

An Act for empowering the Londonderry Port and Harbour Commissioners to construct Quays and other Works; for conferring additional Powers on those Commissioners; for extending the Enactments relating to them; and for other purposes. A.D. 1874.
[30th June 1874.]

WHEREAS an Act was passed in the session of Parliament held in the seventeenth and eighteenth years of the reign of Her present Majesty, intituled "An Act to consolidate the several Acts relating to the Port and Harbour of Londonderry, for the improvement of the Navigation of the Lough and River of Lough Foyle, and to authorize the construction of a uniform line of Quays, Docks, and other Works," and by that Act (herein-after referred to as "the Act of 1854") the Londonderry Port and Harbour Commissioners (herein-after referred to as "the Commissioners") were incorporated and empowered to levy rates and execute the several works in that Act mentioned, and for such purposes to borrow a sum not exceeding one hundred and fifty thousand pounds:

17 & 18 Vict.
c. clxxvii.

And whereas the Commissioners in the execution of the works by that Act authorised, and in otherwise improving the Port and Harbour of Londonderry, have from time to time exercised the whole of such borrowing powers:

And whereas the increase in the shipping of the said port and harbour, and the larger and better class of vessels now using the same, render it expedient that the harbour accommodation should be improved and extended, and that the works authorised by this Act should be executed; and to enable these objects to be carried out it is necessary that the Commissioners be enabled to borrow further sums of money, and that additional rates be levied to secure the revenue required for the payment of the interest on the existing debt and on the further sums to be borrowed by the Commissioners:

And whereas it would be for the advantage of trade and shipping resorting to the port if the further powers in this Act contained were conferred upon the Commissioners:

[Ch. xlix.] *The Londonderry Port and Harbour Act, 1874.* [37 & 38 VICT.]

A.D. 1874.

And whereas plans and sections describing the lines and levels of the works authorised by this Act, and a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands required, or which may be taken under the powers of this Act, have been deposited with the clerk of the peace for the city and county of Londonderry, with the clerk of the peace for the city of Londonderry, and with the clerk of the peace for the county of Donegal (which plans, sections, and book of reference are in this Act referred to as the deposited plans, sections, and book of reference) :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted ; and be it 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 ; (that is to say,)

Short title.

1. This Act may be cited for all purposes as "The Londonderry Port and Harbour Act, 1874."

Provisions of certain general Acts incorporated.

2. The following enactments, as far as they are applicable for the purposes of and are not varied by or inconsistent with this Act, (namely,)

The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, and the Harbours, Docks, and Piers Clauses Act, 1847, and sections 13, 18, and 19 (under the heading Protection of Navigation) in Part I. of the Railways Clauses Act, 1863, are incorporated with and form part of this Act : Provided always, that nothing in this Act, or in the Harbours, Docks, and Piers Clauses Act, 1847, contained shall extend or be construed to extend to compel the Commissioners to provide and maintain any lifeboat, or mortar and rockets, or crew for the same respectively, or any tide gauge or barometer, unless and until they shall be required so to do by the Board of Trade, by writing under the hand of the secretary of the Board, and then only to the extent stated in such requisition, and authorised by the Harbours, Docks, and Piers Clauses Act, and the authority of the Commissioners to carry into execution the several powers and provisions of this Act shall not be dependent on the providing and maintaining any lifeboat, mortar and rockets, or crew for the same, or any tide gauge or barometer, or on the completion of the works by this Act authorised.

Certain sections of

3. In construing sections thirteen, eighteen, and nineteen of the Railways Clauses Act, 1863, incorporated with this Act, the ex-

pression "the Company" means the Commissioners, and the word "work" means the works below high-water mark authorised by this Act.

A.D. 1874.
26 & 27 Vict.
c. 92. incor-
porated.

4. With respect to the interpretation of words in and for the purposes of this Act, the following provisions shall have effect; (namely,)

Interpreta-
tion of terms.

In this Act the expression "the port of Londonderry" means the port of Londonderry within the limits defined by the Act of 1854, and the expression "the port" or "the harbour" means the port of Londonderry;

The expression "the Merchant Shipping Acts" means "The Merchant Shipping Act, 1854," "The Merchant Shipping Act Amendment Act, 1862," and any Act or Acts amending the same;

The expression "the Irish Society" means the Society of the Governor and Assistants, London, of the New Plantation in Ulster, within the realm of Ireland;

The term "justice" or "justices" means a justice or justices of the peace acting in and for the city and county of Londonderry; and any terms to which meanings are assigned in enactments incorporated with this Act, or which have therein special meanings, have in this Act the same meanings, and in construing such Acts for the purposes of this Act, the expression "the undertakers," "the Company," or any like expression, means the Commissioners, and the expression "the harbour, dock, or pier" means the port and the works by this Act authorised.

5. Subject to the provisions of this Act, the Commissioners may make and maintain, in the lines or situation and according to the levels shown on the deposited plans and sections, the works hereinafter described, with all necessary and convenient shipping places, wharves, depôts, offices, buildings, warehouses, sheds, toll-houses, watch-houses, staiths, landing places, stages, quays, slips, gates, entrances, locks, cranes, hydraulic lifts, elevators, weighing machines, drops, dolphins, buoys, moorings, roads, approaches, tramways, rails, sewers, drains, and other works and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference, as may be required for that purpose: Provided always, that as regards the interests of the Irish Society in the lands shown on the deposited plans, and specified in the deposited books of reference, or any of them, the Commissioners shall not exercise any compulsory powers of purchase, and inasmuch as arrangements have been made with the Irish Society for their affording facilities to the

Power to
make works
according to
deposited
plans.

A.D. 1874. Commissioners for executing the said works under certain conditions, be it enacted, that any deed or other instrument for carrying out and giving effect to the said arrangements, and all the provisions thereof, shall, when duly sealed with the respective seals of the Irish Society and the Commissioners, be as valid, effectual, and binding upon those bodies respectively as if the same were incorporated with and formed part of this Act.

Description
of works.

