



CHAPTER cxiv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Auchenlochan (Kyles of Bute), Carrick Castle (Loch Goil), Conway, Falmouth, Filey, Folkestone, Hythe (Southampton), Margate, Plymouth, Port Seton, Sea View (Isle of Wight), Shanklin, Southend, South Uist, and Walton-on-the-Naze. A.D. 1878.

[4th July 1878.]

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. Confirma-
tion of
Orders in
schedule.

2. This Act may be cited as the Pier and Harbour Orders Confirmation Act, 1878 (No. 1). Short title.

A.D. 1878.

The SCHEDULE of ORDERS.

1. AUCHENLOCHAN (KYLES OF BUTE).—Construction of pier.
2. CARRICK CASTLE (LOCH GOIL).—Construction of pier.
3. CONWAY.—Maintenance and regulation of harbour.
4. FALMOUTH.—Maintenance and extension of existing piers.
5. FILEY.—Construction of pier and breakwater.
6. FOLKESTONE.—Construction of pier.
7. HYTHE (SOUTHAMPTON).—Construction of pier.
8. MARGATE.—Maintenance and regulation of and addition to pier.
9. PLYMOUTH.—Construction of pier.
10. PORT SETON.—Construction of harbour works and regulation of harbour.
11. SEA VIEW (ISLE OF WIGHT).—Construction of pier.
12. SHANKLIN.—Construction of pier.
13. SOUTHEND.—Construction of pier and enlargement of existing pier.
14. SOUTH UIST.—Construction of piers.
15. WALTON-ON-THE-NAZE.—Extension of works authorised by former Order.

*Auchen-
lochan.*AUCHENLOCHAN (KYLES OF BUTE).

Order for the construction, maintenance, and regulation of a Pier at Auchenlochan, in the Kyles of Bute, in the parish of Kilfinan and county of Argyll.

Undertakers.

1. John Malcolm, Esquire, of Poltalloch, in the county of Argyll, his heirs, assignees, and successors, shall be the Undertakers for carrying this Order into execution.

Limits of pier.

2. The limits within which the Undertakers shall have authority, and within which the powers of the piermaster shall be exercised, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the works by this Order authorised, and the lands, accesses, works, and conveniences connected therewith, and the whole area within the distance of fifty yards from any part of the said works in any direction.

Power to construct works.

3. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plan and section deposited with reference to this Order as the Board of Trade require from time to time before the completion of the

[41 & 42 VICT.] *Pier and Harbour Orders* [Ch. cxiv.]
Confirmation Act, 1878 (No. 1).

works in order to prevent injury to navigation, the Undertakers may, in the lines and situation, and according to the levels shown on the deposited plan and section, so far as the same are shown thereon, and within the limits of deviation shown on the plan, make and maintain the pier, accesses, and works authorised by this Order.

A.D. 1878.
*Auchen-
 lochan.*

4. The works authorised by this Order are—

A pier, commencing at or near a point on the east side of the public road leading from Otter Ferry to Tighnabruaich, 155 yards southward from the point of junction of the centre line of that road with the centre line of the road leading from the first-mentioned road westward to the established church or chapel of ease of Tighnabruaich, and extending in an easterly direction into the sea for a distance of 75 yards or thereabouts from the said point of commencement, and there terminating, together with all necessary works, accesses, and conveniences in connexion with the said pier.

Description of works.

5. The Undertakers may dredge, scour, deepen, widen, enlarge, improve, and maintain the entrances and channels of the said pier; provided that works authorised by this section below high-water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.

Power to maintain and improve pier.

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

Penalty for obstructing works.

7. The Undertakers may demand and receive such rates or other consideration as they think reasonable for the use of any warehouses, sheds, buildings, weighing-machines, cranes, works, and conveniences belonging to the Undertakers, for the use of which rates are not specially fixed in the schedule to this Order.

Rates for warehouses, &c.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the pier and works, demand and receive in respect of vessels, boats, passengers, animals, goods, matters, and things described in the schedule to this Order, any sum not exceeding the several rates specified in the same schedule.

Power to take rates according to schedule in Order.

9. If at any time, and from time to time, the clear annual income derived from the pier and works and conveniences, on the average of the then three last preceding years, after payment of all expenses and outgoings, other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing works authorised by this Order, the Board of

Board of Trade may reduce rates.

[Ch. cxiv.] *Pier and Harbour Orders* [41 & 42 VICT.]
Confirmation Act, 1878 (No. 1).

A.D. 1878. Trade may, if in their discretion they think fit, on application in writing from
*Auchen-
lochan.* six or more of the owners of vessels or boats resorting to the pier, and after hearing the Undertakers, reduce the rates leviabie under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, with power to the Board of Trade at any time, and from time to time, to raise them again to not exceeding the amounts specified in the Schedule to this Order.

Annual account to be sent to Board of Trade.

10. The Undertakers, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and section 16 of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing vessels under stress of weather exempt from rates.

11. Fishing vessels belonging to countries with which for the time being treaties exist, exempting from dues 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 or works, and not breaking bulk while making use thereof, be exempt from rates leviabie under this Order.

Power to vary exemption and to enter into composition.

12. The Undertakers may from time to time confer, vary, or extinguish exemption from, and enter into composition with any person or persons with respect to the payment of rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Exemption of Custom House officers from rates.

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

Rates may be leased.

14. The Undertakers may from time to time lease the rates authorised by this Order, for any period not exceeding ten years, on such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and receiving rates and dues as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the same provisions as to accounts and otherwise to which the Undertakers are made subject by this Order.

Power to make byelaws.

15. The Undertakers may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and of the fishermen and other persons, and of the goods and traffic frequenting or resorting to or employed, embarked, disembarked, loaded, or unloaded at or near the pier and other works authorised by this Order to be constructed, and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaw; but such byelaws 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.

A.D. 1878.

*Auchen-
lochan.*Application of
receipts.

16. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise :

- (1.) In paying the costs of and in connexion with the preparation and making of this Order :
- (2.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the pier and works authorised by this Order :
- (3.) In payment of the interest accruing on money borrowed under this Order :
- (4.) The surplus revenue (if any) of the pier and works, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

17. The Undertakers may from time to time borrow and re-borrow at interest such sums as may be required for the purposes of this Order, not exceeding in the whole the sum of one thousand five hundred pounds, on security of the rates and works authorised by this Order, or they may accept and take from any bank or banking company credit for any amount not exceeding the said sum of one thousand five hundred pounds, on a cash account to be opened and kept in the name of the Undertakers according to the usage of bankers in Scotland; and the Undertakers may grant bonds and assignations of the said rates and works in security of the repayment of the moneys so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively; and such bonds and assignations, and any transfers thereof, may be in the forms contained in Schedules (B.) and (C.) annexed to the Burgh Harbours (Scotland) Act, 1853, or to the like effect, and shall be recorded in the division of the General Register of Sasines at Edinburgh applicable to the county of Argyll.

Power to bor-
row money.

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

Application
of money
borrowed.

19. If within two months after the interest on any bond and assignation granted by the Undertakers has become due, or after the period prescribed for the payment of the principal sum in any such bond and assignation has expired, such interest or principal, as the case may be, shall not be paid, the holders of such bonds and assignations may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, apply for the appointment of a judicial factor, as herein-after provided.

Payment of
arrears of
interest and
principal may
be enforced by
appointment of
a judicial
factor.

20. Every application for the appointment of a judicial factor under the provisions of this Order shall be made to the sheriff of the county of Argyll; and on any such application the said sheriff may, by order in writing, after hearing the parties, appoint some person as judicial factor to receive the whole or a competent part of the rates authorised by this Order until the arrears of interest or of principal, or of principal and interest, as the case may be, then due on the outstanding bonds and assignations, with all costs, including the

Appointment
of a judicial
factor.

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charges of receiving the said rates, be fully paid; and upon such appointment being made the rates shall be paid to and received by the judicial factor; and so soon as the full amount of interest or of principal, or of principal and interest, as the case may be, and costs, has been so received, the power of the judicial factor shall cease; and after payment of the said costs the judicial factor shall distribute among all the holders of the said bonds and assignations to whom interest or principal shall be in arrear the rates and other moneys which shall have been received by him, having regard in such distribution to the priorities (if any) of such bonds and assignations.

Amount to
authorise ap-
plication for
judicial factor.

Portions of
Harbours
Clauses Act
excepted.

Vessels not to
anchor within
certain limits.

Vessels not to
moor alongside
pier without
consent.

Meters and
weighers.

As to lights
during con-
struction of
works.

As to lights
after comple-
tion of works.

Powers to
cease in cer-
tain events.

21. The amount to authorise the application for appointment of a judicial factor shall be three hundred pounds in one or more bonds and assignations.

22. Sections 16, 17, 18, and 19 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

23. No vessel or boat shall, without the consent of the piermaster, anchor within the limits to which this Order extends.

24. No vessel or boat, except steamboats or pleasure boats embarking or disembarking passengers and their luggage, shall be moored alongside the pier without the consent of the Undertakers or their piermaster.

25. The Undertakers shall have the appointment of meters and weighers within the limits of this Order.

26. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

27. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of the pier or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting; and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

28. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as

shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade. A.D. 1878.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

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29. 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 the limits affected by any such rights, interests, powers, authorities, or privileges without the consent of the Board of Trade having been first obtained. Saving rights under Crown Lands Act, 1866.

30. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in reference thereto, shall be paid by the Undertakers. Costs of Order.

31. This Order may be cited as the Auchenlochan (Kyles of Bute) Pier Order, 1878. Short title

SCHEDULE to which the foregoing Order refers.

TABLE I.—RATES ON VESSELS USING THE PIER FOR SHIPPING, UNSHIPPING, OR TRANSHIPPING GOODS OR PASSENGERS.

	<i>s.</i>	<i>d.</i>
For each passenger landed or embarked	0	1
For each passenger landed or embarked, under 14 years of age	0	0
For every vessel under 15 tons register	0	2
For every vessel of 15 tons register and upwards	0	4

TABLE II.—RATES ON ANIMALS AND GOODS SHIPPED, UNSHIPPED, OR TRANSHIPPED UPON THE PIER.

Ale and beer of all kinds	1	0
Bacon and hams	0	3
Beef, mutton, and pork	0	3
Bone dust	1	0
Butter	0	3
Candles	0	2
Carriages :—		
Chaises and other four-wheeled vehicles	1	0
Carts, gigs, and other two-wheeled vehicles	0	6
Hand-carts, perambulators, &c.	0	6

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						s.	d.
Casks, full or empty	-	-	-	-	-	each	0 1
Cheese	-	-	-	-	-	per cwt.	0 2
Cattle:—							
Bull, cow, or ox	-	-	-	-	-	each	1 0
Calves	-	-	-	-	-	each	0 3
Horse or mule	-	-	-	-	-	each	1 0
Lambs	-	-	-	-	-	per score	0 6
Sheep	-	-	-	-	-	per score	1 0
Swine	-	-	-	-	-	each	0 1
Coal and culm	-	-	-	-	-	per ton	0 2
Corn:—							
Barley, beans, buckwheat, flour, Indian corn, meal, oats, peas, rye, and tares	-	-	-	-	-	per boll	0. 1
Malt and wheat	-	-	-	-	-	per boll	0 1
Earthenware	-	-	-	-	-	per barrel bulk	0 4
Fruit of all kinds	-	-	-	-	-	per bushel	0 3
Glass	-	-	-	-	-	per barrel bulk	0 1
Groceries, viz.:—							
Coffee, confections, dried fruit, molasses, rice, snuff, soap, spices, sugar, tea, tobacco, &c.	-	-	-	-	-	per cwt.	0 4
Heavy goods not otherwise enumerated	-	-	-	-	-	per ton	0 6
Herrings	-	-	-	-	-	per barrel	0 2
Household furniture:—							
One cart load	-	-	-	-	-	-	1 0
One barrow load	-	-	-	-	-	-	0 6
New	-	-	-	-	-	per barrel bulk	0 1
Belonging to parties changing their residence only						per 10 barrels bulk	0 6
Husbandry utensils	-	-	-	-	-	per barrel bulk	0 4
Iron, viz.:—							
Bar, bolt, and rod; iron grates, stoves, rails, and other ironmongery						per cwt.	0 2
Old	-	-	-	-	-	per cwt.	0 1
Kelp	-	-	-	-	-	per cwt.	0 1
Lead	-	-	-	-	-	per cwt.	0 2
Leather, dressed and tanned	-	-	-	-	-	per cwt.	0 6
Light goods not otherwise enumerated	-	-	-	-	-	per barrel bulk	0 1
Lime	-	-	-	-	-	per boll	0 1
Luggage, passengers, not exceeding 28 lbs.						-	free.
All above 28 lbs.	-	-	-	-	-	per barrel bulk	0 4
Manures, including guano, &c.	-	-	-	-	-	per ton	1 0
Potatoes	-	-	-	-	-	per ton	0 6
Peats	-	-	-	-	-	per 500	0 1
Poultry	-	-	-	-	-	each	0 1
Salt	-	-	-	-	-	per ton of 40 bushels	1 0

			s.	d.	A.D. 1878.
Seed, viz. :—					
Canary	-	-	-	-	- per barrel bulk 0 3
Clover	-	-	-	-	- per bag of 3 cwt. 0 6
Flax and rape	-	-	-	-	- per barrel 0 4
Ditto	-	-	-	-	- per hogshead 0 9
Garden seeds	-	-	-	-	- per barrel bulk 0 6
Hemp seed	-	-	-	-	- per barrel bulk 0 3
Rye grass	-	-	-	-	- per quarter 0 3
Slates, viz. :—					
Over size	-	-	-	-	- per 1,000 3 0
Sizeable	-	-	-	-	- per 1,000 2 0
Under size	-	-	-	-	- per 1,000 1 0
Spirits	-	-	-	-	- per 50 gallons 0 9
Stones :—					
Freestone, granite, and pavement	-	-	-	-	- per ton of 16 cubic feet 0 2
Limestones and other stones	-	-	-	-	- per ton 0 1
Millstones	-	-	-	-	- each 0 4
Scythe stones	-	-	-	-	- per ton 0 6
Tar	-	-	-	-	- per barrel 0 2
Tiles	-	-	-	-	- per 1,000 1 0
Wood of all kinds	-	-	-	-	- per <i>ll.</i> value 0 6
Wool	-	-	-	-	- per cwt. 0 6

All returned empty boxes, barrels, bags, sacks, and pack sheets are exempted from dues.

All goods not enumerated in the above schedule to be charged in proportion to other goods of similar bulk and value specified in the above schedule.

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 proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two and a half cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two and a half cwt., then two and a half cwt. to be rated as a barrel bulk.

TABLE III.—RATES FOR SUPPLY OF WATER ON PIER.

		s.	d.
Water	-	-	- per 1,000 gallons 1 0.

A.D. 1878.

*Carrick
Castle.*

CARRICK CASTLE (LOCH GOIL).

*Order for the construction, maintenance, and regulation of a Pier
in Loch Goil, near Carrick Castle, in the county of Argyll.*

- Undertakers. 1. Lieutenant-General Sir John Douglas, of Glenfinart, in the county of Argyll, G.C.B., his heirs, assignees, successors, and assigns, shall be the Undertakers for carrying this Order into execution.
- Limits of pier. 2. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the works by this Order authorised, and the whole lands, accesses, works, and conveniences connected therewith.
- Power to construct works. 3. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plan and section deposited with reference to 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 Undertakers may, in the lines and situation, and according to the levels shown on the deposited plan and section, so far as the same are shown thereon, and within the limits of deviation shown on the plan, make and maintain the pier, accesses, and works authorised by this Order.
- Description of works. 4. The works authorised by this Order are—
A pier, commencing at a point on the east side of a road at present being formed along a part of the shore of Loch Goil, near Carrick Castle, distant 20 yards or thereby northward from the north-east corner of the house at present being erected there by Peter Ferguson, and passing thence in a north-easterly direction across the foreshore into Loch Goil 94 yards or thereby, and terminating at a point distant 20 yards or thereby south-eastward from the south-east corner of Carrick Castle, together with all necessary works, accesses, and conveniences in connexion with the said pier, all situated within the parish of Lochgoilhead and county of Argyll.
- Power to maintain and improve pier. 5. The Undertakers may dredge, scour, deepen, widen, enlarge, improve, and maintain the entrances and channels of the said pier; provided that works authorised by this section below high-water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.
- Penalty for obstructing works. 6. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

A.D. 1878.

Carrick
*Castle.*Rates for
warehouses,
&c.

7. The Undertakers may demand and receive such rates or other consideration as they think reasonable for the use of any warehouses, sheds, buildings, weighing-machines, cranes, works, and conveniences belonging to the Undertakers, for the use of which rates are not specially fixed in the schedule to this Order.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the pier and works, demand and receive in respect of vessels or boats, passengers, animals, goods, matters, and things described in the schedule to this Order, any sum not exceeding the several rates specified in the same schedule.

Power to take
rates according
to schedule in
Order.

9. If at any time and from time to time the clear annual income derived from the pier and works, on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the schedule to this Order.

Board of Trade
may reduce
rates.

10. The Undertakers, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade. If the Undertakers refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds; and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account.

Annual ac-
count to be
sent to Board
of Trade.

11. Fishing vessels belonging to countries with which for the time being treaties exist, exempting from dues 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 or works, 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.

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

Exemption of
Custom House
officers from
rates.

13. The Undertakers may from time to time lease the rates authorised by this Order, for any period not exceeding ten years, on such terms and conditions as they think fit; and the lessee shall have and may exercise during the

Rates may be
leased.

A.D. 1878.

*Carrick
Castle.*

continuance of his lease the same powers of levying and receiving rates and dues as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the same provisions as to accounts and otherwise to which the Undertakers are made subject by this Order.

Power to
make byelaws,

14. The Undertakers may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic on the pier, approaches, and other works authorised by this Order, but such byelaws 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.

Application of
receipts.

15. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise :

- (1.) In paying the costs of and in connexion with the preparation and making this Order :
- (2.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the pier and works authorised by this Order :
- (3.) The surplus revenue (if any) of the pier and works, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

Portions of
Harbours
Clauses Act
excepted.

16. Sections 16 to 19 inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Vessels not to
anchor within
certain limits.

17. No vessel or boat shall, without the consent of the Undertakers or their piermaster, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the works by this Order authorised to be constructed.

Vessels not to
moor alongside
pier without
consent.

18. No vessel or boat, except steamboats or pleasure boats embarking or disembarking passengers and their luggage, shall be moored alongside the pier without the consent of the Undertakers or their piermaster.

Meters and
weighers.

19. The Undertakers shall have the appointment of meters and weighers within the limits of this Order.

Lights after
completion of
works.

20. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of the pier and works or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers to
cease in cer-
tain events.

21. In the following cases ; (that is to say,)
- (1.) If within two years from the date of the passing of the Act confirming this Order, the works authorised by this Order should not be substantially commenced ; or

[41 & 42 VICT.] *Pier and Harbour Orders* [Ch: cxiv.]
Confirmation Act, 1878 (No. 1).

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months, the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

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 Carrick
 Castle.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

22. 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.

Saving rights
 under Crown
 Lands Act,
 1866.

23. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in reference thereto, shall be paid by the Undertakers.

Costs of Order.

24. This Order may be cited as the Carrick Castle (Loch Goil) Pier Order, 1878.

Short title.

The SCHEDULE to which the foregoing Order refers.

TABLE I.—RATES ON VESSELS USING THE PIER FOR SHIPPING, UNSHIPING, OR TRANSHIPPING GOODS.

	s.	d.
For every vessel under 15 tons register - - per register ton	0	4
For every vessel of 15 tons register and upwards - per register ton	0	6
All boats entirely open landing or taking on board goods or passengers - - - - -	0	4

TABLE II.—RATES ON PASSENGERS.

For each person above 12 years of age using the pier, or landed thereon or embarked therefrom - - - - -	0	1
For each person under 12 years of age with parent, master, or servant - - - - -		free.
Servants going with or for luggage - - - - -		free.

(But the luggage to be paid for.)

PASSENGERS LUGGAGE.

Every person allowed 28 lbs. of luggage, if carried by themselves -	free.
Every parcel or article of luggage, except as above - -	0 1

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TABLE III.—RATES ON ANIMALS AND GOODS SHIPPED, UNSHIPED,
OR TRANSHIPPED UPON THE PIER.Carrick
Castle.

			s.	d.
Ale and beer of all kinds	- - - - -	per hogshead	0	3
Ditto	- - - - -	per $\frac{1}{2}$ hogshead	0	2
Ditto	- - - - -	per firkin	0	1
Ditto (bottled)	- - - - -	per barrel bulk	0	6
Anchors	- - - - -	per cwt.	0	4
Bacon or hams	- - - - -	per cwt.	0	3
Beef, mutton, or pork	- - - - -	per barrel bulk	0	3
Bone dust	- - - - -	per ton of 40 bushels	1	0
Bricks	- - - - -	per 1,000	1	0
Butter	- - - - -	per cwt.	0	3
Candles	- - - - -	per cwt.	0	2
Carriages :—				
Chaises and other four-wheeled vehicles	- - - - -	each	1	0
Carts, gigs, and other two-wheeled vehicles	- - - - -	each	0	6
Carts, loaded	- - - - -	each	1	0
Casks, full or empty	- - - - -	each	0	1
Cheese	- - - - -	per cwt.	0	2
Cattle :—				
Bull, cow, or ox	- - - - -	each	0	6
Ditto, if more than one belonging to the same person	- - - - -	each	0	4
Calves	- - - - -	each	0	1
Horses	- - - - -	each	1	0
Ditto, if more than one belonging to the same person	- - - - -	each	0	9
Pony, donkey, or mule	- - - - -	each	0	6
Lambs	- - - - -	per score	0	6
Sheep	- - - - -	per score	0	6
Ditto, if fewer than 10	- - - - -	each	0	0 $\frac{1}{2}$
Swine	- - - - -	each	0	1
Coals and culm	- - - - -	per ton	0	2
Corn :—				
Barley, beans, buckwheat, flour, Indian corn, meal, oats, peas, rye, and tares	- - - - -	per bag or barrel	0	1
Malt and wheat	- - - - -	per barrel	0	1
Earthenware	- - - - -	per crate	0	4
Eggs	- - - - -	per barrel bulk	0	2
Fish, dried or salted	- - - - -	per ton	0	4
Haddocks, cod, salmon, and all fresh fish not enumerated	- - - - -	per barrel bulk	0	2
Fruit of all kinds	- - - - -	per bushel	0	3
Glass	- - - - -	per barrel bulk	0	3
Groceries, viz. :—Coffee, confections, dried fruit, molasses, rice, snuff, soap, spices, tea, tobacco, &c.	- - - - -	per cwt.	0	4
Heavy goods, not otherwise enumerated	- - - - -	per ton	1	0
Herrings (salted)	- - - - -	per barrel	0	1
Ditto (fresh)	- - - - -	per cran	0	1 $\frac{1}{2}$

	s.	d.	A.D. 1878,
Household furniture:—			
1 cart load	1	0	Carrick Castle.
1 barrow load	0	6	
New	0	2	
Belonging to parties changing their residence only			
		per 10 barrels bulk	0 6
Husbandry utensils	0	4	
Iron, viz.:—Bar, bolt, and rod; iron grates, stoves, rails, and other ironmongery	0	2	
Old	0	1	
Old or broken cast iron	0	0 $\frac{1}{2}$	
Kelp	0	1	
Lead of all kinds and zinc	0	2	
Leather, dressed and tanned	0	6	
Light goods, not otherwise enumerated	0	3	
Lime	0	1	
Manures, including guano, &c.	1	0	
Potatoes	0	6	
Peats	0	1	
Poultry	0	1	
Salt	1	0	
Seed, viz.:—Canary	0	3	
Clover	0	6	
Flax and rape	0	4 $\frac{1}{2}$	
Ditto	0	9	
Garden seeds	0	6	
Hemp seed	0	3	
Rye grass	0	3	
Slates, viz.:—			
Over size	3	0	
Sizeable	2	0	
Under size	1	0	
Spirits	0	6	
Stones:—			
Freestone, granite, and pavement, per ton of 16 cubic feet	0	4	
Limestones, and other stones	0	1	
Millstones	0	4	
Scythe stones	0	6	
Sugar	0	1	
Tar	0	2	
Tallow	2	0	
Tiles or pipes for draining	1	0	
Wheelbarrows, one-wheeled	0	2	
„ two-wheeled	0	4	
Wine	1	0	
Wine (bottled)	0	2	
Wood of all kinds	0	6	
Wool	0	3	

A.D. 1878.

