



CHAPTER lxxi.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Ballochroy Newlyn and Ventnor. A.D. 1910.
[3rd August 1910.]

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

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

Be it therefore enacted by the King'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 Ballochroy Order by this Act confirmed shall not under the powers of this Act or of that Order purchase or acquire in any district in Scotland within the meaning of the Public Health (Scotland) Act 1897 any house or houses which on the fifteenth day of December last were occupied either wholly or partially by thirty or more persons belonging to the working class as tenants or lodgers or Special pro-
visions as to
houses of
working
class.
60 & 61 Vict.
c. 38.

A.D. 1910. — except with the consent of the Secretary for Scotland any house or houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

If the Undertakers acquire or appropriate any house or houses for the purposes of this Act or of that Order in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "working class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any 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 1910.

The SCHEDULE of Orders.

1. BALLOCHROY.—Construction of pier.
 2. NEWLYN.—Rates and further powers.
 3. VENTNOR.—Widening pier.
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BALLOCHROY PIER.

A.D. 1910.

Provisional Order for the construction and maintenance of a Pier and other works at Ballochroy in the county of Argyll and for other purposes. Ballochroy.

Preliminary.

1. This Order may be cited as the Ballochroy Pier Order 1910. Short title.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order." Commencement of Order.

3. In this Order the following words and expressions shall unless the context otherwise requires have the following meanings (that is to say):— Interpretation.

"The Harbour Act 1847" means the Harbours Docks and Piers Clauses Act 1847;

"The works" means the pier and works authorised by this Order and includes any extension thereof which may hereafter be authorised under this Order;

"The pier revenue" means and includes the rates tolls dues rents receipts and other revenues which may be taken and received under the authority of this Order;

"The pier undertaking" means and includes the pier and the works by this Order authorised and the conveniences connected therewith and the right to levy rates tolls and other charges and all other rights conferred on the Undertakers by this Order and the entire undertaking of the Undertakers in connexion with the works.

Undertakers.

4. John Ronald Moreton Macdonald of Largie in the county of Argyll and his heirs and assigns heritable proprietors for the time being of the estate of Largie shall be the Undertakers for carrying this Order into execution and are in this Order referred to as "the Undertakers." Undertakers.

Acquisition of Lands.

5. 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 and for the purposes of that incorporation the term "special Act" in those Acts shall mean this Order. Incorporation of Lands Clauses Acts.

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Ballochroy.
Power to take
lands by
agreement.
Lands for
extraordinary
purposes.

6. For the purposes of the works the Undertakers may purchase by agreement and use all or such parts of the lands shown on the plan deposited for the purposes of this Order as they may think requisite for the purposes of the works.

7. The Undertakers may (in addition to the lands by the last preceding section authorised to be taken by them) purchase by agreement and hold for extraordinary purposes any lands not exceeding in the whole two acres but nothing in this section shall exempt the Undertakers from any proceedings for nuisance caused or permitted by them on land acquired by them under the powers conferred by this section.

Power to take
easements &c.
by agreement.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and this Order grant any easement right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

*Limits.**Limits.*

9.—(1) The limits within which the Undertakers shall have authority and within which the powers of the piermaster may be exercised shall comprise the pier and the works and an area below high-water mark within a distance of two hundred yards on either side of the pier and a distance of two hundred yards seaward measured from the seaward end of the pier which limits are in this Order termed "the limits of this Order."

(2) The limits within which the power to levy rates may be exercised shall comprise the pier and the following area below high-water mark that is to say an area lying within two hundred yards measured seawards from any part of the pier and those limits are in this Order termed "the rating limits."

Works and Powers.

Power to
construct
works:

10. Subject to the provisions of this Order and subject also to such alterations (if any) in the plan and sections deposited with reference to this Order as the Board of Trade may require before completion of the works the Undertakers may on the lands belonging to them or acquired under this Order and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections make and maintain the works herein-after described:

11. The works are—

A.D. 1910.

- (1) A roadway commencing at a point upon the high road from Campbeltown to Tarbet on the west side thereof 1560 feet or thereabouts N.N.E. from the centre of the bridge spanning the Ballochroy Burn at Ballochroy and 800 feet or thereabouts in a direction approximately N.W. from the centre of the three ancient standing stones in a field to the northward of the Ballochroy Burn and 30 feet or thereabouts to the north of an Ordnance bench mark cut in the east side of the high road aforesaid and extending therefrom in a direction approximately W.N.W. for a distance of 290 feet or thereabouts to a point upon the foreshore below the level of high water of ordinary spring tides and there terminating together with abutments retaining walls and embankments connected therewith :

Ballochroy.
Description
of works.

- (2) A pier or jetty of openwork construction or partly of solid and partly of openwork construction commencing at the termination of work No. 1 herein-before described and extending in a direction approximately W.N.W. for a distance of 121 feet or thereabouts thence in a direction approximately N.N.E. for a distance of 63 feet or thereabouts and there terminating on the bed of the sea.

The works will be situate at Ballochroy in the parish of Kilcalmonell in Cantyre in the county of Argyll and on the foreshore and bed of the sea adjacent thereto.

12. In constructing the works the Undertakers may with the consent in writing of the Board of Trade deviate laterally to any extent within the limits of deviation marked on the deposited plan and may with the like consent deviate vertically to any extent.

Power to
deviate.

13.—(1) Subject to the provisions of this Order the Undertakers may from time to time with the consent of the Board of Trade improve alter and extend the pier and the works and may in connexion with the same respectively purchase construct maintain alter and improve or take on lease any land warehouses offices sheds cranes embankments landing-places piers quays jetties wharves beaches for hauling boats buoys moorings lights beacons roads sewers drains watercourses mains pipes wires engines weighing machines and other works buildings apparatus and conveniences which may be found necessary for carrying on the business of the Undertakers and for the accommodation of vessels and traffic and may also from time to time lay down and maintain rails tramways sidings and turntables on and along the pier works and land connected therewith and may provide motive power for tramways.

Power to
improve
works.

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*Ballochroy.*Consent of
Board of
Trade to
works.For pro-
tection of
Postmaster-
General.Penalty for
obstructing
works.Powers to
cease in cer-
tain events.Power to
erect pavilions and
other build-
ings.

(2) A line of rails or tramway constructed under the powers of this Order shall not be used for the public conveyance of passengers unless and until it has been inspected and certified by the Board of Trade to be fit for that use.

14. No part of the works below high-water mark shall be commenced without the consent in writing of the Board of Trade and the works shall be executed only in accordance with the terms of such consent.

15. Any mains pipes wires and apparatus and motive power for tramways constructed and provided under the powers of this Order shall be so constructed provided and used as to prevent any interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General.

16. Any person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works 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 shall for every such offence be liable to a penalty not exceeding five pounds.

17.—(1) If within two years from the commencement of this Order the works are not substantially commenced the powers given by this Order for executing the works or otherwise in relation thereto shall cease unless the time for the commencement of the works be extended by the special direction of the Board of Trade.

(2) If the works after having been substantially commenced are virtually suspended for twelve consecutive months the powers by this Order given for executing those works or otherwise in relation thereto shall cease except as to so much of those works as has then been completed unless those powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the commencement of 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 months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

18. The Undertakers may construct and maintain and furnish stock and equip. and make such reasonable charges as they think fit for the use of and admission to fishing platforms pavilions saloons assembly concert lecture waiting refreshment reading and other rooms automatic machines bicycle stands bandstands shops bazaars kiosks aquaria water-closets urinals lavatories baths and sanitary and other conveniences and they may also construct and maintain under the pier-head and make such reasonable charges as they think fit for the use of and admission to floating swimming baths.

19.—(1) The Undertakers may deepen dredge scour and excavate any portion of the foreshore and bed of the sea to the extent necessary to secure a sufficient waterway and approach to the pier for vessels using the same. A.D. 1910.
Ballochroy.
Power to dredge.

(2) All sand mud and other materials dredged up or removed under this section shall be the property of the Undertakers and they may sell or otherwise dispose of or remove or deposit the same as they think fit. Provided that no sand mud or other materials shall be laid down or deposited in any place below high-water mark without the consent in writing of the Board of Trade having been first obtained.

(3) All money arising from any sale or other disposition of sand mud and other materials under this section after payment of the expenses connected therewith shall be applied in the same manner as the revenue received from rates under this Order is to be applied.

20. The Undertakers may for the purposes of this Order provide purchase lease or hire such steam or other dredgers engines tugs lighters or other vessels diving-bells tools plant or other materials as they may think fit and may demand and receive such reasonable sums for the use of the same as they may think fit or may sell or dispose of the same and the money realised by any sale thereof shall be applied towards carrying into effect any of the purposes of this Order to which capital is properly applicable. Power to purchase or hire dredgers &c.

21. The Undertakers may provide maintain and employ ferry boats for the conveyance of passengers animals and goods from or to vessels to or from the works when owing to stress of weather vessels are prevented from mooring alongside the works. Undertakers may provide ferry boats.

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

23.—(1) The byelaws which may from time to time be made by the Undertakers in exercise of the power to make byelaws conferred by section 83 of the Harbour Act 1847 may provide for imposing a penalty not exceeding forty shillings for the breach or non-observance of any of the byelaws. Power to make bye-laws.

(2) No byelaw shall come into operation until it has received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

(3) Sections 84 and 85 of the Harbour Act 1847 shall not be incorporated with this Order.

Rates.

24. When in addition to the certificate to be granted under section 26 of the Harbour Act 1847 a certificate has been obtained from the Board of Trade that all consents and approvals on the part Power to levy rates.

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Ballochroy.

of the Board of Trade required under this Order or otherwise necessary for the due execution of the works have been given the Undertakers may subject and according to the provisions of this Order demand receive and recover for the use of those works and the conveniences connected therewith and in respect of vessels boats persons goods animals fish and things and for services described in the schedule to this Order any rates not exceeding those specified in that schedule.

Rates may be levied though works not completed.

25. If it is at any time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade but to be paid by the Undertakers that the works have been so far completed as to afford increased accommodation for the purposes for which those works may be used the Undertakers may notwithstanding the twenty-fifth section of the Harbour Act 1847 and although the whole of the works have not then been completed demand receive and recover such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as will in the opinion of the Board of Trade be commensurate with the increased accommodation afforded.

Power to vary exemptions and compound for rates.

26. The Undertakers may confer vary or extinguish exemptions from and compound with any person with respect to the payment of rates or charges authorised by this Order but so that no preference be in any case given to any person over any other person using the works under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Order.

Power to sell.

27.—(1) At any time after the works have been completed the Undertakers may with the previous consent in writing of and upon such terms conditions and restrictions as may be sanctioned by the Board of Trade sell the pier undertaking and the purchaser to the extent authorised by his conveyance shall have and may exercise all or any of the powers conferred upon the Undertakers by this Order which the Undertakers have or might exercise under this Order and shall be subject to all the liabilities and obligations to which the Undertakers are subject and shall perform all the duties of the Undertakers under this Order.

(2) The Undertakers shall within one month after the date of any conveyance made under this section deposit a certified copy thereof with the Board of Trade and shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this subsection.

Power to lease undertaking or rates.

