



## CHAPTER xxxiii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Birchington, Colwyn Bay, Llandudno, Penarth, and Plymouth. [20th May 1892.] A.D, 1892.

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

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

Be it therefore enacted by the 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 as amended and set out in the schedule to this Act shall be and the same are hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, have full validity and force. Confirmation  
of Orders in  
schedule.

2. The undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district in England, ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers: Special  
provisions as  
to houses of  
labouring  
class.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for

A.D. 1892. wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title. **3.** This Act may be cited as the Pier and Harbour Orders Confirmation (No. 1) Act, 1892.

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## THE SCHEDULE OF ORDERS.

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1. BIRCHINGTON.—Construction of pier and esplanade.
2. COLWYN BAY.—Construction of pier.
3. LLANDUDNO.—Amendment, as to rates for pier, of former Order.
4. PENARTH.—Construction of pier.
5. PLYMOUTH (PHŒNIX WHARF).—Construction of pier.

BIRCHINGTON.

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Birchington.

*Order for the Construction, Maintenance, and Regulation of a Pier  
and Esplanade at Birchington-on-Sea, in the County of Kent.*

1. Alfred Ashton, of Birchington-on-Sea, Esquire, his heirs, assigns, and successors (in this Order called "the Undertakers"), shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the powers, privileges, and authorities conferred by this Order, and may carry this Order in all respects into effect. Undertakers.

2. The Lands Clauses Acts (except the provisions thereof relating to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) shall be incorporated with this Order. Incorporation  
of Lands  
Clauses Acts.

3. For the purposes of the works authorised by this Order the Undertakers may from time to time, by agreement, enter on, take, and use all or such parts of the land shown on the plan deposited for the purposes of this Order as they think requisite 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 deposited plan and section as the Board of Trade may require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, on the lands, and in the lines and situation, and according to the levels shown on the plan and section deposited with reference to this Order (which plan and section are in this Order referred to respectively as the deposited plan and deposited section), and within the limits of deviation shown on the deposited plan, make and maintain the pier, esplanade, and works authorised by this Order. Power to make  
works.

5. The works authorised by this Order include :—

No. 1. A pier situated on the west side of Epple Bay, in the parish of Birchington, commencing at a point on the shore one hundred and forty-five yards or thereabouts, measured in a northerly direction from the north-east corner of the coastguard station in Epple Road, and extending thence seawards in a northerly direction in a straight line for a distance of five hundred and eighty-five yards or thereabouts, and there terminating, and having a pier-head, the west arm of which will extend for a distance of sixty-seven yards or thereabouts in a south-westerly direction from the termination of the pier, and the east arm of which will extend for a like distance of sixty-seven yards or thereabouts in a south-easterly direction from the termination of the pier. Description  
of works.

No. 2. An esplanade commencing in the parish of Birchington, or on the foreshore adjacent thereto, on the east side of the pier at a point one hundred and sixty-two yards or thereabouts, measured in a northerly direction from the north-east corner of the said coastguard station, and extending thence in an easterly direction in a straight line for a distance

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of one hundred and seventeen yards or thereabouts, extending thence in a north-easterly direction in a curved line for a distance of two hundred and twenty-one yards or thereabouts, extending thence in an easterly direction in a straight line for a distance of five hundred and seventy-two yards or thereabouts, extending thence in a south-easterly direction in a curved line for a distance of one hundred and seventeen yards or thereabouts, and there terminating in the parish of Acol, in the county of Kent, or on the foreshore adjacent thereto, at a point on the face of the existing esplanade at West-gate twenty-five yards or thereabouts measured in an easterly direction from the west end of the said existing esplanade.

The pier will be constructed as an open work for its whole length, and the pier-head will be solid.

Power to provide landing stages, &c.

6. The Undertakers may construct and provide all proper landing-stages, landing-places, lamps, lamp-posts, roads, footpaths, sheds, toll-houses, toll gates or bars, cranes, hydraulic lifts, buoys, moorings, sewers, drains, and other works and conveniences connected with the pier, esplanade, and works.

Power to erect pavilions, &c.

7. The Undertakers may erect and construct upon the said pier, esplanade, and works, pavilions or assembly rooms, concert rooms, aquaria, shops, saloons, and bazaars, and reading, refreshment, and other rooms, and swimming and other baths, lavatories, and other conveniences, and may make such reasonable charges for the use thereof, or for admission thereto, as they may from time to time think fit, and they may furnish, stock, and equip such pavilions, rooms, and buildings.

Powers of deviation.

8. The Undertakers in constructing the works authorised by this Order may, with the consent in writing of the Board of Trade, deviate laterally from the lines of such works delineated on the deposited plan to any extent not exceeding the limits of deviation marked on that plan, and may with the like consent deviate vertically to any extent.

Penalty for obstructing works.

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

Limits of Order.

10. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which the provisions of this Order extend, shall comprise the pier and esplanade and works, and the area below high-water mark lying within one hundred feet of any part of the pier.

Power to levy rates.

11. 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, demand and receive for the use of the pier and other works in respect of the persons and things in the schedule to this Order specified, any sums not exceeding the rates in that schedule mentioned.

Undertakers not to make charges for or close esplanade.

12. No tolls, rates, or charges shall at any time be demanded or received in respect of the esplanade, and the esplanade shall at all times be open to the public.

13. The Undertakers may lease for any term not exceeding seven years, or may with the consent in writing of the Board of Trade, sell their undertaking, or the tolls, rates, duties, and other charges authorised to be taken by this Order, or may let for hire or lease for any term not exceeding seven years any pavilions, rooms, shops, bazaars, baths, or buildings thereon separately from any other part of the pier, esplanade, and works to any company, body, or person, upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit, and the lessee during the continuance of his lease, and to the extent provided in such lease, or the purchaser, as the case may be, shall have and may exercise all or any of the powers conferred upon the Undertakers by this Order (including powers of levying and recovering tolls, rates, and dues) as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, or this Order, and shall be subject to the same provisions as to accounts and otherwise as the Undertakers are made subject to by this Order.

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Power to sell  
or lease under-  
taking.

14. 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 for 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 the works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order, or any of them, 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.

15. The Undertakers, within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year), 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.

16. 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 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 under this Order.

Certain fishing  
vessels under  
stress of  
weather  
exempt from  
rates.

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

Board of Trade  
officers exempt  
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

Lifeboat crew  
exempt from  
tolls.

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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, esplanade, and works without payment.

Life-saving  
apparatus may  
be attached to  
the 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, esplanade, and 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, esplanade, and works.

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

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

Portions of  
Harbours  
Clauses Act  
excepted.

21. Sections sixteen to nineteen inclusive, and twenty-one to twenty-three inclusive, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated in this Order, but the Undertakers shall, whenever required by the Board of Trade, provide at their own expense, and to the satisfaction of the Board of Trade, a site near the pier, and build on 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 after being required to do so by the Board of Trade.

Meters and  
weighers.

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

Restriction on  
use of pier.