*Carrick
 Castle.*

All returned empty boxes, barrels, casks, bags, sacks, and pack sheets are exempted from dues.

All goods not enumerated in the above schedule to be charged in proportion to other goods of similar bulk and value specified in the above schedule.

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, but no such proportional charge shall be less than one penny.

Five cubic feet, not exceeding two and a half cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two and a half cwt., then two and a half cwt. to be rated as a barrel bulk.

CONWAY.

Conway.

Order for the maintenance, improvement, and regulation of the harbour of Conway, in the county of Carnarvon.

Definition of Undertakers.

1. The mayor, aldermen, and burgesses of the borough of Conway, in the county of Carnarvon (in this Order called the Corporation), by their Council, shall be the Undertakers for carrying this Order into execution, and shall have and may exercise the powers, privileges, and authorities conferred by this Order.

Appointment of Harbour Committee.

2. The Council of the Corporation may, and they are hereby empowered at their first meeting after the passing of the Act confirming this Order, and in the month of November in every subsequent year, to appoint a committee consisting of nine of their number, of whom one shall be the mayor for the time being of the borough, and the remaining eight shall be elected by the members of Council present at the meeting; and such committee, subject to the approval and supervision of the Council, shall have power, on behalf of the Corporation, to carry into effect all the provisions of this Order until the annual meeting in November in the following year.

Lands may be acquired by agreement.

3. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (except as much thereof as relates to the purchase or taking of lands otherwise than by agreement), are hereby respectively incorporated with this Order.

Limits of harbour.

4. The limits of the harbour within which the Corporation shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall be the area below high-water line of so much of the River Conway as lies within the two following imaginary straight lines; that is to say,

(1.) A straight line drawn from the north-western extremity of Conway Marsh across the river to Cerrig-deion, otherwise Blackstone Point, situate about midway between Diganwy and Tremlyd Points:

(2.) A straight line drawn from Benarth Point across the river to Pen-y-bont.

Power to improve and maintain the harbour.

5. The Corporation may from time to time maintain, alter, improve, and regulate the harbour, locks, gates, bridges, quays, piers, jetties, wharves, sewers,

[41 & 42 VICT.] *Pier and Harbour Orders* [Ch. cxiv.]
Confirmation Act, 1878 (No. 1).

drains, roads, and approaches thereof, and the works, machinery, and conveniences belonging thereto, and may lay down rails, tramways, sidings, and turntables on and along the quays, piers, and other works of the harbour, and the lands connected therewith, and may alter, dredge, scour, deepen, widen, straighten, improve, and maintain the entrances, channels, and waterways of the harbour: Provided that no works authorised by this section below high-water mark shall be commenced without the assent of the Board of Trade having been first obtained.

A.D. 1878.

Conway.

6. The Corporation shall from time to time, if and when required by the Board of Trade, revise the rates, tolls, and dues receivable by them, so that the income of the Undertakers derived from the harbour and works may always be, as far as practicable, sufficient and not more than sufficient to meet the payments and expenditure authorised by this Order: Provided that in respect of import traffic arriving or discharged within the limits of the harbour, the Corporation may from time to time charge such quay or wharfage dues as they are now entitled to, not exceeding, however, twopence per ton, but export traffic from any place on the northerly side of the Conway Tubular Bridge shall be exempt from all quay or wharfage or other dues; provided, nevertheless, that the vessels carrying such export and import traffic shall be liable to anchorage, perch, and lighting dues as heretofore, but not exceeding in all one farthing per ton.

Rates to be revised from time to time.

Limitation of, and exemption from, certain rates.

All rates, tolls, and dues levied by the Corporation shall be charged equally to all persons with respect to the same description of vessels and the same description of goods.

Rates to be equally levied.

7. The Corporation shall keep separate accounts of the rates, tolls, and dues received by them under this Order, and shall, within one month after sending to the clerk of the peace a copy of their annual account in abstract, send a copy of the same to the Board of Trade. If the Corporation refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account.

Separate accounts to be kept and copy of annual account to be sent to the Board of Trade.

8. 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 coast of the United Kingdom shall, when forced by stress of weather to make use of the harbour and works, and not breaking bulk while making use thereof, be exempt from rates, tolls, and dues leviable by the Corporation.

Certain fishing vessels under stress of weather exempt from rates.

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

Exemption of Customs officers.

10. The Corporation may provide, maintain, and use such steam engines, steam vessels, piling engines, steam and other cranes, diving bells, dredgers, ballast lighters, barges, boats, buoys, mooring posts, mooring craft, weighing machines, tackle, machinery, appliances, and conveniences as they think proper for carrying on the business of the harbour, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable: Provided always, that the Corporation shall not, under or in exercise of any of the powers contained in this Order, execute any work, or do, permit, omit, or suffer to be done any act, matter, or thing, which may injuriously

Corporation may provide steam engines, dredgers, &c.

A.D. 1878.

Conway.

interfere with or cause any injury to any railway or the works thereof, or any lands or property now or at any time hereafter belonging to, or worked, used, or occupied by the London and North-western Railway Company without the consent of that Company under their common seal being first obtained.

Corporation
may provide
and license
steam tugs.

11. The Corporation may from time to time build, purchase, contract for, or hire, and may maintain, use, and let steam tugs or other power for the use and accommodation of vessels frequenting the harbour, and may also from time to time license such number of steam tugs or other power belonging to any person for such period and on such terms and conditions as they think fit.

Charges for
steam tugs.

12. The Corporation may from time to time, with the approval of the Board of Trade, fix such rates or charges as appear to them reasonable for or in respect of the use of such steam tugs or other power maintained, used, and let or licensed by them, and such rates or charges shall be paid by the owner, agent, master, consignee, or other person having charge of the vessel, obtaining the assistance of such steam tug or other power to the Corporation or to their lessee, or to the person with whom they may contract, or to the owner of such steam tug or other power, if licensed by the Corporation, as the case may be, and such rates and charges shall be due and payable, whether such steam tug or other power shall be actually employed or not, provided the assistance thereof shall have been required, and shall in consequence of a requisition have been tendered by the master or other person having the command of such steam tug or other power.

Rates for uses
of warehouses,
&c.

13. The Corporation may demand and receive such rates or other consideration as they may think reasonable for the use of any warehouses, sheds, buildings, yards, works, and conveniences belonging to them.

Rates may be
leased.

14. The Corporation may from time to time lease the rates leviable by them for any period not exceeding ten years, to take effect in possession at the best rent to be reasonably obtained without fine, and on such other terms and conditions as they may think fit, and the lessee shall have and may exercise during the continuance of his lease the same power of levying and recovering rates and dues as the Corporation have or might exercise, and shall be subject to all the same provisions as to accounts, and otherwise, to which the Corporation are made subject by this Order.

Borrowing
powers.

15. The Corporation 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 ten thousand pounds on security of the harbour, and of the lands, works, and property connected therewith, and of the rates and dues leviable by the Corporation, or of any of those particulars.

Incorporation
of Commis-
sioners Clauses
Act as to
mortgages.

16. The provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order, except so much thereof as relates to the appointment of a receiver at the expiration of one calendar month after the time appointed for the payment of any interest, and throughout such incorporated provisions the expression "the special Act" shall mean this Order, and the amount to be yearly appropriated and set apart as a sinking fund, to be applied in paying off the principal moneys borrowed, may be any sum not less than two per cent. of the amount so borrowed.

[41 & 42 VICT.] *Pier and Harbour Orders* [Ch. cxiv.]
Confirmation Act, 1878 (No. 1).

A.D. 1878.

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

Conway.

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

Application of money borrowed.

(2.) In defraying the cost of the works authorised by this Order.

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

Application of money borrowed.

19. 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*.

Re-borrowing.

20. The mortgagees of the Corporation may enforce the payment of arrears of interest, or of principal and interest, due to them on their respective mortgages by the appointment of a receiver at the expiration of three calendar months from the time limited for such payments respectively, and the amount to authorise a requisition for a receiver is one thousand pounds.

Receiver.

21. The rates, tolls, and dues received by the Corporation in respect of the harbour and works shall be applied for the purposes and in the order following, and not otherwise:

Application of rates and income.

(1.) In paying so much of the costs, charges, and expenses of and incidental to obtaining this Order as shall not be otherwise discharged:

(2.) In paying the expenses of the maintenance, repair, improvement, management, lighting, and regulation of the quay, harbour, and works:

(3.) In paying year by year the interest accrued due on money borrowed under this Order:

(4.) In creating a sinking fund in manner and so far as the circumstances of the case will admit in the proportion directed by this Order:

(5.) So much of the rates as may remain, after answering the several purposes aforesaid, shall be applied by the Corporation to the general improvement of the harbour, and to no other purpose.

22. Sections 16, 17, 18, 19, 25, and 26 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Portions of Harbour Clauses Act excepted. Meters and weighers.

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

24. Within the limits of this Order the Corporation shall be a pilotage authority and local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Undertakers to be pilotage authority.

25. The Corporation may make byelaws for the regulation and control of vessels and boats within or leaving the limits of the harbour, and for landing, shipping, and storage of goods, and other traffic, and for the regulation and control of the fishermen and others, and for the supply of ballast to vessels and boats, and for the deposit or removal of ballast on the quays, jetties, wharves, roads, approaches, and other works of the Corporation; but such byelaws 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.

Power to make byelaws.

A.D 1878.

*Conway.*Saving rights
under Crown
Lands Act,
1866.

26. 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 first been obtained.

Saving rights
of the Crown
under manage-
ment of Com-
missioners of
Her Majesty's
Woods, &c.

27. Nothing contained in this Order shall authorise the Corporation to take, use, or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the consent in writing of the same Commissioners, or one of them, on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give); neither shall anything in the said Order 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.

Costs of Order.

28. All the costs, charges, and expenses of and incidental to the obtaining of this Order, and otherwise in relation thereto, shall be paid by the Corporation.

Short title.

29. This Order may be cited as the Conway Harbour Order, 1878.

Falmouth.

FALMOUTH.

*Order for the maintenance, extension, and regulation of Piers in
the borough of Falmouth and county of Cornwall.*Constitution of
authority.

1. The mayor, aldermen, and burgesses of the borough of Falmouth, in the county of Cornwall, acting by the Council of the said borough and as the urban sanitary authority thereof, their successors and assigns, shall during the continuance of the lease of the twenty-ninth day of September one thousand eight hundred and seventy-seven in this Order subsequently mentioned, and from and after the determination of such lease the Right Honourable the Earl of Kimberley, his heirs and assigns, shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the powers conferred by this Order.

Parts of Lands
Clauses Con-
solidation Acts
to apply.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, (except so much thereof as relates to the purchase or taking of lands otherwise than by agreement,) shall respectively be incorporated with this Order.

Power to make
works.

3. 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 Undertakers may, 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, maintain their piers and make and maintain the extension of their Market Strand pier and the other works authorised by this Order.

A.D. 1878.

*Falmouth.*Description
of works
authorised.

4. The works authorised by this Order comprise the following :

- (1.) The maintenance of the present Market Strand pier of the Undertakers, and the making and erection of the extension thereof in a north-easterly direction to the extent of seventy-five feet, commencing at a point at the north-eastern extremity of the existing Market Strand pier, and terminating at a point seventy-five feet or thereabouts, measured in a north-easterly direction, from the first mentioned point, and situate in the tideway of Falmouth Harbour. Such extension will consist of a wharf, jetty, or other structure, movable or immovable, of a length of sixty-five feet or thereabouts, and a pontoon twenty feet or thereabouts in length and ten feet or thereabouts in width, attached thereto so as to enable steamers and other vessels coming alongside the said piers and extension to land passengers and goods at all times of the tide.
- (2.) The maintenance of the existing Fish Strand pier of the Undertakers.
- (3.) All such landing-places, approaches, works, and other conveniences connected therewith, as may be required, for embarking and landing cattle, fish, and merchandise, or for other purposes of this Order.

5. For the purposes of the works authorised by this Order the Undertakers may from time to time by agreement purchase or lease, enter on, take, and use all or such parts of the lands and foreshore and hereditaments shown on the plans deposited for the purposes of this Order as they may think requisite for the purposes of the said piers, extension, and landing-places, and approaches and works and conveniences connected therewith.

Authority to
take lands, &c.

6. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the piers, landing-places, and works and conveniences connected therewith, demand and take, in respect of the vessels, boats, goods, animals, fish, and things and merchandise described in the schedule to this Order, any sums not exceeding the rates, dues, and duties in the said schedule mentioned.

Power to take
rates, dues, and
duties in
schedule.

7. The Undertakers, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act (1861) Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Annual account
to be sent to
the Board of
Trade.

8. 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 ports or on the coasts of the United Kingdom shall, if and when forced by stress of weather to make use of the pier authorised 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.

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

Exemption of
Custom House
officers from
rates.

A.D. 1878.

—
Falmouth.
Lifeboat crew
exempt from
tolls.

10. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the piers and works without payment.

Life-saving
apparatus may
be attached to
pier.

11. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the piers or works of the Undertakers spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the piers.

Power to
borrow money.

12. The Undertakers may from time to time borrow at interest such money as may be required for carrying into effect the purposes of this Order, not exceeding in the whole the sum of two thousand pounds, on the security of the piers and works, and the rates, dues, and duties authorised by this Order, or of either of them; and any money borrowed under the provisions of this Order which shall become charged on the rates, dues, and duties authorised by this Order, and shall be discharged otherwise than by means of the sinking fund in this Order mentioned, may be re-borrowed from time to time, if required, for the purposes of this Order.

Provision as
to borrowed
money.

13. In case any money shall during the continuance of the said lease be borrowed under or by virtue of this Order, the said Earl of Kimberley shall not be personally liable to repay the money so borrowed, or any part thereof, or any interest thereon.

Application
of money
borrowed.

14. Every part of the money borrowed under this Order shall be applied only in payment of the costs, charges, and expenses of and incidental to obtaining this Order, and for the other purposes of this Order.

Application
of rates and
income.

15. The Undertakers shall apply all the rates, dues, and duties 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, so far as the same may not be paid out of moneys borrowed under this Order.
- (2.) In paying the expenses of the maintenance, repair, management, and regulation of the piers, extension, and landing-places and the approaches thereto, and of all works authorised by and within the limits of this Order.
- (3.) In paying year by year the interest accruing on money borrowed under this Order, or otherwise becoming a charge on the rates, dues, and duties received under this Order.
- (4.) In paying the costs of the works authorised 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 directed by the Commissioners Clauses Act, 1847.

A.D. 1878.

16. The Undertakers may make and from time to time alter the byelaws for the purpose of levying the said rates, dues, and duties payable under this Order, and for the regulation and control of the persons, vessels, boats, goods, and traffic on the piers and works authorised by this Order, but byelaws 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.

Falmouth.
Power to make
and alter
byelaws.

17. The Undertakers shall have the appointment of meters and weighers and other officers on and in connexion with the said piers, extension, and works authorised by this Order.

To appoint
meters,
weighers, and
other officers.

18. Sections 16, 17, 18, and 19 of the Harbours, Docks, and Piers Act, 1847, shall not be incorporated with this Order.

Part of Har-
bours, &c. Act,
1847, excepted.

19. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
during the
construction
of works.

20. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall, at the outer extremity of the pier or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

As to lights
after completion
of works.

21. In the following cases; (that is to say,)

Powers of
Order to cease
in certain cases.

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or

(2.) If such works after having been commenced shall be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

22. 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 the limits affected by any such rights, interests,

Saving rights
under Crown
Lands Act,
1866.

A.D. 1878. powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Falmouth.
Saving of rights
of duchy of
Cornwall.

23. The consent of His Royal Highness the Prince of Wales in right of His duchy of Cornwall signified to this Order shall not be taken as a consent to the surrender of, and nothing in this Order contained shall prejudice or affect, any property, rights, powers, authorities, or privileges of His Royal Highness or of the possessor of the duchy of Cornwall for the time being.

Saving for Earl
of Kimberley.

24. This Order, or anything in this Order contained, shall not prejudice or affect any rights, powers, or privileges of the said Right Honourable the Earl of Kimberley, his heirs or assigns, under or by virtue of a certain indenture of lease bearing date the twenty-ninth day of September one thousand eight hundred and seventy-seven of the said piers and hereditaments, and made between the said Earl of Kimberley of the one part, and the mayor, aldermen, and burgesses of the borough of Falmouth, in the county of Cornwall, acting by the Council of the said borough and as the urban sanitary authority of the said borough, of the other part, by which the said piers and hereditaments were demised for the term of one thousand years from the day of the date thereof.

Costs of Order.

25. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Undertakers.

Short title.

26. This Order may be cited as the Falmouth Piers Order, 1878.

SCHEDULE to which the foregoing Order refers.

I.—RATES ON GOODS.

	s.	d.
Anchors, each	1	0
Ale, porter, beer, cider, or perry, per kilderkin	0	1
" " " per barrel	0	2
" " " per hogshead	0	3
" " " per pipe, butt, or puncheon	0	6
" " " per jar	0	0½
Apples, per basket (small basket)	0	0½
" " (large basket)	0	1
Ballast, per ton	0	2
Butter, per pot	0	0½
" per firkin	0	1
" per basket	0	1
Bark or Velonia, per ton	1	0
Beef or pork (salt), per barrel	0	3
" " per tierce	0	4
Beef or pork (fresh), per quarter	0	2
Brooms, per dozen	0	0½
" per gross	0	3
Bricks (building) per 100	0	2
" per 1,000	1	0
" Bath, per 1,000	0	3

[41 & 42 VICT.]

Pier and Harbour Orders
Confirmation Act, 1878 (No. 1).

[Ch. cxiv.]

	s.	d.	A.D. 1878.
Bottles (empty), quarts, per gross	0	3	<i>Falmouth.</i>
„ „ pints, per gross	0	2	
„ (full), per dozen	0	1	
Biscuits, per bag	0	1	
„ per ton	1	0	
Billets, per 1,000	0	3	
Copper (sheets, &c.), per cwt.	0	1½	
„ „ per ton	1	3	
Candles, per chest	0	4	
Cheese, per cwt.	0	1	
„ per ton	1	4	
Calves, each	0	6	
China, small crate	0	6	
„ large crate	1	0	
Coals, per ton	0	6	
Earthenware, small crate	0	3	
„ large crate	0	6	
„ (brown), per dozen	0	0½	
„ jars, per half-dozen	0	0½	
„ „ per dozen	0	1	
Flour, per barrel	0	1	
„ per sack	0	1½	
Fish (salt), per cwt.	0	1	
„ per ton	1	0	
Fish (fresh), per cwt.	0	2	
„ per basket, box, maund, or gurry	0	1	
Guano, per bag	0	1	
„ per ton	1	3	
Grocery, per box	0	3	
„ per tierce	0	6	
„ per hogshead	0	9	
Glass (window), per box	0	1	
„ „ per side	0	3	
Gunpowder, per ton	0	2	
Gates (wood), each	0	2	
Grates (register)	0	2	
„ (common)	0	1	
Grain (wheat, barley, oats, maize, &c.), per Winchester bushel	0	0½	
„ „ „ per quarter	0	0½	
Granite (wrought), per ton	0	8	
„ (unwrought), per ton	0	4	
Grindstones, per cwt.	0	0½	
Hay, per ton	0	6	
Hides (dry), per 100	1	0	
„ (wet), per dozen	0	1	
Hops, per bag	0	6	

A.D. 1878.

Falmouth.

								s.	d.
Hemp, per cwt.	-	-	-	-	-	-	-	0	1
„ per ton	-	-	-	-	-	-	-	1	3
Herrings, per barrel	-	-	-	-	-	-	-	0	1½
„ per half barrel	-	-	-	-	-	-	-	0	1
Hoops (barrel), per load	-	-	-	-	-	-	-	0	9
Horse or bullock, each	-	-	-	-	-	-	-	1	0
Iron (bars, &c.), per ton	-	-	-	-	-	-	-	0	10
„ per ton	-	-	-	-	-	-	-	0	6
„ (ware, wrought or cast,) per cwt.	-	-	-	-	-	-	-	0	1
„ „ „ per ton	-	-	-	-	-	-	-	1	0
Junk, per ton	-	-	-	-	-	-	-	0	6
Lime, per ton	-	-	-	-	-	-	-	0	8
Laths, per 1,000	-	-	-	-	-	-	-	0	1½
Lemons, per box	-	-	-	-	-	-	-	0	2
Leather, per bundle	-	-	-	-	-	-	-	0	4
Lead (sheet, &c.), per ton	-	-	-	-	-	-	-	0	10
Malt, per quarter	-	-	-	-	-	-	-	0	3
Nuts, per Winchester bushel	-	-	-	-	-	-	-	0	1
Oakum, per cwt.	-	-	-	-	-	-	-	0	1
„ per bundle	-	-	-	-	-	-	-	0	0½
Onions, per cwt.	-	-	-	-	-	-	-	0	1
„ per ton	-	-	-	-	-	-	-	0	6
Oil, per hogshead	-	-	-	-	-	-	-	0	3
„ per puncheon or pipe	-	-	-	-	-	-	-	0	6
„ per cask	-	-	-	-	-	-	-	0	3
Oranges, per chest	-	-	-	-	-	-	-	0	2
Paper, per cwt.	-	-	-	-	-	-	-	0	2
Potatoes, per Cornish bushel	-	-	-	-	-	-	-	0	1½
„ per ton	-	-	-	-	-	-	-	0	10
Pilchards, per hogshead	-	-	-	-	-	-	-	0	3
Purbeck and bath-stone, per ton	-	-	-	-	-	-	-	0	6
Pitch or tar, per barrel	-	-	-	-	-	-	-	0	2
Peas, per Winchester bushel	-	-	-	-	-	-	-	0	0½
Figs (live or dead)	-	-	-	-	-	-	-	0	3
Quartering run of one hundred feet	-	-	-	-	-	-	-	0	4
Resin, per barrel	-	-	-	-	-	-	-	0	2
Rope, per cwt.	-	-	-	-	-	-	-	0	1
Rope, per ton	-	-	-	-	-	-	-	1	0
Rags, per ton	-	-	-	-	-	-	-	0	6
Rice, per bag	-	-	-	-	-	-	-	0	1
Raisins, per box	-	-	-	-	-	-	-	0	0½
Salt, per cwt.	-	-	-	-	-	-	-	0	0½
„ per ton	-	-	-	-	-	-	-	0	6
Sheep (live or dead)	-	-	-	-	-	-	-	0	2
Slates (scantle), per 1,000	-	-	-	-	-	-	-	0	6
„ (cut sizes), per ton	-	-	-	-	-	-	-	0	8
„ (underfoot), per ton	-	-	-	-	-	-	-	0	6

	s.	d.	A.D. 1878.
Soap, per cwt.	-	0	1
„ per chest	-	0	2
Sand (casting, &c.), per ton	-	0	6
Seeds, per Winchester bushel	-	0	1
„ per sack	-	0	2
Sugar, per bag or cask	-	0	1
„ per ton	-	0	8
Spirits or wines, per quarter cask	-	0	2
„ „ per hogshead	-	0	4
„ „ per pipe, puncheon, or butt	-	0	8
„ „ per jar (according to size)	-	0	0½
		0	1
Tea, per caddy	-	0	1
„ per box	-	0	2
„ per chest	-	0	4
Tin plate, per box	-	0	1
Vegetables—cabbages and brocoli, per dozen	-	0	0½
„ turnips, per dozen bunches	-	0	0½
„ turnips, per 100	-	0	0½
„ potatoes (Cornish bushel)	-	0	1½
„ peas, &c., per large hamper	-	0	1
„ peas, &c., per small hamper	-	0	0½
Whiting, per cwt.	-	0	1
„ per ton	-	0	8

Goods and merchandise landed on the piers, extension, landing-places, or slips to be removed immediately, but if suffered to remain (after 24 hours notice) the quay-master or other officer to remove them at the expense of the owners.