28.—(1) The Undertakers may with the previous consent in writing of and upon such terms conditions and restrictions and for such period as may be sanctioned by the Board of Trade lease to any company corporation or person (a) the pier undertaking or (b) the rates and other charges authorised to be taken by this Order.

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(2) As from the date of any lease made under this section the lessee during the continuance of and to the extent provided in his lease shall have and may exercise all or any of the powers conferred upon the Undertakers by this Order which the Undertakers have or might exercise under this Order and shall be subject to all the liabilities and obligations to which the Undertakers are subject and shall perform all the duties of the Undertakers under this Order.

(3) No lease made under this section shall be assignable without the previous consent in writing of the Board of Trade.

(4) The Undertakers shall within one month after the date of any lease made under this section deposit a certified copy thereof with the Board of Trade and shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this subsection.

(5) No lease made under this section shall be made in consideration or part consideration of any fine premium or other capital sum.

(6) Nothing in this section shall exempt the Undertakers from their obligation to keep and render accounts and as from the date of any lease made under this section all the provisions of the Acts incorporated with this Order and of this Order as to the keeping delivery and audit of accounts shall apply to and be binding upon as well the lessees as the Undertakers and all moneys received by the Undertakers under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Order.

29. The Undertakers may let for hire or lease for any term not exceeding seven years any pavilions rooms shops baths sheds warehouses or other buildings separately from any other part of the pier undertaking to any company corporation or person upon such terms pecuniary or otherwise and under such restrictions and conditions as they think fit.

Power to
lease pavilions
&c.

30. The Undertakers may (so far as the rates specified in the schedule to this Order do not extend) demand and recover such rates or other consideration as they think reasonable for the use of any warehouses sheds buildings yards weighing machines mooring-posts cranes buoys works and conveniences belonging to or provided by the Undertakers or in respect of any services rendered by them in connexion with the pier undertaking.

Rates for
warehouses
&c.

31. The Undertakers may supply and remove ballast for the accommodation of vessels within the limits of this Order or permit the master or owner of any vessel within the limits of this Order to lift or convey ballast from or to any place where it may be lawfully obtained or deposited for the purpose of supplying or removing the

Ballast for
vessels.

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ballast of such vessel on payment to the Undertakers of such rates as they shall deem proper not exceeding the rates specified in the schedule to this Order.

Masters of
fishing boats
to report take
of fish.

32.—(1) The master or owner of every vessel or boat not being a pleasure boat or yacht with a take or cargo of fish shall on the arrival of the vessel within the rating limits furnish to the collector of rates a true and correct statement of his take or cargo of fish and the name of any person obtaining delivery thereof.

(2) If the master or owner of a vessel fails to comply with this section he shall be liable for each offence to a penalty not exceeding ten pounds.

Piermaster
may prevent
sailing of
vessels.

33. The piermaster may prevent the removal or sailing out of the rating limits of any vessel or boat in respect of which or of the goods imported or exported therein any rates or dues are payable until evidence shall have been produced to him of the payment of such rates or dues to the collector of rates and in the case of a vessel or boat with a take or cargo of fish until the master or owner of the vessel or boat has given in a statement of his take or cargo of fish in accordance with this Order.

Provisions as
to collection
of rates on
white fish
and fresh
herrings.

34.—(1) The Undertakers may levy demand recover and receive the rates for white fish and for fresh herrings direct from the sea and transhipped or unshipped within the rating limits either from the fish salesmen or auctioneers who dispose of such fish or from the person purchasing or receiving delivery of the same (otherwise than as carriers) from any vessel.

(2) Any such fish salesman auctioneer purchaser or receiver respectively shall be entitled to deduct the amount of such rates from the price at which such fish were sold or purchased and shall when required furnish the Undertakers or the collector of rates with the true account under his hand of the quantity of such fish and verify the same by the production of his books accounts and other documents to the Undertakers or to the collector of rates.

(3) If any such fish salesman auctioneer purchaser or receiver shall when so required refuse or fail to give and verify such an account or shall give or subscribe a false account he shall be liable to a penalty not exceeding ten pounds for each offence.

Board of
Trade may
reduce rates.

35. If at any time it appears to the Board of Trade from the annual account to be sent to them under this Order that the clear annual income derived from the rates leviable by the Undertakers on the average of the then three last preceding years after payment of all expenses and outgoings exceeds interest at the rate of ten pounds 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 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 pounds per centum per annum and may again at any time raise the rates to any amount not exceeding the rates specified in the schedule to this Order.

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Ballochroy.

36. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges those 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 or seek shelter within the rating limits and not breaking bulk while doing so be exempt from rates leviable under this Order.

Certain fish-
ing vessels
under stress
of weather
exempt from
rates.

37. 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 all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to along and from the premises and works belonging to the Undertakers.

Exemption
of lifeboat
crew.

38. If and so long as the Undertakers shall make and maintain such provisions and appliances as may be necessary for furnishing to vessels resorting to the works a supply of pure and wholesome water they shall be entitled to make and recover such reasonable charge as they may think fit not exceeding the rate specified for that purpose in the schedule to this Order for pure and wholesome water supplied by them.

Supply of
and rate for
water.

39. The Undertakers may make special arrangements with and concessions to fishermen for admission to the pier for such periods and on such terms and conditions as the Undertakers think fit so that no preference be given to one fisherman over another.

Power to
make special
arrange-
ments as to
admission of
fishermen.

Finance.

40. The Undertakers may borrow and re-borrow on mortgage at interest not exceeding five per centum per annum on the security of the rates charges and other revenue leviable or to be received under this Order such money as may be required for the purposes of this Order not exceeding in the whole four thousand pounds.

Power to
borrow
money.

41. The money borrowed under this Order shall be applied only for the purposes of this Order for which capital money may properly be applied and not otherwise.

Application
of money
borrowed.

A.D. 1910.
Ballochroy.
Appointment
of a judicial
factor.

42.—(1) The mortgagees in respect of money borrowed under this Order may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor.

(2) In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than one-tenth of the sum for the time being due on account of money borrowed under this Order.

(3) Sections 86 and 87 of the Commissioners' Clauses Act 1847 shall be incorporated with this Order and in those sections the expression "Commissioners" shall mean the Undertakers and the expressions "mortgage" and "mortgagee" shall respectively include any security for money borrowed under this Order and the holder of any such security and the expression "receiver" shall mean judicial factor.

Protection of
lenders.

43. Any person advancing money to the Undertakers shall not be bound to require any further or other evidence of the power of the Undertakers to borrow the money advanced by such person than such as is afforded by a certificate signed by the Undertakers that they are not exceeding the powers of borrowing conferred on them by this Order.

Contingency
fund.

44. The Undertakers may if they think fit for the purpose of forming and maintaining a contingency fund not exceeding at any time the sum of two thousand pounds to meet any extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the works appropriate and set apart subject to the provisions of this Order as to application of revenue any amount which they think fit in any year out of the revenue received under this Order and shall deposit any such amount in some joint stock bank to be increased by accumulation in the way of compound interest or otherwise invested in trust securities until required for any of the aforesaid purposes.

Application
of rates
received.

45. The pier revenue shall be applicable for the purposes and in the order following and not otherwise:—

- (1) In payment of the costs of and connected with the preparation and making of this Order:
- (2) In payment of the expense properly chargeable to revenue of the maintenance repair and management of the pier and the works and all conveniences connected therewith:
- (3) In payment year by year of the interest accruing on money borrowed under this Order:

- (4) In forming a sinking fund in accordance with this Order for payment of principal moneys borrowed under this Order: A.D. 1910.
Ballochroy.
- (5) In making such payments (if any) as the Undertakers think fit into a contingency fund established under the provisions of this Order:

The surplus (if any) after providing for the purposes aforesaid shall belong to the Undertakers absolutely.

46. The Undertakers shall every year appropriate and set apart out of the surplus income (if any) after providing for the expenses mentioned in subsections (1) (2) and (3) of the preceding section such a sum as will with the accumulations thereof by way of compound interest be sufficient to pay off the whole of the principal moneys borrowed under this Order within forty years after the date when those moneys are respectively borrowed. Sinking fund.

47.—(1) The Undertakers shall within one month after sending to the principal sheriff clerk the copy of their annual account in abstract 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 such account. Annual account to be sent to Board of Trade.

(2) The account shall be made up to the end of the thirty-first day of March in each year.

(3) The Undertakers shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

Life-saving Apparatus.

48.—(1) Sections 16 to 19 of the Harbour Act 1847 shall not be incorporated with this Order. Provision for life-saving apparatus.

(2) 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 that site a house or other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

(3) If the Undertakers fail to comply with this section they shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

49. 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 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 Life-saving apparatus may be attached to pier.

A.D. 1910. using or of exercising the apparatus for saving life fire rockets over the pier.

Ballochroy.

Lifebuoys to be kept.

50. The Undertakers shall at all times keep at convenient places on the pier and in obedience to any requirements which may be made by the Board of Trade lifebuoys and lifelines in good order and fit and ready for use.

Lights during construction of works.

51.—(1) Before commencing the works the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited and other means to be taken for preventing danger to navigation and shall in all respects obey any directions given upon that application or afterwards from time to time given as to the like matters 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.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe or comply with any directions so given.

Lights after completion of works.

52.—(1) After completion or permanent discontinuance or abandonment of the works the Undertakers shall exhibit at the outer extremity of the works or the completed portions thereof or in such other places as may be required from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) and shall take such other steps for the prevention of danger to navigation as shall from time to time be directed by the Commissioners of Northern Lights and shall apply to those Commissioners for such directions.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe or comply with any such direction.

As to buoys and lights in case of decay of works.

53.—(1) In case of injury to or destruction or decay of the pier 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 may from time to time be directed by the Commissioners of Northern Lights and shall apply to the said Commissioners for directions as to the means to be taken.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe or comply with any such directions.

Miscellaneous.

Application of Harbour Act 1847.

54. For all the purposes of the Harbour Act 1847 so far as applicable to the objects of this Order this Order shall be deemed the special Act.

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55. All penalties under this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbour Act 1847.

Ballochroy.
Recovery of penalties.

56. Sections 28 and 99 of the Harbour Act 1847 as incorporated with this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Exemptions and savings for Government departments.

57. The Undertakers shall within the limits of this Order be a local lighthouse authority for the purposes of the Merchant Shipping Act 1894.

Local lighthouse authority.

58. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Undertakers to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or of the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Saving rights of Crown.

59. The works shall be deemed to be for all purposes within the parish of Kilcalmonell in Cantyre in the county of Argyll.

Works to be in parish of Kilcalmonell in Cantyre.

60. All costs charges and expenses of and incident to the preparing and obtaining of this Order and otherwise incurred in reference thereto shall be paid by the Undertakers.

Costs of Order.

The SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS (OTHER THAN FISHING VESSELS) ANCHORING OR MOORING AT THE PIER OR WITHIN THE RATING LIMITS.