23. 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, minerals, goods, or merchandise, or to ship or unship there anything which, in the judgment of the Undertakers, might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers and their luggage and personal effects.

Power to close  
pier on special  
occasions.

24. The Undertakers may on any special occasions, but not exceeding twelve days in any one year, close the pier against the public, and may, if they think fit on such occasions, admit any persons to the pier on payment of such special rates of admission, not exceeding one shilling for each person, as the Undertakers may from time to time think fit: Provided that on all such occasions the Undertakers shall reserve a sufficient passage along the pier from the landing steps to the shore for any persons landing or embarking at the pier, such reserved passage to be open for use by such persons at the ordinary charge and without payment of any special rates so long only as they use the pier as a passage and do not remain upon it.

Power to make  
byelaws.

25. The Undertakers may make byelaws for the regulation and control of persons using the pier, and of the 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.

Vessels not to  
anchor within  
one hundred  
feet of pier.

26. No vessel or boat shall, without the consent of the pier-master, anchor within a distance of one hundred feet measured in any direction from any part of the pier.

27. Before commencing the works authorised by this Order, the Undertakers shall apply to the Board of Trade for directions as to the lights (if any) 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 the directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any direction so given.

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Temporary  
lights on  
works.

28. 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 portion thereof, exhibit for all or any part of the time from sunset to sunrise, and according to the requirements of the traffic and the season of the year, such light or lights (if any) 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, or refuse or neglect to observe any such direction.

As to lights  
after com-  
pletion of  
works.

29. In case of injury to or destruction or decay of the pier or works of the Undertakers, or any parts thereof, the Undertakers shall lay down such buoys, exhibit such lights, or take such other means for preventing, as far as may be, danger to navigation, as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to the means to be taken, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any such direction.

Provision  
against danger  
to navigation.

30.—(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, the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease, unless the time for commencement be extended by the special direction of the Board of Trade.

Power to cease  
in certain  
events.

(2.) If the works authorised by this Order, after having been substantially 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, except as to so much of such works as shall be then completed, unless such powers shall, by the special direction of the Board of Trade, be continued and directed to remain in force for any period not exceeding five years from the date of the Act confirming this Order.

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

31. 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 Birchington, in the county of Kent, and within the

Pier and  
works to be  
deemed within  
the parish of  
Birchington.

A.D. 1892. jurisdiction of any justice acting within and for the petty sessional division of which that parish forms part.

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Recovery of penalties.

32. All penalties for breach of any of the provisions of this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours, Docks, and Piers Clauses Act, 1847, and for all the purposes of that Act this Order shall be deemed the special Act.

Saving rights under the Crown Lands Act, 1866.

33. 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 of Crown.

34. This Order shall not be taken as a consent to the surrender of, nor shall anything in this Order prejudice or affect, any property, interests, rights, powers, authorities, or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Woods, or either of them.

Costs of Order.

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

Short title.

36. This Order may be cited as the Birchington-on-Sea Pier Order, 1892.

## SCHEDULE to which the foregoing Order refers.

### I.—RATES ON VESSELS USING THE PIER.

	£	s.	d.
For every vessel not exceeding the burden of 15 tons, per ton register	0	0	4
For every vessel exceeding the burden of 15 tons and under 50 tons, per ton register	0	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton register	0	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton register	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton register	0	1	0
All lighters for each trip	0	0	6
All boats of steamers or yachts using the pier for taking in stores and provisions	0	0	6

### II.—RATES FOR GOODS AND ANIMALS SHIPPED OR UNSHIPED AT THE PIER.

Light goods	0	0	1
Heavy goods	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 portion of the respective rates shall be charged.



	£	s.	d.	A.D. 1892.
Horses - - - - - each	0	1	6	<u>Birchington.</u>
Asses, mules, bulls, cows, and oxen - - - - - „	0	1	0	
Calves, sheep, and pigs - - - - - „	0	0	3	
Lambs, dogs, and other small animals - - - - - „	0	0	2	

III.—RATES FOR USE OF PIER.

For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding - - - - -	0	0	4	
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose except of embarking or disembarking, for each and every time any sum not exceeding - - - - -	0	0	2	
For every bath or sedan chair (including the driver or carriers) taken on the pier, for each and every time any sum not exceeding - - - - -	0	0	4	
For every perambulator, including the driver, for each and every time any sum not exceeding - - - - -	0	0	4	
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	

IV.—RATES ON PASSENGERS' LUGGAGE LANDED SHIPPED OR  
TRANSHIPPED AT THE PIER.

For every trunk, portmanteau, box, parcel, or 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 56 lbs. - - - - -	0	0	3	
Over 56 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 cwt. beyond - - - - -	0	0	4	
And for every 20 lbs. weight in addition - - - - -	0	0	1	
For every four-wheeled carriage - - - - -	0	4	0	
For every two-wheeled carriage - - - - -	0	2	6	
For every bicycle or tricycle, for each and every time - - - - -	0	0	3	

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## COLWYN BAY.

Colwyn Bay.*Order for the Construction and Maintenance of a Pier and Works at Llandrillo yn Rhôs, near Colwyn Bay, in the County of Denbigh.*

Undertakers.

1. The Colwyn Bay 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 powers, privileges, and authorities conferred by this Order, and may carry this Order in all respects into effect.

Incorporation of Lands Clauses Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and the entry upon lands by the Promoters of the Undertaking) are (except where the same are expressly varied by this Order) 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 upon, take, and use such of the lands shown on the plan deposited for the purposes of this Order, as they think requisite.

Power to take additional lands.

4. In addition to the lands referred to in the preceding section the Company may purchase and hold for the purposes of their undertaking any land not exceeding in extent in the whole one acre, but nothing in this section shall exempt the Company from any proceedings for nuisance caused by them on land taken by them under the power conferred by this section.

Limits of Order.

5. The limits within which the Company shall have authority, and which shall be deemed the limits to which the provisions of this Order, and the power to levy rates extend, shall comprise the pier and works authorised by this Order, and an area below high-water mark within one hundred yards from any part of the pier or works.

Power to construct works.

6. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plan and section 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 in the lines 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 and works authorised by this Order, with all necessary works, accesses, and conveniences.

Description of works.

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

A pier, jetty, and landing place, from the eastern shore opposite Capel St. Trillo, commencing at or near to the northern fence of a homestead, orchard, and farm yard, called Rhôs Fynach, belonging or reputed to belong to John Lewis, Parry Evans, and Herbert Bliss Hill, and in the occupation of David Roberts, and to the south of the Rhôs Weir, and extending thence seaward in a north-easterly direction for a distance of five hundred yards or thereabouts, and there terminating;

The works will be situate in the township and parish of Llandrillo-yn-Rhôs, in the county of Denbigh, or on the foreshore or in the sea and bed thereof, adjacent thereto;

The pier will be solid for a distance of ten yards, or thereabouts, from its commencement, and will be constructed as an open work for the rest of its length.