6. The works herein-before referred to and by this Act authorised (subject as herein-after mentioned) are—

- (a.) A quay at waterside on the southern shore of the River Foyle, commencing at the end of the existing bridge over the River Foyle at Londonderry, and extending for a distance of two hundred and fifty-five yards, or thereabouts, in an easterly direction, and terminating at the western end of the existing quays belonging to the Commissioners :
- (b.) A quay in extension of the existing quays on the northern shore of the River Foyle, commencing at the eastern termination of the existing quays belonging to the Commissioners, and extending in a north-easterly direction for a distance of two hundred yards, or thereabouts, and terminating at a point opposite the boat club house :
- (c.) A new quay on the northern shore of the River Foyle, commencing at a point three hundred and forty-five yards, or thereabouts, to the west of the entrance to the graving dock, and extending in a south-westerly direction for a distance of one hundred and five yards, or thereabouts, and terminating at the ballast quay :
- (d.) The reclamation of a part of the waste lands, mud banks, and slob on the northern shore of the River Foyle, adjacent to the townlands of Pennyburn and Shantallow, so as to preserve such waste lands, mud banks, and slob for a floating dock, or for shipbuilding stances, timber ponds, or other harbour purposes :
- (e.) The construction for such purpose of reclamation and preservation as aforesaid of a fence and embankment, commencing at the entrance to the graving dock aforesaid, and extending thence for a distance of one thousand four hundred and thirty yards, or thereabouts, in a north-easterly direction to and terminating at the river wall or fence of the property called "the Farm :
- (f.) The widening of the navigable channel of the River Foyle on the northern side thereof at Rosses Bay :
- (g.) The dredging and deepening of the bed of the River Foyle for the purposes of such widening for a length of five hundred

yards, or thereabouts, in a westerly direction from a point two hundred and forty yards, or thereabouts, to the southward of the Blackstone Beacon on the northern shore of the river, near Boomhall :

- (h.) The removal of the projecting angle of the gravel beach at and adjoining the point of Culmore for a distance of one hundred and thirteen yards, or thereabouts, in a north-easterly direction from a point immediately to the westward of the existing pier or ferry-boat quay at Culmore :
- (i.) The removal of the said pier or ferry-boat quay from its present site to a site thirty yards, or thereabouts, to the westward thereof :
- (j.) The erection of a training wall in the bed of Lough Foyle on the south side of the navigable channel thereof, commencing at a point on the south shore of the said lough at or near the north-eastern corner of Blackbraes Embankment, and extending in a north-easterly direction for a distance of four thousand one hundred yards, or thereabouts, and terminating in Lough Foyle, at a point three hundred and thirty yards, or thereabouts, to the south-west of Ture Lighthouse :
- (k.) The dredging and deepening of the said channel of Lough Foyle from a point seven hundred yards, or thereabouts, to the east of Cunnyberry Lighthouse to a point one thousand one hundred yards, or thereabouts, in a south-westerly direction from Quigleys Point :
- (l.) The dredging and deepening of the channel of Lough Foyle, near Redcastle, commencing at a point two thousand and eighty yards, or thereabouts, to the eastward of Redcastle Lighthouse, and extending therefrom in an easterly direction for a distance of three hundred and seventy yards, or thereabouts :
- (m.) The erection of a landing pier or jetty commencing at high-water mark on the northern shore of Lough Foyle, at a point one hundred and eighty yards, or thereabouts, eastward of the old coast-guard house, and extending into Lough Foyle in a southerly direction for a distance of two hundred and seventy yards, or thereabouts :
- (n.) The making of an approach road to the said landing pier, commencing at the landward termination of the said landing pier, and extending in a westerly direction for a distance of one hundred and fifty yards, or thereabouts, and there joining the present lane or road leading from the village of Carrowkeel to the old coast-guard house aforesaid :

A.D. 1874.

- (o.) The widening and improving of the present lane or road between the junction therewith of the new road and the village of Carrowkeel :
- (p.) The dredging, scouring, deepening, and improving, as may from time to time be necessary, of the bed and channel of any part below the bridge at Londonderry of the River Foyle, and of Lough Foyle, within the jurisdiction of the Commissioners.

Provision as to construction of certain works.

7. In the construction of the works by this Act authorised the following provisions shall be observed by and shall be binding upon the Commissioners with regard to the several works in this and the next preceding enactment specified :

- (d.) The purposes (herein-before referred to as "harbour purposes") for which the said waste lands, mud banks, and slob may be reclaimed and preserved shall be such purposes as may be agreed upon from time to time between the Irish Society and the Commissioners, or failing agreement as to the meaning of the words, "harbour purposes," as may be settled on the application of either of those bodies by the Board of Trade :

In any allocation of such waste lands, mud banks, and slob to harbour purposes, a sufficient space shall always be preserved for the purposes of a floating dock :

Sufficient open space shall also be reserved out of the reclaimed lands for a public road or way, of such width and in such a position on the inner side of the said reclaimed lands as the Irish Society shall approve :

- (f. and g.) The widening and deepening of the navigable channel at Rosses Bay shall be executed in accordance with the deposited plans, and it shall not be lawful for the Commissioners, for that purpose, to exceed the limits of widening shown or described upon those plans, without the consent in writing of the Irish Society and their lessees for the time being of the fishery of the River Foyle :
- (h.) The foundations of Culmore Fort (if the same shall prove to be necessary) shall be under-pinned by the Commissioners to the satisfaction of the Irish Society :
- (i.) Before the existing pier or ferry-boat quay at Culmore is removed from its present site or interfered with under the powers of this Act, a new pier or ferry-boat quay, affording equal accommodation to the existing pier, shall be constructed and completed by the Commissioners, at a distance not exceeding thirty yards to the westward of such existing

pier, and the said new pier or ferry-boat quay shall by virtue of this Act be vested in the Irish Society and their lessees absolutely: A.D. 1874.

(j.) In the construction of the training wall the Commissioners shall be subject to the several provisions herein-after contained:

(k.) The operation of dredging, scouring, deepening, and improving the river and Lough Foyle, below the bridge at Londonderry, shall be confined to the main navigable channel of the river and lough, and to such operations as are requisite or desirable for purposes of navigation:

And no works in or affecting the River Foyle or Lough Foyle, other than the works described upon the deposited plans, shall be executed by the Commissioners under the powers of this Act within the limits of deviation shown on the deposited plans without the consent in writing of the Irish Society.

8. In executing the works (a.) to (m.) inclusive by this Act authorised, the Commissioners may (subject to any express provisions of this Act affecting those works respectively or any of them) deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon, and vertically from the levels thereof shown on the deposited sections to any extent not exceeding seven feet. And in executing the works (n.) and (o.) by this Act authorised, the Commissioners may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon, and vertically from the levels thereof shown on the deposited sections to any extent not exceeding five feet: Provided always, that no deviation by this Act authorised shall be made in such manner as to diminish the navigable space of the River Foyle, without the previous consent in writing of the Board of Trade, or otherwise than in such manner as is expressly authorised by the Board of Trade.

Lateral and vertical deviations.

9. With respect to the training wall by this Act authorised, the following provisions shall be observed by and shall be binding upon the Commissioners:

As to construction and maintenance of training wall.