	£	s.	d.
For every vessel under 50 tons per registered ton -	0	0	4
For every vessel of 50 tons and under 100 tons per registered ton -	0	0	6
For every vessel of 100 tons and upwards per registered ton -	0	0	8
All boats entirely open landing or taking on board goods or live stock or dried or salted fish or fresh herrings for curing each -	0	0	6

Proviso 1.—In the case of any vessel calling at Ballochroy and also calling or attempting to call during the same trip at other piers or ports being not less than five inclusive of Ballochroy the tonnage rates shall not be charged on

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Ballochroy.

the registered tonnage of the vessel but shall be ascertained and calculated in respect of such vessel on each call on the basis of the tonnage of cargo shipped or unshipped at the pier whichever of those cargoes shall be the greater. Provided that this quantity shall in no case be treated as less than one ton. In calculating for this purpose the tonnage of cargo shipped or unshipped fifteen passengers with their free luggage shall be computed as equal to one ton of goods and three horses or bulls or cows or five ponies or ten calves or stirks or fifteen sheep or lambs or pigs shall be computed as equal to one ton of goods and so in proportion for any less or broken number.

Proviso 2.—In the case of other vessels belonging to owners engaged in a regular trade to Ballochroy and making not less than forty calls between the first day of January and the thirty-first day of December in any one year at the pier there shall be charged per registered ton in respect of each such vessel or of any vessel the property of or chartered by the same owner substituted for such vessel on any trip not more than one-half of the actual tonnage rates for the time being in force. Provided always that up to forty calls the rates shall be paid in full and on the completion of forty calls one moiety of such rates already paid shall be repaid to the owners.

Proviso 3.—Ships' boats and boats entirely open with fresh fish (other than herrings for curing) which carry no other cargo nor any passenger shall be exempt from rates.

II.—RATES ON FISHING VESSELS ANCHORING OR MOORING AT THE PIER OR WITHIN THE RATING LIMITS.

For every boat engaged in the herring fishery for the period of the fishing season payable in advance - - - - -	£	s.	d.
	1	5	0
Or per month in advance - - - - -	0	5	0
But the first payment to be for not less than two months.			
For every such boat not compounding as above loading or unloading herrings at the pier each time - - - - -	0	2	6
For each fishing boat engaged in fishing other than a herring boat for the fishing season payable in advance—			
With not fewer than five hands - - - - -	0	10	0
With fewer than five hands - - - - -	0	5	0
For every such boat not compounding as above each time	0	1	6

Note.—The fishing season shall from time to time be fixed by the Undertakers and notice thereof shall be posted on some conspicuous place at the pier.

III.—RATES ON GOODS SHIPPED TRANSHIPPED UNSHIPED OR LANDED
AT THE PIER OR WITHIN THE RATING LIMITS.

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Ballochroy.

	£	s.	d.
Ale beer or porter per 54 gallons - - -	0	0	6
Ale or beer bottled per 5 cubic feet - - -	0	0	3
Bacon per ton - - - - -	0	1	4
Bark per ton - - - - -	0	1	0
Beef or pork per ton - - - - -	0	1	4
Ships' biscuits per ton - - - - -	0	1	4
Blocks under 10 inches per dozen - - -	0	0	3
Blocks 10 inches and above per dozen - - -	0	0	6
Blubber per ton - - - - -	0	1	0
Boats each - - - - -	0	1	0
Bone dust per ton - - - - -	0	1	4
Bones per ton - - - - -	0	0	6
Bottles per gross - - - - -	0	0	2
Bricks of all sorts per 1000 - - - - -	0	1	0
Brooms per dozen - - - - -	0	0	1
Butter per ton - - - - -	0	1	4
Carriages :			
Four wheels each - - - - -	0	2	6
Two wheels each - - - - -	0	1	6
Carts each - - - - -	0	1	0
Casks (empty) of 84 gallons capacity not being returned packages each - - - - -	0	0	3
Cattle :			
Bulls each - - - - -	0	1	0
Calves each - - - - -	0	0	2
Stirks (one year old) each - - - - -	0	0	3
Cows and oxen each - - - - -	0	0	6
Horses each 13 hands and upwards - - - - -	0	1	0
Native ponies each - - - - -	0	0	6
Pigs each - - - - -	0	0	2
Sheep per score - - - - -	0	1	6
Lambs per score - - - - -	0	1	0
Cement per ton - - - - -	0	1	4
Chalk per ton - - - - -	0	0	8
Cinders per ton - - - - -	0	1	0
Clay :			
Manufactured per ton - - - - -	0	0	6
Common per ton - - - - -	0	0	2
Cloth haberdashery &c. per 2½ cwt. - - - - -	0	0	2
Coals per ton - - - - -	0	0	6
Copper per ton - - - - -	0	1	4
Corks per ton - - - - -	0	2	6

A.D. 1910.	Corn:	£	s.	d.
<i>Ballochroy.</i>	Wheat and malt per ton -	0	1	4
	Barley bere beans pease tares oats rye buckwheat and Indian corn per ton -	0	1	4
	Crystal per 2½ cwt. -	0	0	3
	Dissolved bones and other artificial manures per ton -	0	1	4
	Dogs each -	0	0	3
	Drugs per 5 cubic feet -	0	0	3
	Earthenware per 5 cubic feet -	0	0	2
	Eggs per 100 dozen and under -	0	1	0
	Empty herring barrels each -	0	0	0½
	Feathers per 5 cubic feet -	0	0	2
	Fish (dried or salted) per ton -	0	2	0
	Fish in pickle and undried per ton -	0	2	0
	Fish (fresh) per box of 5 cubic feet -	0	0	2
	Flax and tow per ton -	0	1	4
	Flour per ton -	0	1	4
	Fruit and vegetables per 2½ cwt. -	0	0	4
	Geese alive each -	0	0	0½
	Glass (window and plate) per ton -	0	2	0
	Grass seeds per quarter -	0	0	2
	Grocery goods not mentioned specially per 5 cubic feet. -	0	0	3
	Guano and other manures per ton -	0	1	4
	Gunpowder per 100 lbs. -	0	1	0
	Hardware per ton -	0	1	4
	Hares and rabbits per 5 cubic feet -	0	0	3
	Any less quantity -	0	0	1
	Harrows per pair -	0	0	4
	Hay per ton -	0	2	0
	Hemp per ton -	0	1	4
	Herrings fresh per 37½ gallons -	0	0	1
	Herrings cured per 26⅔ gallons -	0	0	2
	Hides:			
	Ox cow or horse (salted or dried) per ton -	0	1	8
	Sheep lamb and calves' skins per ton -	0	1	8
	Hooks (reaping) per dozen -	0	0	2
	Hoops of wood per 28 lbs. -	0	0	0½
	Household furniture other than furniture in course of removal on change of residence per 5 cubic feet -	0	0	2
	Household furniture in course of removal on change of residence per ton -	0	0	6
	Husbandry utensils not enumerated per ton -	0	1	4
	Iron:			
	Bolt bar rod or hoop per ton -	0	1	0
	Manufactured per ton -	0	1	4
	Old or pig per ton -	0	0	8

[10 EDW. 7 &
1 GEO. 5.]

Pier and Harbour Orders
Confirmation (No. 1) Act, 1910.

[Ch. lxxi.]

	£	s.	d.	A.D. 1910.
Kelp per ton - - - - -	0	0	8	<i>Ballochroy.</i>
Lead of all kinds per ton - - - - -	0	1	4	
Leather per ton - - - - -	0	1	8	
Lime per ton - - - - -	0	1	4	
Limestone per ton - - - - -	0	0	3	
Lobsters and crabs per box of 5 cubic feet - - - - -	0	0	2	
Machinery per ton - - - - -	0	1	4	
Machinery finished and in cases per ton - - - - -	0	1	8	
Meal per ton - - - - -	0	1	4	
Musical instruments per 5 cubic feet - - - - -	0	0	3	
Oakum per ton - - - - -	0	1	0	
Oilcake per ton - - - - -	0	1	4	
Oils per ton - - - - -	0	1	8	
Ores: Copper iron lead and other ores per ton - - - - -	0	0	8	
Paints per ton - - - - -	0	1	4	
Paraffin per cask of 40 gallons - - - - -	0	0	3	
Peats per ton - - - - -	0	0	3	
Pitch per cwt. - - - - -	0	0	2	
Ploughs each - - - - -	0	0	6	
Potatoes per ton - - - - -	0	1	4	
Pots pans and kettles and hollow-ware per ton - - - - -	0	2	0	
Poultry per crate of 5 cubic feet - - - - -	0	0	3	
Rags and old rope per ton - - - - -	0	1	4	
Rape cake per ton - - - - -	0	0	8	
Ropes and cordage per ton - - - - -	0	1	4	
Salt per ton - - - - -	0	1	4	
Salt for curing not under 10 tons per ton - - - - -	0	1	4	
Scythes per dozen - - - - -	0	0	3	
Seeds clover and turnip per ton - - - - -	0	2	0	
Seeds all other kinds per ton - - - - -	0	1	4	
Shell-fish not specially mentioned per ton - - - - -	0	1	4	
Slates under size per 1000 - - - - -	0	0	6	
Slates sizeable per 1000 - - - - -	0	0	10	
Slates over size per 1000 - - - - -	0	1	4	
Soap per ton - - - - -	0	0	10	
Spades and shovels per dozen - - - - -	0	0	3	
Spirits per 5 cubic feet in casks and cases - - - - -	0	0	3	
Spokes and felloes per 100 - - - - -	0	0	6	
Stones:				
Rubble per ton - - - - -	0	0	2	
Road metal broken per ton - - - - -	0	0	3	
Hewn ashlar freestone per ton - - - - -	0	0	4	
Rough ashlar freestone per ton - - - - -	0	0	3	
Pavement per ton - - - - -	0	0	4	
Millstones each - - - - -	0	2	0	

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Ballochroy.

	£	s.	d.
Steel per ton - - - - -	0	1	4
Stucco per ton - - - - -	0	0	10
Sugar per ton - - - - -	0	1	4
Tar per cask of 40 gallons - - - - -	0	0	3
Tea per 40 lbs. - - - - -	0	0	3
Tiles (roofing) per 1000 - - - - -	0	1	0
Tiles or pipes for draining per 1000 - - - - -	0	1	0
Tin of all kinds per ton - - - - -	0	1	4
Tree-nails under 2 feet in length per 1000 - - - - -	0	0	6
Tree-nails exceeding 2 feet in length per 1000 - - - - -	0	1	0
Turnips per ton - - - - -	0	1	0
Turpentine per ton - - - - -	0	1	8
Vitriol per 10 gallons - - - - -	0	0	6
Whalebone per ton - - - - -	0	2	6
Whitening per ton - - - - -	0	0	6
Wine in casks or cases per 54 gallons - - - - -	0	0	3
Wood:			
Fir pine per 50 cubic feet as follows:—			
Hewn logs - - - - -	0	0	3
Battens - - - - -	0	0	6
Boards and planks - - - - -	0	1	0
Oak or wainscot per 50 cubic feet - - - - -	0	1	0
Firewood per 216 cubic feet - - - - -	0	0	6
Laths and lathwood per 216 cubic feet - - - - -	0	2	6
Handspokes per 120 - - - - -	0	0	10
Oars per 120 - - - - -	0	2	6
Spars under 22 feet in length above 2½ and under 4 inches in diameter per 120 - - - - -	0	2	6
Spars 2½ inches in diameter and under per 120 - - - - -	0	1	4
Spars 22 feet in length and upwards and not exceeding 4 inches in diameter per 120 - - - - -	0	6	6
Spars of all lengths above 4 and under 6 inches in diameter per 120 - - - - -	0	12	0
Spokes of wheels not exceeding 2 feet in length per 120 - - - - -	0	0	4
Spokes exceeding 2 feet in length per 120 - - - - -	0	0	6
Wedges per 1000 - - - - -	0	1	0
Pipes staves and others in proportion per 100 - - - - -	0	1	0
Lignum-vitæ fustic logwood mahogany and rosewood per ton - - - - -	0	1	4
All other kinds:			
Rough per ton - - - - -	0	1	0
Dressed per ton - - - - -	0	2	0
Wool per cwt. - - - - -	0	0	2
Zinc per ton - - - - -	0	1	4

	£	s.	d.	A.D. 1910.
All other goods not particularly enumerated in the above table:				<i>Ballochroy.</i>

Light goods per 5 cubic feet	-	-	-	0	0	2
Heavy goods per ton	-	-	-	0	1	4

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 and the minimum charge for a single package shall be one penny.