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*Colwyn Bay.*

8. The Company may construct and provide all proper landing stages, landing places, lamps, lamp posts, tramways, roads, footpaths, sheds, toll houses, toll gates, or bars, turntables, cranes, hydraulic lifts, buoys, moorings, sewers, drains, and other works and conveniences connected with the pier and works. Provided that no line of tramway constructed under the powers of this Order shall be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

Power to provide landing stages, &amp;c.

9. The Company may erect and construct upon the pier and works, pavilions or assembly rooms, concert rooms, aquaria, shops, saloons and bazaars, and reading, refreshment, and other rooms, and swimming and other baths, lavatories, and other conveniences, and may make such reasonable charges for the use thereof, or for admission thereto, as they may from time to time think fit, and they may furnish stock and equip the same.

Power to erect pavilions, &amp;c.

10. The Company may from time to time dredge, scour, deepen, widen, enlarge, alter, improve, and maintain the entrances and channels to the pier and works and the approaches, works, and conveniences connected therewith. Provided that works authorised by this section below high-water mark shall not be commenced without the consent in writing of the Board of Trade, and shall be executed only in manner approved by the Board of Trade.

Power to dredge, &amp;c.

11. The Company in constructing the pier and works may, with the consent in writing of the Board of Trade, alter and deviate the same laterally from the lines of such works delineated on the deposited plan to any extent not exceeding the limits of deviation marked on that plan, and may with the like consent deviate vertically from the levels shown on the deposited section to any extent.

Powers of deviation.

12. 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 works, or defaces or destroys the works, or any part thereof, shall, for every such offence, be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

13. 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, demand, receive, and recover for the use of the pier and other works, and in respect of the persons, matters, and things described in the schedule to this Order, any sums not exceeding the rates specified in that schedule.

Power to levy rates.

14. 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 Company, that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers by means of such works, the Company may, notwithstanding the twenty-fifth section of the Harbours, Docks, and Piers

Rates may be levied though works not completed.

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Pass tickets  
for use of pier.

15. The Company may grant to passengers and promenaders or others, pass tickets or family tickets for the use of the pier on such terms and for such periods not exceeding one year, as may be agreed upon, or may issue books containing any number of tickets, at a reduced rate, 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, and a family ticket shall not be used to admit to the pier any person not being one of the family in respect of which it is granted, and any such pass ticket or family ticket shall not be used by any person after the period limited for its use. If any person act in any way in contravention of the foregoing provisions of this section 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.

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

16. The Company 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 any tolls, rates, and charges 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.

Board of Trade  
may reduce  
rates.

17. 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 for 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, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order, or any of them, to such amount as will be sufficient to provide the last-mentioned 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.

18. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract (which account shall be made up to the end of the day on the twenty-fifth day of March in each year) 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.

Power to sell  
or lease under  
taking.

19. The Company may from time to time lease for any term not exceeding seven years, or may, with the consent in writing of the Board of Trade, sell their undertaking or the rates, tolls, duties, and other charges authorised to be taken by this Order, or may let for hire or lease for any term not exceeding seven years any pavilions, rooms, shops, bazaars, baths, or buildings thereon

separately from any other part of the pier and works to any company, body, or person, upon such terms (pecuniary or otherwise), and under such restrictions and conditions as they think fit; and the lessee, during the continuance of his lease, and to the extent provided in such lease, or the purchaser, as the case may be, shall have and may exercise all or any of the powers conferred upon the Company by this Order (including powers of levying and recovering tolls, rates, and dues) as the Company have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, or this Order, and shall be subject to all the same provisions as to accounts and otherwise as the Company are made subject to by this Order.

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*Colwyn Bay.*

20. 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 and 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.

21. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress passage and egress to or along and from the pier and works by land and with their vessels and otherwise without payment.

Board of Trade officers exempt from rates.

22. 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.

Lifeboat crew exempt from rates.

23. 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 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 and works.

Life-saving apparatus may be attached to pier.

24. 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 effecting 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.

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

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

26. Sections sixteen to nineteen of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Company shall, whenever required by the Board of Trade, provide at their own expense, and to the satisfaction of the Board of Trade, a site near the pier and build on 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 after being required so to do by the Board of Trade.

Portions of Harbours Clauses Act excepted.

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*Colwyn Bay.*Restrictions  
on use of  
pier, &c.Power to close  
pier on special  
occasions.

Byelaws.

Power to  
borrow money.Application  
of money  
borrowed.Payment of  
arrears of  
interest and  
principal may  
be enforced by  
appointment  
of a receiver.Appointment  
of a receiver.

27. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier 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, or their luggage and personal effects.

28. The Company may on any special occasions, but not exceeding twelve days in any one year, close the pier against the public, and may, if they think fit on such occasions, admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Company may from time to time think fit. Provided that on all such occasions the Company shall reserve a sufficient passage along the pier, from the landing steps to the shore, for any persons landing or embarking at the pier, such reserved passage to be open for use by such persons at the ordinary charge, and without payment of any special rates, so long only as they use the pier as a passage, and do not remain upon it.

29. The Company may from time to time make, vary, and rescind byelaws for all or any of the following matters (that is to say) :—

For regulating the collection and levying of the tolls and charges authorised by this Order ;

For regulating the vessels, boats, goods, and traffic within the limits of this Order ;

For regulating the conditions of the user of any portion of the pier or any of the buildings erected thereon ;

For preventing injury to, and protecting the buildings and property thereon or attached thereto ;

For regulating the conduct of persons frequenting the pier and buildings, and preserving order thereon and therein ; and

For regulating the sale of refreshments on the pier and in the buildings.

But such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, and shall not require any other confirmation or allowance.

30. The Company may from time to time borrow and re-borrow on mortgage at interest on the security of the tolls, rates, duties, and revenue received under this Order, such money as may be required for the purposes of this Order, not exceeding in the whole the sum of eight thousand pounds, and the Company shall not under any authority other than this Order borrow or re-borrow money on the said security.

31. Every part of the money borrowed under this Order shall be applied only for the purposes authorised by this Order, to which capital is properly applicable, and not otherwise.

32. If within two months after the interest on any mortgage granted by the Company has become due, or after the period prescribed for the payment of the principal sum on any such mortgage has expired, such interest or principal, as the case may be, shall not be paid, the holder of such mortgage may, without prejudice to any rights, remedies, or securities, otherwise competent to or held by him, apply for the appointment of a receiver as herein-after provided.

33. Every application for the appointment of a receiver under the provisions of this Order shall be made to two justices of the county of Denbigh, and on any such application the said justices may by order in writing, after hearing the

parties, appoint some person as a receiver to receive the whole or a competent part of the rates authorised by this Order, until all the arrears of interest or of principal or of principal and interest, as the case may be, then due on the outstanding mortgages, with all costs, including the 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 receiver, 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 receiver shall cease, and after payment of the said costs the receiver shall distribute among all the holders of the said mortgages to whom interest or principal shall be in arrear, the rates and other money which shall have been received by him, having regard in such distribution to the priorities (if any) of such mortgages.

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*Colwyn Bay.*

34. The amount to authorise the application for the appointment of a receiver shall be eight hundred pounds in one or more mortgages.