All goods and merchandise landed to be removed immediately. All sand and manure landed on the piers, extension, landing-places, or slips to be carried off at once.

All other goods and merchandise not particularly enumerated above to be charged in proportion, having regard to the value and bulk, and also to extra wear and tear (if any) of quays and appliances.

Goods discharged direct into boats or lighters from vessels lying alongside the piers, quays, or landing-places to pay one-half dues.

II.—RATES ON VESSELS AND BOATS.

All decked vessels lying alongside the quays, piers, or landing-places to discharge or receive cargo to be paid at the rate of one halfpenny per ton on their registered tonnage. If lying alongside or using quays, piers, or landing-places for any purpose other than landing or receiving cargo, special rates to be paid.

All boats lying alongside the piers, extension, landing-places, or slips, selling fish not landed in baskets, boxes, maunds, or gurrys, to pay 1s. each boat, if the boat does not exceed 16 feet in length, and 2s. if the boat exceeds 16 feet in length.

A.D. 1878.

Filey.

FILEY.

*Order for the construction, maintenance, and regulation of a Pier
and Breakwaters and Works at Filey, in the North Riding of
the County of York.*

Undertakers.

1. The Filey Fishery Harbour and Pier Company Limited (in this Order called "the Company") shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the several powers, privileges, and authorities by this Order conferred on the Undertakers, and may carry this Order in all respects into effect.

Lands Clauses
Acts incor-
porated.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement), shall be incorporated with this Order.

Power to take
lands by agree-
ment.

3. For the purposes of the works authorised by this Order, the Company from time to time may by agreement enter upon and take and may use any part of the lands shown on the plans deposited for the purpose of this Order.

Power to exe-
cute works.

4. Subject to the provisions of this Order, and subject also to such alteration (if any) in the plans and sections deposited with reference to 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 Company may, on the lands taken by them under this Order and in the lines and situations 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 pier, breakwaters, and works authorised by this Order.

Description
of works
authorised.

5. The works authorised by this Order comprise the following :

- (A.) A pier, commencing at or near high-water mark at ordinary spring tides, about thirty yards north of the boundary line between the north and east ridings of the county of York, and extending seaward in an easterly direction about two thousand feet;
- (B.) A breakwater or pier, commencing at the eastern termination of the pier above mentioned, and extending in an easterly and north-easterly direction for a distance of about one thousand one hundred and fifty feet, and terminating in the sea;
- (C.) A breakwater, commencing in the sea at a point about one hundred and forty feet south-eastward from the northernmost end of the pier or breakwater last above mentioned, and extending in a north-easterly and northerly direction for a length of eight hundred and fifty feet, or thereabouts, and terminating in the sea at a point about six hundred feet, measured in a south-westerly direction from Carr Naze Point;
- (D.) The making, providing, and maintaining in connexion with the aforesaid works, or any of them, or any part or parts thereof

respectively, of all necessary and convenient shipping and landing-places, roads, footpaths, depôts, warehouses, sheds, toll-houses, toll-gates or bars, custom-houses, cranes, lifts, buoys, moorings, sewers, drains, and other works and conveniences.

A.D. 1878.

Filey.

6. The Company, in constructing the works by this Order authorised, may alter and deviate the same to any extent which may be approved in writing by the Board of Trade, but not beyond the limits of deviation marked on the deposited plans, except with the consent in writing of the owner or owners of any land which may be affected by such alteration or deviation.

Power to deviate.

7. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works, or any part thereof, shall be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier, breakwater, works, and conveniences connected therewith and other property of the Company, and within the limits specified in the next following section, demand and take, in respect of the vessels, boats, goods, animals, fish, persons, and things described in the schedule to this Order, any sums not exceeding the rates in that schedule mentioned.

Power to take rates in schedule.

9. The limits within which the Company shall have authority, and which shall be deemed the limits to which the provisions of this Order extend, and beyond which no rates or tolls shall be taken under this Order, shall comprise the pier, breakwaters, and works by this Order authorised, and the rest of the area below high-water line lying within an imaginary line drawn parallel to the pier constructed under this Order at a distance of one hundred yards southward of the southern side of the pier and extending seawards to a point at a distance of fourteen hundred yards from the high-water line, and from that point drawn due north to the high-water line on Filey Brigg.

Limits of Order.

10. The Company may from time to time erect upon or near the pier or the approaches thereto tramways, toll-houses, and buildings, and may sell, let, or lease their Undertaking, works, and property, or any part or parts thereof, or the tolls, rates, duties, and other charges authorised to be taken by this Order, to such person or persons, company, local authority, commissioners, or corporation, upon such terms (pecuniary or otherwise), and under such restrictions and conditions as they think fit, and a mortgagee in possession, purchaser, or lessee shall have and may exercise all the same powers of levying and recovering tolls, rates, and dues as the Company have or might exercise under this Order, and shall be subject to the same provisions, as to accounts and otherwise, as the Company are subject to under this Order.

Further powers as to works and to sell or lease undertaking.

A.D. 1878.

*Filey.*Board of Trade
may reduce
rates.

11. If at any time, and from time to time, the clear annual income derived from the pier, breakwaters, and works on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, and otherwise in relation to the Undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Annual ac-
count to be
sent to the
Board of
Trade.

12. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act (1861) Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing
vessels under
stress of
weather
exempt from
rates.

13. 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 ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the works authorised by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Pass tickets
for use of
pier.

14. The Company may grant to passengers, promenaders, and others pass tickets for the use of the pier and works, at such rates, on such terms, and for such periods not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable nor used by any person except the person to or for whom it is granted, nor 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 pass 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.

Power to
charge for
use of sundry
conveniences
or services.

15. The Company may charge for the use of any works and conveniences provided by them, or in respect of any services rendered by them other than those specified in the schedule hereto, such sums as may be agreed upon between the Company and the person desiring to avail himself of such works or conveniences or services, but so that no preference be in any case given to any person.

A.D. 1878.

16. The Company may from time to time confer, vary, or extinguish exemptions from and enter into composition with any person or persons with respect to the payment of tolls, rates, or duties authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Filey.

Powers to vary exemptions from rates and to enter into compositions, &c.

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

Exemption of Custom-house officers from rates.

18. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to, or along, and from the pier without payment.

Lifeboat crew exempt from tolls.

19. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may, either permanently or temporarily and from time to time, without payment, attach or cause to be attached to any part of the pier spars or other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Life-saving apparatus may be attached to pier.

20. The Company shall not purchase for extraordinary purposes within the meaning of the Harbours, Docks, and Piers Clauses Act, 1847, lands exceeding in the whole five acres.

Land for extraordinary purposes.

21. The Company may provide and use such steam and other engines, 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.

Steam engines, cranes, moorings, posts, &c.

22. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier of the Company authorised by this Order any sheep, cattle, fish, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any way interfere with the use of the pier for recreation or for embarking or landing of passengers, except at the places (if any) provided for the purpose of landing or shipping of sheep, cattle, fish, merchandise, and other like things.

Restriction on use of pier.

23. The pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon or within the limits of this Order requiring the cognisance of any justice of the peace, be deemed and taken to be within or as forming part of the parish of Filey in the north riding of the county of York, and within the jurisdiction of any justice acting within and for the division of which that parish forms part.

Pier to be deemed within the parish of Filey.

24. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited,

As to lights during the construction of works.

A.D. 1878. and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

Riley.

As to lights after completion of works.

25. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier, breakwaters, and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Parts of Harbours, &c. Act excepted.

26. Sections 16 to 19 inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Meters and weighers.

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

Power to make byelaws.

28. The Company may make byelaws for the regulation and control of the fishermen and others and goods and traffic on the pier and works authorised by this Order, but such byelaws 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.

Vessels not to anchor within fifty yards of pier.

29. No vessel or boat shall, without the consent of the piermaster, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the works by this Order authorised to be constructed.

Vessels not to be moored to pier.

30. No vessel or boat, except steamboats and pleasure boats embarking or disembarking passengers and their luggage, shall be allowed to be moored alongside the pier without the consent of the Company or their piermaster.

Powers of Order to cease in certain cases.

31. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

[41 & 42 VICT.] *Pier and Harbour Orders* [Ch. cxiv.]
Confirmation Act, 1878 (No. 1).

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 the limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained. A.D. 1878.
Filey.
Saving rights under Crown Lands Act, 1866.
33. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Company. Costs of Order.
34. From and after the passing of the Act confirming this Order, the *Filey Harbour Order, 1864*, confirmed by the *Pier and Harbour Orders Confirmation Act, 1864*, shall be and the same is hereby repealed. Repeal of Order of 1864.
35. This Order may be cited as the *Filey Pier and Harbour Order, 1878*. Short title.

The SCHEDULE to which the foregoing Order refers.

I. RATES FOR USE OF PIER.

	£	s.	d.
For every passenger or other person landing on the pier from or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - - -	0	0	6
For every person using 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	0	2
For every bath or sedan chair taken on the pier, for each time, any sum not exceeding - - - - -	0	0	6
For every perambulator taken on the pier, for each time, any sum not exceeding - - - - -	0	0	2
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - -	1	0	0

II. RATES ON PASSENGERS LUGGAGE LANDED OR SHIPPED.

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

A.D. 1878.

*Filey.*III. RATES ON VESSELS COMING WITHIN THE LIMITS SPECIFIED IN
THE ORDER.

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

IV. RATES ON GOODS SHIPPED OR UNSHIPED.

Ale, beer, and porter, per hogshead	-	0	0 6
Ale, bottled, per barrel	-	0	0 4
Ale, bottled, per dozen bottles	-	0	0 1
Anchors, per cwt.	-	0	0 9
Anchor stock, per foot run	-	0	0 2
Bark, per ton	-	0	2 0
Bedding, per bundle	-	0	0 3
Beef or pork, per cwt.	-	0	0 3
Beef or pork, per barrel	-	0	0 6
Biscuits or bread, per cwt.	-	0	0 3
Blubber, per tun of 250 gallons	-	0	3 0
Bones and bone dust, per ton	-	0	1 6
Bottles, per gross	-	0	0 9
Bricks, per 1,000	-	0	1 6
Butter and lard, per barrel	-	0	0 6
Butter and lard, per firkin	-	0	0 3
Cables, iron or hempen, per ton	-	0	3 0
Canvas, per bolt	-	0	0 1
Carriages :			
Chaises and other four-wheeled carriages, each	-	0	7 6
Gigs, carts, and other two-wheeled carriages, each	-	0	5 0
Hand-carts and perambulators, each	-	0	1 0
Casks (empty), not being returned packages, per puncheon	-	0	0 3
Other casks in proportion.			
Cattle :			
Bulls, cows, and oxen, each	-	0	3 0
Calves, each	-	0	1 0
Horses, each	-	0	4 0
Pigs, each	-	0	0 6
Sheep, each	-	0	0 6
Chalk, per ton	-	0	1 0
Cheese, per cwt.	-	0	0 4
Chimney pots, each	-	0	0 3
Clay, per ton	-	0	1 0

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Pier and Harbour Orders
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[Ch. cxiv.]

	£	s.	d.	A.D. 1878.
Cloth, haberdashery, &c., per package not exceeding 1 cwt.	-	0	0	6
Coals, per ton - - - - -	-	0	1	0
Copper, per ton - - - - -	-	0	3	0
Cordage, per cwt. - - - - -	-	0	0	3
Corks, per cwt. - - - - -	-	0	0	6
Crystal, per box or package - - - - -	-	0	0	6
Dogs, each - - - - -	-	0	0	6
Drugs (in casks, hampers, or boxes), per foot - - - - -	-	0	0	2
Earthenware (in crates), per foot - - - - -	-	0	0	1
Eggs, per box - - - - -	-	0	2	0
Fish (not sold by auction), turbot, brill, halibut, soles, cod, and ling, per cwt. - - - - -	-	0	0	3
Fish (not sold by auction), herrings (fresh), per 1,000 - - - - -	-	0	0	3
" " herrings (salt), per barrel - - - - -	-	0	0	3
" " oysters, crabs, and lobsters, per half cwt. - - - - -	0	0	0	2
" " (dried and salted), per cwt. - - - - -	-	0	0	3
" " (fresh), not enumerated, per cwt. - - - - -	-	0	0	2
Fish of all kinds (sold by auction), one pound per cent. upon the gross amount realised by the sale. Any fraction of a shilling to be reckoned as a shilling.				
Flax, per ton - - - - -	-	0	2	0
Flour and meal, per sack - - - - -	-	0	0	4
Flour and meal, per barrel - - - - -	-	0	0	3
Furniture (household), per 5 cubic feet - - - - -	-	0	0	4
Fruit, per bushel or sieve - - - - -	-	0	0	4
Glass, per large crate - - - - -	-	0	1	6
Glass, per small crate or case - - - - -	-	0	1	0
Glass, per box - - - - -	-	0	0	6
Grains and seeds, per quarter - - - - -	-	0	0	6
Groceries not enumerated, per cwt. - - - - -	-	0	0	6
Guano, per ton - - - - -	-	0	1	6
Gunpowder, per barrel or keg - - - - -	-	0	0	6
Hams, bacon, or tongues, per cwt. - - - - -	-	0	0	4
Hardware, per ton - - - - -	-	0	2	6
Hares and rabbits, per dozen - - - - -	-	0	0	4
Hay, per ton - - - - -	-	0	1	6
Hay, per truss - - - - -	-	0	0	2
Hemp, per ton - - - - -	-	0	2	0
Hides:				
Ox, cow, or horse (wet or dry), each - - - - -	-	0	0	2
Ice, per ton - - - - -	-	0	2	6
Iron:				
Bar, bolt, rod, and shots, per ton - - - - -	-	0	1	6
Pig and old, per ton - - - - -	-	0	1	0
Manufactured, per ton - - - - -	-	0	2	6
Pots, each - - - - -	-	0	0	1
Kelp, per ton - - - - -	-	0	2	0

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	£	s.	d.
Lead, per ton - - - - -	0	2	6
Leather (tanned and dressed), per cwt. - - - - -	0	0	4
Lime, per 28 bushels - - - - -	0	1	4
Limestone, per ton - - - - -	0	1	0
Machinery, per ton - - - - -	0	2	6
Manure (not enumerated), per ton - - - - -	0	1	0
Masts and spars, 10 inches in diameter and upwards, each - - - - -	0	4	6
Masts and spars, under 10 inches, each - - - - -	0	3	0
Meat (fresh), per cwt. - - - - -	0	0	6
Milk, per gallon - - - - -	0	0	0 $\frac{1}{2}$
Musical instruments, per cubic foot - - - - -	0	0	1
Nets, per 5 cubit feet - - - - -	0	0	4
Oakum, per cwt. - - - - -	0	0	2
Oils, per ton - - - - -	0	2	0
Oilcake, per ton - - - - -	0	2	0
Oranges and lemons, per box - - - - -	0	0	6
Ores, per ton - - - - -	0	1	0
Paint, per cwt. - - - - -	0	0	4
Pitch and tar, per barrel - - - - -	0	0	6
Potatoes, per cwt. - - - - -	0	0	2
Poultry and game, per dozen - - - - -	0	0	4
Rags and old rope, per ton - - - - -	0	2	0
Sails, per cwt. - - - - -	0	0	6
Salt, per cwt. - - - - -	0	0	1
Sand, per ton - - - - -	0	1	0
Shrimp baskets, each - - - - -	0	0	2
Skins :			
Calf, goat, sheep, lamb, or dog, per dozen - - - - -	0	0	6
Slates, per ton of 24 cubic feet - - - - -	0	2	0
Spirits, per hogshead - - - - -	0	1	0
Spirits, per gallon - - - - -	0	0	1
Steel, per ton - - - - -	0	3	0
Stones, per ton of 16 cubic feet - - - - -	0	1	6
Sugar, per cwt. - - - - -	0	0	3
Tallow, soap, and candles, per cwt. - - - - -	0	0	3
Tea, per chest - - - - -	0	1	0
Tiles, per 1,000 - - - - -	0	1	6
Tin and zinc, per ton - - - - -	0	3	0
Tobacco, per cwt. - - - - -	0	0	6
Turnips, per ton - - - - -	0	0	6
Turpentine and varnish, per barrel - - - - -	0	0	6
Turtle, each - - - - -	0	2	6
Vegetables (not enumerated), per cwt. - - - - -	0	0	4
Vinegar, per hogshead - - - - -	0	0	6
Vitriol, per carboy - - - - -	0	0	1
Water, per cask - - - - -	0	0	3
Wine, per hogshead - - - - -	0	1	0

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*Pier and Harbour Orders
Confirmation Act, 1878 (No. 1).*

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	£	s.	d.	A.D. 1878.
Wine (bottled), per dozen bottles	-	-	-	0 0 2
Wood:				<u>Filey.</u>
Fir, pine, and other descriptions not enumerated, per load of				
50 feet	-	-	-	0 1 6
Oak or wainscot, per load of 50 feet	-	-	-	0 2 0
Firewood, per 216 cubic feet fathom	-	-	-	0 1 6
Laths and lathwood, per fathom of 216 cubic feet	-	-	-	0 2 6
Handspikes, per 120	-	-	-	0 3 0
Oars, per 120	-	-	-	0 5 0
Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	-	-	-	0 4 0
Spars, 2½ inches in diameter and under, per 120	-	-	-	0 5 0
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	-	-	-	0 9 0
Spars above 4 and under 6 inches in diameter, per 120	-	-	-	0 14 0
Spokes of wheels not exceeding 2 feet in length, per 120	-	-	-	0 2 0
Ditto exceeding 2 feet in length, per 120	-	-	-	0 3 0
Ditto treenails, per 1,000	-	-	-	0 2 6
Ditto wedges, per 1,000	-	-	-	0 2 6
Pipe-staves and others in proportion, per 120	-	-	-	0 2 6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	0	2	0	
Wool, per cwt.	-	-	-	0 0 4
Yarn, per cwt.	-	-	-	0 0 2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light Goods, per cubic foot	-	-	-	0 0 1
Heavy goods, per ton	-	-	-	0 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 proportion of the respective rates shall be charged.

V. FOR THE USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1. Rates of Craneage.

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

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2. *Weighing Machines.*

£ s d.

For goods weighed, for each ton or part of a ton - - 0 0 2

3. *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 the first 48 hours.

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

Folkestone.

FOLKESTONE.

Order for the construction, maintenance, and regulation of a Pier and Lift at Folkestone, in the county of Kent.

Undertakers.

1. The Folkestone Promenade Pier Company (Limited), in this Order called "the Company," shall be the Undertakers of the works authorised by this Order.

Incorporation of Lands Clauses Acts.

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

Power to take lands by agreement.

3. For the purposes of the works authorised 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 pier, lift, and works, and the conveniences connected therewith.

Lands for extraordinary purposes.

4. The Company may purchase and hold for extraordinary purposes any land not exceeding in extent in the whole five acres.

Power to make works.

5. 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 (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier, lift, and works authorised by this Order.

Description of works authorised.

6. The works authorised by this Order comprise the following:—

A pier at Folkestone, in the county of Kent, with a landing-place and all necessary works and conveniences suitable for the embarking and landing of passengers and their luggage, and for other purposes, commencing at

a point on the mainland opposite Cheriton Place, and extending seaward eight hundred feet or thereabouts: Provided that no part of the pier shall lie to the eastward of the line of Cheriton Place, nor more than eighty feet distant from the line of western limit of deviation, as marked on the deposited plans.

A.D. 1878.

Folkestone.

A lift or hoist in connexion therewith for the convenience of persons using the pier and of others.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier, lift, and other works, demand and receive, in respect of the persons and things in the schedule to this Order specified, any sums not exceeding the rates in that schedule mentioned.

Power to levy rates.

8. If at any time it appear to the Board of Trade that the clear annual profits divisible on such part of the capital of the Company as shall have been for the time being subscribed and paid up, and applied for such of the purposes of this Order as relate only to the pier, on the average of the then three last preceding years exceed the rate of ten per centum per annum on such part of the paid-up capital, the Board of Trade may, if in their discretion they think fit, require the Company to reduce the rates leviable under this Order, so far as relates to the pier, to such extent as may to the Board of Trade seem fit. If the Company refuse or neglect to comply with any such requirement they shall be liable to a penalty not exceeding fifty pounds for every day during which such refusal or neglect shall continue: Provided that if at any subsequent time the clear annual profits divisible on such part of the paid-up capital as aforesaid in respect of the pier shall fall below the said rate of ten per centum per annum, the Company may, with the sanction of the Board of Trade, again raise the rates to not exceeding the amounts specified in the schedule to this Order.

Board of Trade may reduce rates.

9. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Annual account to be sent to Board of Trade.

10. 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 authorised 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.

11. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier and lift, on such terms and for such period, not exceeding one year, as are agreed on, but so that no preference be given to any

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

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person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person act in any way in contravention of this provision, or use or attempt 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.

Custom-house officers exempt from rates.

12. 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.

Lifeboat crew exempt from tolls.

13. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier without payment.

Life-saving apparatus may be attached to the pier.

14. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Steam engines, diving bells, lighters, &c.

15. 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.

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

16. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; namely, sections sixteen to nineteen inclusive, and twenty-one to twenty-four inclusive.

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

17. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorised by this Order.

Restriction on use of pier.

18. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorised 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.