IV.—RATES FOR THE USE OF CRANES WEIGHING MACHINES WAREHOUSES
WHARVES CATTLE YARDS MOORING ANCHORS LIGHTS BALLAST
AND BEACHING GROUND.

(1) *Cranage.*

All goods or packages not exceeding one ton	-	-	-	0	0	3
Exceeding one ton and not exceeding two tons	-	-	-	0	0	4
Exceeding two tons and not exceeding three tons	-	-	-	0	0	6
Exceeding three tons and not exceeding four tons	-	-	-	0	0	8
Exceeding four tons and not exceeding five tons	-	-	-	0	0	10
Exceeding five tons and not exceeding six tons	-	-	-	0	1	0
Exceeding six tons and not exceeding seven tons	-	-	-	0	1	2
Exceeding seven tons and not exceeding eight tons	-	-	-	0	1	4
Exceeding eight tons and not exceeding nine tons	-	-	-	0	1	8
Exceeding nine tons and not exceeding ten tons	-	-	-	0	2	0
Exceeding ten tons	-	-	-	0	3	0

(2) *Weighing Machines.*

For goods weighed for each ton or part of a ton	-	-	-	0	0	2
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(3) *Warehouses and Wharves.*

For every ton of goods which shall remain in any warehouse or shed or on any wharf not more than two days	-	-	-	0	0	4
And for every part of a day after such two days	-	-	-	0	0	1½

(4) *Cattle Yards.*

For cattle each per day	-	-	-	-	0	0	1½
For horses each per day	-	-	-	-	0	0	1
For pigs each per day	-	-	-	-	0	0	0½
For sheep each per day	-	-	-	-	0	0	0½

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Ballochroy.(5) *Mooring Anchors Lights and Ballast Charges.*

	£	s.	d.
For every vessel made fast to mooring anchor - - -	0	1	0
All vessels above 20 tons register using the pier or works per ship or vessel for light dues - - -	0	1	0
For ballast supplied to any vessel per ton - - -	0	2	0
For ballast put out of any ship or vessel per ton - - -	0	1	0

But light dues shall not be exigible on or in respect of vessels under 20 tons.

Dues for lights shall only be demanded and received during so long as a light or lights is or are duly exhibited.

(6) *Charges for use of Beaching Ground.*

For every fishing or other boat beached or laid up on ground provided for the purpose by the Undertakers payable in advance per off season as same may be fixed by the Undertakers - - - - -	0	10	0
Each additional month or part thereof beyond said off season or at any other time - - - - -	0	2	0
For every other vessel beached or laid up for repairs or other purposes payable in advance for every month or part thereof—			
Vessels under 20 tons of registered tonnage - - -	0	5	0
Vessels over 20 tons and under 50 tons of registered tonnage - - - - -	0	10	0
Vessels over 50 tons of registered tonnage - - -	1	0	0

V.—RATE FOR SUPPLYING WATER.

For every 25 gallons or part of 25 gallons of pure and wholesome drinking water supplied to any vessel - - -	0	0	1½
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VI.—RATES ON PASSENGERS AND PASSENGERS' LUGGAGE LANDED OR EMBARKED WITHIN THE RATING LIMITS OR AT THE PIER.

For every person above twelve years of age landing from or embarking in any vessel - - - - -	0	0	2
For every person under twelve years of age with parent guardian master or servant - - - - -	0	0	1
Children in arms free.			
Servants going for or with luggage not to be charged but the luggage to be paid for as below—			
Passengers' luggage each article unless carried by themselves	0	0	1

For every master or member of the crew of any vessel boat or wherry using the works for the purpose of going to or returning from his own vessel boat or wherry for each time - - - - -	£	s.	d.	A.D. 1910.
				<i>Ballochroy.</i>
	0	0	1	
Or an annual sum paid in advance not exceeding - - -	0	10	0	

Provided always that the master and every member of the crew of any vessel or boat which comes within the rating limits and in respect of which rates have been paid under the Order shall be entitled to use the pier free of charge for the purpose of landing from or embarking on board his vessel or boat.

NEWLYN PIER AND HARBOUR.

*Provisional Order for conferring further powers upon the Newlyn
Pier and Harbour Commissioners.* *Newlyn.*

Preliminary.

1.—(1) This Order may be cited as the Newlyn Pier and Harbour Order 1910. Short and collective titles.

(2) The Newlyn Pier and Harbour Order 1906 and this Order may be cited together as the Newlyn Pier and Harbour Orders 1906 and 1910.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order." Commencement of Order.

3. In this Order the following words and expressions shall unless the context otherwise requires have the meanings herein-after assigned to them namely:— Interpretation.

"The Order of 1906" means the Newlyn Pier and Harbour Order 1906;

"The harbour" means the Harbour of Newlyn as defined by section 3 of the Order of 1906 including the works as defined by that section and the works authorised by this Order;

"The works" means the works authorised by this Order.

Undertakers.

4. The Newlyn Pier and Harbour Commissioners shall be the Undertakers. Undertakers for carrying this Order into execution and are in this Order referred to as "the Undertakers."

A.D. 1910.

Acquisition of Lands.

Newlyn.
Incorporation of Lands
Clauses Acts.

5. 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 and for the purposes of that incorporation the term "special Act" in those Acts shall mean this Order.

Power to
take lands by
agreement.

6. For the purposes of the works or in connexion with this Order the Undertakers may purchase by agreement and use all lands which they may think requisite.

Lands for
extraordinary
purposes.

7. The Undertakers may (in addition to the lands by the last preceding section authorised to be taken by them) purchase by agreement and hold for extraordinary purposes any lands not exceeding in the whole five acres but nothing in this section shall exempt the Undertakers from any proceedings for nuisance caused or permitted by them on land acquired by them under the powers conferred by this section.

Power to take
easements
&c. by agree-
ment.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and this Order grant any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Acquisition
of water main
in the parish
of Madron.

9. The Undertakers may by agreement purchase acquire and hold for the purposes of their undertaking and may from time to time alter repair and renew the water main from Trewidden in the parish of Madron to the harbour now leased to the Undertakers by Thomas Bedford Bolitho and they may in connexion therewith construct a reservoir or other necessary works.

Confirmation
of lease.

10. The lease dated the third day of September One thousand nine hundred and nine and made between the Undertakers of the one part and the General Steam Navigation Company Limited of the other part is hereby sanctioned and confirmed.

Power to sell
and lease
lands.

11. The Undertakers may sell and dispose of or may let or lease for such period as they may think fit any lands for the time being belonging to them and which may not at any time be required for the purposes of their undertaking and any such disposal or lease may be for such consideration and subject to such covenants reservations stipulations and conditions as the Undertakers may think fit And the provisions of sections 128 to 132 of the Lands Clauses Consolidation Act 1845 shall not apply to any lands so sold or disposed of by the Undertakers.

Works and Powers.

A.D. 1910.

Newlyn.

12. Subject to the provisions of this Order and subject also to such alterations (if any) in the plan and sections deposited with reference to this Order as the Board of Trade may require before completion of the works the Undertakers may on the lands belonging to them or acquired under this Order and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections make and maintain the following works:—

Power to
construct and
description of
works.

(A) A roadway with embankment or sea-wall and slips partly of solid and partly of openwork construction commencing at a point near the southern termination of the existing embankment roadway at a junction of the south-west side of the existing harbour slip and the east side of the roadway leading to Newlyn Town and extending in an approximately south-easterly direction for a distance of 1300 feet or thereabouts following approximately the line of high-water mark upon the foreshore and bed of the harbour between the southern termination of the embankment roadway aforesaid and the shoreward or western end of the existing south pier and terminating at a point on the north wall of the said south pier 50 feet or thereabouts to the north-east of the north corner of the house on the south side thereof and now in the occupation of the Penlee and St. Ives Stone Quarries Limited:

(B) A pier or jetty partly of solid and partly of openwork construction commencing at a point on work (A) hereinbefore described 800 feet or thereabouts south-east from the commencement of the said work and extending in a direction approximately north-east for a distance of 310 feet or thereabouts and there terminating upon the bed of the harbour.

13. The Undertakers may demolish and remove the existing pier or breakwater known as the old harbour pier on the south-west side of the harbour.

Removal of
existing pier.

14. In constructing the works the Undertakers may with the consent in writing of the Board of Trade deviate laterally to any extent within the limits of deviation marked on the deposited plan and may with the like consent deviate vertically to any extent.

Power to
deviate.

15.—(1) Subject to the provisions of this Order the Undertakers may maintain and improve the harbour and in connexion therewith may from time to time construct erect maintain alter and improve all necessary embankments walls locks docks gates sluices piers quays wharves jetties landing-places railways tramways cattle-pens warehouses

Improvement
and mainte-
nance of
harbour and
works.

A.D. 1910.
Newlyn.

refreshment or other buildings and rooms roads approaches offices sheds coal-tips staiths bridges cranes weighing-machines moorings buoys lights water-pipes and other works and conveniences.

(2) No line of rails or 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.

(3) Any electric lighting or other apparatus constructed or provided under this Order shall be so constructed used and worked as to prevent any interference with telegraphic communication by means of any telegraphic line of the Postmaster General.

Consent of
Board of
Trade to
works.

16. No part of the works below high-water mark shall be commenced without the consent in writing of the Board of Trade and those works shall be executed only in accordance with the terms of such consent.

Penalty for
obstructing
works.

17. Any person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works shall for every such offence be liable to a penalty not exceeding five pounds.

Powers to
cease in cer-
tain events.

18.—(1) If within two years from the commencement of this Order the works are not substantially commenced the powers given by this Order for executing those works or otherwise in relation thereto shall cease unless the time for the commencement of the works be extended by the special direction of the Board of Trade.

(2) If the works after having been substantially commenced are virtually suspended for twelve consecutive months the powers by this Order given for executing those works or otherwise in relation thereto shall cease except as to so much of those works as has then been completed unless those powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the commencement of 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 months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Works to
form part of
undertaking.