1. In the construction of the training wall it shall not be lawful for the Commissioners to deviate laterally from the centre line thereof, delineated on the deposited plans, to any extent exceeding ten chains to the eastward of the centre line so defined on the said plans:

2. In the construction of the training wall the same shall not be raised by the Commissioners above the level shown on the deposited sections, for a distance of eight hundred and eighty

A.D. 1874.

yards, or thereabouts, from the north-east corner of the Blackbrae Embankment, and at and from the said point the said wall shall be lowered for a distance of not less than one hundred yards, so that there shall be at the time of low water, at ordinary spring tides, a depth of not less than one foot of water over the wall for such distance of one hundred yards. And at and from the further extremity of the said one hundred yards or gap (that is to say, at and from a point distant nine hundred and eighty yards, or thereabouts, from the north-east corner of the Blackbrae Embankment), the remainder of the training wall to its seaward extremity, or any portion thereof, shall not be raised by the Commissioners more than two feet above the level shown on the deposited sections, without the consent in writing of the Irish Society and their said lessees, and the bottom of the said gap so left shall be made and kept level and free from all projecting stones for its entire width and length, and the said gap shall be marked at all times by a good and sufficient post or beacon at each end :

3. In the construction of the training wall it shall not be lawful for the Commissioners to interfere with or stop up the canal leading from Willsborough demesne (through the Donnybrewer level (intake), and between the said level and the Blackbrae Embankment) to Lough Foyle, or any drains, sluices, or water outlets existing at the passing of the Act between the site of the training wall, as shown on the deposited plans, and the point known as the Longfield level (intake) on the shore or estuary of Lough Foyle, and in case, owing to the construction of the training wall, the said canal or any of such drains, sluices, or water outlets as aforesaid shall be stopped or silted up, the Commissioners, on the application of the owner or owners of the lands adjoining the said canal, or upon which such drains, sluices, or water outlets shall be situated, or the owner for the time being of Willsborough estate and demesne, as regards the said canal or sluices or water outlets in Donnybrewer level (intake), or of their tenant or tenants, and, as the case may be, shall well and effectually dredge or otherwise clear away from the mouth of the said canal, and of any or every such drain, sluice, or water outlet, any silt, soil, gravel, or other substance which may there have accumulated, and so from time to time as occasion may require : Provided always, that the Commissioners shall not be called upon or liable to under-

take any dredging or other operations under this enactment if the same shall have been rendered necessary or desirable by the construction or execution of any works other than the training wall by this Act authorised :

4. Any difference which may arise between the Commissioners on the one hand, and the owner of the said canal or of any lands adjoining the said canal, or on the shore or estuary of Lough Foyle, injuriously affected by the said training wall, or the owner of the Longfield level (intake), or their tenant or tenants respectively, as the case may be, or the owner or tenant for the time being of Willsborough estate and demesne on the other hand, concerning any matters contained in this enactment as to the stoppage or silting up of any such canal drains, sluices, or water outlets as aforesaid, or as to the position within the limits aforesaid for the passage of small craft across and over the training wall, shall be settled and determined by the engineer of the Commissioners for the time being and the engineer to be named by such owner or tenant as aforesaid, and in case the two engineers cannot agree then by an arbitrator to be nominated by the Board of Trade, and the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration shall apply to such arbitration ;

The words canal, sluice, or water outlet shall include channel or channels from same to low-water mark, as they existed at the passing of this Act ;

Within six months after the passing of this Act a chart showing the position, height, and depth of the slob and channels from the west side of Blackbrae Embankment to Longfield level (intake), including the canal to Willsborough, and extending to low water, shall be prepared and signed by the respective engineers for the time being of the Commissioners and the Irish Society, one copy thereof shall be deposited with the Irish Society, and one copy shall be deposited in the office of the Commissioners, and one copy shall also be deposited with William Edward Scott of Willsborough, and such chart shall for the purposes of this section be conclusive evidence of the existing state of the slob and channels aforesaid at the passing of this Act.

10. The Commissioners shall, at the outer extremity of the works hereby authorised, exhibit, and keep burning from sunset to sunrise, such lights (if any) as the Commissioners of Irish Lights shall from time to time direct.

The Commissioners to exhibit lights.

A.D. 1874.

Powers for compulsory purchases limited.

Period for completion of works.

11. The powers of the Commissioners for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

12. The quays and works by this Act authorised shall be completed within seven years after the passing of this Act, and on the expiration of such period the powers by this Act given to the Commissioners for constructing the said quays and works shall cease to be exercised, except as to so much of the said quays and works as shall be then completed: Provided always, that such limit of time shall not apply to any operations of the Commissioners in dredging, deepening, or otherwise preserving and improving the harbour and the access thereto, and in rendering the port safe and commodious, but such operations (as distinguished from the construction of quays and similar works) may be undertaken and carried on at any time by the Commissioners.

Lands for extraordinary purposes.

13. In addition to the lands acquired and held by the Commissioners under the Act of 1854, or to be acquired by the Commissioners under the powers of this Act, the Commissioners may by agreement purchase for extraordinary purposes any quantity of land not exceeding twenty acres in connexion with the works authorised by this Act.

Sewers, &c. may be stopped up or altered.

14. The Commissioners may cause any sewers, drains, streams, watercourses, channels, conduits, or pipes which shall be in or near the intended situation of the said quays or other works to be stopped up, arched over, widened, diverted, or otherwise altered or interfered with as they shall think necessary for making and completing the said quays and works, so that the Commissioners do, previous to stopping up the same, make and provide in lieu of such sewers, drains, streams, watercourses, channels, conduits, or pipes, good and sufficient means for conveying off the water from the lands and premises adjoining or near the said works, as convenient in all respects as the sewers, drains, streams, watercourses, channels, conduits, or pipes so to be stopped up as aforesaid.

Power to Commissioners to define the line of quays.

15. The Commissioners may from time to time, by resolution, prescribe and define what shall thereafter be the line of frontage to be observed to and along any quay within the limits of the harbour. Such line shall be distinctly marked and shown on a plan to be signed by the Commissioners, and such plan shall be at all reasonable times thereafter open for inspection of the public without charge. Whenever any new building (as herein-after defined) shall be erected on any such quay, or whenever the structure of the front

of any old building shall be partially pulled down to the extent of one third of such front, the Commissioners shall be at liberty to require that as to such building the said line shall be observed and kept. No new erection, excavation, or obstruction shall be made beyond such line. The land outside the said line shall be vested in the Commissioners as part of the quay so soon as the improvement shall have been completed. Whenever in any of the above cases the Commissioners shall, by reason of their requiring the said line to be observed and kept, cause the owner of any land or building or any other person interested therein to be injuriously affected, the Commissioners shall make reasonable compensation in respect thereof. The amount of such compensation shall, at the option of the party claiming the same, be ascertained and determined by two justices not being commissioners; and the said justices shall have all the powers of an arbitrator mutually agreed upon under the Lands Clauses Consolidation Acts. If for seven days after request in writing the party claiming shall fail to exercise such option, the matter shall stand referred to the said justices. If after any such line shall be so defined and prescribed as aforesaid any person shall wilfully or negligently act contrary to this enactment, he shall for every such offence be liable to a penalty not exceeding five pounds, and a further penalty not exceeding the like sum for every day during which such offence shall continue.