Amount to authorise application for receiver.  
Application of revenue.

35. The tolls, rates, duties, charges, and revenue received under this Order, whether by the Company or any receiver to be appointed under the provisions of this Order, shall be applicable for the purposes and in the order following, and not otherwise (that is to say) :

- (1.) In paying the costs, charges, and expenses of and incidental to preparing and obtaining this Order, or otherwise incurred in reference thereto.
- (2.) In paying year by year the expense of the maintenance, repair, management, and regulation of the pier and works within the limits of this Order, and defraying the other necessary expenses of the Company in relation thereto.
- (3.) In paying year by year according to priority the interest on money borrowed under this Order, and if so arranged in creating a sinking fund for the purpose of discharging money borrowed under this Order.
- (4.) The surplus revenue (if any), after providing for the purposes aforesaid shall belong to the Company for their own use and benefit.

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

Company to be local authority.

37. No vessel or boat shall break bulk within the limits of this Order without the consent of the Company or their piermaster.

Vessels not to break bulk within limits without consent.

38. No vessel or boat shall be moored or anchor alongside or within one hundred yards measured in any direction from any part of the pier without the consent of the Company or their piermaster.

Vessels not to be moored alongside pier without consent, &c.

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

Meters and weighers.

40. 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 the directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to observe any direction so given.

As to lights during construction of works.

A.D. 1892.

*Colwyn Bay.*As to lights  
after com-  
pletion of  
works.

41. 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, or in such other place or places as may be required, exhibit for all or any part of the time from sunset to sunrise, and according to the requirements of the traffic and the season of the year, such light or lights (if any) 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 or to observe any such directions.

Provision  
against danger  
to navigation.

42. In case of injury to or destruction or decay of the pier or works, or any part thereof, the Company shall lay down such buoys, exhibit such lights, or take such other means for preventing (as far as may be) danger to navigation as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to the means to be taken, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any such direction.

Powers to cease  
in certain  
events.

43.—(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, the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order, after having been substantially 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, except as to so much of such works as shall be then completed, unless such powers shall, by the special direction of the Board of Trade, be continued and directed to remain in force for any period not exceeding five years from the date of the Act confirming this Order.

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

Pier and  
works to be  
deemed within  
the Parish of  
Llandrillo-  
yn-Rhôs.

44. 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 Llandrillo-yn-Rhôs, in the county of Denbigh, and within the jurisdiction of any justice acting within and for the petty sessional division of which that parish forms part.

Saving rights  
under Crown  
Lands Act,  
1866.

45. 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  
of the Crown.

46. Nothing contained in this Order shall authorise the Company 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 Woods, without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give); neither shall anything in this Order contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in, or enjoyed, or exercisable by, the Queen's Majesty, Her heirs or successors.

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Colwyn Bay.

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

Costs of Order.

48. This Order may be cited as the Colwyn Bay Pier Order, 1892..

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 and every time, any sum not exceeding - -	0	0	4
For every person using the pier for the purposes of walking for exercise, pleasure, or any other purpose, except of embarking or disembarking, for each and every time, any sum not exceeding -	0	0	2
For every Bath or Sedan chair, including the driver or carriers, taken on the pier, for each and every time, any sum not exceeding	0	0	4
For every perambulator, including the driver, taken on the pier, for each and every 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, SHIPPED, OR TRANSHIPPED  
AT THE PIER.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage and not borne by the passenger :

Not exceeding 28 lbs. in weight - - - -	0	0	2
Over 28 lbs. and not exceeding 56 lbs. - - - -	0	0	3
Over 56 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 cwts. - - - -	0	0	8
And for every 20 lbs. weight in addition or part thereof	0	0	1

A.D. 1892.

III.—RATES ON VESSELS MOORING OR ANCHORING WITHIN THE LIMITS  
SPECIFIED IN THE ORDER.

Colwyn Bay.

	£	s.	d.
For every vessel not exceeding 15 tons, per ton register	-	0	0 4
For every vessel exceeding 15 tons and under 50 tons register, per ton register	-	0	0 5
For every vessel of 50 tons and under 100 tons, per ton register	-	0	0 6
For every vessel of 100 tons and under 150 tons, per ton register	-	0	0 8
For every vessel of 150 tons and upwards, per ton register	-	0	1 0
For every barge or lighter, for each trip per ton	-	0	0 2
All boats entirely open landing or taking on board goods, each	-	0	0 6
All vessels mooring or anchoring within the limits of the Order for refuge or for fishing, provided they do not break bulk	-	-	Free.

## IV.—RATES ON GOODS SHIPPED, TRANSHIPPED, OR UNSHIPPED AT THE PIER.

Ale, beer, and porter, in cask, per 54 gallons	-	0	0 6
Ale, beer, or porter, bottled, per 36 gallons	-	0	0 4
Ale, beer, or porter, bottled, per dozen quarts	-	0	0 2
Ale, beer, or porter, bottled, per dozen pints	-	0	0 1
Anchors, per cwt.	-	0	0 9
Anchor stock, per foot run	-	0	0 2
Ballast, per ton	-	0	1 6
Bark, per ton	-	0	1 6
Beef or pork, per cwt.	-	0	0 3
Biscuits or bread, per cwt.	-	0	0 3
Blubber, per 250 gallons	-	0	3 0
Bones and bone dust, per ton	-	0	1 0
Bottles, per gross	-	0	0 9
Bricks, per thousand	-	0	1 0
Butter and lard, per cwt.	-	0	0 2
Bicycles and tricycles, each	-	0	1 6
Cables, iron or hempen, per ton	-	0	3 0
Canvas, per 40 yards	-	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, each	-	0	0 3
Cattle—			
Bulls, cows, and oxen, each	-	0	2 0
Calves, each	-	0	0 9
Horses, each	-	0	3 0
Mules, ponies, or donkeys, each	-	0	2 0
Pigs, each	-	0	0 3
Sheep, each	-	0	0 3

	£	s.	d.	A.D. 1892.
Chalk, per ton	0	1	0	Colwyn Bay
Cheese, per cwt.	0	0	4	
Chimney pots, each	0	0	2	
Clay, per ton	0	1	0	
Cloth, haberdashery, &c., per package not exceeding 1 cwt.	0	0	6	
Coals, per ton	0	0	6	
Copper, per ton	0	3	0	
Cordage, per cwt.	0	0	3	
Corks, per cwt.	0	0	6	
Crystal, per ton	0	5	0	
Dogs, each	0	0	6	
Drugs (in casks, hampers, or boxes), per cubic foot	0	0	2	
Earthenware (in crates), per cubic foot	0	0	1	
Eggs, per cwt.	0	1	0	
Fish (not sold by auction), turbot, brill, hallibut, soles, cod, and ling, per cwt.	0	0	3	
Fish (not sold by auction), herrings (fresh), per 1,000	0	0	3	
Fish (not sold by auction), herrings (salt), per cwt.	0	0	3	
Fish (not sold by auction), oysters, crabs, and lobsters, per half-cwt.	0	0	2	
Fish (not sold by auction), (dried and salted), per cwt.	0	0	3	
Fish (not sold by auction), (fresh) not enumerated, per cwt.	0	0	2	
Fish of all kinds (sold by auction), 1% 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 four bushels	0	0	3	
Flour and meal, per cwt.	0	0	1	
Furniture (household), per five cubic feet	0	0	4	
Fruit, per bushel	0	0	4	
Fuel (manufactured), per ton	0	0	6	
Glass, per cwt.	0	1	0	
Grains and seeds, per 100 lbs.	0	0	1½	
Groceries, not enumerated, per cwt.	0	0	6	
Guano, per ton	0	1	0	
Gunpowder, per cwt.	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	
Hemp, per ton	0	2	0	
Hides				
Ox, cow, or horse (wet or dry), each	0	0	2	
Ice, per ton	0	1	0	
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	