As to lights during construction of the works.

19. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any directions given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given

shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

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20. After completion or permanent discontinuance of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

As to lights
after comple-
tion of the
works.

21. The Company shall at all times keep at the outer extremity of the pier a Kisby life-buoy and line in good order, and fit and ready for use.

Kisby life-buoy
to be kept.

22. The pier, lift, and works shall, in respect of all matters, crimes, or offences arising or committed thereon, requiring the cognizance of any justices of the peace, be deemed and taken to be within or as forming part of the borough of Folkestone, and within the jurisdiction of the justices of that borough.

Pier and lift to
be deemed
within borough
of Folkestone.

23. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

Power to cease
in certain
events.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

24. 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.

Saving rights
under Crown
Lands Act,
1866.

25. Nothing in this Order shall take away, abridge, or prejudicially affect any right, power, authority, or privilege vested in, exercised, or enjoyed by the corporation of Folkestone.

Saving for cor-
poration of
Folkestone.

26. From and after the passing of the Act confirming this Order the Folkestone Promenade Pier Order, 1875, confirmed by the Pier and Harbour

Repeal of
Order of 1875.

[Ch. cxiv.] *Pier and Harbour Orders* [41 & 42 VICT.]
Confirmation Act, 1878 (No. 1).

- A.D. 1878. Orders Confirmation Act, 1875 (No. 1), shall be and the same Order is hereby repealed.
- Folkestone.*
- Costs of Order. 27. All the costs, charges, and expenses of and incidental to the obtaining of this Order, and otherwise in relation thereto, shall be paid by the Company.
- Short title. 28. This Order may be cited as the Folkestone Pier and Lift Order, 1878.

SCHEDULE to which the foregoing Order refers.

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

	s.	d.
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	3
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - -	0	6
For every perambulator, for each and every time any sum not exceeding - - - - -	0	2
For every master of any vessel, boat, or wherry 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

II.—RATES ON PASSENGERS LUGGAGE.

For every trunk, portmanteau, box, parcel, or 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

III.—RATES ON PERSONS USING THE LIFT.

For every person who shall use the lift, for each and every time any sum not exceeding—		
1st class - - - - -	0	2
2nd class - - - - -	0	1

IV.—RATES FOR SUPPLYING WATER ON PIER.

Water, per 1,000 gallons - - - - -	10	0
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HYTHE (SOUTHAMPTON).

A.D. 1878.

*Hythe.**Order for the construction, maintenance, and regulation of a Pier
at Hythe, in the County of Southampton.*

1. The Hythe Pier and Hythe and Southampton Ferry Company (Limited), in this Order called "the Company," shall be the Undertakers of the works authorised by this Order, and may carry this Order into effect. The Under-takers.
2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof as relates to the purchase or taking of land otherwise than by agreement, shall respectively be incorporated with this Order, and the words "special Act" in such Acts mentioned shall apply to and include this Order. Incorporation of Lands Clauses Acts.
3. For the purposes of the works authorised 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 pier, promenade, jetty, landing-places, and works, and the conveniences connected therewith. Power to take lands by agreement.
4. The Company may purchase and hold for extraordinary purposes any land not exceeding in the whole four acres. Lands for extraordinary purposes.
5. 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 pier, jetty, or landing-place and works authorised by this Order. Power to construct works.
6. The works authorised by this Order comprise the following:—
A pier, jetty, or landing-place, with all proper works, roads, approaches, buildings, and other conveniences connected therewith and incidental thereto, such pier to commence at a point about 30 yards east of the toll-house now standing in front of the Drummond Arms Hotel in Hythe, and pass thence in a north-easterly direction across the mudlands into the estuary of the sea known as Southampton Water for a distance of 2,200 feet or thereabouts, which said works will all be situate in or adjoining the parish of Fawley, in the county of Southampton. Description of works authorised.
7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier, jetty, landing-place, and Power to levy rates.

A.D. 1878. works, demand and receive, in respect of vessels, boats, animals, fish, goods, and things described in the schedule to this Order, any sums not exceeding the several rates specified in the same schedule.

Hythe.

Tramways.

8. The Company may lay down tramways on the pier, promenade, and approaches thereto, and run carriages thereon for hire.

Further powers as to works and lease of the same, and tolls, &c.

9. The Company may erect upon the pier or approaches thereto toll-houses and other buildings, and may lease the same, as well as the tramways by this Order authorised to be laid down, either wholly or in part, for any period not exceeding three years, to take effect in possession, and may also lease the rates authorised to be taken by this Order for any period not exceeding three years, to take effect in possession, and upon such terms and conditions as they think fit, and the lessee shall have and may exercise during the continuance of his lease all the same power of levying and recovering rates as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise to which the Company are subject under this Order.

Power to Board of Trade to revise rates.

10. If at any time the clear annual income derived from the pier, jetty, and works, on the average of the then three last preceding years, after payment of all expenses and outgoings, other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, or otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Company to send annual account to Board of Trade.

11. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to such account. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing vessels under stress of weather exempt from rates.

12. 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 coast of the United Kingdom shall, when forced by stress of weather to make use of the pier and works authorised by this Order, and not breaking bulk while making use thereof, be exempt from tolls, rates, and duties leviable under this Order.

Pass tickets for use of pier.

13. The Company may grant to passengers, promenaders, and other persons pass tickets for the use of the pier and works, at such rates, on such terms, and for such periods not exceeding one year as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable nor

be used by any person other than the person to or 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 pass 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.

A.D. 1878.

Hythe.

14. The Company may confer, vary, or extinguish from time to time exemptions from, and enter into composition with any person or persons with respect to, the payment of tolls, rates, or duties authorised by this Order, and may confer, vary, or extinguish, by agreement, all other rights and privileges, in such manner as they may deem necessary for their undertaking, but so that no preference be in any case given to any person; and that anything done under this section shall not prejudice the other provisions of this Order.

Power to vary exemptions from rates and to enter into compositions, &c.

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

Exemption of Custom House officers from rates.

16. 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: Provided always, that the Company shall only lay down such buoys and moorings as shall be necessary for securing vessels and enabling vessels to go alongside the pier and works, and to use the same without driving on the pier, and the Company shall not lay down any buoys or moorings at a greater distance from the shore than the outer end of the pier.

Steam engines, diving bells, lighters, &c.

17. The Company may, by agreement, purchase, on such terms as may be agreed upon, the undertaking of the Hythe Hard Company, authorised by the 7th and 8th Vic. cap. 77., and the Hythe Hard Company may sell and dispose of or transfer their undertaking to the Company, with all the powers, rights, privileges, duties, obligations, and liabilities incident thereto, and from and after such purchase all the rights, powers, privileges, duties, obligations, and liabilities of the Hythe Hard Company shall be transferred to the Company: Provided always, that when such purchase shall have been completed, and when the works authorised by this Order shall have been completed and opened for public traffic, such works shall be deemed, treated, and considered for all purposes as in lieu of or in substitution for the works comprised in the undertaking so purchased, and such last-mentioned works and undertaking may be abandoned.

Power to purchase or lease, similar under takings.

18. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe

As to lights during construction of works.

A.D. 1878.

Hythe.

any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after comple-
tion of works.

19. After completion or permanent discontinuance of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Restriction in
use of pier.

20. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier or jetty authorised 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 or jetty for recreation or for the embarking or landing of passengers.

Parts of Har-
bours, &c. Act,
1847, excepted.

21. Sections sixteen, seventeen, eighteen, and nineteen of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Meters and
weighers.

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

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

23. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorised by this Order.

Power to cease
in certain
events.

24. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purpose of this Order, be conclusive evidence of the fact stated in such certificate.

Saving rights
under Crown
Lands Act,
1866.

25. 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.

Rights of
Southampton
Harbour
Board.

26. Nothing in this Order contained shall prejudice or interfere with the existing rights, authority, and jurisdiction of the Southampton Harbour and Pier Board, whether as to buoys, moorings, or otherwise.

[41 & 42 VICT.] *Pier and Harbour Orders* [Ch. cxiv.]
Confirmation Act, 1878 (No. 1).

27. From and after the passing of the Act confirming this Order, the Hythe Pier Order, 1875, confirmed by the Pier and Harbour Orders Confirmation Act, 1875 (No. 1), shall be and the same is hereby repealed.

A.D. 1878.
 —
Hythe.
 Repeal of
 Order of 1875.
 Costs of Order.

28. All costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the Company.

29. This Order may be cited as the Hythe Pier Order, 1878.

Short title.

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS.

	<i>s.</i>	<i>d.</i>
For every ship, boat, or vessel exceeding ten tons burden, coming from or going to any port or place in Great Britain or Ireland, and using the pier for taking in or discharging cargo, and not being a steam vessel - - - - - per registered ton	0	1
For every such ship, boat, or vessel as last mentioned, coming from or going to any foreign port or place - - - - - per registered ton	0	2
For every steam vessel or steamboat using the pier for taking in or discharging passengers or cargo - - - - - per registered ton	0	1
For yachts and vessels kept for pleasure and using the pier for landing or embarking, per month - - - - - per registered ton	0	3
Or at the option of the owner of the same, per annum, per registered ton	1	0
For barges and lighters using the pier for taking in or discharging cargo, per annum - - - - - per ton	15	0
Or at the option of the owner of the same, per month - per ton	4	0
Or at the option of the owner of the same, per voyage - per ton	0	1
For the time any vessel shall make fast to or remain at the pier beyond the period necessary for taking in or discharging cargo, if such time shall not exceed one hour - - - - - per registered ton	0	0½
Exceeding one hour and not exceeding two hours per registered ton	0	1
Exceeding two hours and not exceeding three hours per registered ton	0	1½
Exceeding three hours and not exceeding four hours per registered ton	0	2
Exceeding four hours and not exceeding five hours per registered ton	0	2½
Exceeding five hours and not exceeding six hours per registered ton	0	3
Exceeding six hours and not exceeding twelve hours per registered ton	0	4
Exceeding twelve hours, for every further twelve hours or part of twelve hours - - - - - per registered ton	0	4
For every vessel making fast to or remaining at the pier, for any period not exceeding twenty-four hours - - - per registered ton	1	0
And for each further period of twenty-four hours or any part of twenty-four hours - - - - -	1	0

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Hythe.

II.—RATES ON PASSENGERS AND PERSONS.

	s.	d.
For every passenger and person who shall land on or embark from the pier or other works, for each time - - - - -	0	1
Each passenger is allowed to take packages, being his or her property, not exceeding together 50 lbs. free of toll.		
For every other box, trunk, bale, bag, basket, or parcel of passengers luggage - - - - -	0	1
For every person who shall use the said pier or other works for the purpose of walking for exercise, pleasure, or otherwise - - - - -	0	1

III.—RATES ON GOODS.

For every four-wheeled carriage landed on or embarked from the said pier or other works, constructed for drawing by two horses - - - - -	3	6
If constructed for drawing by one horse - - - - -	1	6
For every two-wheeled ditto - - - - -	1	0
For every Bath chair or perambulator - - - - -	0	3
Bacon, pork, or hams under half a cwt. - - - - -	0	0½
Above half a cwt. (and so on in proportion) - - - - -	0	1
Bale, every box, truss, trunk, case, chest, bundle, basket, or parcel containing goods not herein enumerated, under half a cwt. - - - - -	0	0½
Above half a cwt. and under one cwt. - - - - -	0	1
Above one cwt. (and so on in proportion) - - - - -	0	1½
Barley meal - - - - - per sack	0	0½
Battens - - - - - per hundred	0	3
Bedstead, mahogany - - - - - each	0	3
Others - - - - - each	0	1½
Billiard tables - - - - - each	1	3
Boards or battens, close - - - - - per hundred	0	2
Boats - - - - - each	0	6
Bricks, fire - - - - - per thousand	0	5
,, building - - - - - per thousand	0	4
Calves - - - - - each	0	1½
Carts - - - - - each	0	6
Chalk - - - - - per ton	0	1
Coals, culm, splint, coke, or cinder - - - - - per ton	0	2
Cows - - - - - each	0	3
Deals - - - - - per load containing fifty cubic feet	0	6
Dogs - - - - - each	0	1
Donkeys - - - - - each	0	1
Dung - - - - - per ton	0	1
Faggots - - - - - per hundred	0	2
Firewood - - - - - per cord	0	1½
Flour - - - - - per sack of five bushels	0	1
,, - - - - - per barrel	0	1
Hay - - - - - per ton	0	6
Hope - - - - - per bag	0	3

	s.	d.	A.D. 1878.
Hops - - - - -	0	2	Hythe.
Household goods - - - - -	2	6	
" - - - - -	1	3	
Hides, raw or tanned - - - - -	0	0½	
Hoops - - - - -	0	0½	
Horses - - - - -	0	6	
Hurdles - - - - -	0	6	
Lambs - - - - -	0	0½	
Laths - - - - -	0	0½	
Lathwood - - - - -	0	2	
Lead - - - - -	0	2	
Lime - - - - -	0	3	
Mahogany in logs or planks - - - - -	0	2	
Malt - - - - -	0	1	
Marble - - - - -	0	2	
Oak or elm planks - - - - -	0	3	
Oxen - - - - -	0	3	
Peas - - - - -	0	1	
" split - - - - -	0	1	
Pianofortes - - - - -	2	6	
Pictures - - - - -	0	2	
Pigs - - - - -	0	1	
Pitch and tar - - - - -	0	1	
" - - - - -	0	0½	
Posts and rails - - - - -	0	2	
Potatoes - - - - -	0	0½	
Sand (or gravel) - - - - -	0	2	
And if less than a ton - - - - -	0	3	
Seed - - - - -	0	0½	
Sheep - - - - -	0	0¼	
Shovels - - - - -	0	1	
Skins, goat, dog, calf, sheep, or lamb - - - - -	0	0¼	
Slates - - - - -	0	2	
And if less than a ton - - - - -	0	3	
Sofas, - - - - -	0	3	
Stone - - - - -	0	1	
Straw - - - - -	0	2	
Tables - - - - -	0	6	
" - - - - -	0	1	
Tea - - - - -	0	1	
And so on in proportion for any greater or less quantity than a half chest.			
Tiles - - - - -	0	3	
Timber - - - - -	0	6	
Tombstones - - - - -	0	6	
" marble - - - - -	3	0	

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	s.	d.
Turtle - - - - - each	2	6
Vinegar - - - - - per gallon	0	0½
Wool yarn or cotton - - - - - per cwt.	0	2
Wainscot logs - - - - - per cwt.	0	4
Wheat, oats, rye, barley, malt, beans, peas, and the like - per sack	0	0½
Whiting - - - - - per hogshead	0	3
Wine, sweet oil, or spirits contained in any butt, pipe, puncheon, or piece, or any cask whatsoever - per butt	1	0
” - - - - - per hogshead	0	8
” - - - - - per half hogshead or less	0	4
Wine, bottled, in hamper and cases - per dozen bottles	0	1
Witheys - - - - - per 10 bundles	0	2
Wood - - - - - per fathom	0	1

All goods and packages, articles, and things which are most usually or may be most conveniently or fairly measured by weight, not herein enumerated, to pay at the rate of, if less than a cwt. - - - 0 1

If one cwt. and less than two cwt. - - - - - 0 2

If two cwt. and less than three cwt. - - - - - 0 3

If three cwt. and less than four cwt. - - - - - 0 5

And so upwards.

All goods and packages, articles, and things which are most usually or may be most conveniently or fairly measured by superficial extent, not herein enumerated, to pay at the rate of, if less than one cubic foot - - - - - 0 0½

If one cubic foot and less than two - - - - - 0 1

If two cubic feet and less than three - - - - - 0 1½

If three cubic feet and less than four - - - - - 0 2

And so upwards.

All live animals not herein enumerated - - - - - each 0 1

Margate.

MARGATE.

Order for the maintenance and regulation of the Pier and Harbour at Margate, in the county of Kent, and for the construction of additional works; and for other purposes.

Order and
Harbour Acts
to be read
together.

1. This Order and the Acts incorporated herewith shall be read along with so much of the Act passed in the session of Parliament held in the fifty-second year of the reign of King George the Third, intituled “An Act for separating the management of the harbour of Margate, in the county of Kent, from the paving and lighting of the town of Margate, and for vesting the future management of the said harbour in a Joint Stock Company of

“ Proprietors,” and with so much of the Acts amending or affecting the same, recited in the Margate Pier and Harbour Act, 1871, as are now in force, and also along with the Margate Pier and Harbour Act, 1871, all which Acts are in this Order called the principal Acts, and the principal Acts, so far as now in force, and this Order and the incorporated Acts shall be read and construed together as one Act or Order, and the words “ special Act ” in the incorporated Acts shall mean this Order.

A.D. 1878.

Margate.

2. The Company of Proprietors of Margate Pier and Harbour shall be the Undertakers for the purposes of this Order.

Undertakers.

3. Sections 13, 18, and 19 of the Railways Clauses Act, 1863, shall, save so far as the same are inconsistent with or are varied by the provisions of the principal Acts (as defined by this Order) and of this Order, be incorporated with and shall form part of this Order.

Sections of
Railways Act,
1863, incorpo-
rated.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands belonging to or acquired by them for the purposes of the principal Acts, 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 works authorised by this Order.

Power to
make works.

5. The works authorised by this Order are—

The erection and maintenance of a pavilion or covered buildings, with all necessary conveniences, in the centre of the head of the present Margate Jetty Extension lately erected, and the construction and maintenance of the following works in connexion with and abutting upon such head; that is to say,

Description
of works
authorised.

A stage or landing-place about 150 feet in length and about 26 feet in breadth, or thereabouts, abutting on the south-east side or face of the Jetty Extension Head ;

A stage or landing-place about 150 feet in length and about 26 feet in breadth, or thereabouts, abutting on the south-west face or end of the said Jetty Extension Head ;

And all necessary cranes, buoys, moorings, apparatus, and other works and conveniences.

6. The works by this Order authorised shall be deemed and taken to be part of the Margate Pier, Jetty, and Harbour within the meaning of the principal Acts, and, except so far as the same are not varied or altered by this Order, every provision and power in the principal Acts now in force relating to the high-water landing pier or jetty, called “ Jervis’ Landing Place,” shall be applicable to and shall be applied to the works by this Order authorised.

Works by this
Order autho-
rised to be
deemed part of
Margate Pier
and Harbour.

7. The Company may, subject to the provisions of Part II. of the Companies Clauses Act, 1863, raise any additional capital, not exceeding in the whole thirteen thousand five hundred pounds, by the issue at their option of new

Power to raise
additional
capital.

A.D. 1878.

Margate.

ordinary shares or stock, or new preference shares or stock, or wholly or partially by any one or more of those modes respectively; but the Company shall not issue any shares of less nominal value than ten pounds, nor shall any share vest in the person or corporation accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Except as otherwise provided, new shares or stock to be subject to the same incidents as other shares or stock.

8. Except as by this Order otherwise provided, the capital in new shares or stock created by the Company under this Order, and the new shares or stock therein, and the holders thereof respectively, shall be subject and entitled to the same powers, provisions, liabilities, rights, privileges, and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description, and the new shares or stock were shares or stock in that capital.

The capital in new shares or stock so created shall form part of the capital of the Company.

Dividends on new shares or stock.

9. Every person who becomes entitled to new shares or stock created by the Company under this Order shall in respect of the same be a holder of shares or stock in the capital of the Company, and shall be entitled to a dividend, with the other holders of shares or stock of the same class or description, proportioned to the whole amount from time to time called and paid on such new shares, or to the whole amount of such stock, as the case may be.

Restriction as to votes in respect of preferential shares or stock.

10. Except as otherwise expressly provided by the resolution creating the same, no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Power to borrow.

11. The Company may, in respect of the additional capital of thirteen thousand five hundred pounds which they are by this Order authorised to raise from time to time, borrow on mortgage any sum not exceeding in the whole four thousand five hundred pounds, but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted, and one half of such capital is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole of such capital have been issued and accepted, and that one half of such capital has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted (and paid up) *bonâ fide*, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also, so far as the said additional capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he may think sufficient, he shall grant a certificate

that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

A.D. 1878.

Margate.

12. All bonds and mortgages duly granted by the Company and in force at the time of the passing of the Act confirming this Order shall have priority over all mortgages granted under this Order.

Existing mortgages to have priority.

13. The Company may from time to time, subject to the provisions of the Companies Clauses Consolidation Act, 1845, with respect to the consolidation of shares into stock, with the consent of three fifths of the votes of the shareholders present in person or by proxy at any general meeting of the Company when due notice has been given, convert or consolidate all or any part of the shares in the capital of the Company under the principal Acts and this Order in respect whereof the whole money subscribed has been paid up into a general capital stock, to be divided amongst the shareholders according to their respective interests therein.

Conversion of shares into stock.

14. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the works authorised by this Order, demand and take, in respect of persons and things specified in the schedule to the Margate Pier and Harbour Act, 1871, annexed, any rates, tolls, or duties not exceeding the rates in the said schedule in that behalf specified, and all the provisions of the said Act relating to the use of the pier and jetty thereby authorised, and to the rates, tolls, or duties for such use, and to the payment and recovery of the same, shall, subject to the provisions of this Order, apply to the use of the works authorised by this Order, and to the rates, tolls, or duties for such user of such works, and to the payment and recovery of the same, as if the said works were part of the pier and jetty authorised by the Margate Pier and Harbour Act, 1871.

Power to take rates.

15. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act (1861) Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Annual account to be sent to the Board of Trade.

16. 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 ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the works of the Company, and not breaking bulk while making use thereof, be exempt from rates leviable under the principal Acts or this Order.

Certain fishing vessels under stress of weather exempt from rates.

17. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, from, over, and along the pier and harbour and all works of the Company by land and with their vessels without payment.

Exemption of Custom House officers from rates.

A.D. 1878.

*Margate.*Lifeboat crew
exempt from
tolls.

18. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier and works without payment.

Life-saving
apparatus may
be attached
to pier.

19. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

As to lights
during the
construction
of works.

20. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after comple-
tion of works.

21. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Parts of Har-
bours Act
excepted.

22. Sections 16 to 19 inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Powers of
Order to cease
in certain
cases.

23. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that [the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

23. 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 the limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

A.D. 1878.
Margate.
 Saving rights under Crown Lands Act, 1866.

24. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Company.

Costs of Order.

25. This Order may be cited as the Margate Pier and Harbour Order, 1878.

Short title.

PLYMOUTH.

Order for the construction, maintenance, and regulation of a Pier at Plymouth, in the county of Devon. *Plymouth.*

1. The Plymouth Pier Company (Limited), in this Order called "the Company," shall be the Undertakers of the works authorised by this Order.

Undertakers.

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

Incorporation of Lands Clauses Acts.

3. For the purposes of the works authorised 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 pier and works, and the conveniences connected therewith.

Power to take lands by agreement.

4. The Company may purchase and hold for extraordinary purposes any land not exceeding in extent in the whole five acres.

Lands for extraordinary purposes.

5. 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 acquired by them under this Order, and 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 pier and works authorised by this Order.

Power to make works.

6. The works authorised by this Order comprise the following:
 A pier, jetty, and landing and shipping places, with all proper works, sea walls, terraces, approaches, buildings, and conveniences connected there-

Description of works authorised.

A.D. 1878.