A.D. 1874.

16. For the purposes of this Act the re-erecting of any building pulled down to or below the ground floor, or of any frame-building of which only the framework shall be left down to the ground floor, or the conversion into a dwelling-house of any building not originally constructed for human habitation, or the conversion into more than one dwelling-house of a building originally constructed as one dwelling-house only, shall be considered the erection of a new building.

Definition of new building.

17. The Commissioners may from time to time widen or improve any quays constructed by or vested in them, or otherwise under their control or jurisdiction, or may contribute and join with any person in any such improvements as aforesaid, and may take, purchase, or acquire by agreement, gift, or otherwise than by compulsion, any land, rights in land, buildings, or property, for the purpose of such improvements, on such terms and conditions as they may think fit, and for all or any of such purposes may enter into and carry out agreements with the owners of or other persons interested in existing houses and buildings for the purchase or for the removal or setting back thereof.

Commissioners may by agreement improve existing quays.

[Ch. xlix.] *The Londonderry Port and Harbour Act, 1874.* [37 & 38 VICT.]

A.D. 1874.

Rates on butter substituted for those in Act of 1854.

Rate for use of weighing machines.

Rates for use of jetties.

Further provisions with regard to tramways.

Commissioners may charge for special services, &c.

18. The rates on butter contained in Schedule (A.) to this Act shall be substituted for those contained in Schedule (A.) to the Act of 1854.

19. In lieu of the rate for weighing machines authorised by section sixty-seven of the Act of 1854, and by Schedule (C.) to that Act annexed, the Commissioners may demand for the use of any of their weighing machines of and from the owner or person having the charge of any goods weighed by means thereof, such rate as the Commissioners from time to time appoint, not exceeding the rate mentioned in Schedule (B.) to this Act.

20. The Commissioners may demand, for the use of any pier or jetty constructed by them, and from the owner, master, or person having the charge of any vessel moored or lying alongside such pier or jetty, and from the owner or person having the charge of any goods deposited upon such pier or jetty, or loaded or unloaded by means thereof, such reasonable rates as the Commissioners shall from time to time appoint, not exceeding the several rates mentioned in Schedule (C.) to this Act: Provided always, that nothing in this section contained shall authorise the Commissioners to demand any rates for or in respect of passengers, animals, goods, and merchandise using the ferry at Culmore.

21. The Commissioners at their discretion from time to time may make and enter into special agreements with any company, corporation, person, or persons, for the use or hire of the tramways authorised by the Act of 1854, or any of them, and for charging such reasonable rates for the use or hire thereof, whether according to time, distance, tonnage, or otherwise, as may be agreed upon, or, in default of agreement, as the Commissioners think proper. And any such agreement as aforesaid may provide for the payment, collection, and recovery of such rates, either to or by the Commissioners directly in the first instance, or to or by any person duly authorised for that purpose by the Commissioners.

22. The Commissioners may demand and take for the use of the cranes, weighing and measuring machines, provided by them for the purposes of the tramways authorised by the Act of 1854, or any of them, and for motive power (whether manual power applied to such cranes, weighing and measuring machines, or any of them, or horse power applied to the tramways), and for trucks if and when furnished by the Commissioners, and for any special services rendered by the Commissioners in connexion with the loading or unloading or transit of any goods, articles, and things conveyed on the tramways, or any of them, such reasonable charges as the Commissioners from time

to time think fit, and the same shall be paid by the owner or person having the charge of such goods, articles, or things; but nothing in this Act contained shall impose on the Commissioners any obligation to haul traffic on or work the tramways, or any of them, or to supply any trucks, or to perform any special services connected therewith unless the Commissioners shall think fit so to do.

A.D. 1874.

23. The Commissioners may maintain, continue, and improve such lighthouses, lightships, lights, buoys, beacons, sea-marks, and perches within the port as are already vested in them, and may also when and so soon as they shall deem it expedient, change or alter the situation of or remove any lighthouses, lightships, lights, buoys, beacons, sea-marks, and perches from their present situations on or near the quays, works, channels, or other places within the port to other and preferable situations, in case the same shall be deemed expedient, and may exercise and enjoy in respect of lighthouses, lightships, lights, buoys, beacons, sea-marks, and perches, and the alteration, regulation, and protection thereof, all such rights, powers, and authorities, and shall be subject to all such liabilities and obligations as apply to local lighthouse authorities under the Merchant Shipping Acts: Provided always, that, save as in this Act expressly provided, nothing in this Act contained shall diminish or prejudice any rights, powers, or authorities now legally vested in or enjoyable by the Commissioners, whether as to lights, sea-marks, navigation, or as to jurisdiction over any portion of the coasts of Ireland under or by virtue of any charter or charters heretofore granted by the Crown under any statute or statutes relating thereto, or otherwise howsoever.

Power to provide lights, buoys, &c.

24. The Commissioners may from time to time and at all times hereafter, in addition to all the other rates and duties imposed by this Act and the Act of 1854, ask, demand, levy, take, and recover, as and for light dues, of and from the master, owner, broker, or consignee of every vessel which shall from time to time enter or in any manner use the port, any sum not exceeding one halfpenny per ton: Provided always, that no such last-mentioned dues shall be levied or demanded from or in respect of Transatlantic steamers and river steamers or other craft plying within the limits of the port.

Power to take additional light dues in certain cases.

25. In lieu of the rates authorised by section seventy-eight of the Act of 1854, and the Schedule (D.) to that Act annexed, it shall be lawful for the Commissioners to demand from the master or commander of every vessel that shall take in or discharge ballast from the port any sum not exceeding the rates mentioned in the Schedule (D.) to this Act.

Charges for ballast.

A.D. 1874.

Commissioners may purchase from the Irish Society fee simple of their present offices, &c.