A.D. 1892.		£	s.	d.
Colwyn Bay.	Lead, per ton - - - - -	0	2	0
	Leather, tanned and dressed, per cwt. - - - - -	0	0	3
	Lime, per 28 bushels - - - - -	0	1	4
	Limestone, per ton - - - - -	0	0	6
	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 in diameter, 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
	Mussels or other bait for fish, per ton - - - - -	0	1	0
	Nets, per five cubic feet - - - - -	0	0	4
	Oakum, per cwt. - - - - -	0	0	2
	Oils, per ton - - - - -	0	2	0
	Oil cake, per ton - - - - -	0	1	6
	Oranges and lemons, per cwt. - - - - -	0	0	6
	Ores, per ton - - - - -	0	1	0
	Paint, per cwt. - - - - -	0	0	2
	Peat, per ton - - - - -	0	0	6
	Pitch and tar, per cwt. - - - - -	0	0	2
	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 24 cubic feet - - - - -	0	0	3
	Spirits, per 54 gallons - - - - -	0	2	0
	„ per gallon - - - - -	0	0	2
	Steel, per ton - - - - -	0	3	0
	Stones, per 16 cubic feet - - - - -	0	1	6
	Sugar, per cwt. - - - - -	0	0	3
	Tallow, soap, and candles, per cwt. - - - - -	0	0	3
	Tea, per 56 lbs. - - - - -	0	1	0
	Tiles, per 1,000 - - - - -	0	1	0
	Tin and zinc, per ton - - - - -	0	3	0
	Tobacco, per cwt. - - - - -	0	0	6
	Turnips, per ton - - - - -	0	0	6
	Turpentine and varnish, per cwt. - - - - -	0	0	2
	Turtle, each - - - - -	0	2	6
	Vegetables (not enumerated), per cwt. - - - - -	0	0	4
	Vinegar, per 54 gallons - - - - -	0	0	6
	Vitriol, per 36 gallons - - - - -	0	0	1
	Water, per 54 gallons - - - - -	0	0	3
	Wine, per 54 gallons - - - - -	0	1	0

	£	s.	d.	A.D. 1892.
Wine (bottled), per gallon	-	0	0	1
Wood—				<i>Colwyn Bay.</i>
Per 50 feet	-	0	1	0
Firewood and laths and lathwood, per 216 cubic feet	-	0	1	6
Spars and oars, per 120	-	0	5	0
Treenails and wedges, per 1,000	-	0	2	6
Pipe staves and others in proportion, per 120	-	0	2	6
Lignum vitæ and fustic, logwood, mahogany, and rosewood, per ton	-	0	2	0
Wool, per cwt.	-	0	0	2
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

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 which shall remain in the sheds or on the other works of the pier for a longer time than 24 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 24 hours.

For every 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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It shall be at the option of the Company to ascertain the amount of dues payable on goods either by weight or by measurement at their option, forty cubic feet being held equal to one ton.

A.D. 1892.

## LLANDUDNO.

*Llandudno.**Order for altering certain of the Rates or Tolls taken at the  
Llandudno Pier and Landing Stage.*

Short title.

1. This Order may be cited as the Llandudno Pier Order, 1892, and this Order and the Llandudno Pier Order, 1876 (in this Order called the Order of 1876) so far as the same has not been or is not by this Order repealed, and the Llandudno Pier Order, 1880 (in this Order called the Order of 1880) shall be read and construed together as one Order, and may be cited together as the Llandudno Pier Orders, 1876 to 1892.

Repeal of  
certain rates,  
and sub-  
stitution of  
new rates.

2. From and after the passing of the Act confirming this Order, Part I. of the Schedule to the Order of 1876 shall be and the same is hereby cancelled and repealed, and the Schedule to this Order shall be taken to be substituted for Part I. of the Schedule to the Order of 1876 (which Order for this purpose shall be read as modified by the Order of 1880); and the Llandudno Pier Orders, 1876 to 1880, shall be read and construed and have effect accordingly.

Weights and  
Measures  
Act, 1878, to  
be observed.

3. All rates levied under the Order of 1876 shall, as far as possible, be levied according to and upon weights and measures authorised by the Weights and Measures Act, 1878, and not otherwise.

Pass tickets  
for use of pier  
and pavilion,  
or of pier  
exclusive of  
pavilion.

4. The Company may grant to persons for the use of the pier, landing stage, pavilion, and works, and also, if the Company desire so to do, for the use of the pier, landing stage, and works exclusive of the pavilion, pass tickets at such rates, on such terms and conditions, 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 transferred 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 act in contravention of the provisions of this section, or use, or attempt to use any false or counterfeit pass ticket, such person 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 (except sections sixteen to nineteen inclusive thereof) the Llandudno Harbour Orders, 1876 to 1892, shall be deemed the special Act.

Incorporation  
of 10 & 11 Vict.  
c. 27., except-  
ing certain  
sections.Exemption of  
certain officers.

5. Officers of the Board of Trade, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, up to and out of the harbour, pier, and works of the Company, by land and with their vessels and otherwise, without payment.

Company not  
exempt from  
proceedings  
for nuisance.

6. The Order of 1876 or the Order of 1880, or anything therein contained, shall not exempt the Company from any proceedings on account of any nuisance caused by them on any land acquired under either of those Orders.

Tramways to  
be certified  
fit for use.

7. No line of tramway constructed under the powers of the Order of 1876 shall be used for the public conveyance of passengers unless and until the same shall have been inspected, and certified by the Board of Trade to be fit for such traffic.

8. From and after the passing of the Act confirming this Order, section thirteen of the Order of 1876 shall be and the same is hereby repealed.

*Llandudno.*  
 Repeal of  
 section 13 of  
 Order of 1876.  
 Costs of Order.

9. All the costs, charges, and expenses of or incidental to the preparing or obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the Llandudno Pier Company (Limited).

The SCHEDULE to which the foregoing Order refers.

RATES ON PERSONS USING THE PIER.