Plymouth.

with, commencing at a point on the southern side of the Hoe Road, distant about two chains in an easterly direction from the top of the Queen's Steps, in the parish of St. Andrew, Plymouth, in the county of Devon, and extending thence in a southerly direction for a distance not exceeding 500 feet seaward from the high-water line on the shore : Provided that the Company shall not deviate from the centre line of the pier shown on the deposited plans to a greater extent than 110 feet on either side thereof without the consent in writing of the mayor, aldermen, and burgesses of the borough of Plymouth in this Order called the Corporation.

Power to
levy rates.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and works, demand and receive, in respect of the persons and things in the schedule to this Order specified, any sums not exceeding the rates in that schedule mentioned.

Board of Trade
may reduce
rates.

8. If at any time, and from time to time, the clear annual income derived from the pier and works on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, or otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Annual
account to be
sent to Board
of Trade.

9. The Company within one month after sending to the clerk of the peace the copy of their annual account in abstract shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

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

10. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such period, not exceeding one year, as are agreed on, but so that no preference be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person act in any way in contravention of this provision, or use, or attempt 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. A.D. 1878.

Plymouth.

11. 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 authorised 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.

12. Officers of Customs, and officers of police and police constables of the borough of Plymouth, 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 and police officers exempt from rates.

13. All persons going to or returning from any lifeboat, or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier without payment. Lifeboat crew exempt from tolls.

14. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat, or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier. Life-saving apparatus may be attached to pier.

15. 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.

16. The Company may sell or let on lease to the Corporation, and the Corporation may purchase or take on lease from the Company, the undertaking of the Company, or any part thereof, or the tolls, rates, and duties to be levied in respect thereof, and any such sale or lease may be upon such terms and conditions as the Company and the Corporation agree upon. Company's undertaking may be sold or let to Corporation.

17. Sections 16 to 19 inclusive, and 21 to 24 inclusive, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order. Parts of Harbours, &c. Act, 1847, excepted.

18. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorised 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.

A.D. 1878.

[Ch. cxiv.]

Pier and Harbour Orders
Confirmation Act, 1878 (No. 1).

[41 & 42 VICT.]

Plymouth.

Kisby life-
buoy to be
kept.

As to lights
during con-
struction of
works.

19. The Company shall at all times keep at the outer extremity of the pier a Kisby lifebuoy and line in good order, and fit and ready for use.

20. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after comple-
tion of works.

21. After completion or permanent discontinuance of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting; and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Pier to be
deemed with-
in borough
of Plymouth.

22. The pier and works shall, for all purposes including assessment to all municipal and parochial rates levied within the borough of Plymouth, be deemed and taken to be within or as forming part of that borough, and within the jurisdiction of the justices and civil and criminal courts of that borough to the exclusion of all other similar jurisdiction.

Powers to
cease in cer-
tain events.

23. In the following cases; (that is to say,)

- (1.) If within eighteen calendar months from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or
- (2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months; or
- (3.) If such works should not be completed within three years from the passing of the Act confirming this Order,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, or that they have not been completed within the said period of three years, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

In certain
events works
to be abated.

24. If the pier and works having been commenced should be subsequently suspended for or not completed within the respective periods herein-before limited, the Company shall and they are hereby required at their own expense to abate and remove the portion of the pier and works then executed, and to

[41 & 42 VICT.] *Pier and Harbour Orders* [Ch. cxiv.]
Confirmation Act, 1878 (No. 1).

restore the site thereof to its former condition, and if the Company fail so to do for a period of three calendar months after notice from the Corporation, it shall be lawful for the Corporation so to do instead of the Company, and to sell and dispose of the materials of the pier and works, and to apply the proceeds in or towards the payment of the expenses incurred by the Corporation in so doing, and any balance remaining of the proceeds of sale, after payment of expenses, shall be paid to the Company, and the amount of all such expenses incurred by the Corporation and not discharged out of the proceeds (if any) of the sale of materials, shall be a debt due from the Company to the Corporation, and may be recovered by the Corporation accordingly, together with interest thereon and costs of suit. A.D. 1878.
Plymouth.

25. 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. Saving rights under Crown Lands Act, 1866.

26. The consent of His Royal Highness the Prince of Wales, in right of His duchy of Cornwall, signified to this Order, shall not be taken as a consent to the surrender of, and nothing in this Order contained shall prejudice or affect, any property, rights, powers, authorities, or privileges of His Royal Highness, or of the possessor of the duchy of Cornwall for the time being. Saving for duchy of Cornwall.

27. Nothing in this Order shall take away, abridge, or prejudicially affect any right, power, authority, or privilege vested in, exercised, or enjoyed by the Corporation of Plymouth. Saving for Corporation of Plymouth.

28. All the costs, charges, and expenses of and incidental to the obtaining of this Order, and otherwise in relation thereto, shall be paid by the Company. Costs of Order.

29. This Order may be cited as the Plymouth Pier Order, 1878. Short title.

SCHEDULE to which the foregoing Order refers.

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

	<i>s.</i>	<i>d.</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 and every time any sum not exceeding - - -	0	4
When such vessel is a sailing or rowing boat, for each and every time any sum not exceeding - - -	0	2
For every person who shall use the pier for the purpose of walking or exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding -	0	2
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - -	0	6

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Confirmation Act, 1878 (No. 1).

A.D. 1878.

Plymouth.

	<i>s.</i>	<i>d.</i>
For every perambulator, for each and every time any sum not exceeding	0	2
For every master of any vessel, boat, or wherry 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

II.—RATES ON PASSENGERS LUGGAGE, &C.

For every trunk, portmanteau, box, parcel, or package, not exceeding 28 pounds	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

III.—RATES ON VESSELS USING THE PIER.

For every vessel under the burden of 15 tons register	per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons register	per ton register	0	6
For every vessel of the burden of 50 tons and under 100 tons register	„	0	8
For every vessel of the burden of 100 tons and under 150 tons register	„	0	10
For every vessel of the burden of 150 tons register and upwards	„	1	0
For every lighter for each trip	per ton	0	2

PORT SETON.

Port Seton. Order for the reconstruction, maintenance, and regulation of the Harbour of Port Seton, in the parish of Tranent and county of Haddington.

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution not exceeding eighteen in number, which Commissioners and their successors are hereby for the purposes of this Order incorporated by the name of “the Port Seton Harbour Commissioners,” and by that name shall be a body corporate, with perpetual succession and a common seal, and are in this Order called “the Commissioners,” and shall have power to sue and be sued, and to purchase, take, hold, and dispose of lands and other property for the purposes and subject to the provisions and restrictions of this Order.

2. The appointment, succession, and election of the Commissioners shall be regulated as follows; that is to say, A.D. 1878.

- (1.) The following three persons shall be permanent Commissioners; namely, the Right Honourable Francis Charteris Douglas, Earl of Wemyss and March, or his successor the Earl of Wemyss and March for the time being; the Honourable Francis Charteris, commonly called Lord Elcho, member of Parliament for the county of Haddington, or the eldest son for the time being of the Earl of Wemyss and March for the time being; William Stewart Macdonald, factor to the Earl of Wemyss and March, residing at Craigiellaw in the county of Haddington, or the factor for the time being of the Earl of Wemyss and March for the time being:

Port Seton.
Appointment
of Commis-
sioners.

- (2.) The following fifteen persons shall be the representative Commissioners; namely, the Reverend James Kilgour, minister of the Free Church, Cockenzie; John Bathgate, baker, Cockenzie; John Barclay, hotel keeper, Cockenzie; James Burnet, farmer, Seton, in the county of Haddington; William Brebner M'Lachlan, fish salesman, Edinburgh; James Snowdoun, coalmaster, Cockenzie; Robert Ovens, schoolmaster, Cockenzie, and Thomas Donaldson, John Donaldson, William Dickson, John Stewart, Angus Marshall, John Jones, Peter Horne, and John Barber, all fishermen in Cockenzie, or their successors to be elected as in this Order provided.

3. The election of persons to succeed as representative Commissioners under this Order shall be regulated as follows:

Election of
representative
Commis-
sioners.

- (1.) They shall be appointed by all persons, being of lawful age and subject to no legal incapacity, whose names are entered on the valuation roll in force for the time being, applicable to the parts of the parishes of Tranent and Gladsmuir, situate between the North British Railway and the Firth of Forth, made up and completed not less than one month prior to the election, as owners or occupiers of lands or heritages of the annual value of not less than four pounds situated within the said parts of the said parishes; and the valuation roll, or a certified copy thereof, shall be conclusive evidence that the persons therein named for the time possess the qualifications annexed to their names respectively in the said roll.
- (2.) At every election the chairman of the Commissioners not being a candidate for election shall be returning officer, and, failing him, some person appointed by the Commissioners. The election shall be held at such times and in such manner, and in accordance with such rules and regulations, as the Commissioners may from time to time by order prescribe; and the Commissioners may, by order, appoint or direct the appointment of any officers requisite for the purpose of such election, and do all other necessary things preliminary or incidental to such election. The expenses connected with every election (but not including the expenses of any candidate) shall be paid by the Commissioners out of the funds belonging to them as such Commissioners. At every election every voter shall be entitled to a number of votes equal to the number

A.D. 1878.

Port Seton.

of the representative Commissioners to be elected, and may give all his votes to one candidate, or may distribute them among the candidates as he sees fit. The candidates having the majority of votes at any election shall be elected, and in every case of equality the returning officer shall determine which candidate is duly elected. Any question or dispute regarding the election of a candidate shall be summarily determined by the sheriff of the county of Haddington, on the petition of any person interested, who may have a legal title and interest to raise such question, and the decision of the sheriff shall be final; and unless and until the sheriff shall otherwise determine, those persons who have been declared by the returning officer to be elected shall be representative Commissioners, and the acts and proceedings of such representative Commissioners shall be valid accordingly, and no subsequent declaration or finding that any member was not duly elected shall affect the validity of the acts and proceedings in which such member may have taken part. In case the election of any person shall be declared to be invalid, and the full number of members shall not, without such person have been validly elected, the Commissioners, if a quorum exist, shall nominate a person to be a representative Commissioner in place of any person whose election as representative Commissioner has been declared invalid, and if no quorum exist the whole election shall be null and void, and a new election shall take place. In the event of any representative Commissioner elected or appointed as aforesaid dying, resigning, or becoming disqualified, or incapable of acting, or refusing to act, the Commissioners shall have power to nominate one or more persons to fill such vacancies; and every person so nominated shall be duly elected a representative Commissioner. Notice of the election of a person to be a Commissioner shall be sent to him by the returning officer, together with a notice to attend the first meeting of the Commissioners at the prescribed time and place, and the time shall be not later than fourteen days after the date of the election.

- (3.) The representative Commissioners named in this Order shall hold office until the first day of January one thousand eight hundred and eighty-one, and the Commissioners elected in their place shall hold office for three years from that date, and the fifteen representative Commissioners elected at the end of every three years shall hold office for three years and no longer; but all such members going out of office shall from time to time be eligible for re-election.

4. The Commissioners Clauses Act, 1847, is (except where expressly varied by and in so far as not inconsistent with this Order) incorporated with this Order; and that Act 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:

- (1.) Sections 6, 7, 17, and 18, and sections 20 to 35, both inclusive, and section 54, shall not be incorporated with this Order:
- (2.) With reference to section 39, the prescribed number constituting a quorum of the Commissioners shall be five:

(3.) With reference to section 84, the sum to be every year appropriated and set apart out of the rates as a sinking fund shall be not less than one-fiftieth part of the moneys borrowed; such appropriation to commence from the expiration of twelve months after full rates are exigible under this Order:

A.D. 1878.
Port Seton.

(4.) With reference to section 90, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed.

5. The Commissioners shall be the Undertakers of the works authorised by this Order.

The Undertakers.

6. The limits within which the Commissioners shall have authority, and which shall, except where otherwise expressly provided, be deemed the limits to which this Order and the power to levy rates extend, shall comprise the piers, harbour, quays, beaching ground for boats, and other works to be constructed under this Order, with all the works, roads, accesses, and conveniences connected therewith, and also so much of the shore and waters of the sea or Firth of Forth below high-water mark as lies between the boundaries formed in the manner following; that is to say, on the east by an imaginary straight line drawn seaward in continuation of the centre line of the road leading from the public road at Port Seton to Seton Farm, for a distance of about two thousand five hundred feet from the southern boundary wall of the public road of Port Seton, where the road from Port Seton Farm intersects it; on the north by another imaginary straight line drawn from the seaward extremity of the first-mentioned line, and at right angles to it; on the west by another imaginary straight line drawn from the ten-milestone from Edinburgh on the public road parallel to the first-mentioned line, until it intersects the second-mentioned line, which forms the northern limit; and the southern limit of the harbour shall be the line of high-water mark on the southern shore of the Firth of Forth, between the eastern and western boundary lines above described; which limits are in this Order and in the schedule to this Order termed "the limits of this Order."

Limits of harbour.

7. The site of the harbour of Port Seton and certain ground adjacent, which site and ground have been alienated, and in feu farm disposed by the Right Honourable Francis Charteris Douglas Earl of Wemyss and March, to himself and the other Commissioners named in this Order, by a feu charter dated the 12th day of December 1877; and recorded in the Division of the General Register of Sasines applicable to the county of Haddington for publication, and as in the books of the Lords of Council and Session, for preservation, the 17th day of December 1877, shall from and after the passing of the Act confirming this Order become, and the same site and ground are by this Order, vested in the Port Seton Harbour Commissioners and their successors for the purposes of this Order, for all the estate and interest alienated and disposed by that feu charter.

Estate granted by feu charter in the harbour vested in the Commissioners.

8. For the purposes of the works authorised by this Order, the Commissioners may from time to time by agreement enter on, take, and use all or such

Power to take lands by agreement.

A.D. 1878. parts of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of this Order, not exceeding in the whole three acres.

Port Seton.

Lands for extraordinary purposes.

9. The Commissioners may, in addition to the lands vested in or authorised to be taken by them under this Order, purchase and hold for extraordinary purposes any land not exceeding in the whole one acre.

Incorporation of Lands Clauses Acts.

10. The Lands Clauses Consolidation (Scotland) 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, shall be incorporated with this Order; but nothing in this Order shall authorise the Commissioners to take lands for the purposes of this Order exceeding in extent in the whole five acres.

Power to construct works.

11. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plans and sections deposited with reference to this Order as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Commissioners may, in the lines and situation, 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, and within a vertical limit of five feet, make and maintain the harbour, piers, quays, roads, and works authorised by this Order.

Description of works.

12. The works authorised by this Order are,—

1st. A pier on the site of the old East Pier of Port Seton Harbour, commencing on the shore near high-water mark at a point sixty-four yards or thereabout, measured in a north-westerly direction from the north-west corner of the building called "Reid's House," and extending in a north and westerly direction for a distance of about one hundred and two yards, thence in a west and northerly direction for a distance of about eighty-six yards, thence in a southerly direction for a distance of about twenty-three yards, and there terminating:

2nd. A breakwater on the site of the old West Breakwater of Port Seton Harbour, commencing at or near the high-water mark at a point one hundred and sixty-eight yards or thereabout, distant in a westerly and northerly direction from the north-west corner of the houses called "Red Row," and extending in a north-easterly direction for a distance of fifty-eight yards or thereabout, thence for a distance of thirty-seven yards or thereabout in a northerly and easterly direction, thence for a distance of sixty yards or thereabout in an easterly direction, and there terminating:

3rd. The deepening of the entrance and area of Port Seton Harbour within the aforesaid pier and breakwater, the said deepening to commence at a point on the beach, measuring eighty-five yards or thereabout in a north-westerly direction from the aforesaid north-west corner of "Reid's House," and terminating at the entrance to the said Port Seton Harbour, at low-water mark of ordinary spring tides.

Power to maintain and improve harbour.

13. Subject to the provisions of this Order, the Commissioners may construct and maintain all warehouses, offices, sheds, weighing-machines, cranes, and other

works, buildings, and conveniences which may be found necessary in connexion with the piers and harbour for the accommodation of vessels and traffic landed at or embarked from the same; and they may also from time to time construct maintain, alter, and improve the harbour, quays, piers, jetties, wharves, sewers, drains, watercourses, roads, approaches, streets, and other works, machinery, and conveniences; may lay down and construct rails, tramways, sidings, on or along the quays, piers, and other works and lands connected therewith; and may alter, dredge, scour, deepen, widen, enlarge, improve, and maintain the entrance, channels, and waterways of the harbour: Provided that no works authorised by this Order below high-water mark shall be commenced without the consent of the Board of Trade having been first obtained.

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14. Every person who wilfully obstructs any person acting under the authority of the Commissioners in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or effaces or destroys the said works, or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

15. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Commissioners may, subject and according to the provisions of this Order, for the use of the piers, harbour, quays, beaching ground for boats, and works, demand, levy, and recover, in respect of vessels or boats, animals, fish, goods, persons, matters, and things described in the schedule to this Order, any sums not exceeding the several rates specified in that schedule.

Power to levy rates.

16. If at any time, and from time to time, the clear annual income derived from the pier and works and conveniences, on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Commissioners in executing works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, with power to the Board of Trade at any time, and from time to time, to raise them again to an extent not exceeding the amounts specified in said schedule.

Board of Trade may reduce rates.

17. The Commissioners may demand and receive such rates or other consideration as they may think reasonable for the use of any warehouses, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to the Commissioners, for the use of which rates are not specially fixed in the schedule to this Order.

Rates for use of warehouses.

18. The Commissioners, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and section 16 of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account;

Annual account to be sent to Board of Trade.

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Certain fishing vessels under stress of weather exempt from rates.

19. 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 or harbour of Port Seton, or the works belonging thereto, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of officers of Customs.

20. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the harbour, pier, or quay and works by land and with their vessels and otherwise without payment of any rates.

Lifeboat crew to be exempt from tolls.

21. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the harbour and works without payment.

Life saving apparatus may be attached to pier.

22. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier, harbour, or works spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier, harbour, and works.

Fishermen to report to collector of rates.

23. The master of every fishing vessel or fishing boat entering and landing, or otherwise disposing of fish within the limits of the harbour, shall report to the collector of rates particulars as to the amount and descriptions of fish brought by him into the harbour, and every such master failing to make such report within four hours after landing the same, or who shall deliver or give any false particulars, shall for every such offence be liable to a penalty not exceeding ten pounds.

Power to lease rates.

24. The Commissioners may from time to time lease the rates authorised by this Order for any period not exceeding ten years, and for such rent and consideration and on such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering rates and dues as the Commissioners have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order.

Powers to vary exemptions from rates and to enter into compositions, &c.

25. The Commissioners may from time to time confer, vary, or extinguish exemptions from and enter into composition with any person or persons with respect to the payment of tolls, rates, or duties authorised by this Order, but

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so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

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26. If at any time, and from any cause whatever, the said feu charter should become void or be set aside, reduced, or invalidated as to the whole thereof, or as to any part thereof containing a disposition of property in favour of the Commissioners, the right to levy rates under this Order shall absolutely cease.

Right to levy rates to cease in certain cases

27. The Commissioners may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of eleven thousand pounds, on the security of the works authorised by this Order, and of the lands and property connected therewith, and of the rates and dues authorised by this Order, or on the security of any one or more of these, or of any other the property of the Commissioners; or they may accept and take from any bank or banking company credit to such amount as they may deem expedient, not exceeding in the whole the said sum of eleven thousand pounds, on a cash account to be opened and kept in the name of the Commissioners, according to the usage of bankers in Scotland; and they may assign the rates and dues hereby authorised, the works authorised by this Order, and the lands and property connected therewith, and any other lands and property belonging to them in security of the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively, by bonds and assignations under their common seal, and signed by three of their members; and which bonds and assignations, and all transfers thereof, shall be in the form, or as near as may be, of Schedules (B.) and (C.) to the Burgh Harbours (Scotland) Act, 1853, annexed respectively, and shall be recorded in the division of the General Register of Sasines at Edinburgh, applicable to the county of Haddington, and have preference according to the priority of their registration therein, except in so far as a pari passu preference may, by the bonds and assignations, have been established among all or some of them, as being assignations of parts of one capital sum which the Commissioners may, by a resolution of a specified date, have resolved to borrow in parts.

Power to borrow and grant securities.

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

Application of money borrowed.

29. If within two months after the interest of any bond and assignation granted by the Commissioners has become due, or after the period prescribed for the payment of the principal sum in any such bond and assignation has expired, such interest or principal, as the case may be, shall not be paid, the holders of such bonds and assignations may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, require the appointment of a judicial factor by an application to be made as herein-after provided.

Payment of arrears of interest or principal may be enforced by appointment of a judicial factor.

30. Every application for the appointment of a judicial factor under the provisions of this Order shall be made to the sheriff of the county of Hadding-

Appointment of a judicial factor.

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ton, or his substitute, and on any such application the sheriff, or his substitute, may, by order in writing, after hearing the parties, appoint some person as judicial factor to receive the whole or a competent part of the rates authorised by this Order, or other the revenue of the Commissioners until all the arrears of interest or of principal, as the case may be, then due on the outstanding bonds and assignations, together with all costs, including the charges of receiving the said rates or other revenue be fully paid; and upon such appointment being made all such rates or revenue as aforesaid shall be paid to and received by the judicial factor so appointed, and the moneys so received shall be so much money received by or to the use of the holders of the bonds and assignations, and so soon as the full amount of any interest or principal in arrear and costs has been so received, the power of such judicial factor shall cease; and after payment of the said costs the judicial factor shall distribute among all the holders of the said bonds and assignations to whom interest or principal shall be in arrear the rates and other moneys which shall have been received by him, having regard in such distribution to the priorities, if any, of such bonds and assignations.

Amount to authorise application for a judicial factor.

Application of rates.

31. The amount to authorise the application for appointment of a judicial factor shall be one thousand pounds in one or more bonds and assignations.

32. The Commissioners shall apply all money received by them from the rates, tolls, and duties authorised by 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, obtaining, and making of this Order:
- (2.) In paying the feu duties and rents payable in respect of the lands and property belonging to and leased by the Commissioners, and the expenses of the reconstruction, maintenance, management, and regulation of the existing harbour and of the new works, with all accesses, roads, and conveniences, and of the lands and property connected therewith:
- (3.) In paying year by year the interest of any money borrowed, and in payment of the principal of money borrowed:
- (4.) In creating a sinking fund in manner and, in so far as the nature and circumstances of the case will admit, in the proportions specified in the Commissioners Clauses Act, 1847, and this Order:
- (5.) Subject to and after answering the purposes aforesaid, the surplus revenue, if any, shall be applied by the Commissioners in the further improvement of the harbour, and for no other purpose.

Portions of Harbours Clauses Act excepted.

Rates may be levied though works not completed.

33. Sections 16, 17, 18, and 19 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

34. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade and paid by the Commissioners, that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers and goods by means of such works, the Commissioners may, notwithstanding the 25th section of the Harbours,

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Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have been completed, demand and receive such of the rates, or such proportion of all or any of the rates specified in the schedule to this Order as shall by the officer certifying under this section be stated in his certificate to be commensurate to the increased accommodation afforded. A.D. 1878.
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35. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall be incorporated with this Order. Incorporation of part of the Harbours and Passing Tolls, &c. Act, 1861.