26. The Commissioners may by agreement purchase of and from the Irish Society the fee simple or other reversionary interest of that society of and in the lands and buildings in the townlands of Londonderry, Edenballymore, and Pennyburn, in the parish of Templemore, in the city and county of Londonderry, now in the possession of the Commissioners, or may accept from the Irish Society a lease of the lands and buildings aforesaid, or any of them: Provided always, that, in the event of the lands known as the King's Quays being at any time used by the Commissioners otherwise than for public purposes in connexion with the harbour, or if any building be erected thereon other than such sheds as may be approved by the Irish Society, possession may be re-taken by the Irish Society of such portion of the last-mentioned lands as is not properly in use at the time for such public purposes, or on which any building or any shed not approved by the Irish Society as aforesaid shall be erected.

Offices, &c. for purposes of port and harbour.

27. The Commissioners may, subject to the other provisions of this Act, build and erect on any part or parts of the lands authorised to be taken and acquired by this Act or the Act of 1854, or on any other lands belonging to the Commissioners, or may rent or lease from any person whomsoever offices or buildings for the transaction of the business and affairs of the Commissioners and generally for the purposes of this Act and the Act of 1854.

Power to erect dwelling-houses for offices, &c.

28. The Commissioners may at any time purchase by agreement any lands adjoining or near to the port, and may thereon, or, subject as aforesaid, on any other lands belonging to the Commissioners, erect dwelling-houses for officers, servants, and other persons in the employment of the Commissioners, and may fit up the same with proper conveniences, and in such manner as they from time to time think expedient, and may either, at the discretion of the Commissioners, allow such dwelling-houses or any of them to be occupied free of charge, or may let the same or any of them when so erected and fitted up to such officers, servants, and other persons as aforesaid at such weekly or other rents and on such terms and conditions as they from time to time think fit.

Power to provide sheds, &c.

29. The Commissioners may make, construct, and maintain such sheds and other works as they may deem necessary for the security and accommodation of goods landed or being at or upon the quays and works by this Act authorised, and may from time to time alter or remove the same or any other sheds existing at the passing of this Act upon the quays of the Commissioners; and may from time to time as they think fit provide all sheds, as well those erected before as those erected after the passing of this Act, with weighing machines

and apparatus and other conveniences for weighing and measuring goods : Provided always, that in the case of any lands to be purchased or leased by the Commissioners in manner aforesaid from the Irish Society, no sheds or other buildings shall be erected by the Commissioners upon such lands until the consent in writing of the Irish Society has been obtained for that purpose, and plans of any proposed sheds or other buildings affecting those lands shall be duly submitted to the Irish Society.

A.D. 1874.

30. The Commissioners may fix, levy, and receive any reasonable payments or other consideration for the use for goods of any sheds or buildings, or for the use of lifts, elevators, plant, machinery, works, and conveniences belonging to the Commissioners, for the use of which rates are not specially fixed in the schedules to this Act or the Act of 1854: Provided always, that no payment or other consideration shall be demanded for the use of sheds or buildings in respect of goods landed from or intended to be loaded into steam vessels which shall not remain in such sheds or buildings for more than forty-eight hours : Provided also, that in the case of any sheds erected upon lands purchased or leased in manner aforesaid from the Irish Society the payments or other consideration proposed to be fixed, levied, or received by the Commissioners in respect of such sheds or the use thereof shall, in the first instance, be approved by the Irish Society.

Rates for use of sheds, &c.

31. In the event of any grant to the Commissioners by the Irish Society of lands situated in rear of the quays at the passing of this Act in the occupation of the Commissioners, it shall not be lawful for the Commissioners to erect any buildings upon those lands.

Grant to Commissioners by Irish Society of lands in rear of quays.

32. The Commissioners may appoint and license a sufficient number of persons to be meters and weighers within the port, and may appoint harbour masters and all other officers authorised by the Harbours, Docks, and Piers Clauses Act, 1847, herewith incorporated.

Power to appoint meters and weighers, harbour masters, &c.

33. The rates or other remuneration to be paid for the weighing and measuring of goods at the port shall, in the option of the Commissioners, be paid either directly to the meters and weighers themselves or to the collector of rates, for the purpose of forming a fund out of which the Commissioners shall pay to the meters and weighers weekly or other wages for their services, of such amount as the Commissioners shall from time to time fix and determine, as also the other necessary and proper charges and expenses connected with the meting and weighing department.

Rates for weighing and measuring goods to be paid either to the meters and weighers or to the collector of rates.

A.D. 1874.

Tug steamers, &c. to be liable to rates.

34. From and after the passing of this Act all steamers, lighters, or other craft plying within the harbour and mooring alongside, discharging or loading cargo upon, or from, or in any other manner using the quays or works of the Commissioners, or any of them, shall be liable to a rate of not exceeding one penny per register ton for each complete voyage; any goods or merchandise contained or carried in such steamers, lighters, or other craft as aforesaid shall be liable to rates not exceeding one half the rates on goods and merchandise authorised by the Act of 1854 and Schedule (A.) to this Act: Provided always, that all steamers when plying within the harbour and employed in towing, and not having any cargo on board, and steam tenders employed in conveying mails, passengers, and their luggage between Londonderry and the Transatlantic steamers calling off Morville, shall be exempt from such rates.

Commissioners may inspect the harbour works, &c.

35. The port and harbour, and the works and conveniences thereof, so far as the same respectively are under the authority or control of the Commissioners, shall be inspected periodically by the Commissioners, or their officers duly authorised in that behalf, and the expenses of and incidental to such inspection shall be defrayed out of the moneys, or any of them, from time to time belonging to the Commissioners.

Commissioners may provide dredges, engines, &c.

36. 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 within the harbour as they think fit, or may sell or dispose of the same, and the money thereby realised shall be applied for carrying into effect the purposes of this Act.

Lands for dépôt for timber.

37. The Commissioners may from time to time appropriate any part of their existing estate, or purchase by agreement, or hire such lands near any of the quays and works of the Commissioners as they may think necessary as dépôts or yards for the deposit of timber, after its removal from the vessels in which the same may have been imported, until it shall have been measured and passed by the proper officers of Her Majesty's Customs.

Rates for timber ponds or dépôts.

38. The Commissioners may from time to time enter into agreements with any company or person requiring the use of timber dépôts or ponds belonging to or held by the Commissioners for payment of such rates, or other consideration, in respect of the use of the said timber dépôts or ponds, or any part thereof, as to the Commissioners may seem expedient.

39. If any owner, consignee, or other person whatsoever, laying or depositing, or causing to be laid or deposited, any goods or any other matter or thing whatsoever (except timber, deals, or other wooden goods on their way to or from such timber depôts or ponds as aforesaid, and also except materials for the necessary repairs of the quays and other works belonging thereto,) upon any quay or wharf shall not wholly remove the same from off such quay or wharf within forty-eight hours next after the time on which the same shall have been so laid or deposited thereon, such owner, consignee, or other person shall forfeit and pay the sum of two shillings and sixpence for each and every hour that such goods, articles, or things, or any part thereof, shall remain upon such quay or wharf beyond such period of forty-eight hours.