	£	s.	d.
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
For every other person using the pier for the purpose of landing from, or embarking on board of any ship, vessel, or boat of any kind whatever, for each time any sum not exceeding - - - -	0	0	6
Save as above, and save as herein-after mentioned, for every person using the pier, for each time any sum not exceeding - - - -	0	0	4
For every person using the pier between the hours of 6 p.m. and 10 p.m. on any day on which a concert or other public entertainment is held in the pavilion, for at least one and a half hours between the said hours of 6 p.m. and 10 p.m., and provided that no further charge is made for the admission of the same person to the pavilion on the same day between such hours, for each time any sum not exceeding	0	0	6
For every bath or sedan chair (including driver or carriers) taken on the pier, for each time any sum not exceeding - - - -	0	0	6
For every perambulator (including driver) taken on the pier, for each time any sum not exceeding - - - -	0	0	2

A.D. 1892.

Penarth.

## PENARTH.

*Order for the Construction, Maintenance, and Regulation of a Pier at Penarth in the County of Glamorgan.*

Undertakers.

1. Herbert Francis Edwards, of 21, Stanwell Road, Penarth, in the County of Glamorgan, his heirs, successors, and assigns (in this Order called "the Undertakers") shall be the Undertakers for carrying this Order into execution, and shall have and may exercise the powers and authorities conferred by this Order.

Incorporation  
of Lands  
Clauses Acts.

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

Power to take  
lands by  
agreement.

3. For the purposes of the works authorised by this Order, the Undertakers may from time to time by agreement enter on, take and use all or such parts of the land shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the proposed pier and works and the conveniences connected therewith.

Power to  
make works.

4. 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 Undertakers 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.

Description of  
works  
authorised.

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

A promenade pier, jetty, and landing place in the parish of Penarth in the county of Glamorgan and on the foreshore and bed of the sea adjoining that parish commencing at a point two hundred and sixty-two feet or thereabouts measured from the northern end of the esplanade in a southerly direction and sixty-two feet or thereabouts from the northern end of a block of houses known as the Balcony Villas, and extending seawards in an easterly direction six hundred and forty feet or thereabouts and terminating in the sea with all proper works, sea walls, terraces, approaches, toll houses, toll gates, lifts, buoys, moorings, buildings, and other conveniences connected therewith for the embarking and landing of passengers and goods, sewers and drains, and for other purposes.

The pier shall be constructed of cast-iron piles and columns, wrought-iron girders, and timber deck open throughout.

Limits of  
deviation.

6. The Undertakers, in constructing the pier, may, with the consent in writing of the Board of Trade, alter and deviate the same vertically not exceeding five feet, or laterally to any extent within the limits of deviation marked on the deposited plan, but nothing in this section contained shall authorise



the Undertakers to extend the pier seawards more than six hundred and sixty feet from high-water mark.

A.D. 1892.

*Penarth.*

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

Penalty for  
obstructing  
works.

8. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which the provisions of this Order and the power to levy rates extend, shall comprise the pier and the rest of the area below high-water mark within the distance of one hundred feet from any part of the pier in any direction.

Limits of  
Order.

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 have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the pier and works and conveniences connected therewith, demand and receive in respect of vessels, boats, passengers, animals, goods, matters and things described in the schedule to this Order, any sums not exceeding the several rates specified in the same schedule.

Power to levy  
rates.

10. 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 accommodation either for persons walking on the pier or for the landing and embarking of passengers, 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, recover 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, in the opinion of the Board of Trade, be reasonable.

Rates may be  
levied though  
works not  
completed.

11. The Undertakers may from time to time erect upon the pier or landing place, tramways, toll-houses, seats, waiting-rooms, pavilions, or assembly rooms, concert rooms, aquaria, shops, saloons, and bazaars, refreshment, reading, and other rooms, and may, with the consent of the Board of Trade, sell, or may let and lease their Undertaking and works, or any part or parts thereof, or the tolls, rates, duties, and other charges authorised to be taken by this Order, for any term not exceeding seven years, 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 the purchaser or lessee shall have and may exercise all the same powers of levying and recovering tolls, rates, and dues as the Undertakers have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Undertakers are subject to under this Order: Provided that no line of tramway constructed under the powers of this Order shall be used

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

A.D. 1892.

*Penarth.*Board of  
Trade may  
reduce rates.

for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

12. 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 for 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 the 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 sums not exceeding the amounts specified in the schedule to this Order.

Annual  
account to be  
sent to Board  
of Trade.

13. The Undertakers, within one month after sending to the Clerk of the Peace the copy of their annual account in abstract, which account shall be made up at the end of the day on the twenty-fifth day of March in each year, 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.

Pass tickets  
for use of  
pier.

14. The Undertakers 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 transferred nor be 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 Undertakers may demand and receive, for the use of any buildings, machines, works, or conveniences provided by them or in respect of any services rendered by them, for which rates are not specially fixed by the schedule hereto, such sums as the Undertakers think reasonable, but so that no preference be in any case given.

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

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

Certain  
fishing vessels  
under stress  
of weather  
exempt from  
rates.

17. 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.

A.D. 1892.

*Penarth.*

18. Officers of the Board of Trade, 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 certain officers from rates.

19. 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.

Lifeboat crew exempt from tolls.

20. 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 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.

Life-saving apparatus may be attached to pier.

21. The Undertakers may make byelaws for the regulation and control of 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.

Power to make byelaws.

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

Application of receipts.

(1.) In paying the costs of and in connexion with preparing 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.

23. Sections sixteen to nineteen (inclusive) of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall, at their own expense, when required by the Board of Trade, provide to the satisfaction of the Board of Trade, a site near the pier and build on 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 after having been required to do so by the Board of Trade.

Portions of Harbours Clauses Act exempted.

24. No vessel or boat shall anchor within the limits to which this Order extends without the consent of the Undertakers or their piermaster.

Vessels not to anchor within certain limits.

25. 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.

Vessels not to moor alongside pier without consent.

A.D. 1892.

*Penarth.*  
Restriction on  
use of pier.

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

Meters and  
weighers.

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

As to lights  
during the  
construction of  
the works.

28. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the light or lights (if any) 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; and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to observe any direction so given.

As to lights  
after the  
completion of  
the works.

29. 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 portion 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, of 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, or refuse or neglect to obey any such direction.

Provision  
against danger  
to navigation.

30. In case of injury to or destruction or decay of the pier or works of the Undertakers, or any part thereof, the Undertakers shall lay down such buoys, exhibit such lights, or take such other means for preventing, as far as may be, danger to navigation as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to the means to be taken, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any such direction.

Pier to be  
deemed  
within parish  
of Penarth.

31. The pier 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 parish of Penarth, in the county of Glamorgan, and within the jurisdiction of any justice acting within and for the division of which that parish forms part.

Power to cease  
in certain  
events.

32.—(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, the powers by this Order given for executing such works or otherwise in relation thereto shall cease, unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order, after having been substantially 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, except as to so much of such works as shall be then completed, unless such powers shall, by the special direction of the Board of Trade, be continued and directed to remain in force for any period not exceeding five years from the date of the Act confirming this Order.

A.D. 1892.

*Penarth.*

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

33. 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 the  
Crown Lands  
Act, 1866.