36. The Commissioners may, for the purposes of the works authorised by this Order, or any of them, from time to time provide, purchase, lease, or hire such steam or other dredges, engines, tugs, lighters, or other vessels, diving bells, ballast lighters, rubbish 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 may think fit, or may sell or dispose of the same, and the money thereby realised shall be applied towards carrying into effect the purposes of this Order, or some of them. Commissioners may provide engines, lighters, &c.

37. Within the limits of this Order the Commissioners shall be a pilotage and local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities. Commissioners to be pilotage authority.

38. No vessel or boat shall, without the consent of the Commissioners or their piermaster, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the works by this Order authorised to be constructed. Vessels not to anchor within certain limits.

39. The Commissioners shall have the appointment of meters and weighers within the limits of this Order. Meters and weighers.

40. The Commissioners may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic on the harbour, pier, or quay, and other works authorised by this Order to be constructed, or on all ground belonging to the Commissioners used for harbour purposes; but such byelaws 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. Power to make byelaws.

41. It shall not be lawful for the harbour-master, by virtue of section fifty-two of the Harbours, Docks, and Piers Clauses Act, 1847, or of any other authority of 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 he or they may be expressly authorised by the byelaws so to do. Restriction of powers of harbour-master.

42. Before commencing the works authorised by this Order, the Commissioners shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given, as to lights by the Board of Trade during the construction of the works; and compliance with directions so given As to lights during construction of works.

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shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Commissioners refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after com-
pletion of
works.

43. After completion or permanent discontinuance of the works authorised by this Order, the Commissioners shall, at the outer extremity of the harbour and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting; and the Commissioners shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers of
Order to cease
in certain cases.

44. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works after having been commenced should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

Saving rights
of the Earl of
Wemyss and
March, pro-
prietor of the
barony of
Seton.

45. Nothing in this Order, or in any of the enactments therewith incorporated, shall authorise the Commissioners to take, use, or in any manner interfere with any property or rights of whatever nature belonging to or enjoyed or exerciseable by the Earl of Wemyss and March, or to or by the heritable proprietor of the barony of Seton, or of his successors or assigns, without his or their consent in writing, further or otherwise than is expressed and contained in the said feu charter, and save as in this Order is expressly provided; and nothing in this Order shall divest, take away, prejudice, diminish, or alter any right, privilege, power, or authority vested in, enjoyed, or exerciseable by the Earl of Wemyss and March, or by such proprietor as aforesaid, or his successors or assigns; but nothing in this Order shall confer on or confirm to the Earl of Wemyss and March, his heirs, executors, administrators, successors, or assigns, any estate, right, title, or interest in or to any property or thing, or affect the estate, right, title, or interest (if any) of any person claiming any property adversely to him or them.

Saving rights
under Crown
Lands Act,
1866.

46. 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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47. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Commissioners. *Port Seton.*
Costs of Order.

48. This Order may be cited as the Port Seton Harbour Order, 1878.

Short title.

The SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS OTHER THAN FISHING VESSELS.

	£	s.	d.
For all vessels whatever entering the harbour to load or unload, per register ton	0	0	4
For all vessels, wind-bound or otherwise, not loading or unloading, per register ton	0	0	2

II.—DUTIES FOR BOATS EXCLUSIVE OF THEIR CARGOES.

Every open boat engaged in the herring fishery at the port in full of tonnage duties for the period of the fishing season, payable in advance	1	15	0
Every open boat loading or discharging herrings, not engaged at the port as above, shall, on each occasion of entering the harbour, pay each	0	2	6
And when wind-bound, each	0	1	3
Other boats loading or discharging, each	0	2	6
Other boats wind-bound	0	1	6
Other boats, when above twenty tons register, to be charged according to tonnage dues on vessels as above.			
Each white fishing boat, for season, commencing 1st October, and payable annually, in advance :			
If manned by not less than four hands	2	0	0
If manned by less than four hands	1	0	0
For every large herring or white fishing boat, beached for the season	0	15	0
Every small herring or white fishing boat, beached for the season	0	7	6

III.—RATES ON GOODS, &c.

ARTICLES OF EXPORT AND IMPORT.

Ale, beer, and porter, per hogshead	0	0	6
Ale (bottled), per barrel	0	0	4
„ per dozen bottles	0	0	1
Anchors, per cwt.	0	0	9
Anchor stock, per foot run	0	0	2
Bark, per ton	0	2	0
Bedding, per bundle	0	0	3

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	£	s.	d.
Beef or pork, per cwt.	-	0	3
„ per barrel	-	0	6
Biscuit or bread, per cwt.	-	0	3
Blubber, per tun of 252 gallons	-	0	0
Bones and bone dust, per ton	-	1	6
Bottles, per gross	-	0	9
Bricks, per 1,000	-	0	6
Butter, per barrel	-	0	6
Butter, per firkin	-	0	3
Cables, iron or hempen, per ton	-	0	0
Canvas, per bolt	-	0	1
Carriages :			
Chaises and other four-wheeled carriages, each	-	0	7
Gigs, carts, and other two-wheeled carriages, each	-	0	5
Hand-carts and perambulators, each	-	0	1
Casks (empty) not being returned packages, per puncheon	-	0	0
Others casks in proportion.			
Cattle :			
Bulls, cows, and oxen, each	-	0	2
Calves, each	-	0	0
Horses, each	-	0	3
Sheep, each	-	0	0
Pigs, each	-	0	0
Chalk, per ton	-	0	1
Cheese, per cwt.	-	0	0
Chimney pots, each	-	0	0
Cinders and charcoal, per ton	-	0	0
Clams, per cran	-	0	1
Clay, per ton	-	0	1
Cloth, haberdashery, &c., per package not exceeding one cwt.	-	0	0
Coals, per ton	-	0	1
Cod, per score	-	0	1
Copper, per ton	-	0	3
Cordage, per cwt.	-	0	0
Cork, per cwt.	-	0	0
Crabs, per dozen	-	0	0
Crystal, per box or package	-	0	0
Dogs, each	-	0	0
Drugs (in casks, hampers, or boxes), per cubic foot	-	0	0
Earthenware (in casks, hampers, or boxes), per cubic foot	-	0	0
„ (in crates), per cubic foot	-	0	0
Eggs, per box	-	0	0
Fish (dried and salted), per cwt.	-	0	0
„ (fresh):			
Boxes containing not more than two cwt., each	-	0	0
Boxes containing not more than one cwt.	-	0	0

	£	s.	d.	A.D. 1878.	
Flax, per ton	-	0	3	4	Port Seton.
Flour and meal, per sack	-	0	0	4	
„ per barrel	-	0	0	3	
Fruit per bushel or sieve	-	0	0	4	
Furniture (household), per five cubic feet	-	0	0	4	
Game of all kinds, per score	-	0	3	0	
Garvies or sprats, per cran	-	0	0	4	
Glass, per large crate	-	0	1	6	
„ per small crate or case	-	0	1	0	
„ per box	-	0	0	6	
Grains, per quarter	-	0	0	6	
Grilse, each	-	0	0	1	
Groceries not enumerated, per cwt.	-	0	0	6	
Guano, per ton	-	0	1	6	
Gunpowder, per barrel or keg	-	0	0	6	
Haddocks (smoked), per barrel	-	0	0	4	
Halibut, per score	-	0	1	6	
Hams, bacon, or tongues, per cwt.	-	0	0	4	
Hardware, per ton	-	0	2	6	
Hay, per ton	-	0	1	6	
„ per truss	-	0	0	2	
Hemp, per ton	-	0	3	0	
Herrings (fresh), per cran	-	0	0	4	
„ (cured), per barrel	-	0	0	4	
„ (red, bloaters, and kippers), per barrel	-	0	0	4	
„ „ „ per box	-	0	0	0½	
Hides:					
Ox, cow, or horse (wet or dry), each	-	0	0	2	
Hoops of wood, all of the size of puncheon hoops and under, per					
1,200	-	0	0	9	
All above, per 1,200	-	0	1	0	
Iron hoops, per cwt.	-	0	0	2	
Iron:					
Bar, bolt, rod, and sheet, per ton	-	0	1	6	
Pig and old, per ton	-	0	1	0	
Manufactured, per ton	-	0	2	6	
Pots, each	-	0	0	1	
Grates, stoves, and other ironmongery, per cwt.	-	0	0	2	
Kelp, per ton	-	0	2	0	
Lard, per barrel	-	0	0	6	
Lead, per ton	-	0	2	6	
Leather, tanned and dressed, per cwt.	-	0	0	6	
Lime, per 28 bushels	-	0	1	4	
Limestone, per ton	-	0	1	0	
Ling, per score	-	0	1	6	
Lobsters, per dozen	-	0	0	4	

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	£	s.	d.
Machinery, per ton	0	2	6
Manure (not enumerated), per ton	0	1	0
Masts and spars, 10 inches in diameter and upwards, each	0	2	6
Meat, fresh, per cwt.	0	0	6
Milk, per gallon	0	0	0½
Musical instruments, per cubic foot	0	0	1
Mussels, per cran	0	1	0
Nets, per five cubic feet	0	0	4
Oakum, per cwt.	0	0	2
Oils, per ton	0	2	0
Oilcake, per ton	0	2	0
Oranges and lemons, per box	0	0	6
Ores, per ton	0	1	0
Oysters, per long hundred	0	0	4
Paint, per cwt.	0	0	4
Pitch, per barrel	0	0	6
Potatoes, per cwt.	0	0	2
Poultry, per dozen	0	0	4
Rabbits, per dozen	0	0	4
Rags and old rope, per ton	0	2	0
Sails, per cwt.	0	0	6
Salmon, each	0	0	3
Salt, per cwt.	0	0	1
Sand, per ton	0	1	0
Seeds, per quarter	0	0	6
Shrimps, per basket	0	0	2
Skate, per score	0	1	6
Skins:			
Calf, goat, sheep, lamb, or dog, per dozen	0	0	6
Slates, per ton of 24 cubic feet	0	2	0
Spars and masts, 10 inches in diameter and upwards, each	0	2	6
Spirits, per hogshead	0	1	0
„ per gallon	0	0	1
Sprats or garvies, per cran	0	0	4
Steel, per ton	0	3	0
Stones, per ton of 16 cubic feet	0	1	6
Sugar, per cwt.	0	0	3
Tallow, soap, and candles, per cwt.	0	0	3
Tar, per barrel	0	0	6
Tea, per chest	0	1	0
Tiles, per 1,000	0	1	6
Tin and zinc, per ton	0	3	0
Tobacco, per cwt.	0	0	6
Turbot, per score	0	1	6
Turnips, per ton	0	0	6
Turpentine, per barrel	0	0	6

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Pier and Harbour Orders
Confirmation Act, 1878 (No. 1).

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	£	s.	d.	A.D. 1878.
Turtle, each - - - - -	-	0	2	6
Varnish, per barrel - - - - -	-	0	0	6
Vegetables (not enumerated), per cwt. - - - - -	-	0	0	4
Vinegar, per hogshead - - - - -	-	0	0	6
Vitriol, per carboy - - - - -	-	0	1	0
Wine, per hogshead - - - - -	-	0	1	0
„ bottled, per dozen bottles - - - - -	-	0	0	2
Wood :				
Fir, pine, and other descriptions not enumerated, per load of				
50 feet - - - - -	-	0	1	6
Oak or wainscot, per load of 50 feet - - - - -	-	0	2	0
Firewood, per 216 cubic feet fathom - - - - -	-	0	1	6
Laths and lathwood, per fathom of 216 cubic feet - - - - -	-	0	2	6
Handspikes, per 120 - - - - -	-	0	3	0
Oars, per 120 - - - - -	-	0	5	0
Herring-barrel staves, per 1,000 superficial feet - - - - -	-	0	1	0
Spars under 22 feet in length, above 2½ and under 4 inches in				
diameter, per 120 - - - - -	-	0	5	0
„ 2½ inches in diameter and under, per 120 - - - - -	-	0	4	0
„ 22 feet in length and upwards, and not exceeding four				
inches in diameter, per 120 - - - - -	-	0	9	0
„ above four and under six inches in diameter, per 120 - - - - -	-	0	14	0
Spokes of wheels not exceeding two feet in length, per 120 - - - - -	-	0	2	0
„ exceeding two feet in length, per 120 - - - - -	-	0	3	0
Trenails, per 1,000 - - - - -	-	0	2	6
Wedges, per 1,000 - - - - -	-	0	2	6
Pipe staves and others in proportion, per 120 - - - - -	-	0	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood,				
per ton - - - - -	-	0	2	0
Wool, per cwt. - - - - -	-	0	0	4
Yarn, per cwt. - - - - -	-	0	0	2
All other goods not particularly enumerated above :				
Light goods, per cubic foot - - - - -	-	0	0	1
Heavy goods, per ton - - - - -	-	0	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 proportion of the respective rates shall be charged.

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

1.—RATES OF CRANEAGE.

All goods of packages not exceeding one ton - - - - -	-	0	0	4
Exceeding one ton and not exceeding two tons - - - - -	-	0	0	6
Exceeding two tons and not exceeding three tons - - - - -	-	0	0	8
Exceeding three tons and not exceeding four tons - - - - -	-	0	0	10

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	£	s.	d.
Exceeding four tons and not exceeding five tons	-	-	0 1 0
Exceeding five tons and not exceeding six tons	-	-	0 1 2
Exceeding six tons and not exceeding seven tons	-	-	0 1 4
Exceeding seven tons and not exceeding eight tons	-	-	0 1 6
Exceeding eight tons and not exceeding nine tons	-	-	0 1 10
Exceeding nine tons and not exceeding ten tons	-	-	0 2 4
Exceeding ten tons	-	-	0 3 6

2.—WEIGHING MACHINES.

For goods weighed, for each ton or part of a ton	-	-	-	0 0 2
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3.—SHED DUES.

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

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

Water, per 1,000 gallons	-	-	-	0 10 0
Each boat engaged at the herring or white fishing shall pay for the period of their fishing season, in name of water money, payable in advance	-	-	-	0 2 6
Each boat engaged at the herring fishing, and each large boat engaged at the white fishing, shall pay for the period of their fishing season, in name of light money, payable in advance	-	-	-	0 5 0
Each small white fishing boat shall pay for light money, payable in advance	-	-	-	0 2 6

VI.—RATES ON PASSENGERS AND PASSENGERS LUGGAGE.

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 a sum not exceeding	-	-	-	0 0 2
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Crews of boats and vessels to be exempt from this rate.

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

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SEA VIEW.

Sea View.

Order for the construction, maintenance, and regulation of a Pier and Jetty or Landing-places, and other works, at Sea View, in the parish of St. Helen's, in the Isle of Wight and County of Southampton.

1. The Sea View Pier and Improvements Company, Limited, in this Order called the Company, shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the several powers, privileges, and authorities by this Order conferred on the Undertakers, and may carry this Order in all respects into execution. Undertakers.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, (except so much thereof as relates to the purchase or taking of lands otherwise than by agreement,) and the Harbours, Docks, and Piers Clauses Act, 1847, shall be incorporated with this Order. Incorporation of Lands Clauses Acts.

3. For the purposes of the works authorised by this Order, the Company from time to time may, by agreement, enter upon and take and may use all or any part of the lands shown on the plans deposited for the purposes of this Order. Power to take lands by agreement.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may on the lands and foreshore taken by them under this Order, and in the lines and situations 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 pier and works authorised by this Order. Power to make works.

5. The works authorised by this Order comprise the following:

(a.) A sea wall and embankment commencing on the shore at a point about 200 yards, measured on the line of the high-water mark of ordinary spring tides as shown on the Ordnance map of Hampshire, sheet XCI. 15, to the north of the boathouse belonging to William Anthony Glynn, Esquire, and occupied by the Lords Commissioners of the Admiralty, and thence southwardly along the seashore to the eastern end of the present jetty belonging to the said William Anthony Glynn, Esquire, and occupied by the said Lords Commissioners of the Admiralty. Description of works authorised.

(b.) A pier commencing at a point along the said intended sea wall or embankment 50 yards or thereabouts from the junction of the said

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Sea View.

sea wall with the said jetty of the said William Anthony Glynn, measured in a northerly direction, and thence extending seaward in an easterly direction for 350 yards or thereabouts.

(c.) The making, providing, and maintaining, in connexion with the afore-said works, or any of them, or any part or parts thereof respectively, of all necessary and convenient shipping and landing-places, roads, footpaths, depôts, warehouses, sheds, toll-houses, toll gates or bars, custom-houses, cranes, hydraulic lifts, buoys, moorings, sewers, drains, and other works and conveniences.

(d.) To reclaim from the sea so much of the seashore as may be enclosed by the construction of the works above mentioned.

Penalty for obstructing works.

6. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Power to take rates in schedule.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and works, and conveniences connected therewith, and other property of the Company, demand and take, in respect of the vessels, boats, goods, animals, fish, persons, and things described in the schedule to this Order, any sums not exceeding the rates in that schedule mentioned.

Further powers as to works and to sell or lease undertaking.

8. The Company may from time to time erect upon or near the pier, or the approaches thereto, tramways, toll-houses, shops, saloons, bazaars, and reading and waiting, refreshment and other rooms, and may raise money by mortgage or on debentures, or sell and lease their undertaking, property, and works, or any part or parts thereof, or the tolls, rates, duties and other charges authorised to be taken by this Order, to such person or persons, company, local authority, commissioners or corporation, upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit; and a mortgagee in possession, purchaser or lessee, shall have and may exercise all the same powers of levying and recovering tolls, rates, and dues as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Company are subject to under this Order.

Board of Trade may reduce rates.

9. If at any time, and from time to time, the clear annual income derived from the pier and works on the average of the then last three preceding years, after payment of all expenses and outgoings, other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per cent. per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, and otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce

the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per cent. per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

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Sea View.

10. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the 16th section of the General Pier and Harbour Act (1861) Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Annual account to be sent to Board of Trade.

11. 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 ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier and works authorised 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.

12. The Company may grant to passengers, promenaders, and others pass tickets for the use of the pier and works, at such rates, on such terms, and for such periods not exceeding one year as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable nor used by any person other than the person to or for whom it is granted, nor 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.

Pass tickets for use of pier.

13. The Company may from time to time confer, vary, or extinguish exemptions from and enter into composition with any person or persons with respect to the payment of tolls, rates, or duties authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Powers to vary exemptions from rates, and to enter into compositions, &c.

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

Exemptions of Custom-house officers from rates.

15. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have full ingress, passage, and egress to, or along, and from the pier without payment.

Lifeboat crew exempt from tolls.

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*Sea View.*Life-saving
apparatus may
be attached to
pier.

16. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life boat or the apparatus for saving life, may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Land for ex-
traordinary
purposes.

17. The Company shall not purchase for extraordinary purposes within the meaning of the Harbours, Docks, and Piers Clauses Act, 1847, lands exceeding in the whole five acres.

Steam en-
gines, cranes,
mooring
posts, &c.

18. The Company may provide and use such steam engines, piling engines, 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.

Restriction
on use of
pier.

19. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier or works of the Company authorised by this Order any sheep, cattle, fish, or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any way interfere with the use of the pier or other works for recreation, or for embarking or landing of passengers, except at the places provided for the purpose of landing or shipping of cattle, fish, merchandise, and other like things.

Pier to be
deemed
within the
contiguous
jurisdiction.

20. The pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon, or within the limits of this Order, requiring the cognizance of any justice of the peace, be deemed and taken to be within or as forming part of the parish of St. Helen's, and within the jurisdiction of the justices acting within and for that parish.

As to lights
during con-
struction of
works.

21. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works, and if the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after com-
pletion of
works.

22. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Sea View.

23. Sections 16 to 19, inclusive, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Parts of
Harbours,
&c. Act
excepted.

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

Meters and
weighers.

25. The Company may make byelaws for the regulation and control of the fishermen and others, and goods and traffic, on the pier and works authorised by this Order, but such byelaws 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.

Power to
make bye-
laws.

26. No vessel or boat shall, without the consent of the piermaster, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the works by this Order authorised to be constructed.

Vessels not to
anchor within
fifty yards
without con-
sent.

27. No vessel or boat, except steamboats and pleasure boats embarking or disembarking passengers and their luggage, shall be allowed to be moored alongside the pier without the consent of the Company or their piermaster.

Vessels not
to be moored
to pier with-
out consent.

28. In the following cases; (that is to say,)

Powers of
Order to cease
in certain
events.

1. If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

2. If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months, the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

Board of
Trade certi-
ficate to be
conclusive
evidence.

29. 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 the limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Saving rights
under Crown
Lands Act,
1866.

30. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Company.

Costs of
Order.

31. This Order may be cited as the Sea View Pier Order, 1878.

Short Title.

A.D. 1878.

Sea View.

SCHEDULE to which the foregoing Order refers.

I.—RATES ON PASSENGERS AND PROMENADERS.

	£	s.	d.
For every passenger or other person landing on the pier from or embarking from it on board of any ship, vessel, packet or passage boat, for each time any sum not exceeding	0	0	6
For every person using 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	0	2
For every bath or sedan chair taken on the pier, for each time any sum not exceeding	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding	0	0	2
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

II.—RATES ON PASSENGERS LUGGAGE LANDED OR SHIPPED.

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

III.—RATES ON VESSELS USING THE PIER.