19. The works and any improvement to the harbour authorised by the Board of Trade before the commencement of this Order shall be deemed to be part of the undertaking as if such works had been authorised by and had been constructed under the authority of the Order of 1906 and subject to the provisions of this Order all the powers and provisions of the Order of 1906 so far as they remain in force and are

applicable shall extend and be applicable to the harbour and to any improvements to the harbour, authorised as aforesaid by the Board of Trade.

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Newlyn.

Rates.

20.—(1) Sections 25 and 26 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

Enlargement
and amend-
ment of
Order of 1906
as to rates.

(2) From and after the commencement of this Order the Undertakers may within the rating limits of the harbour subject and according to the provisions of the Order of 1906 and this Order demand receive and recover for the use of the harbour and the conveniences connected therewith and in respect of vessels boats persons goods animals fish and things and for services described in the schedule to this Order any rates not exceeding those specified in that schedule.

(3) Section 35 of the Order of 1906 and the schedule to that Order are hereby repealed but such repeal shall not prejudice or affect the recovery of any dues rates and moneys which had been incurred or become leviable before the commencement of this Order under the Order of 1906 and all such dues rates and moneys may be levied received and recovered in like manner as if this Order had not been made.

Finance.

21. The Undertakers may apply for the purposes of this Order and for the payment of the cost thereof any money now under their control or which they are authorised to raise for the purposes of their undertaking and they may also borrow at interest not exceeding five per centum per annum on the security of the rates and dues authorised by this Order any sum or sums of money not exceeding fifteen thousand pounds and if after having borrowed the money authorised to be borrowed by this Order or any part thereof the Undertakers pay off that money or any part thereof they may again borrow the amount so paid off and so from time to time.

Power to
apply money
and borrow
additional
money.

22. The power to borrow given by this Order shall be in addition to every other power conferred on the Undertakers for that purpose by the Order of 1906 but all mortgages and securities granted by the Undertakers for the purposes of the harbour which shall be subsisting at the commencement of this Order shall during the continuance of those mortgages and securities constitute a charge on the rates leviable under this Order and shall have priority over all mortgages or securities to be granted or created by the Undertakers under the authority of this Order:

Existing
mortgages to
have priority.

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Provided always that if and when any moneys which shall at the commencement of this Order be charged upon the harbour undertaking shall have been paid off the power to re-borrow such moneys conferred by the Order of 1906 shall be exerciseable subject to any mortgages or securities which may in the meanwhile have been granted or created by the Undertakers under the authority of this Order and any moneys so re-borrowed shall be postponed to such mortgages and securities.

*Lights.*Lights
during con-
struction of
works.

23.—(1) Before commencing the works the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited and other means to be taken for preventing danger to navigation and shall in all respects obey any directions given upon that application or afterwards from time to time given as to the like matters 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.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe or comply with any directions so given.

Lights after
completion of
works.

24.—(1) After completion or permanent discontinuance or abandonment of the works the Undertakers shall exhibit at the outer extremity of the works or the completed portions thereof or in such other places as may be required from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) and shall take such other steps for the prevention of 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 such directions.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe or comply with any such directions.

As to buoys
and lights in
case of decay
of works.

25.—(1) In case of injury to or destruction or decay of the works 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 may from time to time be directed by the said Corporation of Trinity House and shall apply to the said corporation for directions as to the means to be taken.

(2) The undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe or comply with any such directions.

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Miscellaneous.

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

Exclusion of sections 16 to 19 of 10 & 11 Vict. c. 27.

27. For all the purposes of the Harbours Docks and Piers Clauses Act 1847 this Order shall be deemed the special Act.

Application of Harbours Clauses Act 10 & 11 Vict. c. 27.

28. All penalties under this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847.

Recovery of penalties.

29. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Exemptions and savings for Government departments.

30. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Undertakers to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown rights.

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

Saving rights of Duchy of Cornwall.

32. The works shall be deemed to be for all purposes within the parish and urban district of Paul and the parish and urban district of Madron both in the county of Cornwall.

Works to be in parish and urban district of Paul and parish and urban district of Madron.

33. All costs charges and expenses of and incident to the preparing and obtaining of this Order and otherwise incurred in reference thereto shall be paid by the Undertakers.

Costs of Order.

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The SCHEDULE referred to in the foregoing Order.

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RATES ON VESSELS AND BOATS.

I.—RATES ON VESSELS ENTERING WITHIN THE RATING LIMITS OF THE
HARBOUR OR USING THE WORKS EXCLUSIVE OF THEIR CARGOES.

Vessels discharging or loading goods if bound from or to any place not in the United Kingdom or Isle of Man	per registered ton	£	s.	d.
		0	0	3
Otherwise	per registered ton	0	0	2
Vessels entering within the rating limits of the harbour for safety or wind bound and not unloading any goods and cargo	per registered ton	0	0	1½
Vessels remaining within the rating limits of the harbour for a longer period than one calendar month then for the period during which the same remain beyond that period the further rate following that is to say:—				
For every week or part of a week	per registered ton	0	0	1
Hulks moored or remaining within the rating limits of the harbour for a longer period than four weeks then for the period during which the same remain beyond that period the rate following:—				
For every week or part of a week	per registered ton	0	0	0½

II.—RATES ON FISHING PLEASURE AND OTHER BOATS HEREIN-AFTER
MENTIONED ENTERING WITHIN THE RATING LIMITS OF THE HARBOUR OR
USING THE WORKS EXCLUSIVE OF THEIR CARGOES.

Fishing boats with their punts (if any) not compounding				
28 feet keel and under	each visit	0	1	0
Not exceeding three months		0	7	0
Exceeding three and not exceeding six months		0	12	0
Exceeding six months and for the whole year		1	0	0
Exceeding 28 feet keel and not exceeding 36 feet				
	each visit	0	2	0
Not exceeding three months		0	10	6
Exceeding three and not exceeding six months		0	18	0
Exceeding six months and for the whole year		1	10	0
Exceeding 36 feet keel and not exceeding 50 feet				
	each visit	0	2	6
Not exceeding three months		1	1	0
Exceeding three and not exceeding six months		1	16	0
Exceeding six months and for the whole year		3	0	0

	£	s.	d.	A.D. 1910.
Exceeding 50 feet keel and not exceeding 60 feet				
each visit	0	7	6	<u>Newlyn.</u>
For every 10 feet exceeding 60 feet keel or any fractional part of 10 feet in addition to the above				
each visit	0	2	6	
Sean boats including folyer (if any) and cockboat				
each visit	0	1	0	
By the year	0	10	0	
Gigs and other rowing boats				
each visit	0	0	6	
By the year	0	1	0	
Pleasure boats of any description not exceeding 20 feet keel				
each visit	0	1	0	
By the year	0	10	0	
Exceeding 20 and not exceeding 30 feet				
each visit	0	2	0	
By the year	1	0	0	
Exceeding 30 and not exceeding 40 feet				
each visit	0	4	0	
By the year	2	0	0	
Exceeding 40 feet				
per registered ton each visit	0	0	3	
Pilot cutters				
per registered ton each visit	0	0	2	
Steam tugs				
each visit	0	3	0	
For any of the above fishing pleasure and other boats not compounding remaining within the rating limits of the harbour after the expiration of two weeks from the date of their arrival (unless compelled to do so by stress of weather) 2s. per boat for each week or part of a week over and above the dues leviabie on arrival.				
Fishing boats entering the harbour through stress of weather and remaining within the rating limits of the harbour 24 hours after weather moderated				
each visit	0	1	0	

III.—RATES ON GOODS SHIPPED UNSHIPPED OR TRANSHIPPED WITHIN THE RATING LIMITS OF THE HARBOUR OR AT THE WORKS.

Acid water	-	-	-	-	per 36 gallons	0	0	4
Alabaster	-	-	-	-	per cubic foot	0	0	1½
Ale beer or porter	-	-	-	-	per 108 gallons	0	1	0
Ale beer or porter	-	-	-	-	per 54 gallons	0	0	6
Ale beer or porter	-	-	-	-	per 36 gallons	0	0	3
Ale beer or porter	-	-	-	-	per 18 gallons	0	0	1½
Ale beer or porter in bottles	-	-	-	-	per ton	0	2	6
Ale beer or porter in bottles if less than 1 ton	-	-	-	-	per cwt.	0	0	2
Almonds	-	-	-	-	per cwt.	0	0	3
Alum	-	-	-	-	per cwt.	0	0	2
Anchors	-	-	-	-	per cwt.	0	0	1
Anchovies	-	-	-	-	per cwt.	0	0	2
Anvils	-	-	-	-	per cwt.	0	0	2

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						£	s.	d.
Apples and pears	-	-	-	-	per cwt.	0	0	3
Arrowroot and powder	-	-	-	-	per cwt.	0	0	3
Arsenic	-	-	-	-	per cwt.	0	0	2
Arsenic if a ton or upwards	-	-	-	-	per ton	0	1	0
Bacon or pork	-	-	-	-	per cwt.	0	0	1
Bagging	-	-	-	-	per cwt.	0	0	4
Ballast	-	-	-	-	per ton	0	0	3
Bark of all sorts	-	-	-	-	per ton	0	2	0
Baskets	-	-	-	-	per doz.	0	0	1
Basket rods	-	-	-	-	per 1000	0	0	3
Bass rope	-	-	-	-	per cwt.	0	0	2
Bedsteads or beds	-	-	-	-	- each	0	0	3
Beef and other fresh meats	-	-	-	-	per cwt.	0	0	2
Beer spruce	-	-	-	-	per 32 gallons	0	0	8
Bell-metal	-	-	-	-	per cwt.	0	0	2
Bellows common	-	-	-	-	per doz.	0	0	6
Bellows smiths'	-	-	-	-	- each	0	0	6
Bicycles	-	-	-	-	- each	0	0	3
Biscuit or bread	-	-	-	-	per cwt.	0	0	2
Blacking	-	-	-	-	per cwt.	0	0	2
Blackjack	-	-	-	-	per ton	0	0	6
Blocks heel	-	-	-	-	per gross	0	0	2
Blocks last	-	-	-	-	per doz.	0	0	1
Blocks ship	-	-	-	-	per doz.	0	0	1
Blubber	-	-	-	-	per cwt.	0	0	1
Blue	-	-	-	-	per cwt.	0	0	2
Boats	-	-	-	-	- each	0	2	6
Bones and bone dust	-	-	-	-	per ton	0	1	6
Books	-	-	-	-	per cwt.	0	0	4
Borax	-	-	-	-	per cwt.	0	0	2
Bottles loose empty	-	-	-	-	per gross	0	0	2
Bran	-	-	-	-	per ton	0	1	0
Brass new	-	-	-	-	per cwt.	0	0	2
Brass old	-	-	-	-	per cwt.	0	0	1
Bricks common	-	-	-	-	per 1000	0	1	6
Bricks fire	-	-	-	-	per 1000	0	2	0
Bricks scouring	-	-	-	-	per 1000	0	1	6
Bricks slapjacks	-	-	-	-	per doz.	0	0	1½
Brimstone	-	-	-	-	per cwt.	0	0	1
Brocoli cabbage and rhubarb	-	-	-	-	per ton	0	2	0
Brocoli cabbage and rhubarb for pickling	-	-	-	-	per cwt.	0	0	1½
Brooms birch	-	-	-	-	per gross	0	0	2
Brush heads and stocks	-	-	-	-	per 100	0	0	1
Brushes and brush handles	-	-	-	-	per gross	0	0	6