A.D. 1874.
Goods on quays, &c. for more than twenty-four hours or longer than necessary.

40. If any owner, consignee, or other person whatsoever, laying or depositing, or causing to be laid or deposited, any such goods, articles, or things as aforesaid (except as in the last preceding section is excepted) upon any quay or wharf, shall not wholly remove the same from off such quay or wharf within the said period of forty-eight hours, the Commissioners or any of their officers may remove such goods, articles, or things to some warehouse of the Commissioners or other place of safety, but such removal shall not in any manner excuse such owner, consignee, or other person from any penalty which may have been incurred, and the said goods, articles, or things may be detained until the charges of taking and removing, detaining, warehousing, and storing the same shall have been paid, and in case such charges shall not be paid within ten days after the removal of such goods, articles, or things, the same may be sold by public auction, and out of the proceeds of such sale all charges (including rent) incidental to such removal, sale, and detention, and also the freight thereof, in case notice to detain the same for the payment of such freight shall have been served upon the Commissioners, may be retained by them, and the overplus, if any, shall be rendered to the owner, importer, exporter, intended exporter, or consignee of such goods, articles, or things; and in case any person shall wilfully obstruct or hinder any officer of the Commissioners in the removal of the said goods, articles, or things, he shall for every such offence be liable to a penalty of not exceeding ten pounds.

As to removal of goods left on quay.

41. If any stones, sand, goods, or matters landed from any vessel are so placed on the quays or wharfs, or any of them, as to project over the river, or as in any manner to prevent vessels from mooring to the posts, rings, or other conveniences fixed for that purpose on the quays or quay walls, or as not to leave sufficient room between such

Projections or obstructions to be removed from off the quays.

A.D. 1874.

posts, rings, and other conveniences for free access to the river, or if any stones, sand, or other matter which may be likely to fall into the river are or is laid on any of the quays or quay walls nearer than three feet to the water edge thereof, the owner of such goods, stones, sand, or matter (as the case may be) shall for every such offence be liable to a penalty not exceeding five pounds; and the Commissioners at their discretion may order the removal of such goods, stones, sand, or matter from off the quays, and may sell the whole, or so much thereof as will be sufficient to pay the amount of such fine, together with the costs of removal, rendering the surplus, if any, to the owner on demand.

Reclamation may be made at certain points by the Irish Society and their lessees.

42. Nothing contained in section fifty-four of the Act of one thousand eight hundred and fifty-four shall be deemed or taken to prevent the Irish Society and their lessees from making or causing to be made any reclamations or works at any point to seaward of the property called "the Farm," and not being a point in the main navigable channel of the river or Lough Foyle: Provided always, that before any such works are undertaken or commenced by the Irish Society or their lessees, as the case may be, the approval of the Board of Trade shall in each case be obtained, and two calendar months notice in writing of the intention of the Irish Society or, as the case may be, of their lessees to apply to the Board of Trade for such approval shall be given to the Commissioners.

Creation of consolidated stock.

43. It shall be lawful for the Commissioners to resolve that any portion of their debt then subsisting on the security of outstanding mortgages or bonds of the Commissioners, not exceeding an amount to be defined in and by such resolution, may be converted into consolidated stock of the Commissioners of like amount, either by agreement with the holders of such mortgages or bonds or by paying off the same respectively when due, and issuing stock of a corresponding amount instead of re-borrowing the sums so paid off, and also from time to time to resolve that the whole or any part to be defined in and by such resolution of the moneys which the Commissioners shall have authority to raise by borrowing under the powers of the Act of 1854 and this Act, and which shall not then have been raised, shall or may be raised by the creation and issue of consolidated stock of a corresponding amount instead of borrowing the same, and also to attach to the stock, so authorised to be created and issued for any of the purposes aforesaid, a fixed and perpetual yearly dividend or interest at any rate not exceeding the rate of five pounds for every one hundred pounds thereof, payable in equal half-yearly portions, and the stock so created and issued shall be a charge upon the rates by the Act of 1854 and this Act authorised, and shall be

distributable, transmissible, and transferable as, and in other respects have the incidents of personal estate; and the stock when so created shall be termed "Port of Londonderry consolidated stock," and is herein-after referred to as "consolidated stock." A.D. 1874.

44. Provided always, that nothing herein contained shall in any-wise prejudice or affect the rights of the holders of mortgages or bonds of the Commissioners, and all the consolidated stock to be created as aforesaid shall be subject to the mortgages and bonds at present existing. Saving rights of existing mortgagees.

45. Provided also, that after the conversion of any such mortgages or bonds into consolidated stock, or after any money shall have been raised by the Commissioners by the issue of consolidated stock, it shall not be lawful for the Commissioners to issue mortgages or bonds or any other securities for the amount so converted or raised, or again to borrow the same, but the powers of borrowing by the Commissioners shall to that extent be extinguished. Restricting exercise of borrowing powers.

46. No holder of any portion of consolidated stock shall have any priority or preference by reason of the creation or issue of such portion of stock before the creation or issue of any other portion of stock. Priority of stock not to be affected by time of creation thereof.

47. The Commissioners shall cause entries of the consolidated stock from time to time created, and of all transfers thereof, to be made in a register to be kept for that purpose, wherein they shall enter the names and addresses of the several persons and corporations from time to time entitled to the consolidated stock, with the respective amounts of the stock to which they are respectively entitled. Register of stock to be kept.

48. The Commissioners shall deliver on demand to every holder of consolidated stock a certificate stating the amount of such stock held by him, and such certificate shall have the common seal of the Commissioners attached thereto, and the same may be according to the form in Part I. of Schedule (E.) to this Act annexed, or to the like effect, and for such certificate the Commissioners may demand any sum not exceeding two shillings and sixpence. Certificate of stock.

49. The said certificate may be admitted in all courts as *prima facie* evidence of the title of such stockholder, his executors, administrators, successors, or assigns, to the sum therein specified. Certificate to be *prima facie* evidence.

50. If any such certificate be worn out or damaged, then the same may, upon the production thereof, be cancelled, and another similar certificate may be given to the holder of the stock therein specified, or if such certificate be lost or destroyed, then, upon proof Certificate to be renewed when destroyed.

A.D. 1874. — thereof to the satisfaction of the Commissioners, a similar certificate may be given to the holder of the stock specified in the certificate so lost or destroyed, and in either case a due entry of the substituted certificate shall be made in the said register, and for every such certificate given in pursuance of this section a fee not exceeding two shillings and sixpence may be demanded.