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

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

Ale, beer, and porter	0	0	6
Ale, bottled	0	0	4
Ale, bottled	0	0	1
Anchors	0	0	9

		£	s.	d.	A.D. 1878.	
Anchor stock	- - - -	per foot run	0	0	2	Sea View.
Bark	- - - -	- per ton	0	2	0	
Bedding	- - - -	per bundle	0	0	3	
Beef or pork	- - - -	per cwt.	0	0	3	
"	- - - -	per barrel	0	0	6	
Biscuits or bread	- - - -	per cwt.	0	0	3	
Blubber	- - - -	per tun of 252 gallons	0	3	0	
Bones and bone dust	- - - -	per ton	0	1	6	
Bottles	- - - -	per gross	0	0	9	
Bricks	- - - -	per 1,000	0	1	6	
Butter and lard	- - - -	per barrel	0	0	6	
"	- - - -	per firkin	0	0	3	
Cables, iron or hempen	- - - -	per ton	0	3	0	
Canvas	- - - -	per bolt	0	0	1	
Carriages :						
Chaise and other 4-wheeled carriages	- - - -	each	0	7	6	
Gigs, carts, and other 2-wheeled carriages	- - - -	"	0	5	0	
Hand carts and perambulators	- - - -	"	0	1	0	
Casks (empty) not being returned packages	- - - -	per puncheon	0	0	3	
Other casks in proportion.						
Cattle :						
Bulls, cows, and oxen	- - - -	each	0	3	0	
Calves	- - - -	"	0	1	0	
Horses	- - - -	"	0	4	0	
Pigs	- - - -	"	0	0	6	
Sheep	- - - -	"	0	0	6	
Chalk	- - - -	per ton	0	1	0	
Cheese	- - - -	per cwt.	0	0	4	
Chimney pots	- - - -	each	0	0	3	
Clay	- - - -	per ton	0	1	0	
Cloth, haberdashery, &c.	- - - -	per package not exceeding 1 cwt.	0	0	6	
Coals	- - - -	per ton	0	1	0	
Codfish	- - - -	per cwt.	0	0	2½	
Copper	- - - -	per ton	0	3	0	
Cordage	- - - -	per cwt.	0	0	3	
Corks	- - - -	"	0	0	6	
Crystal	- - - -	per box or package	0	0	6	
Dogs	- - - -	each	0	0	6	
Drugs (in casks, hampers, or boxes)	- - - -	per foot	0	0	6	
Earthenware (in crates)	- - - -	"	0	0	1	
Eggs	- - - -	per box	0	2	0	
Fish (dried and salted)	- - - -	per cwt.	0	0	3	
Fish (fresh), not enumerated	- - - -	per cwt.	0	0	2	
Flax	- - - -	per ton	0	2	0	
Flour and meal	- - - -	per sack	0	0	4	
"	- - - -	per barrel	0	0	3	
Furniture (household)	- - - -	per 5 cubic feet	0	0	4	

A.D. 1878.						£	s.	d.	
Sea View.	Fruit	-	-	-	-	per bushel or sieve	0	0	4
	Glass	-	-	-	-	per large crate	0	1	6
	"	-	-	-	-	per small crate or case	0	1	0
	"	-	-	-	-	per box	0	0	6
	Grains and seeds	-	-	-	-	per quarter	0	0	6
	Groceries, not enumerated	-	-	-	-	per cwt.	0	0	6
	Guano	-	-	-	-	per ton	0	1	6
	Gunpowder	-	-	-	-	per barrel or keg	0	0	6
	Hams, bacon, or tongues	-	-	-	-	per cwt.	0	0	4
	Hardware	-	-	-	-	per ton	0	2	6
	Hares and rabbits	-	-	-	-	per dozen	0	0	4
	Hay	-	-	-	-	per ton	0	1	6
	"	-	-	-	-	per truss	0	0	2
	Hemp	-	-	-	-	per ton	0	2	0
	Herrings (fresh)	-	-	-	-	per 1,000	0	0	3
	" (cured)	-	-	-	-	per barrel	0	0	3
	Hides:								
	Ox, cow, or horse (wet or dry)	-	-	-	-	each	0	0	2
	Ice	-	-	-	-	per ton	0	2	6
	Iron:								
	Bar, bolt, rod, and shots	-	-	-	-	per ton	0	1	6
	Pig and old	-	-	-	-	"	0	1	0
	Manufactured	-	-	-	-	"	0	2	6
	Pots	-	-	-	-	each	0	0	1
	Kelp	-	-	-	-	per ton	0	2	0
	Lead	-	-	-	-	"	0	2	6
	Leather (tanned and dressed)	-	-	-	-	per cwt.	0	0	4
	Lime	-	-	-	-	per 28 bushels	0	1	4
	Limestone	-	-	-	-	per ton	0	1	0
	Machinery	-	-	-	-	"	0	2	6
	Manure (not enumerated)	-	-	-	-	"	0	1	0
	Masts and spars, 10 inches in diameter and upwards	-	-	-	-	each	0	4	6
	" " under 10 inches	-	-	-	-	"	0	3	0
	Meat (fresh)	-	-	-	-	per cwt.	0	0	6
	Milk	-	-	-	-	per gallon	0	0	0½
	Musical instruments	-	-	-	-	per cubic foot	0	0	1
	Nets	-	-	-	-	per 5 cubic feet	0	0	4
	Oakum	-	-	-	-	per cwt.	0	0	2
	Oils	-	-	-	-	per tun	0	2	0
	Oil cake	-	-	-	-	per ton	0	2	0
	Oranges and lemons	-	-	-	-	per box	0	0	6
	Ores	-	-	-	-	per ton	0	1	0
	Oysters	-	-	-	-	per bushel	0	0	3
	Paint	-	-	-	-	per cwt.	0	0	4
	Pitch and tar	-	-	-	-	per barrel	0	0	6
	Potatoes	-	-	-	-	per cwt.	0	0	2
	Poultry and game	-	-	-	-	per doz.	0	0	4

	£	s.	d.	A.D. 1878.	
Rags and old rope - - - - -	per ton	0	2	0	Sea View.
Sails - - - - -	per cwt.	0	0	6	
Salt - - - - -	per cwt.	0	0	1	
Sand - - - - -	per ton	0	1	0	
Shrimp baskets - - - - -	each	0	0	2	
Skins :					
Calf, goat, sheep, lamb, or dog - - - - -	per doz.	0	0	6	
Slates - - - - -	per ton of 24 cubic feet	0	2	0	
Spirits - - - - -	per hogshead	0	1	0	
" - - - - -	per gallon	0	0	1	
Stones - - - - -	per ton of 16 cubic feet	0	1	6	
Steel - - - - -	per ton	0	3	0	
Sugar - - - - -	per cwt.	0	0	3	
Tallow, soap, and candles - - - - -	per cwt.	0	0	3	
Tea - - - - -	per chest	0	1	0	
Tiles - - - - -	per thousand	0	1	6	
Tin and zinc - - - - -	per ton	0	3	0	
Tobacco - - - - -	per cwt.	0	0	6	
Turbot - - - - -	per score	0	0	3	
Turnips - - - - -	per ton	0	0	6	
Turpentine and varnish - - - - -	per barrel	0	0	6	
Turtle - - - - -	each	0	2	6	
Vegetables (not enumerated) - - - - -	per cwt.	0	0	4	
Vinegar - - - - -	per hogshead	0	0	6	
Vitriol - - - - -	per carboy	0	0	1	
Water - - - - -	per cask	0	0	3	
Wine - - - - -	per hogshead	0	1	0	
" bottled - - - - -	per doz. bottles	0	0	2	
Wood :					
Fir, pine, and other descriptions (not enumerated) - - - - -	per load of 50 feet	0	1	6	
Oak or wainscot - - - - -	per load of 50 feet	0	2	0	
Firewood - - - - -	per 216 cubic feet fathom	0	1	6	
Laths and lathwood - - - - -	per fathom of 216 cubic feet	0	2	6	
Handspikes - - - - -	per 120	0	3	0	
Oars - - - - -	"	0	5	0	
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter - - - - -	per 120	0	4	0	
Ditto, 2½ inches in diameter and under - - - - -	"	0	5	0	
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter - - - - -	"	0	9	0	
Ditto, above 4 and under 6 inches in diameter - - - - -	"	0	14	0	
Spokes of wheels not exceeding 2 feet in length - - - - -	"	0	2	0	
" " exceeding 2 feet in length - - - - -	"	0	3	0	
" " trenails - - - - -	per 1,000	0	2	6	
" " wedges - - - - -	"	0	2	6	
Pipe staves and others, in proportion - - - - -	per 120	0	2	6	
Lignum vitæ, fustic, logwood, mahogany, and rosewood - - - - -	per ton	0	2	0	

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Sea View.

							£	s.	d.
Wool	-	-	-	-	-	per cwt.	0	0	4
Yarn	-	-	-	-	-	- „	0	0	2

All other Goods not particularly enumerated above.

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

In charging the rates on goods, the gross weight or measurement on 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.

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

1st.—Rates of Craneage.

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

2nd.—Weighing Machines.

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 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
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VI.—RATES FOR SUPPLY OF WATER ON PIER.

Water, per 1,000 gallons	-	-	-	-	-	-	10	0
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VII.—RATES FOR LAYING WATER MAIN ON PIER.

Water	-	-	-	-	-	per ton	0	6
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VIII.—RATES FOR THE USE OF READING AND CONCERT ROOMS.

For each and every person who shall use any reading or concert or other room, for each and every time any sum not exceeding	-	-	-	-	-	-	0	6
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SHANKLIN.

*Shanklin.**Order for the construction, maintenance, and regulation of a Pier
at Shanklin, in the Isle of Wight.*

1. The Shanklin Pier Company, Limited (in this Order called "the Company"), shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the several powers, privileges, and authorities by this Order conferred on the Undertakers, and may carry this Order in all respects into effect. Undertakers.
2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement), shall be incorporated with this Order. Lands Clauses Acts incorporated.
3. For the purposes of the works authorised by this Order, the Company from time to time may, by agreement, enter upon and take, and may use any part of the lands shown on the plans deposited for the purpose of this Order. Power to take lands by agreement.
4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, in the lines and situations, 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 pier and works authorised by this Order. Power to execute works
5. The works authorised by this Order comprise the following:-- Description of works authorised.
- (a) A pier commencing at a point on the beach between the Coast Guard Watch-house and Shanklin Chine, and extending into the sea in a south-easterly direction for a distance of three hundred and forty yards or thereabouts:
- (b) The making, providing, and maintaining in connexion with the said pier of all necessary and convenient shipping and landing-places, roads, warehouses, and other works and conveniences, and the dredging or scouring the bed or shore of the sea at or near the said pier.
6. The Company in constructing the pier may alter and deviate the same (with the consent in writing of the Board of Trade) to any extent within the limits of deviation marked on the deposited plans. Power to deviate.
7. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces

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or destroys the said works, or any part thereof, shall be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Power to take rates in schedule.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order for the use of the pier, demand and take in respect of the vessels, boats, goods, animals, fish, persons, and things described in the schedule to this Order, any sums not exceeding the rates in that schedule mentioned.

Limits of Order.

9. The limits within which the Company shall have authority, and which shall be deemed the limits to which the provisions of this Order extend, and beyond which no rates or tolls shall be taken under this Order, shall comprise the pier and the rest of the area below high-water mark, within the distance of fifty yards from any part of the same works in any direction.

Further powers as to works and to sell or lease undertaking.

10. The Company may from time to time erect upon or near the pier or the approaches thereto, tramways, toll-houses, gates, sheds, and buildings, and may sell, let, or lease their undertaking, works, and property, or any part or parts thereof, or the tolls, rates, duties, and other charges authorised to be taken by this Order, to such person or persons, company, local authority, commissioners, or corporation, upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit, and a mortgagee in possession, purchaser, or lessee shall have and may exercise all the same powers of levying and recovering tolls, rates, and dues as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Company are subject to under this Order.

Board of Trade may reduce rates.

11. If at any time and from time to time the clear annual income derived from the pier on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of principal or interest in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order and otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Annual account to be sent to the Board of Trade.

12. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act (1861) Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this

provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds. A.D. 1878.

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13. 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 ports or on the coasts of the United Kingdom shall, if and when forced by stress of weather to make use of the pier authorised 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.

14. The Company may grant to passengers, promenaders, and others pass tickets for the use of the pier and works at such rates, on such terms, and for such periods not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable nor used by any person except the person to or for whom it is granted, nor 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 pass 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. Pass tickets for use of pier.

15. The Company may from time to time confer, vary, or extinguish exemptions from and enter into composition with any person or persons with respect to the payment of tolls, rates, or duties authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order. Powers to vary exemptions from rates and to enter into compositions, &c.

16. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, from, over, and along the pier and works by land and with their vessels without payment. Exemption of Custom House officers from rates.

17. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier without payment. Life-boat crew exempt from tolls.

18. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier. Life-saving apparatus may be attached to pier.

19. The Company shall not purchase for extraordinary purposes within the meaning of the Harbours, Docks, and Piers Clauses Act, 1847, lands exceeding in the whole one acre. Land for extraordinary purposes.

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*Shanklin.*Steam engines,
cranes, moor-
ing posts, &c.

20. The Company may provide and use such steam and other engines, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, sheds, 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.

Restriction on
use of pier.

21. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier, except with the consent of the Company, any sheep, cattle, fish, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any way interfere with the use of the pier for recreation or for embarking or landing of passengers, except at the places (if any) provided for the purpose of landing or shipping of sheep, cattle, fish, merchandise, and other like things.

Pier to be
deemed within
the parish of
Shanklin.

22. The pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon, or within the limits of this Order requiring the cognizance of any justice of the peace, be deemed and taken to be within or as forming part of the parish of Shanklin, in the Isle of Wight, and within the jurisdiction of any justice acting within and for the division of which that parish forms part.

As to lights
during the con-
struction of
works.

23. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after comple-
tion of works.

24. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Company need
not provide
lifeboats, &c.

25. Sections 16 to 19, inclusive, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Meters and
weighers.

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

Power to
make byelaws.

27. The Company may make byelaws for the regulation and control of the fishermen and others, and goods and traffic on and at the pier, but such byelaws 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. A.D. 1878.

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28. No vessel or boat shall, without the consent of the piermaster, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the pier. Vessels not to anchor within fifty yards of pier.

29. No vessel or boat, except steamboats and pleasure boats embarking or disembarking passengers and their luggage, shall be allowed to be moored alongside the pier without the consent of the Company or their piermaster. Vessels not to be moored to pier.

30. In the following cases ; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced ; or Powers of Order to cease in certain cases.

(2.) If such works after having been commenced shall be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

31. 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 the limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained. Saving rights under Crown Lands Act, 1866.

32. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Company. Costs of Order.

33. From and after the passing of the Act confirming this Order, the Shanklin Pier Order, 1865, confirmed by the Pier and Harbour Orders Confirmation Act, 1865, shall be and the same Order is hereby repealed. Repeal of Order of 1865.

34. This Order may be cited as the Shanklin Pier Order, 1878. Short title.

The SCHEDULE to which the foregoing Order refers.

I.—RATES ON PASSENGERS AND PROMENADERS.

	£	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding	-	-	0 0 6

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	£	s.	d.
For every person using 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	0	2
For every bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - -	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - -	0	0	6
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry an annual sum not exceeding - - - - -	1	0	0

II.—RATES ON PASSENGERS LUGGAGE LANDED OR SHIPPED.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, 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 20 lbs. weight in addition - - - - -	0	1

III.—RATES ON GOODS SHIPPED OR UNSHIPED.

Ale, beer, and porter, per hogshead - - - - -	0	6
Ale, bottled, per barrel - - - - -	0	4
Ale, bottled, 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
Biscuits or bread, per cwt. - - - - -	0	3
Blubber, per tun 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
Butter and lard, per firkin - - - - -	0	3
Cables, iron or hempen, per ton - - - - -	3	0
Canvas, per bolt - - - - -	0	1
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

[41 & 42 VICT.] *Pier and Harbour Orders*
Confirmation Act, 1878 (No. 1).

[Ch. cxiv.]

	s.	d.	A.D. 1878.
Casks (empty), not being returned packages, per puncheon	0	3	—
Other casks in proportion.			<i>Shanklin.</i>
Cattle :			
Bulls, cows, and oxen, each	3	0	
Calves, each	1	0	
Horse, each	4	0	
Pigs, each	0	6	
Sheep, each	0	6	
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 1 cwt.	0	6	
Coals, per ton	1	0	
Codfish, per cwt.	0	2½	
Copper, per ton	3	0	
Cordage, per cwt.	0	3	
Corks, 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 crates), per foot	0	1	
Eggs, per box	2	0	
Fish (dried and salted), per cwt.	0	3	
Fish (fresh), not enumerated	0	2	
Flax, per ton	2	0	
Flour and meal, per sack	0	4	
Flour and meal, per barrel	0	3	
Furniture (household), per 5 cubic feet	0	4	
Fruit, per bushel or sieve	0	4	
Glass, per large crate	1	6	
Glass, per small crate or case	1	0	
Glass, per box	0	6	
Grains and seeds, per quarter	0	6	
Groceries not enumerated, per cwt.	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	
Hay, per truss	0	2	
Hemp, per ton	2	0	
Herrings (fresh), per 1,000	0	3	
Herrings (cured), per barrel	0	3	
Hides :			
Ox, cow, or horse (wet or dry), each	0	2	

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	s.	d.
Ice, per ton - - - - -	2	6
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	4
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
Masts and spars, under 10 inches each - - - - -	3	0
Meat (fresh), per cwt. - - - - -	0	6
Milk, per gallon - - - - -	0	0½
Musical instruments, per cubic 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 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, per hogshead - - - - -	1	0
Spirits, per gallon - - - - -	0	1
Steel, per ton - - - - -	3	0
Stones, per ton of 16 cubic feet - - - - -	1	6
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

	s.	d.	A.D. 1878.
Turbot, per score - - - - -	0	3	—
Turnips, per ton - - - - -	0	6	<i>Shanklin.</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 - - - - -	0	1	
Water, per cask - - - - -	0	3	
Wine, per hogshead - - - - -	1	0	
Wine (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 - - - - -	4	4	
Spars 2½ inches in diameter, and under, per 120 - - - - -	5	0	
Spars 22 feet in length and upwards and not exceeding 4 inches			
in diameter, per 120 - - - - -	9	0	
Spars 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	
Ditto trenails, per 1,000 - - - - -	2	6	
Ditto 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 cubic foot - - - - -	0	1
Heavy goods, per ton - - - - -	2	0

In charging the rates on goods the gross weight or measurement on 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.

A.D. 1878.

Southend.

SOUTHEND.

Order for the construction, enlargement, maintenance, and regulation of Piers and Works at Southend, in the county of Essex.

Order to be read with existing Pier Acts.

1. This Order shall be construed with the following Acts (in this Order referred to as "the Pier Acts"); that is to say, the Act 10 George IV., chapter 49, intituled "An Act for making and maintaining a pier at or near Southend in the parish of Prittlewell, in the county of Essex, and for making convenient approaches to and from the same," except so far as that Act is repealed by this Order; the Act 5th and 6th William IV., chapter 90, intituled "An Act to explain and amend the powers of an Act of his late Majesty King George IV., for making a pier at Southend, in the county of Essex;" and the Southend Local Board Act, 1875, and those Acts, except as before-mentioned, and this Order shall be read and construed together as one Act or Order.

Differential rates on foreign vessels repealed.

2. On and after the passing of the Act confirming this Order, that part of the Pier Act, 10 George IV., chapter 49, which enacts that every master of a ship, vessel, boat, or other craft being an alien or merchant stranger shall pay double the rates of a subject of the United Kingdom shall be and the same part is hereby repealed, and thenceforth no greater rates shall be demanded or received from any master being an alien or merchant stranger than are for the time being demanded and received from a subject of the United Kingdom.

The Undertakers.

3. The Local Board for the district of Southend, in the county of Essex (in this Order referred to as "the Local Board"), shall be the Undertakers of the works authorised by this Order.

Incorporation of Lands Clauses Acts.

4. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order.

Power to take specified lands by agreement.

5. For the purpose of the works authorised by this Order, the Local Board may from time to time by agreement enter on, take, and use all or any part of the lands shown on the deposited plans as they may think requisite for the purposes of this Order.

Lands for extraordinary purposes.

6. The Local Board may purchase and hold for extraordinary purposes any land not exceeding in the whole five acres.

Power to make works.

7. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans and 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 Local Board may on the lands now belonging to them, and on the lands taken by them under this Order, or on any of such lands, and in the lines and according to the levels, and within the limits of deviation shown on

the deposited plans and sections, make and maintain the works authorised by this Order. A.D. 1878.

Southend.

8. The works authorised by this Order comprise the following works, situate in the parish of Prittlewell, in the county of Essex, and the bed and shore of the sea; that is to say, Description of works.

A new pier commencing at or near high-water mark at ordinary spring tides at a point adjoining and east of the existing pier, and thence proceeding seaward in a southerly direction parallel with and terminating at or near the termination of the existing pier:

An enlargement of the existing pier head on the east and west sides thereof respectively, for a distance of 50 feet, and on the north side thereof, for a distance of 40 feet or thereabouts:

A new pier commencing at or near high-water mark at ordinary spring tides at a point near and to the east of the Castle Public House, and proceeding seaward in a southerly direction for a distance of 350 feet or thereabouts.

9. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, or any of such works have been given, all the provisions of the Pier Acts shall extend and apply to such works or work in the same manner as if such works or work had been authorised by the first of the Pier Acts and duly constructed in accordance therewith. Provisions of existing Pier Acts to extend to works authorised by this Order.

10. The Local Board may from time to time dredge, scour, and deepen the bed and shore of the sea or river at or near any part of the existing pier or the works authorised by this Order: Provided that the works authorised by this section shall not be commenced without the assent of the Board of Trade having been first obtained. Powers to dredge, &c. at or near existing pier and works authorised by this Order.

11. The Local Board may from time to time erect, maintain, and use upon or near to their existing pier and on the works authorised by this Order, or any of them, toll-houses, warehouses, sheds, tramways, and waiting rooms, and may provide and use steam engines, cranes, dredging machines, boats, buoys, and other apparatus and conveniences, and may lease such tramways, houses, and rooms, or any of them, for any period not exceeding three years to take effect in possession. Power to erect toll-houses, warehouses, &c., and lease same, &c.

12. The borrowing powers conferred on the Local Board by section 12 of the Southend Local Board Act, 1875, shall extend to the purposes of this Order. Power to borrow.

13. The works authorised by this Order shall not nor shall any of them be commenced, nor shall any money be expended by the Local Board on any of such works, nor shall any money be borrowed by the Local Board for the purposes of any of such works, except with the consent first obtained of the owners and ratepayers within the district of the Local Board, such consent to be signified by a resolution of owners and ratepayers passed in accordance with Schedule III. to the Public Health Act, 1875. Consent of owners and ratepayers to works, expenditure, and borrowing.

A.D. 1878.

*Southend.*Powers to
take tolls
specified in
schedule to
this Order.

14. The Local Board may, subject and according to the provisions of the Pier Acts and this Order, for the use of the tramway on or connected with the pier or piers, demand and take any sums not exceeding the rates mentioned in the schedule to this Order.

Powers to
take rates, &c.
for use of
warehouses,
&c.

15. The Local Board may demand and take such rates or other consideration as they think reasonable for the use of any warehouses, sheds, rooms, cranes, works, and conveniences for the use of which rates are not specially fixed by the Pier Acts or by this Order.

Powers to
enter into
composition
for payment
of tolls, &c.

16. The Local Board may from time to time enter into composition with any person or persons with respect to the payment of any tolls, rates, or duties authorised by the Pier Acts or by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice any other provision of the said Acts or of this Order.

Power to
make byelaws.

17. The power of making byelaws exerciseable by the Local Board under the Pier Acts shall extend to authorise them to make byelaws for regulating the management, working, and use of their works, toll-houses, warehouses, sheds, tramways, waiting, refreshment, and other rooms, and for regulating and controlling the vessels, persons, animals, goods, and vehicles using, frequenting, or resorting to the same, but byelaws made under the authority of this section shall not require any approval, confirmation, or publication other than is provided for by section 10 of the Southend Local Board Act, 1875.

Harbours, &c.
Act, 1847, not
incorporated
except certain
sections
thereof.

18. The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, except those sections thereof which are incorporated by section 2 of the Southend Local Board Act, 1875, but no rates shall be demanded or received by the Local Board in respect of any work or works authorised by this Order, unless and until it shall be certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, that such work has or such works have been so far completed as to afford increased accommodation for the landing and embarking of passengers and goods by means thereof adequate to the rates to be demanded.

As to lights
during con-
struction of
the works.

19. Before commencing the works authorised by this Order, the Local Board shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works, and if the Local Board refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after com-
pletion of
works.

20. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Local Board shall, at the outer extremity of their pier and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that

corporation for directions as to lighting, and the Local Board shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

A.D. 1878.

Southend.