			£	s.	d.	A.D. 1910.	
Brushes (hair rush or whalebone)	-	-	per doz.	0	0	2	<i>Newlyn.</i>
Buckets	-	-	per doz.	0	0	2	
Bullion	-	-	per 100 lbs.	0	1	0	
Butter	-	-	per cwt.	0	0	2	
Cables iron	-	-	per ton	0	1	0	
Cakes linseed or rape	-	-	per cwt.	0	0	1	
Camphor	-	-	per cwt.	0	0	3	
Candles tallow	-	-	per 14 doz.	0	0	4	
Candles tallow	-	-	per 7 doz.	0	0	2	
Candles wax	-	-	per 12 lbs.	0	0	1	
Canes and willows	-	-	per ton	0	2	6	
Canned goods	-	-	per cwt.	0	0	3	
Carriages or coaches (with four wheels)	-	-	each	0	10	6	
Carriages or gigs (with two wheels)	-	-	each	0	5	0	
Carriages for guns	-	-	each	0	1	6	
Carts	-	-	each	0	2	6	
Carts (handcarts)	-	-	each	0	1	0	
Case goods where not otherwise charged	-	-	per cubic foot	0	0	1	
Casks empty	-	-	each	0	0	0½	
Catechu or cutch	-	-	per ton	0	2	0	
Cattle viz. :—							
Asses and mules	-	-	each	0	1	0	
Bulls cows and oxen	-	-	each	0	1	6	
Calves and lambs	-	-	each	0	0	6	
Horses	-	-	each	0	2	0	
Pigs and sheep	-	-	each	0	0	6	
Sucking pigs	-	-	each	0	0	3	
Cement	-	-	per cwt.	0	0	1	
Chairs common	-	-	per doz.	0	0	6	
Chairs mahogany walnut	-	-	per doz.	0	1	6	
Chalk	-	-	per ton	0	0	6	
Charcoal	-	-	per cwt.	0	0	1	
Cheese	-	-	per cwt.	0	0	2	
Chemicals not enumerated	-	-	per cwt.	0	0	3	
Chestnuts	-	-	per cwt.	0	0	2	
Chimney pots	-	-	each	0	0	0½	
Cigars	-	-	per cwt.	0	0	6	
China	-	-	per ton	0	1	6	
China clay	-	-	per ton	0	0	6	
Chloride of lime or potash	-	-	per cwt.	0	0	1	
Chocolate	-	-	per cwt.	0	0	3	
Cider or perry	-	-	per ton	0	2	0	
Cider or perry if less than a ton	-	-	per cwt.	0	0	2	
Citron preserves	-	-	per cwt.	0	0	4	

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			£	s.	d.
Clocks in cases	-	-	0	0	1
Cloths linen or woollen	-	-	0	0	2
Cloths linen woollen or cotton in boxes	-	-	0	0	1
Clover seed	-	-	0	0	3
Cloves	-	-	0	1	0
Coals culm cinders or coke	-	-	0	0	4
Cocoa	-	-	0	0	3
Cocoa-nuts	-	-	0	0	2
Coffee	-	-	0	0	3
Copper	-	-	0	0	2
Copper ore	-	-	0	0	6
Copperas	-	-	0	0	2
Cork	-	-	0	0	2
Corks	-	-	0	0	2
Corn viz. :—					
Wheat	-	-	0	0	3
Barley	-	-	0	0	2
Oats	-	-	0	0	2
Flour	-	-	0	0	2½
Flour	-	-	0	0	2
Barley meal	-	-	0	0	2
Indian corn or maize	-	-	0	0	2
Indian corn meal	-	-	0	0	2
Oatmeal	-	-	0	0	2
Beans and pease	-	-	0	0	3
Rye	-	-	0	0	2
Cotton raw	-	-	0	0	3
Cradles	-	-	0	0	3
Cranberries	-	-	0	0	1
Currants	-	-	0	0	1
Dates	-	-	0	0	3
Down eider	-	-	0	0	9
Drugs in casks hampers or boxes	-	-	0	0	4
Dyers' stuff	-	-	0	0	4
Dynamite	-	-	0	0	3
Earthenware in crates	-	-	0	0	0¼
Eggs	-	-	0	0	1
Emery	-	-	0	0	2
Emery stones	-	-	0	0	1
Empty bags and sacks (not returned)	-	-	0	0	2
Epsom salt	-	-	0	0	2
Feathers	-	-	0	0	6
Felt	-	-	0	0	1
Figs	-	-	0	0	2

		£	s.	d.	A.D. 1910.
Filtering stones	- - - - -	0	0	1	<i>Newlyn.</i>
Fire-clay and pipe-clay	- - - - -	0	0	1	
Fish viz. :—					
Pilchards fresh	- - - - -	0	0	4	
Pilchards for less quantities	- - - - -	0	0	0 $\frac{1}{4}$	
Pilchards cured	- - - - -	0	0	4	
Mackerel	- - - - -	0	0	2	
Herrings (red smoked or salted)	- - - - -	0	0	1	
Herrings (fresh)	- - - - -	0	0	0 $\frac{1}{2}$	
All other sorts of fresh fish	- - - - -	0	0	2	
Stock fish dry	- - - - -	0	0	1	
Trawl line and shell fish of every kind					
on gross sales	- - - - -	0	0	4	
Salmon and other fish in tins	- - - - -	0	0	3	
Flagstone	- - - - -	0	1	2	
Flax rough	- - - - -	0	2	6	
Flax in hanks	- - - - -	0	0	2	
Floor cloth	- - - - -	0	0	4	
Flower roots plants or trees in packages	- - - - -	0	0	1	
Freestone	- - - - -	0	1	2	
Furniture household cases	- - - - -	0	0	1	
Gates iron or wood	- - - - -	0	0	2	
Ginger	- - - - -	0	0	2	
Glass common	- - - - -	0	0	6	
Glass plate	- - - - -	0	0	2	
Glauber salts	- - - - -	0	0	2	
Glue	- - - - -	0	0	4	
Grapes	- - - - -	0	0	3	
Grass Esparto	- - - - -	0	1	6	
Grates or stoves	- - - - -	0	0	2	
Gravel or sand	- - - - -	0	0	6	
Grease or greaves	- - - - -	0	0	1	
Groats	- - - - -	0	0	2	
Groceries not enumerated	- - - - -	0	0	2	
Guano	- - - - -	0	1	6	
Gums	- - - - -	0	0	4	
Gunpowder or blasting powder	- - - - -	0	0	3	
Haberdashery and hosiery in bales	- - - - -	0	0	2	
Haberdashery and hosiery in boxes	- - - - -	0	0	1	
Hair tanners'	- - - - -	0	0	2 $\frac{1}{2}$	
Hair bull cow ox goat or horse	- - - - -	0	0	3	
Hams	- - - - -	0	0	2	
Hanks for sails	- - - - -	0	0	0 $\frac{1}{2}$	
Hardware	- - - - -	0	0	2	

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			£	s.	d.
Hares and rabbits	-	-	0	0	2
Harrows	-	-	0	0	4
Hats in boxes	-	-	0	0	1
Hay or straw	-	-	0	1	0
Hay rakes	-	-	0	0	2
Hemp	-	-	0	2	6
Hides wet or dry	-	-	0	3	6
Hide fleshings	-	-	0	0	2½
Hide roundings or glue pieces	-	-	0	0	2½
Honey	-	-	0	0	6
Hoofs	-	-	0	0	1
Hoops	-	-	0	1	6
Hoops for mast or white hoops	-	-	0	0	1
Hops	-	-	0	0	6
Horns ox or bull	-	-	0	0	4
Hurdles	-	-	0	0	2
Ice	-	-	0	1	0
Indigo	-	-	0	1	0
Iron new bar angle and boiler plates	-	-	0	1	6
Iron old mine materials and scrap	-	-	0	0	9
Iron hoops	-	-	0	0	2
Iron horse shoes	-	-	0	0	2
Iron ploughshares	-	-	0	0	2
Iron stamp heads	-	-	0	1	4
Iron furnaces	-	-	0	0	1
Iron (cast) hollow ware	-	-	0	0	3
Iron ore	-	-	0	0	6
Iron wire and nail rods	-	-	0	0	2
Iron bakers and puddling pans	-	-	0	0	2
Ivory black	-	-	0	0	1
Jackscrews	-	-	0	0	6
Junk or old rope	-	-	0	0	1
Lac gum stick seed and shell	-	-	0	0	4
Ladles	-	-	0	0	6
Lamp black	-	-	0	0	4
Lard	-	-	0	0	2
Lead ore	-	-	0	0	6
Lead pigs of	-	-	0	1	6
Lead red white and black	-	-	0	0	2
Leather	-	-	0	0	2½
Leather wrought	-	-	0	0	6
Lemons	-	-	0	0	3
Lemon lime and orange juice	-	-	0	1	0
Lime burnt	-	-	0	1	0

		£	s.	d.	A.D. 1910.
Limestone	per ton	0	0	4	Newlyn.
Linen or woollen rags	per cwt.	0	0	1	
Linen cloth	per cwt.	0	0	4	
Linseed meal or cake and oil cake	per cwt.	0	0	1	
Liquorice	per cwt.	0	0	2	
Logwood logwood chips	per cwt.	0	0	3	
Macaroni	per cwt.	0	0	4	
Machinery steam and other engines and parts of the same	per cwt.	0	0	1½	
Machinery foundation plates bobs and pumps for engines	per cwt.	0	0	1	
Machinery wood and iron mixed	per cwt.	0	0	1	
Madder and madder roots	per cwt.	0	0	4	
Malt	per quarter	0	0	4	
Manganese	per ton	0	1	0	
Mangolds turnips	per ton	0	1	0	
Manure guano	per ton	0	1	6	
Manure all other sorts	per ton	0	1	0	
Marble or serpentine	per ton	0	1	0	
Margarine	per cwt.	0	0	3	
Matches in cases	per cubic foot	0	0	2	
Mats	per doz.	0	0	1	
Maunds or hampers empty imported	per doz.	0	0	1	
Melting pots	per doz.	0	0	1	
Milk	per gallon	0	0	0½	
Millboards	per 120 boards	0	0	6	
Mineral waters	per doz.	0	0	2	
Mops and brushes	per doz.	0	0	3	
Motor cars	each	0	10	6	
Motor cycles	each	0	5	0	
Mouldings in cases	per cubic foot	0	0	2	
Musical instruments	per cubic foot	0	0	1	
Mustard	per 72 lbs.	0	0	3	
Mustard	per 36 lbs.	0	0	2	
Nails	per cwt.	0	0	2	
Nets	per 5 cubic feet	0	0	2	
Nutmegs	per cwt.	0	0	6	
Nuts	per cwt.	0	0	2	
Oakum	per cwt.	0	0	1½	
Oars	per doz.	0	0	3	
Ochre	per cwt.	0	0	1	
Oil castor	per cwt.	0	0	4	
Oil mineral benzoline	per 36 gallons	0	0	6	
Oil mineral petroleum and all other sorts	per 36 gallons	0	0	4	

A.D. 1910.