Transfer of stock.

51. Consolidated stock shall be transferable by deed, which may be in the form contained in Part II. of Schedule (E.) to this Act, and such deed shall exclusively relate to such transfer, and shall not contain any recital, trust, power, or proviso whatsoever, and such deed shall be effectual in law to pass to the transferee all the interest of the transferor in the stock expressed to be transferred, and the dividends thereon :

A person becoming entitled to any stock, in consequence of the death, bankruptcy, or marriage of the owner, or by any lawful means other than by such deed as aforesaid, shall produce such evidence of his title as may be reasonably required by the Commissioners, and the same shall be entered in the said register as a transfer :

The Commissioners shall not be bound to register any transfer except upon production of the certificate relating to the stock to be transferred :

Upon any subdivision of stock by transfer, the Commissioners may, upon the delivery up to them of the original certificate, grant to the transferees new certificates for the sums of stock so transferred.

Register to be evidence.

52. The register so kept under the provisions of this Act shall be evidence of all matters therein entered under the provisions of this Act, and of the title of persons or bodies corporate therein entered as owners of any consolidated stock, who are therein mentioned as such owners.

Payment of dividends.

53. The Commissioners shall pay the dividends on all consolidated stock upon the first day of May and first day of November, excepting when such days shall fall on a Saturday, Sunday, or day observed as a public holiday at the Bank of Ireland, and then upon the day next following such excepted day or days.

Lands sold to be free from consolidated stock.

54. When any land or property is sold, demised, or otherwise disposed of by the Commissioners, the same shall in the hands of any person or body corporate to whom the same shall have been sold, and his or their heirs, executors, administrators, successors, and assigns, be absolutely free from all claims, charges, or obliga-

tions in respect of any consolidated stock granted or issued under this Act, and such person or body corporate shall not be bound to see to or inquire into the application by the Commissioners of the money arising from such sale, or be in any way responsible for the non-application thereof.

A.D. 1874.

55. Any person who holds any security granted by the Commissioners before the passing of this Act, and who is one of the persons enabled by the Lands Clauses Consolidation Act, 1845 (section 7), to sell land under that Act, may, in the manner and to the extent in the said section provided, consent to any arrangement authorised by this Act for the conversion of such security into consolidated stock, and to the payment of such security before the time limited for the payment thereof.

Consent of trustees of incapacitated persons, &c. to conversion.

56. No notice of any trust, express, implied, or constructive, shall be entered in any register of or be receivable by the Commissioners in relation to any consolidated stock, mortgage or bond, or other security, nor shall they be affected by express or constructive notice of any such trust, although the same be contained in any document registered by them, or tendered to them for registration.

Commissioners not to be affected by notice.

57. The Commissioners may close, or order to be closed, the books for transfer of consolidated stock for such period not exceeding fourteen days as they may from time to time fix previous to each payment of dividend, and shall give seven days notice of the day on which such books will be closed by advertisement in some newspaper circulating in Londonderry; and the provisions of this Act in relation to the registering of transfers of consolidated stock, and to the closing as aforesaid of the transfer books, shall apply mutatis mutandis to the transfer of all or any of the existing mortgages, bonds, or other securities of the Commissioners.

Closing of transfer books.

58. The Commissioners may from time to time borrow at interest upon the security of the several rates, tolls, and duties authorised by the Act of 1854 and this Act, by mortgage, or by the issue of consolidated stock, any sum or sums of money not exceeding in the whole the sum of two hundred and thirty thousand pounds, whereof the sum of one hundred and fifty thousand pounds, or so much thereof as shall be requisite for the purpose, shall be borrowed and applied exclusively for the purpose of extinguishing the existing debt of the Commissioners contracted under the Act of 1854; and the residue of the said sum of two hundred and thirty thousand pounds shall be borrowed and applied exclusively for the purposes of the works by this Act authorised: Provided always, that the

Power to borrow.

A.D. 1874. — aggregate debt of the Commissioners under the Act of 1854 and this Act shall not exceed the sum of two hundred and thirty thousand pounds.

Saving for mortgages, &c. under Act of 1854.

59. All mortgages or bonds granted or issued by the Commissioners under the Act of 1854 shall, during their continuance and until replaced by the issue of consolidated stock in manner by this Act authorised, have priority over any moneys to be borrowed on mortgage under the powers of this Act.

Sinking fund.

60. The Commissioners shall set apart and appropriate annually out of the rates by the Act of 1854 and this Act authorised, as a sinking fund; to be applied in paying off the principal sums borrowed on mortgage or bond, or in the form of consolidated stock, upon the security of those rates, or any of them, a sum not less than one per centum of the aggregate sum from time to time so borrowed or secured by the Commissioners; and the several provisions of this Act with respect to borrowing, and with respect to the creation and issue of consolidated stock, and with respect to the formation of a sinking fund, shall (subject to all rights existing at the passing of this Act) be deemed to be and shall be in lieu of the several provisions as to borrowing on mortgage of the rates and duties by the Act of 1854 authorised, and otherwise in relation thereto, and as to tolls, which are contained in the Act of 1854.

Annual return to Board of Trade with respect to sinking fund.

61. The secretary to the Commissioners shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act, transmit to the Board of Trade a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return such secretary shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Board of Trade by such return or otherwise that the Commissioners have failed to set apart the sum required by this Act for the sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act, the Board of Trade may by order direct that a sum, not exceeding double the amount in respect of which such default shall have been

made, shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of mandamus, to be obtained by the Board of Trade out of the Court of Queen's Bench in Ireland. A.D. 1874.

62. All the moneys which shall be collected, levied, borrowed, raised, or received by the Commissioners under or by virtue of the Act of 1854, or this Act, shall (notwithstanding anything contained in the Act of 1854) be applied to the following purposes and in the following priorities; (that is to say,) Application of moneys.

First, in payment of the costs, charges, and expenses of obtaining this Act or incidental thereto, and of all expenses and charges of collecting the rates and tolls and charges by the Act of 1854 and by this Act authorised, and administering the affairs of the Commissioners:

Secondly, in and towards the support and maintenance of the works authorised by the Act of 1854 and by this Act (when the same shall have been constructed):

Thirdly, in payment from time to time of all interest accruing due on moneys borrowed under the Act of 1854 and this Act, and of the dividends on the consolidated stock authorised and to be created under the provisions of this Act:

Fourthly, in and towards the construction of the works authorised by this Act, and in carrying into execution all the provisions of this Act and of the Act of 1854 with reference to works:

Fifthly, in setting apart and appropriating the sum herein-before directed to be set apart as a sinking fund:

Sixthly, in the general managing, conducting, securing, preserving, and improving the port.