34. Nothing contained in this Order or to be done under the authority thereof, shall in any manner affect the title to any of the subjects or any rights, powers, or authorities mentioned in or reserved by sections twenty, twenty-one, and twenty-two of the Crown Lands Act, 1866, and belonging to or exerciseable on behalf of Her Majesty, her heirs or successors.

Saving rights  
of Crown  
under sections  
20 to 22 of  
Crown Lands  
Act, 1866.

35. So much of the works authorised by section five of this Order and the other works authorised by section eleven of this Order as are not part and parcel of the structure of the pier, shall not be executed or exercised except with the consent in writing first obtained of Lord Windsor, his heirs or assigns claiming to be owners of the foreshore, or otherwise than in such manner and form and to such extent as may be from time to time agreed upon between him or them and the Undertakers.

Consent of  
Lord Windsor  
to certain  
works.

36. 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 Undertakers.

Costs of  
Order.

37. This Order may be cited as the Penarth Promenade and Pier Order, 1892.

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	4
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, including driver or carriers, taken on the pier, for each time any sum not exceeding - - -	0	0	4

A.D. 1892.

Penarth.

	£	s.	d.
For every perambulator, including driver, 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, SHIPPED, OR TRANSHIPPED AT THE PIER.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding twenty-eight pounds - - - - -	0	0	2
Over twenty-eight pounds and not exceeding eighty-four pounds - - - - -	0	0	4
Over eighty-four pounds and not exceeding one hundred and twelve pounds - - - - -	0	0	5
Over one hundred and twelve pounds and not exceeding one hundred and forty pounds - - - - -	0	0	6
Over one hundred and forty pounds and not exceeding one hundred and ninety-six pounds - - - - -	0	0	7
Over one hundred and ninety-six pounds and not exceeding two hundredweight - - - - -	0	0	8
And for every twenty pounds weight in addition - - - - -	0	0	1

#### III.—RATES ON VESSELS USING THE PIER OR WORKS, OR LOADING OR UNLOADING WITHIN THE LIMITS OF THE FOREGOING ORDER.

For every vessel under fifteen tons, per ton - - - - -	0	0	4
For every vessel of fifteen tons and under fifty tons, per ton register - - - - -	0	0	6
For every vessel of fifty tons and under one hundred tons, per ton register - - - - -	0	0	8
For every vessel of one hundred tons and under one hundred and fifty tons, per ton register - - - - -	0	0	10
For every vessel of one hundred and fifty 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 FOR GOODS SHIPPED OR UNSHIPED AT THE PIER.

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.

A.D. 1892.

1.—*Rates of Craneage.*Penarth.

				£	s.	d.
All goods or packages not exceeding one ton -	-	-	-	0	0	4
Exceeding one ton but not exceeding two tons	-	-	-	0	0	6
Exceeding two tons but not exceeding three tons	-	-	-	0	0	8
Exceeding three tons but not exceeding four tons	-	-	-	0	0	10
Exceeding four tons but not exceeding five tons	-	-	-	0	1	0
Exceeding five tons but not exceeding six tons	-	-	-	0	1	2
Exceeding six tons but not exceeding seven tons	-	-	-	0	1	4
Exceeding seven tons but not exceeding eight tons	-	-	-	0	1	6
Exceeding eight tons but not exceeding nine tons	-	-	-	0	1	10
Exceeding nine tons but 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 forty cubic feet of goods or for each ton of goods which shall remain in the sheds or other works of the pier for a longer time than forty-eight hours the sum of threepence, and the sum of three halfpence per forty cubic feet or 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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## VI.—RATES FOR USE OF TRAMWAY.

For every passenger using the tramway, for each time	-	-	-	0	0	3
Light goods, per cubic foot	-	-	-	0	0	1
Heavy goods, per ton	-	-	-	0	2	0

For passengers' luggage rates not exceeding rates on same  
for use of pier.

A.D. 1892.

## PLYMOUTH (PHŒNIX WHARF).

*Plymouth  
(Phœnix  
Wharf).**Order for the Construction and Maintenance of a Pier and other  
Works at Phœnix Wharf, in the Borough of Plymouth, in the  
County of Devon.*

Undertakers.

1. The Mayor, Aldermen, and Burgesses of the borough of Plymouth, in the county of Devon (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 and privileges conferred by this Order.

Incorporation  
of Acts.

2. The Lands Clauses Acts, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and to the entry upon lands by the promoters of the undertaking, are hereby incorporated with this Order.

Power to take  
land by agree-  
ment.

3. For the purposes of the works authorised by this Order the Corporation may from time to time by agreement enter upon, take, and use all or such parts of the lands shown on the plans deposited with reference to this Order as the Corporation think requisite for the purposes of this Order.

Power to  
execute works.

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 may from time to time require before the completion of the works, in order to prevent injury to navigation, the Corporation may in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections (so far as the same are shown thereon) construct in solid work and maintain the works authorised by this Order.

Description  
of works.

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

A pier commencing at a point on the east side of Commercial Road three yards north of the northern boundary wall of the stores on the west side of Phœnix Wharf, and terminating in the bed of the Cattewater at a point sixty yards from the point of commencement measured in an easterly direction.

Power to  
construct  
subsidiary  
works.

6. Subject to the provisions of this Order the Corporation may construct, erect, and maintain all necessary and proper approaches, buildings, seawalls, and other works and conveniences in connexion with the pier for the landing, embarking, and transport of passengers, animals, and goods.

Power to con-  
struct offices  
and other  
buildings and  
to dredge, &c.

7. Subject to the provisions of this Order the Corporation may construct, erect, and maintain all offices and other works, buildings, and conveniences which may be found necessary in connexion with the pier for the accommodation of passengers and goods landed at or embarked from the same, and they may also from time to time dredge, scour, deepen, or otherwise improve or remove portions of the foreshore and bed of the sea at or near the sites of the proposed works to the extent and in the manner shown and described in the plans marked A. and B., which plans have been signed by John Henry Ellis on behalf of the



Corporation, and by Samuel Cater on behalf of the Cattewater Commissioners, and have been deposited in the office of the Town Clerk at Plymouth, and will at all times thereafter dredge such parts of the Harbour as are shown on the said plans so as to maintain the depths shown or specified thereon.

A.D. 1892.

*Plymouth*  
*(Phœnix*  
*Wharf).*

8. The Corporation in constructing the works authorised by this Order may alter and deviate the same to any extent laterally within the limits of deviation, and vertically not exceeding five feet, but in any case only with the approval in writing of the Board of Trade first obtained.

Power to  
deviate.

9. Any works authorised by this Order below high-water mark shall not be commenced without the consent of the Board of Trade first obtained in writing, nor be executed otherwise than in manner approved by that Board.

Approval of  
Board of Trade  
to works.

10. Every person who wilfully obstructs any person acting under the authority of the Corporation 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 such works, or defaces or destroys such works or any part thereof, shall, without prejudice to any other proceeding or penalty, for every such offence be liable to a penalty not exceeding five pounds.

Penalty for  
obstructing  
works.