Newlyn.

		£	s.	d.
Oil olive sperm and other oils	- - - per 36 gallons	0	0	6
Oil olive in flasks	- - - per cwt.	0	0	2
Onions	- - - per cwt.	0	0	1
Orange and lemon peel and buds	- - - per cwt.	0	0	3
Oranges	- - - per cwt.	0	0	3
Oysters	- - - per bushel	0	0	3
Paints and painters' colours	- - - per cwt.	0	0	2
Paintings pictures and pier glasses	- per superficial foot	0	0	3
Paper stationers'	- - - per cwt.	0	0	4
Paper common	- - - per cwt.	0	0	1½
Pepper	- - - per cwt.	0	0	3
Perambulators	- - - each	0	0	3
Pewter	- - - per cwt.	0	0	2
Phials in packages	- - - per cubic foot	0	0	1
Pick hilts	- - - per gross	0	1	0
Pimento	- - - per 100 lbs.	0	0	3
Pipes for smoking in cases or barrels	- per cubic foot	0	1	0
Pipes stoneware	- - - per ton	0	2	0
Pipes fireclay	- - - per ton	0	1	0
Plaster of Paris	- - - per cwt.	0	0	1
Ploughs	- - - each	0	0	6
Plums	- - - per cwt.	0	0	3
Potash common	- - - per cwt.	0	0	1
Potatoes	- - - per ton	0	1	4
Potatoes (early) shipped between 1st April and 1st July	- - - per cwt.	0	0	1
Poultry and game	- - - per doz.	0	0	2
Preserves	- - - per cwt.	0	0	4
Preserved meat and fish in cases	- - - per cwt.	0	0	2
Prunes	- - - per cwt.	0	0	2
Pumice stone	- - - per cwt.	0	0	1
Puncheons empty and pipes	- - - each	0	0	2
Putty	- - - per cwt.	0	0	1
Quicksilver	- - - per 100 lbs.	0	0	6
Rags	- - - per ton	0	0	1
Raisins	- - - per cwt.	0	0	1
Rape seed	- - - per cwt.	0	0	1
Rice and rice meal	- - - per cwt.	0	0	1
Rope wire	- - - per cwt.	0	0	2
Rope yarn	- - - per cwt.	0	0	2
Rope manufactured	- - - per cwt.	0	0	2
Rye grass seed	- - - per cwt.	0	0	1
Sago	- - - per cwt.	0	0	1
Sails	- - - per cwt.	0	0	3

		£	s.	d.	A.D. 1910.	
Salt gem rock salt	- - - -	per ton	0	0	6	Newlyn.
Salt fine	- - - -	per ton	0	1	0	
Salt coarse for curing fish	- - - -	per ton	0	0	6	
Saltpetre	- - - -	per cwt.	0	0	2	
Scoops boat	- - - -	per doz.	0	0	1	
Scoops fish	- - - -	per doz.	0	0	2	
Scoops malt	- - - -	per doz.	0	0	3	
Scuttles coal copper or tin plate	- - - -	per doz.	0	0	3	
Scythe stones	- - - -	per 100	0	0	3	
Scythes	- - - -	per doz.	0	0	2	
Seeds garden or agricultural grass seeds	- - - -	per cwt.	0	0	3	
Shakes	- - - -	per cwt.	0	0	2	
Shot bird	- - - -	per cwt.	0	0	3	
Shovel handles	- - - -	per doz.	0	0	1	
Shovels	- - - -	per doz.	0	0	1	
Shumac	- - - -	per cwt.	0	0	2	
Sieves	- - - -	per doz.	0	0	3	
Silk raw	- - - -	per cwt.	0	1	0	
Silk manufactured in packages	- - - -	per cubic foot	0	0	2	
Skins calf	- - - -	per score	0	0	3	
Skins rabbit or hare	- - - -	per score	0	0	1	
Skins sheep and kid	- - - -	per score	0	0	3	
Skins of all sorts	- - - -	per score	0	0	6	
Slate hearth or tombstones wrought	- - - -	per superficial foot	0	0	0 $\frac{1}{2}$	
Slate rough	- - - -	per superficial foot	0	0	0 $\frac{1}{4}$	
Slates cut	- - - -	per ton	0	1	2	
Slates rags	- - - -	per doz.	0	0	1	
Slates scantle	- - - -	per ton	0	0	9	
Slates writing	- - - -	per gross	0	0	3	
Snuff	- - - -	per cwt.	0	0	4	
Soap	- - - -	per cwt.	0	0	1	
Soda carbonate	- - - -	per cwt.	0	0	2	
Soda common	- - - -	per ton	0	1	0	
Soda water	- - - -	per doz.	0	0	2	
Solder and spelter	- - - -	per cwt.	0	0	1	
Spades garden	- - - -	per doz.	0	0	6	
Spars.	<i>See Timber.</i>					
Spermaceti	- - - -	per cwt.	0	0	4	
Spirits and wines (alcoholic) of all sorts	- - - -	per 50 gallons	0	1	6	
Spirits and wines (alcoholic) of all sorts in bottles	- - - -	per cwt.	0	0	2	
Spokes for wheels	- - - -	per doz.	0	0	2	
Spokes naves for wheels	- - - -	per doz.	0	0	2	
Sponge	- - - -	per cwt.	0	1	0	

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Newlyn.

			£	s.	d.
Stamp lifters - - - - -	-	per doz.	0	0	6
Starch - - - - -	-	per cwt.	0	0	2
Steel - - - - -	-	per cwt.	0	0	2
Stone Caen for millstones - - - - -	-	per ton	0	2	6
Stone granite - - - - -	-	per ton	0	0	6
Stone macadam - - - - -	-	per ton	0	0	4
Stones grinding - - - - -	-	per cwt.	0	0	1
Sugar candy and sweets - - - - -	-	per cwt.	0	0	2
Sugar refined - - - - -	-	per cwt.	0	0	1½
Sugar soft - - - - -	-	per cwt.	0	0	1
Sulphur - - - - -	-	per cwt.	0	0	3
Tallow - - - - -	-	per cwt.	0	0	1½
Tapioca - - - - -	-	per cwt.	0	0	1
Tar pitch resin - - - - -	-	per cwt.	0	0	1
Tea - - - - -	-	per cwt.	0	0	3
Terra Japonica - - - - -	-	per ton	0	2	0
Thrumbs - - - - -	-	per cwt.	0	0	4
Tile and bricks for paving and ornamental tiles of all sorts - - - - -	-	per ton	0	1	0
Timber viz. :—					
For mining timber round - - - - -	-	per 50 cubic feet	0	0	6
For pit props and sleepers - - - - -	-	per 50 cubic feet	0	0	6
For spars under 4 inches - - - - -	-	per doz.	0	0	4
For spars under 6 inches - - - - -	-	per doz.	0	0	8
For spars under 6 inches - - - - -	-	per 50 cubic feet	0	0	8
Pitch yellow and red pine - - - - -	-	per 50 cubic feet	0	0	8
Oak elm ash and birch - - - - -	-	per 50 cubic feet	0	1	0
Beech sycamore - - - - -	-	per 50 cubic feet	0	0	8
Deal and deal ends - - - - -	-	per 50 cubic feet	0	0	8
Flooring boards - - - - -	-	per 50 cubic feet	0	0	8
Staves fir - - - - -	-	per 50 cubic feet	0	0	8
Staves hardwood - - - - -	-	per 50 cubic feet	0	1	0
Dye woods - - - - -	-	per ton	0	2	0
Mahogany rosewood teak greenheart - - - - -	-	per ton	0	2	0
Firewood - - - - -	-	per 50 cubic feet	0	0	6
Treenails - - - - -	-	per 1000	0	0	3
Wedges - - - - -	-	per 1000	0	0	3
Handspikes - - - - -	-	per 100	0	0	3
Timber lathwood - - - - -	-	per 216 cubic feet	0	2	8
Timber laths - - - - -	-	per 1,000	0	0	4
All timber not otherwise specified - - - - -	-	per ton	0	2	0
Tin in blocks ingots or barrels - - - - -	-	per cwt.	0	0	1½
Tin ore - - - - -	-	per ton	0	1	0
Tin plate - - - - -	-	per cwt.	0	0	2

[10 EDW. 7 &
1 GEO. 5.]

Pier and Harbour Orders
Confirmation (No. 1) Act, 1910.

[Ch. lxxi.]

			£	s.	d.	A.D. 1910.	
Tobacco	-	-	-	-	-	per cwt. 0 0 3	Newlyn.
Tomatoes	-	-	-	-	-	per cwt. 0 0 3	
Tow	-	-	-	-	-	per ton 0 3 0	
Toys in boxes	-	-	-	-	-	per cubic foot 0 0 1	
Treacle or molasses	-	-	-	-	-	per ton 0 1 0	
Trees for saddles	-	-	-	-	-	per doz. 0 0 3	
Trucks hand	-	-	-	-	-	- each 0 0 3	
Trundle sticks	-	-	-	-	-	per 1000 0 0 3	
Turnips	-	-	-	-	-	per ton 0 1 0	
Turpentine	-	-	-	-	-	per cwt. 0 0 6	
Twine or netting	-	-	-	-	-	per cwt. 0 0 3	
Types	-	-	-	-	-	per cwt. 0 0 6	
Valonia	-	-	-	-	-	per ton 0 2 0	
Varnish	-	-	-	-	-	per 36 gallons 0 0 6	
Vegetables (except as otherwise herein provided)	-	-	-	-	-	per 16 gallons 0 0 1	
Venice turpentine	-	-	-	-	-	per cwt. 0 0 4	
Verdigris	-	-	-	-	-	per cwt. 0 0 1	
Vermicelli	-	-	-	-	-	per cwt. 0 0 6	
Vinegar	-	-	-	-	-	per 126 gallons 0 1 0	
Vinegar	-	-	-	-	-	per 63 gallons 0 0 6	
Vinegar	-	-	-	-	-	per 18 gallons 0 0 3	
Waste of all sorts	-	-	-	-	-	per cwt. 0 0 1	
Wax	-	-	-	-	-	per cwt. 0 0 2	
Wheelbarrows	-	-	-	-	-	- each 0 0 2	
Whiting	-	-	-	-	-	per cwt. 0 0 1	
Wick yarn pack	-	-	-	-	-	per cwt. 0 0 3	
Winnowing machines	-	-	-	-	-	- each 0 2 6	
Wool	-	-	-	-	-	per cwt. 0 0 3	
Worsted yarn	-	-	-	-	-	per cwt. 0 0 2	
Zinc	-	-	-	-	-	per cwt. 0 0 2	

All other goods and merchandise not herein enumerated shall pay dues at the rate of 2*l.* 10*s.* per cent. on their invoiced price or if there be no invoice then on their value to be ascertained by a justice of the peace proceeding in a summary manner under the Summary Jurisdiction Acts.