63. When and so soon as all the moneys to be raised by borrowing under the Act of 1854 shall have been paid off and satisfied in manner by this Act authorised, all the sections of the Act of 1854 relating to the borrowing, repayment, or application of moneys shall be by virtue of this Act repealed. Sections of Act of 1854, when satisfied, to be repealed.

64. The Commissioners may appropriate for the purposes of this Act any money belonging to them at the passing of this Act and not required for the purposes of the Act of 1854. Power to apply existing funds.

65. Rates and duties leviable under this Act may be levied, collected, and recovered in like manner in all respects to the rates and duties authorised by the Act of 1854. Collection and recovery of rates.

66. Every person who shall wilfully obstruct any person acting under the authority of the Commissioners in setting out the lines of the works by this Act authorised, or who shall pull up or remove Penalty for obstructing construction of works.

A.D. 1874.

any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or deface or destroy the said works, or any part thereof, or of the existing works of the harbour, shall for every such offence be liable to a penalty not exceeding five pounds.

For protection of harbour masters in discharge of their duties.

67. Every person who shall assault or resist, obstruct or impede, any harbour master or other officer of the Commissioners in the execution of his duty, or disobey his lawful orders, or use abusive or offensive language to such harbour master or other officer, or who shall aid or incite any person so to assault or resist, obstruct or impede, such harbour master or other officer, or to disobey such orders, or use such language as aforesaid, shall for every such offence be liable to a penalty not exceeding five pounds.

Annual or other payment may be made to retiring officers.

68. The Commissioners may, if they shall think fit so to do, but not otherwise, pay or secure to any of their officers or servants who shall have held an appointment under them, whether before or after the passing of this Act, upon his retirement from service, such annual or other sum as they may think reasonable, by way of superannuation or retiring allowance or otherwise, and either during the term of his natural life, or for such other period, or in gross, as the Commissioners shall think fit, which sum, if an annual sum, may be secured to such person by bond under the common seal of the Commissioners, and may also, if they shall think fit, but not otherwise, contribute towards the relief of men disabled or injured in the service of the Commissioners, and their widows and families.

Providing for costs of Board of Trade in arbitrations.

69. All costs, charges, and expenses paid or incurred by the Board of Trade in connexion with any arbitration, or with respect to the appointment of an arbitrator under the provisions of this Act, shall be paid to the Board of Trade by the parties to any arbitration, or either of them, as the Board may in their discretion determine, and the amount of such costs, charges, and expenses shall be a debt due from such parties, or either of them, as the Board may determine, to the Crown, and shall be recoverable accordingly: Provided that the Board shall not be bound to appoint any such arbitrator until sufficient security to their satisfaction be found by the said parties, or either of them, for the payment of any such costs, charges, and expenses which the Board may award against the said parties, or either of them.

Reserving Merchant Shipping and General Acts.

70. Nothing in this Act contained shall exempt the port and harbour, or the works at or connected therewith, or the Commissioners, from the provisions of the Merchant Shipping Acts, or of any general Act relating to harbours, or to dues on shipping, or on

goods carried in ships, now in force or which may be passed during the present or any future session of Parliament, or from any future revision and alteration, under the authority of Parliament, of the rates authorised by this Act. A.D. 1874.

71. Nothing contained in this Act shall authorise the Commissioners to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade, on behalf of Her Majesty (which consent the Board of Trade may give), neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors. Saving rights of the Crown.

72. Nothing contained in this Act, or to be done under the authority thereof, shall in any manner affect the title to any of the subjects, or any rights, powers, or authorities mentioned or reserved by sections 20, 21, and 22 of the Crown Lands Act, 1866. Saving rights under Crown Lands Act.

73. Except only as is by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, alter, or affect any of the jurisdictions, franchises, estates, rights, powers, authorities, or privileges vested in or enjoyed by the Irish Society. Saving rights of Irish Society.

74. The Commissioners, out of any moneys for the time being in their hands, shall pay and discharge all the costs, charges, and expenses of applying for, obtaining, and passing this Act. Expenses of Act.

A.D. 1874.

The SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

SUBSTITUTED RATES ON BUTTER.

							s.	d.
Butter	-	-	-	-	-	-	0	0 $\frac{1}{2}$
Ditto	-	-	-	-	-	-	0	2
Ditto	-	-	-	-	-	-	0	2
Ditto	-	-	-	-	-	-	0	0 $\frac{1}{2}$
Ditto	-	-	-	-	-	-	0	0 $\frac{3}{4}$
Ditto	-	-	-	-	-	boxes packed with butts	1	6
Ditto	-	-	-	-	-	-	0	0 $\frac{1}{2}$

SCHEDULE (B.)

RATE FOR THE USE OF WEIGHING MACHINES.

For goods weighed, twopence for each ton or part of a ton.

SCHEDULE (C.)

PIER OR JETTY RATES.

			s.	d.
For each vessel, boat, tug, or other steamer, lighter, or other craft trading exclusively within the harbour	-	per register ton	0	3
All boats entirely open, landing or taking on board goods	-	each	0	3
For every passenger or other person who shall use the pier or jetty for the purpose of landing from or embarking on board of any vessel, packet, passage or other boat, or for any other purpose, for each time			0	2

SCHEDULE (D.)

BALLAST CHARGES.

			s.	d.
For stone or gravel ballast supplied to any ship or vessel	-	per ton	3	0
For clay or other ballast, not being stone or gravel, supplied to any ship or vessel	-	per ton	2	0
For ballast of any description put out from any ship or vessel	-	per ton	2	0

A.D. 1874.

SCHEDULE (E.) (PART I.)

FORM OF CERTIFICATE.

Port of Londonderry.

No.

This is to certify that _____ of _____ is the proprietor of _____ pounds of the Port of Londonderry consolidated stock issued by the Londonderry Port and Harbour Commissioners pursuant to Act of Parliament.

Given under the common seal of the said Commissioners this _____ day of _____ one thousand eight hundred and _____.

SCHEDULE (E.) (PART II.)

FORM OF TRANSFER.

I [A.B.] of _____, in consideration of the sum of _____ pounds paid to me by [C.D.] of _____, do hereby transfer to the said [C.D.], his executors, administrators, and assigns, the sum of _____ Port of Londonderry consolidated stock standing in my name in the books kept of such stock, and all my property, right, and interest in and to the same and the dividends thereon.

In witness whereof I have hereunto set my hand and seal this _____ day of _____ one thousand eight hundred and _____.