11. The limits within which the Corporation shall have authority and which shall be deemed the limits to which this Order extends shall comprise the pier and works authorised by this Order with all the works, accesses, and conveniences connected therewith, and the space coloured green on the plan marked C, signed by John Henry Ellis on behalf of the Corporation, and by Samuel Cater on behalf of the Cattewater Commissioners, and deposited at the office of the Town Clerk at Plymouth, which limits are in this Order termed "the limits of this Order."

Limits of  
Order.

12. Subject to the provisions of this Order and to the byelaws for the time being in force relating to the pier, the pier shall be open to all persons for the shipping and unshipping of goods and the embarking and landing of passengers, and, notwithstanding such byelaws, shall be at all times open to the Cattewater Commissioners and their officers.

Pier free to  
public.

13. The Corporation may from time to time borrow for the purposes of this Order any sum or sums not exceeding in the whole the sum of four thousand five hundred pounds; and the Corporation may mortgage the district fund and general district rate to secure the repayment of the moneys borrowed with interest, which moneys may include all expenses of carrying this Order into effect, and Sections two hundred and thirty-six to two hundred and thirty-nine (both inclusive) of the Public Health Act 1875 shall extend and apply to mortgages granted under this Order.

Power to  
borrow.

14. The Corporation shall pay off all moneys borrowed by them under this Order within fifty years from the time or respective times of borrowing the same by any one or more of the methods mentioned in the Local Loans Act 1875, and Sections thirteen, fourteen, and fifteen of that Act are incorporated with this Order and shall apply accordingly: Provided that the Corporation shall not invest any sinking fund or sinking funds created under this Order in their own securities.

Payment off of  
borrowed  
money.

A.D. 1892.

*Plymouth*  
*(Phoenix*  
*Wharf).*

Reborrowing.

Interest and  
instalments of  
principal and  
expenses may  
be paid out of  
district rate.Separate  
accounts to  
be kept.Annual return  
to Local  
Government  
Board as to  
sinking fund.

15. Any moneys borrowed by the Corporation under this Order and repaid otherwise than in manner provided by this Order may be from time to time reborrowed by the Corporation but so that the same shall be repaid within the period limited by this Order for the repayment of the original loan.

16. Any money required for discharging the interest and instalments of principal payable in respect of money borrowed under this Order, and also all expenses incurred by the council of the Corporation in carrying this Order into effect may be paid out of the district fund or general district rate.

17. Separate accounts shall be kept of the moneys received and paid under this Order, and such accounts shall be audited by the Borough auditors in like manner as the accounts of the Corporation are audited, and Sections twenty-six, twenty-seven, and twenty-eight of the Municipal Corporations Act 1882, shall apply and have effect with respect to accounts under this Order in like manner as if they were accounts of the Borough.

18. The treasurer of the borough shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund, or any instalment is required to be paid under this Order, transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration, if so required by them, showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return, the treasurer shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner may be recovered by parties aggrieved within the meaning of that Act.

If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Order for the sinking fund, or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Order, the Local Government Board may by Order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court of Justice, and the provisions of this section shall apply, mutatis mutandis, to appropriations and annual repayments.

Application of  
money  
borrowed.

19. All money borrowed by the Corporation under the powers of this Order shall be applied for the purposes of this Order to which capital is properly applicable and not otherwise.

Exemption of  
certain officers  
from rates.

20. Officers of the Board of Trade, being in the execution of their duty, shall at all times have free ingress passage and egress to, over, and from the pier and works by land, and with their vessels and otherwise.

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 pier and works.

A.D. 1892.

—  
*Plymouth*  
*(Phoenix*  
*Wharf).*Lifeboat crew  
to be exempt  
from rates.

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, 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 and works.

Life-saving  
apparatus may  
be attached to  
any part of  
pier.

23. Sections sixteen to nineteen, inclusive, section twenty-five, and sections forty-nine and fifty of the Harbours Docks and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Corporation shall, whenever required by the Board of Trade, provide at their own expense and to the satisfaction of the Board of Trade, a site near the pier and build on 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 after having been required so to do by the Board of Trade.

Portions of  
Harbours  
Clauses Act  
excepted.

24. The Corporation may from time to time make byelaws :

Power to make  
byelaws.

- (1.) For the regulation and control of vessels and boats within the limits of this Order ;
- (2.) For the regulation and control of all persons who shall be employed within the limits of this Order, and of goods, ballast, and traffic within those limits ;
- (3.) For setting apart and appropriating any portion of the pier or works or conveniences to or for the use and accommodation of any particular trades, persons, companies, vessels, or class of vessels or goods ; and
- (4.) For providing that no person (except the Cattewater Commissioners and their officers), company, or vessel shall make use of any such parts of the pier or works or conveniences so set apart and appropriated without the consent in writing of the Corporation under the hand of their piermaster.

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.

25. Before commencing the works authorised by this Order the Corporation shall apply to the Board of Trade for directions as to the lights (if any) 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, and the Corporation shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction of the Board of Trade as to lights during construction of the works.

As to lights  
during con-  
struction of  
works. !

A.D. 1892.

*Plymouth*  
*(Phœnix*  
*Wharf).*As to lights  
after comple-  
tion of works.

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

Provision  
against danger  
to navigation.

27. In case of injury to or destruction or decay of the pier or works or any part thereof, the Corporation shall lay down such buoys, exhibit such lights, or take such other means for preventing, as far as may be, danger to navigation, as shall from time to time be directed by the Trinity House, Deptford Strond, and shall apply to the Trinity House for directions as to the means to be taken, and the Corporation shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Power to cease  
in certain  
events.

28.—(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, the powers by this Order given for executing such works or otherwise in relation thereto, shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order, after having been substantially 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 except as to so much of such works as shall be then completed, unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the date of the Act confirming this Order.

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

Saving rights  
under Crown  
Lands Act,  
1866.

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 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  
of duchy of  
Cornwall.

30. This Order shall not be taken as a surrender of, nor shall anything in this Order contained prejudice or affect any property, rights, powers, authorities, or privileges of His Royal Highness the Prince of Wales or of the possessor of the duchy of Cornwall for the time being.

Saving rights  
of Cattewater  
Commis-  
sioners.

31. Nothing in this Order shall prejudice or affect the dues, rates, or jurisdiction, nor, except as otherwise expressly provided, the rights and powers of the Cattewater Commissioners and their officers.

[55 VICT.]

*Pier and Harbour Orders*  
*Confirmation (No. 1) Act, 1892.*

[Ch. xxxiii.]

32. All costs, charges, and expenses of or incident to the preparation and obtaining of this Order, or otherwise in relation thereto, such costs to be taxed by the proper officer, shall be paid by the Corporation out of the district fund and general district rate or out of moneys to be borrowed under the provisions of this Order.

A.D. 1892.

—  
*Plymouth*  
*(Phœnix*  
*Wharf).*

Costs of  
Order.

Short title.

33. This Order may be cited as the Plymouth (Phœnix Wharf) Pier Order, 1892.

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