



CHAPTER xli.

An Act to confirm a Provisional Order made by the Board of Trade under the Merchant Shipping Act 1894 relating to the Pilotage District of the Tees. [1st July 1898.] A.D. 1898.

WHEREAS a Provisional Order made by the Board of Trade under the Merchant Shipping Act 1894 does not take effect unless and until it is confirmed by Act of Parliament: 57 & 58 Vict. c. 60.

And whereas it is expedient that the Provisional Order 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 Order as amended and set out in the schedule to this Act shall be and the same is 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 take effect and have full validity and force. Confirmation of Order in schedule.

2. This Act may be cited as the Pilotage Order Confirmation Act 1898. Short title.

A.D. 1898.

SCHEDULE.

Tees.

TEES PILOTAGE.

Order for making further Provision for the direct Representation of Pilots and Shipowners on the Tees Pilotage Commission and amending the Tees Pilotage Order 1881.

Preliminary.

Short title and construction.

1. This Order may be cited as the Tees Pilotage Order 1898 and shall be construed as one with the Tees Pilotage Order 1881.

Interpretation.

2. In this Order unless the context otherwise requires—

The expression “the Order of 1881” means the Tees Pilotage Order 1881 ;

The expression “the Commissioners” means the Tees Pilotage Commissioners constituted by that Order ;

The expression “the commencement of this Order” means the date on which the Act confirming this Order is passed.

Provision as to representation of Pilots.

Number of Commissioners increased.

3.—(1.) The full number of Commissioners shall be twelve instead of eleven and “twelve” shall accordingly be substituted for “eleven” in Section 1 of the Order of 1881.

(2.) The number of Commissioners to be elected by Tees Pilots shall be three instead of two and “three” shall accordingly be substituted for “two” in paragraph (3) of Section 2 of the Order of 1881.

(3.) This section shall not take effect until the first quinquennial meeting held after the commencement of this Order.

Three Commissioners to be elected quinquennially by Tees pilots.

* 4. At their first quinquennial meeting held after the commencement of this Order and at every subsequent quinquennial meeting the Tees Pilots shall elect three persons to be Commissioners and the three persons so elected at that first or any subsequent quinquennial meeting shall go out of office at the next quinquennial meeting but shall be re-eligible and Section 4 of the Order of 1881 shall have effect accordingly.

Provision as to representation of Shipowners.

Qualification of voters and scale of voting.

5.—(1.) A person shall not be entitled to attend or vote at any meeting of registered shipowners of Middlesbrough for the election of Commissioners unless he has the following ownership and residence qualifications that is to say unless—

(a) as regards ownership he was in accordance with this section the registered owner on the last day of June preceding the meeting of an amount or aggregate amount of not less than one hundred registered tons of shipping registered at the port of Middlesbrough ; and

(b) as regards residence at the date of the meeting resides or has a place of business in or within ten miles of the borough of Middlesbrough.

(2.) A person so qualified shall at every such meeting have one vote for the first hundred tons of such shipping and an additional vote for every two hundred

[61 & 62 VICT.] *Pilotage Order Confirmation Act, 1898.* [Ch. xli.]

and fifty tons above the first hundred tons but shall not have more than six votes in all. A.D. 1898.

Tees.

(3.) The following provisions shall apply with respect to the ascertainment of the ownership qualification for the purpose of this section :—

(a.) In the case of a ship registered in the name of one person that person shall be deemed the registered owner.

(b.) In the case of a ship registered in distinct and several shares in the names of more persons than one the tonnage shall be apportioned among them as nearly as may be in proportion to their respective shares and each of those persons shall be deemed the registered owner of the tonnage so apportioned to him.