21. In the following cases ; that is to say,

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced ; or

(2.) If such works after having been commenced shall be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

Powers to
cease in cer-
tain events.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purpose of this Order be conclusive evidence of the fact stated in such certificate.

22. 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.

Saving rights
under Crown
Lands Act,
1866.

23. All costs of and incidental to the obtaining of this Order, and otherwise incurred in relation thereto, shall be paid by the Local Board.

Costs of Order.

24. This Order may be cited as the Southend Piers Order, 1878.

Short title.

SCHEDULE to which the foregoing Order refers.

RATES FOR USE OF TRAMWAY.

	s.	d.
For every passenger for each time	0	3
Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0
For passengers luggage, sums not exceeding duties on same for use of pier.		

A.D. 1878.

South Uist.

SOUTH UIST.

Order for the construction, maintenance, and regulation of Harbours, Piers, and Works at Loch Boisdale and Loch Skipport, in the Parish of South Uist and County of Inverness.

Undertakers.

1. John Gordon, Esquire, of Cluny, in the county of Aberdeen, his heirs, assignees, and successors, shall be the Undertakers for carrying this Order into execution.

Limits of Order.

2. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the piers and works authorised by this Order, and the accesses, works, and conveniences connected therewith respectively, and the following areas below the line of high water; that is to say,

In Loch Boisdale,—So much of the inlet between Big House Point and Thrashing Point as lies on the west side of an imaginary straight line drawn from the extremity of Big House Point due south to the high-water line of Thrashing Point.

In Loch Skipport,—The area bounded on the east by an imaginary straight line commencing at the extreme low-water mark of Cnoc More, and drawn true north-east to the opposite shore of Aird Choraidh, and on the west by an imaginary straight line drawn from the mouth of the stream next west of Cnoc More true north-east to the opposite shore.

Power to construct works.

3. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plans and sections deposited with reference to this Order as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, on the lands belonging to them or acquired under this Order, and in the lines and situation and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the piers, accesses, and works authorised by this Order.

Description of works.

4. The works authorised by this Order are—

Undertaking No. 1.—A pier at Loch Boisdale, commencing at a point sixty-eight yards or thereabouts, measuring eastward from the south end of "Big House," and extending in a north-easterly direction along the shore for a distance of twenty-seven yards or thereabouts from the said point of commencement, together with all necessary works, accesses, and conveniences in connexion with the said pier.

Undertaking No. 2.—A pier at Loch Skipport, commencing at a point two hundred and eighty yards or thereabouts, measuring northwards from the north end of "Shepherd's Cottage," and extending in a north-westerly direction along the shore for a distance of twenty-seven yards or thereabouts from the said point of commencement, together with all necessary works, accesses, and conveniences in connexion with the said pier.

Each undertaking shall be a separate and distinct undertaking, and all the provisions of this Order shall apply to each undertaking separately in the same manner as if it had alone been authorised by this Order.

A.D. 1878.

—
South Uist.

5. Subject to the provisions of this Order, the Undertakers may from time to time construct and maintain all warehouses, offices, sheds, weighing machines, cranes, and other works, buildings, and conveniences which may be found necessary for the accommodation of vessels and traffic landed at each pier; and they may also from time to time lay down and maintain rails, tramways, sidings, and turntables on and along the piers and other works and lands connected therewith respectively, and they may dredge, scour, deepen, widen, enlarge, alter, improve, and maintain the entrances and channels to the said piers and works respectively: Provided that no works authorised by this section below high-water mark shall be commenced without the assent of the Board of Trade having been first obtained in writing.

Power to
maintain and
improve
works.

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

Penalty for
obstructing
works.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise, necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the piers and works, demand and recover in respect of vessels, boats, animals, fish, goods, matters, and things described in the schedule to this Order any sum or sums not exceeding the several rates specified in the same schedule.

Power to levy
rates.

8. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Undertakers, that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers and goods by means of such works, the Undertakers may, notwithstanding the twenty-fifth section of the Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have been completed, demand and recover such of the rates, or such proportion of all or any of the rates specified in the schedule to this Order as shall by the officer certifying under this section be stated in his certificate to be commensurate to the increased accommodation afforded.

Rates may
be received
when portion
of works con-
structed.

9. The Undertakers may from time to time confer, vary, or extinguish exemptions from and enter into compositions with any person or persons with respect to the payment of the rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Power to
compound
for rates.

10. If at any time and from time to time the clear annual income derived from the piers and works on the average of the three last preceding years, after

Board of
Trade may
reduce rates.

A.D. 1878.

South Uist.

payment of all expenses and outgoings, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers, in executing works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall be thereupon reduced accordingly, but with power to the Board of Trade, at any time and from time to time, to raise them again to not exceeding the amounts specified in the schedule to this Order.

Rates for use
of warehouses.

11. The Undertakers may demand and recover such rates or other consideration as they may think reasonable for the use of any warehouses, buildings, steam or hydraulic cranes, works and conveniences belonging to the Undertakers, for the use of which rates are not specially fixed in the schedule to this Order.

Annual account to be
sent to Board
of Trade.

12. The Undertakers, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade. If the Undertakers refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account.

Certain fishing
vessels under
stress of
weather
exempt from
rates.

13. 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 piers or works, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption
of Customs
officers.

14. Officers of Customs, being in the execution of their duty, shall at all times have free ingress to and passage and egress on, into, along, through, and out of the piers and works by land, and with their vessels and otherwise, without payment.

Rates may be
leased.

15. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding ten years, to take effect in possession at the best rent to be reasonably obtained, without fine and on such other terms and conditions as they think fit, and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering rates and dues as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the provisions as to accounts and otherwise to which the Undertakers are made subject by this Order.

Power to make
byelaws.

16. The Undertakers may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic, for the supply of ballast to vessels and boats, and for the deposit or removal of ballast within the limits of this Order, and on the piers, approaches, and other works authorised by

this Order to be constructed, but such byelaws 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.

A.D. 1878.

South Uist.

17. The rates received under this Order shall be applied for the purposes and in the order following, and not otherwise:—

Application
of receipts.

1. In paying the costs of and connected with the preparation and making of this Order:
2. In paying the expenses of the maintenance, repairs, improvement, management, and regulation of the piers and works authorised by this Order:
3. The surplus revenue (if any) of the piers and works, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

18. Sections 16, 17, 18, and 19 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall, whenever called upon by the Board of Trade, provide, at their own expense, and to the satisfaction of the Board of Trade, a site near each pier, and build on each such site a house and other proper accommodation for a lifeboat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation at Loch Boisdale, and the like penalty for every calendar month during which they omit to provide such accommodation at Loch Skipport.

Portions of
Harbours
Clauses Act
exempted.

19. No vessel or boat shall anchor within the limits to which this Order extends without the consent of the harbour-master.

Vessels not
to anchor
within the
limits without
consent.

20. No vessel or boat, except steamboats or pleasure-boats embarking or disembarking passengers and their luggage, shall be moored alongside the piers without the consent of the Undertakers or the piermaster.

No vessel to
be moored
alongside the
piers.

21. The Undertakers shall have the appointment of meters and weighers within the limits of this Order.

Meters and
weighers.

22. Within the limits of this Order the Undertakers shall be a pilotage authority and local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Undertakers
to be pilotage
authority.

23. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in the place of every other statutory requirement as to lights during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

Lights to be
exhibited
during con-
struction of
works.

24. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity

Lights after
completion of
works.

[Ch. cxiv.] *Pier and Harbour Orders* [41 & 42 VICT.]
Confirmation Act, 1878 (No. 1).

A.D. 1878. of the piers and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

South Uist.

Powers to
cease in certain
events.

25. In the following cases ; (that is to say)
 1. If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced ; or
 2. If such works after having been commenced shall be virtually suspended for twelve consecutive calendar months,
 the powers by this Order given for executing such works respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

Saving rights
under Crown
Lands Act,
1866.

26. 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.

Costs of Order.

27. All costs, charges, and expenses of and incident to the preparing for and obtaining this Order, or otherwise in relation thereto, shall be paid by the Undertakers.

Short title.

28. This Order may be cited as the South Uist (Loch Boisdale and Loch Skipport) Piers Order, 1878.

The SCHEDULE in the foregoing Order referred to.

I.—TONNAGE DUTIES.

	£	s.	d.
For all steam or other vessels to or from any port or place on the West of Scotland entering the harbour to load or unload - - - per register ton	0	0	4
For all such vessels windbound or otherwise and not loading or unloading - - - „	0	0	2
For all such vessels to or from all other ports or places in Great Britain or Ireland - - - „	0	0	6

	£	s.	d.	A.D. 1878.
For all such vessels windbound or otherwise and not loading or unloading - - - per register ton	0	0	3	<i>South Uist.</i>
For all such vessels to or from foreign ports or places - - - - - "	0	0	8	
For all such vessels windbound or otherwise and not loading or unloading - - - "	0	0	4	
Each such vessel shall pay for waterage money - - - "	0	0	0½	
And for the harbour lights - - - each	0	1	0	

But if the vessels of the owners of any steam or other vessel engaged in a regular trade with either harbour shall collectively make in any one year from January to December inclusive fifty or more voyages to or from such harbour one half of the above rates shall be leviable on each of such vessels in respect of such year.

For vessels sailing from the harbour and put back by stress of weather without having accomplished the voyage no additional rates shall be charged on such return.

II.—DUTIES FOR BOATS EXCLUSIVE OF THEIR CARGOES.

Every boat engaged in the herring fishery, as a composition in full of tonnage duty for the period of the fishing season, payable in advance - - -		1	5	0
Every boat loading or discharging herrings, not paying the aforesaid composition, shall on each occasion of entering the harbour pay - - - each		0	2	6
And when windbound or otherwise and not loading or unloading - - - - - "		0	1	3
Other boats loading or discharging - - - - - "		0	3	0
Other boats windbound or otherwise and not loading or unloading - - - - - "		0	1	6
Other boats when above 15 tons register to be charged according to tonnage dues for vessels as above.				
Each white-fishing boat for season commencing 1st October and payable annually in advance:—				
If manned by not less than four hands - - - "		0	15	0
If manned by less than four hands - - - "		0	7	6
Each boat engaged in the herring fishery shall pay for the period of the fishing season two shillings and sixpence in name of waterage money, and one shilling for light money.				

A.D. 1878.

South Uist.

III. RATES ON ARTICLES OF IMPORT AND EXPORT BY BOATS OR
VESSELS.

		£	s.	d.
Ale and beer of all kinds -	-	-	-	-
	per 50 gallons	0	1	0
Bark in bulk -	-	-	-	-
	per ton	0	2	6
Beef and other provisions, fresh or salted -	-	-	-	-
	"	0	2	6
Bones and bone dust -	-	-	-	-
	"	0	1	0
Bricks -	-	-	-	-
	per 1,000	0	0	6
Butter -	-	-	-	-
	per cwt.	0	0	3
Bran -	-	-	-	-
	per ton	0	0	6
Carrots -	-	-	-	-
	"	0	0	6
Casks, empty, not being returned packages	-	-	-	-
	per puncheon	0	0	6
Other casks in proportion.				
Cattle, viz. :—				
Bulls, cows, oxen, and calves -	-	-	-	-
	each	0	0	6
Horses -	-	-	-	-
	"	0	1	0
Pigs -	-	-	-	-
	"	0	0	3
Sheep and lambs -	-	-	-	-
	per score	0	2	6
Ditto, for a less number -	-	-	-	-
	each	0	0	2
Carriages, viz. :—				
With springs, under 5 cwt. -	-	-	-	-
	"	0	2	6
With springs, 5 cwt. and under 7½ cwt. -	-	-	-	-
	"	0	5	0
With springs, 7½ cwt. and under 10 cwt. -	-	-	-	-
	"	0	10	0
Carts and waggons without springs -	-	-	-	-
	per ton	0	2	6
Cheese -	-	-	-	-
	"	0	3	0
Clams -	-	-	-	-
	per cran	0	1	0
Coals -	-	-	-	-
	per ton	0	1	0
Corn, viz. :—Barley, beans, Indian corn, malt,				
oats, peas, and rye -	-	-	-	-
	per quarter	0	0	3
Wheat -	-	-	-	-
	"	0	0	4
Crabs -	-	-	-	-
	per dozen	0	0	2
Eggs -	-	-	-	-
	per ton	0	3	6
Flax -	-	-	-	-
	"	0	4	2
Flour -	-	-	-	-
	per sack	0	0	4
Fish :—				
Herring -	-	-	-	-
	per barrel	0	0	4
Salmon -	-	-	-	-
	per cwt.	0	0	6
Salted dry fish -	-	-	-	-
	per barrel	0	0	4
Ditto -	-	-	-	-
	per ton	0	6	8
Fruit of all kinds -	-	-	-	-
	per bushel	0	0	3
Game of all kinds -	-	-	-	-
	per score	0	3	4
Groceries, viz. :—				
Tea -	-	-	-	-
	per chest	0	0	4
Coffee -	-	-	-	-
	per cwt.	0	0	3
Sugar, raw -	-	-	-	-
	per ton	0	2	8
Sugar, refined -	-	-	-	-
	"	0	3	4

						£	s.	d.	A.D. 1878.
									— — South Uist.
Groceries— <i>cont.</i>									
Tobacco	-	-	-	-	per 100 lbs.	0	0	4½	
Snuff	-	-	-	-	per cwt.	0	0	6	
Miscellaneous	-	-	-	-	"	0	0	3	
Hay	-	-	-	-	per ton	0	1	0	
Hemp	-	-	-	-	"	0	3	6	
Hides	-	-	-	-	per cwt.	0	0	4	
Hoops of wood, all of the size of puncheon hoops and under	-	-	-	-	"	0	0	6	
Hoops of wood, all above the size of puncheon hoops	-	-	-	-	"	0	0	8	
Hoops, iron	-	-	-	-	per ton	0	3	9	
Household furniture	-	-	-	-	per barrel bulk	0	0	4½	
Husbandry utensils	-	-	-	-	"	0	0	4½	
Iron:—									
Bar, bolt, rod, and plate	-	-	-	-	per ton	0	1	6	
Forged	-	-	-	-	"	0	2	6	
Made work	-	-	-	-	"	0	5	0	
Old iron	-	-	-	-	"	0	1	0	
Old or broken pig iron	-	-	-	-	"	0	0	6	
Cast-iron goods	-	-	-	-	"	0	2	6	
Pig	-	-	-	-	"	0	1	0	
Wire	-	-	-	-	per cwt.	0	0	4	
Kelp	-	-	-	-	per ton	0	0	6	
Leather	-	-	-	-	per cwt.	0	0	3	
Lime	-	-	-	-	per ton	0	0	6	
Live animals (other than those specified)	-	-	-	-	each	0	1	0	
Lobsters	-	-	-	-	per dozen	0	0	2	
Manures (including guano, &c.)	-	-	-	-	per ton	0	0	6	
Meal	-	-	-	-	"	0	1	0	
Oil	-	-	-	-	per 50 gallons	0	1	0	
Oilcake	-	-	-	-	per ton	0	1	0	
Oysters	-	-	-	-	per hundred	0	0	2	
Potatoes	-	-	-	-	per ton	0	0	6	
Peats	-	-	-	-	"	0	0	6	
Poultry	-	-	-	-	per dozen	0	0	6	
Less number of ditto	-	-	-	-	each	0	0	1	
Rabbits	-	-	-	-	per dozen	0	0	3	
Salt	-	-	-	-	per ton	0	1	0	
Saltpetre	-	-	-	-	"	0	3	4	
Seeds, flax and rape	-	-	-	-	per cwt.	0	0	3	
Clover	-	-	-	-	"	0	0	3	
Garden seeds	-	-	-	-	"	0	0	3	
Hemp and canary	-	-	-	-	"	0	0	3	
Rye grass	-	-	-	-	per quarter	0	0	4½	
Shellfish (other than those specified)	-	-	-	-	per cwt.	0	0	2	
Slates, all sizes	-	-	-	-	per ton	0	1	0	

A.D. 1878.

South Uist.

						£	s.	d.	
Stones :—									
Rubble	-	-	-	-	-	per ton	0	0	4
Hewn ashlar	-	-	-	-	-	"	0	0	9
Rough ashlar	-	-	-	-	-	"	0	0	9
Large stones	-	-	-	-	-	"	0	0	4
Causeway stones (dressed)	-	-	-	-	-	"	0	0	6
Pavement	-	-	-	-	-	"	0	1	0
Curb	-	-	-	-	-	"	0	0	6
Gravestones	-	-	-	-	-	each	0	5	0
Scythe and grind stones	-	-	-	-	-	per ton	0	1	6
Mill stones	-	-	-	-	-	each	0	3	0
Spirits	-	-	-	-	-	per 50 gallons	0	2	0
Snuff	-	-	-	-	-	per ton	0	3	6
Tallow	-	-	-	-	-	"	0	3	0
Tar	-	-	-	-	-	per barrel	0	0	2
Tares	-	-	-	-	-	per ton	0	1	0
Tow	-	-	-	-	-	"	0	3	0
Tiles	-	-	-	-	-	per 1,000	0	1	0
Turnips	-	-	-	-	-	per ton	0	0	6
Tobacco	-	-	-	-	-	"	0	3	6
Wood of all kinds (exclusive of staves)	-	-	-	-	-	per load	0	1	0
Staves (herring and haddock barrel)	-	-	-	-	-	per 1,000 feet	0	1	2
Wool	-	-	-	-	-	per ton	0	2	0
All goods not enumerated in the foregoing schedule						"	0	2	0

IV.—RATES FOR BALLAST.

For all ballast supplied by the Undertakers to vessels, or discharged from vessels within the harbour

-	-	-	-	-	-	per ton	0	1	0
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V.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1. Rates of craneage :—

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

2. Weighing machines :—

For goods weighed for each ton or part of a ton	-	-	-	-	-	0	0	2
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	£	s.	d.	A.D. 1878.
3. Shed dues :—				<i>South Uist.</i>
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 on the pier or other works for a longer time than 48 hours, the sum of 3 <i>d.</i> , and the sum of 1½ <i>d.</i> 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 after the first 24 hours - - - - -	0	0	2	

VI.—RATES FOR PILOTAGE.

For vessels not exceeding 150 tons register	-	per ton	0	0	3
For vessels exceeding 150 tons register	-	"	0	0	2

VII.—EXEMPTIONS.

- No rate shall be charged for the following goods, namely:—Returned empty bottles, casks, bags, and packsheets, and goods returned to the original shippers in the original state.
- The luggage of each passenger not exceeding 2½ cwt.; but for all above, the rate of 2*s.* per ton shall be paid by each passenger.
- Five cubic feet, not exceeding 2½ cwt., to be rated a barrel bulk; but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated a barrel bulk.
- In weighing and measuring goods for ascertaining the shore dues payable, the weight or measurement of the packages is to be included.

WALTON-ON-THE-NAZE.

Walton-on-the-Naze.

Order for the extension, maintenance, and regulation of the Pier at Walton-on-the-Naze, in the County of Essex.

1. This Order shall be construed with the Walton-on-the-Naze Pier Orders, 1864 and 1870, so far as the same are not repealed and as the same are varied by this Order, as one Order, and may be cited as the Walton-on-the-Naze Pier Order, 1878; and the Orders of 1864 and 1870 and this Order may be cited together as the Walton-on-the-Naze Piers Orders, 1864, 1870, and 1878. Short title.

2. The Walton-on-the-Naze Pier Company, in this Order called "the Company," shall be the Undertakers of the works authorised by this Order. Undertakers.

A.D. 1878.

*Walton-on-the-Naze.*Capital to be 10,000*l.*, as authorised by Order of 1864.

Incorporation of Part II. of Companies Clauses Act, 1863.

Power to borrow.

Power to execute works.

Description of works.

3. Section three of the Order of 1870 is hereby repealed, and the capital of the Company shall be ten thousand pounds in one thousand shares of ten pounds each as authorised by the Order of 1864, and the four thousand pounds of unissued share capital may be issued either as ordinary shares or preference shares.

4. Part II. of the Companies Clauses Act, 1863, relating to additional capital, is incorporated with this Order, and shall apply to any preference shares to be issued under the authority of this Order as if the same were additional capital issued under the authority of a special Act.

5. The Company may borrow on mortgage in respect of their present share capital of six thousand pounds a sum not exceeding two thousand pounds; and they may also from time to time borrow on mortgage, in respect of the additional share capital of four thousand pounds, a further sum of one thousand pounds, but no part of such sum of one thousand pounds shall be borrowed until the whole of the additional share capital of four thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have given such proof and obtained such certificate as are provided for by section six of the said Order of 1864.

6. 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 Company may, in the lines and according to the levels shown on those 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 extension of their pier and the other works authorised by this Order.

7. The works authorised by this Order comprise the following:—

An extension of the existing pier of the Company seaward from the south-eastward end thereof in a south-easterly direction for a distance of three hundred and fifty-five feet or thereabouts, including the shelter head at the south-eastward extremity of the pier as extended;

An extension of the uncompleted cant of the pier in a south-westward direction for a distance of one hundred and ninety feet or thereabouts;

The repair and improvement of the groyne near the south-westward limit of deviation shown on the deposited plans, and the extension of such groyne for a distance of two hundred and fifty feet or thereabouts from the shore;

Screen works for the protection of steamboats or other craft within the proposed shelter-head and cant, and of boats and craft berthing in the proposed boat-haven or beaching alongside the pier with moorings, buoys, dolphins, capstans, and other works for warping or otherwise assisting vessels coming to or leaving the boat-haven or pier, or lying outside or along the same, and any other works proper for facilitating access to and convenient user of the pier and works, or for making the same more secure;

Provided always, that notwithstanding the proviso to section twenty-one of the said Order of 1864, the Company may from time to time build and embank, or fill up and make solid work for a distance of one hundred yards from high-water mark, and for such farther distance as the Board of Trade shall previously sanction.

A.D. 1878.

Walton-on-the-Naze.

8. If at any time and from time to time the clear annual income derived from the piers and works of the Company on the average of the three last preceding years, after payment of or providing for all expenses and outgoings other than payments of interest or principal in respect of money borrowed shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by the Order of 1864 and this Order, and otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding the amounts specified in the schedule to the Order of 1864.

Board of Trade
may reduce
rates.

9. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds; and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account.

Annual ac-
count to be
sent to Board
of Trade.

10. 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 coast of the United Kingdom shall, when forced by stress of weather to make use of the pier and works, and not breaking bulk while making use thereof, be exempt from rates leviable by the Company.

Certain fishing
vessels under
stress of
weather
exempt from
rates.

11. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any directions given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
during con-
struction of
the works.

12. After completion or permanent discontinuance of the works authorised by this Order, the Company shall, at the outer extremity of their pier and works, or the completed portion thereof, exhibit from sunset to sunrise such

As to lights
after comple-
tion of works.

A.D. 1878. light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting; and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Walton-on-the
Naze.

Powers of
Order to
cease in cer-
tain events.

13. In the following cases; that is to say,

(1.) If within two years from the date of the passing of the Act confirming this Order, the works authorised by this Order shall not be substantially commenced; or

(2.) If such works, after having been commenced, shall be virtually suspended for twelve calendar months,

the powers by this Order given for executing such works or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

Saving rights
under Crown
Lands Act,
1866.

14. 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.

Costs of
Order.

15. 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.