(c.) In the case of a ship or shares of a ship registered jointly without severance of interests in the names of more persons than one the tonnage shall if sufficient either alone or together with other tonnage if any owned by the joint owners to give a qualification to each of them be apportioned equally between or among the joint owners and each of them shall be deemed the registered owner of the equal share of tonnage so apportioned to him but if the tonnage is not so sufficient then the joint owner who is authorised in writing addressed to the clerk of the Commissioners by a majority of the joint owners shall if qualified as regards residence be the person entitled to vote and in case a joint owner is not so authorised then the joint owner whose name stands first on the register shall if qualified as regards residence be the person entitled to vote.

(d.) The whole amount of tonnage so owned by any person whether in ships or shares of or interests in ships shall be added together for the purpose of ascertaining the ownership qualification of that person and his number of votes.

(e.) Where a registered ship is owned by an incorporated company then any shareholder in that company authorised in writing under the seal of the company addressed to the clerk of the Commissioners or if a shareholder is not so authorised then the registered manager of the company shall be entitled to attend on behalf of the company at the meeting and to vote on behalf of the company in the same manner as the company would be entitled to vote if an individual.

(4.) A person qualified to vote at any meeting may give as many votes as he is entitled to to any one candidate or to as many candidates as there are vacancies for.

(5.) For the purpose of making up a list of persons entitled to vote under this section the clerk of the Commissioners shall on or before the first day of September next preceding any meeting at which Commissioners are to be elected apply to the Registrar of Shipping for the Port of Middlesbrough for a list of persons appearing by the register to be owners of ships or shares in ships on the last day of June next preceding with their respective names and the registered tonnage of the ships in respect of which they are registered and the number of shares in each ship held by them and the registrar shall within fourteen days after receiving the application supply such a list on payment of all expenses which may be incurred in making it.

(6.) The list so supplied shall be sufficient evidence of the accuracy thereof and not less than fourteen days before the day of meeting the clerk of the

[Ch. xli.] *Pilotage Order Confirmation Act, 1898.* [61 & 62 VIOT.]

A.D. 1898. Commissioners shall from that list make and publish a list containing the names and addresses of the persons and companies entitled as regards ownership to vote at the meeting and shall sign the list and cause a sufficient number of copies thereof to be printed and shall cause a copy thereof to be fixed on the usual public notice board at the custom house of the port and also in the pilotage office and in the office of the clerk of the Commissioners for two entire weeks before the day of election and shall furnish copies to all persons applying for them at a price of not more than one shilling per copy.

Tees.

Qualification
for shipowners'
representatives.

(7.) Every person elected as a Commissioner by the registered shipowners of the port of Middlesbrough after the commencement of this Order shall have the qualification herein-before prescribed for persons entitled to vote at meetings of the registered shipowners of that port or be the registered manager of any incorporated company which if an individual would be entitled to vote.

(8.) With respect to the qualification of persons elected as Commissioners by the registered shipowners of the port of Stockton and of persons entitled to vote at elections of Commissioners by those registered shipowners the foregoing provisions of this section shall apply with the necessary modifications and in particular with the substitution—

(a) of the registered shipowners of Stockton for the registered shipowners of Middlesbrough ;

(b) of the borough and port of Stockton for the borough and port of Middlesbrough ; and

(c) of the Custom House and Registrar of Shipping of the port of Stockton for the Custom House and Registrar of Shipping of the port of Middlesbrough.

(9.) Subsections (5) (6) and (9) of Section 5 of the Order of 1881 and Section 6 of that Order so far as it relates to these subsections are hereby repealed but all persons elected as Commissioners before the commencement of this Order shall remain in office as if this Order had not been made.

General.

Saving for
effect of
general Acts.

6. Nothing in this Order shall exempt the Commissioners or the Tees Pilotage District from the provisions of any general Act of Parliament now in force or hereafter to be passed relating to pilotage or pilotage dues or to merchant shipping or to ports harbours or docks or to dues on shipping or on goods carried therein or from any future revision and alteration under the authority of Parliament of the pilotage dues authorised by the Order of 1881 or of the limit of the Tees Pilotage District defined by that Order.

Expenses of
Order.

7. The costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Commissioners.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
90, WEST NILE STREET, GLASGOW; or
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.