IV.—RATES FOR USE OF CRANES WEIGHING MACHINES AND SHEDS
AND ON PASSENGERS' LUGGAGE.

(1) *Cranage.*

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

A.D. 1910.

Newlyn.

			£	s.	d.
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 every ton or part of a ton	0	0	3
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(3) *Sheds.*

For every 40 cubic feet or for every ton of goods which remains in the warehouse or sheds or other works of the Undertakers for not longer than forty-eight hours	-	-	0	0	3
And per 40 cubic feet or per ton for each day during which the goods remain after first forty-eight hours	-	-	0	0	2
For any portmanteau trunk parcel or other article of passengers' luggage for every day or part of a day -	-	-	0	0	2

(4) *Passengers' Luggage landed or embarked or transhipped.*

For every trunk portmanteau box or parcel or other package within the description of luggage:					
Exceeding 112 lbs. and not exceeding 140 lbs.	-	-	0	0	3
Exceeding 140 lbs. and not exceeding 196 lbs.	-	-	0	0	4
Exceeding 196 lbs. and not exceeding 2 cwt.	-	-	0	0	6
And for every cwt. exceeding 2 cwt.	-	-	0	0	3
And for every 20 lbs. in addition	-	-	0	0	1

V.—RATE FOR SUPPLY OF WATER.

Water	-	-	-	-	per 252 gallons	0	1	4
Water	-	-	-	-	per 60 gallons	0	0	4

VI.—RATES FOR BALLAST.

For loading ballast into and removing ballast from vessels and for conveying ballast to or from the place of deposit thereof as by agreement and failing agreement not exceeding -	-	-	-	-	per ton	0	2	0
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VENTNOR PIER.

A.D. 1910.

Provisional Order for authorising a widening of the Ventnor Pier and for other purposes in connexion therewith.

Ventnor.

Preliminary.

1.—(1) This Order may be cited as the Ventnor Pier Order 1910.

Short title
and com-
mencement.

(2) This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order."

2. In this Order the following words and expressions shall unless the context otherwise requires have the meanings herein-after assigned to them namely:—

Definitions.

"The Council" means the urban district council of the urban district of Ventnor;

"The Act of 1884" means the Ventnor Local Board Act 1884;

"The pier" means and includes the existing pier and the works buildings and conveniences connected therewith belonging to the Council and the works authorised by this Order;

"The works" means the works authorised by this Order;

"The pier undertaking" means and includes the pier and also all the right to levy rates tolls and other charges and all other rights conferred on the Council by the Act of 1884 in connexion with or in respect of the pier and by this Order and the entire undertaking of the Council in connexion with the pier;

"The pier revenue" means the revenue of the pier undertaking.

3. 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 and for the purposes of that incorporation the term "special Act" in those Acts shall mean this Order.

Incorpora-
tion of Lands
Clauses Acts.

Undertakers.

4. The Council shall be the undertakers for carrying this Order into execution and shall have and may exercise the powers privileges and authorities conferred by this Order.

Undertakers.

Acquisition of Lands.

5. The Council may by agreement purchase or take on lease for the purposes of the pier and of this Order any additional lands

Lands may be
acquired by
agreement.

A.D. 1910. which the Council may deem requisite or convenient not exceeding two
Ventnor. acres and any easements rights and interests in over or affecting
 such lands.

Power to
retain and
sell lands.

6. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Council may retain hold and use for such time as they may think fit or may sell let lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands and premises or any interest therein vested in them or acquired by them under the Act of 1884 or this Order for the purposes of or in connexion with the pier undertaking and may sell exchange or dispose of any rents reserved on the sale exchange lease or other disposition of such lands and premises and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Limits.

Limits.

7. The limits within which the Council shall have authority and within which the powers of the piermaster may be exercised shall comprise the pier and the area below high-water mark within a distance of one hundred and fifty yards from the most southerly point of the pier-head which limits are in this Order termed "the limits of this Order."

Works and Powers.

Power to con-
struct works.

8. 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 require before the completion of the works the Council may on the lands and in the lines and according to the levels shown on the said plans and sections and within the limits shown on those plans make and maintain the following works:—

A widening of the existing pier commencing at a point 26 feet south of the north-western corner of the existing pier-head thence proceeding seaward in a southerly direction for a distance of 80 feet thence turning at an angle and proceeding in a south-easterly direction for a distance of 83 feet thence turning again at an angle and proceeding in a north-easterly direction for a distance of 66 feet from the extreme southern end of the existing pier thence turning again at an angle and proceeding in a northerly direction for a distance of 42 feet and terminating by a junction with the existing pier.

The works will be constructed as open works throughout.

9. In constructing the works the Council may with the consent in writing of the Board of Trade deviate laterally to any extent within the limits of deviation marked on the deposited plans and may with the like consent deviate vertically to any extent from the levels shown on the deposited sections.

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Power to deviate.

10. Subject to the provisions of this Order the works shall for the purposes of rates and for all other purposes be deemed to be part of the pier undertaking of the Council as if they had been authorised by the Act of 1884.

New works to be part of pier undertaking.

11. Every person who wilfully obstructs any person acting under the authority of the Council in setting out the lines of the works or who pulls up or removes any buoys moorings poles posts lights beacons or other conveniences shall for every offence be liable on conviction to a penalty not exceeding five pounds and shall in addition be liable to repay to the Council any expenses incurred by them in making good such damage.

Penalty for injuring works.

12.—(1) If within two years from the commencement of this Order the works are not substantially commenced the powers given by this Order for executing the works or otherwise in relation thereto shall cease unless the time for commencement is extended by the special direction of the Board of Trade.

Powers to cease in certain events.

(2) If the works after having been substantially commenced are virtually suspended for twelve consecutive months the powers given by this Order for executing the works or otherwise in relation thereto shall cease except as to so much of the works as is then completed unless those powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the commencement of 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 months shall for the purposes of this Order be conclusive evidence of the facts stated in that certificate.

13. No part of the works below high-water mark shall be commenced without the consent in writing of the Board of Trade having been previously obtained and those works shall be executed only in accordance with the terms of such consent.

Consent of Board of Trade to works-below high-water mark.

14.—(1) The Council may with the consent of the Board of Trade deepen dredge scour and excavate any portion of the foreshore and bed of the sea to the extent necessary to secure a sufficient waterway and approach to the pier for vessels using the same.

Power to dredge.

(2) All sand mud and materials dredged up under the powers contained in subsection (1) of this section shall be the property of the

A.D. 1910. Council who may from time to time sell or otherwise dispose of the same or remove or deposit the same as they may think fit Provided that no sand mud or other materials shall be laid down or deposited in any place below high-water mark without the consent in writing of the Board of Trade having been first obtained.

Ventnor.

(3) All money arising from any sale or other disposition of sand mud and other materials under this section after payment of the expenses connected therewith shall be applied in the same manner as the pier revenue.

Power to
purchase
dredgers &c.

15. The Council may provide purchase take on lease hire and use such steam or other dredgers eroders engines lighters or other vessels machinery and apparatus as they may think necessary for effecting the purposes of the Act of 1884 or this Order and may let the same on hire for such sums and upon and subject to such terms and conditions as they may think fit or may sell or dispose of the same All sums received in respect of any such letting on hire shall be deemed to form part of the pier revenue and all moneys realised by any such sale shall be deemed to be money received on capital account within the meaning of the section of this Order of which the marginal note is "Proceeds of sale of surplus lands to be treated as capital" and be dealt with and applied in the manner provided by that section.

Rates.

Power to
levy rates.

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

Power to
vary exemp-
tions and
compound
for rates.

17. The Council may confer vary or extinguish exemptions from and compound with any person with respect to the payment of rates or charges authorised by the Act of 1884 but so that no preference be in any case given to any person over any other person using the pier under the like circumstances and that anything done under this section shall not prejudice the other provisions of the Act of 1884.

Power to
lease rates
and other
charges.

18.—(1) The Council may with the previous consent in writing of and upon such terms conditions and restrictions and for such period as may be sanctioned by the Board of Trade lease to any company corporation or person the rates and other charges authorised to be taken by the Act of 1884 or this Order in respect of the pier.

(2) As from the date of any lease made under the last preceding subsection the lessee during the continuance of and to the extent provided in his lease shall have and may exercise all or any of the powers conferred upon the Council by the Act of 1884 or this Order in respect of the pier which the Council have or might exercise and shall be subject to all the liabilities and obligations to which the Council are subject and shall perform all the duties of the Council

under the Act of 1884 and this Order in respect of the pier undertaking. A.D. 1910.

Ventnor.

(3) No lease made under subsection (1) of this section shall be assignable without the previous consent in writing of the Board of Trade.

(4) The Council shall within one month after the date of any lease made under this section deposit a certified copy thereof respectively with the Board of Trade and shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this subsection.

(5) No lease made under this section shall be made in consideration or part consideration of any fine premium or other capital sum.

(6) Nothing in this section shall exempt the Council from their obligation to keep and render accounts and as from the date of any lease made under this section all the provisions of the Acts incorporated with this Order and of the Act of 1884 and of this Order as to the keeping and delivery of accounts in respect of the pier undertaking shall apply to and be binding upon as well the lessees as the Council and all moneys received by the Council under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Order.

(7) Section 26 of the Act of 1884 is hereby repealed.

19. The Council may let for hire or lease for any term not exceeding seven years any pavilions rooms shops sheds warehouses or other buildings separately from any other part of the undertaking to any company corporation or person upon such terms pecuniary or otherwise and under such restrictions and conditions as they think fit.

Power to
lease pavi-
lions &c.

20.—(1) The Council may on any special occasion but not exceeding twelve days in any one year or for more than three days consecutively 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 Council may think fit.

Power to
close pier on
special occa-
sions.

(2) On all such occasions the Council shall reserve a sufficient passage along the pier from the landing steps to the shore for any persons landing or embarking at the pier the reserved passage to be open for use by those 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.

(3) The special rate charged under this section shall be in lieu of and not in addition to the rate specified in the schedule to the Act of 1884 and any person paying the special rate shall not be liable to pay

A.D. 1910. any further or other rate or sum for admission to the pier on the day
for which the special rate is charged.

Ventnor.

(4) The Council shall give notice of their intention to close the pier under this section by exhibiting the notice conspicuously at the entrance to the pier during at least two days before the day on which the pier is to be closed.

Finance.

Power to borrow.

21.—(1) The Council may independently of any other borrowing power from time to time borrow at interest not exceeding five per centum per annum—

- (A) for the construction of the works authorised by this Order any sum or sums not exceeding in the whole seven thousand five hundred pounds;
- (B) with the consent of the Board of Trade such further sum or sums as may from time to time be required for any of the purposes of the pier undertaking; and
- (C) such sum as may be required for the payment of the taxed costs charges and expenses of this Order.

(2) In order to secure the repayment of money borrowed for the purposes mentioned in this section and the payment of interest thereon the Council may mortgage or charge as well the district fund and the general district rate as the pier revenue.

Periods for repayment of money borrowed.

22. All moneys borrowed by the Council under section 21 of this Order shall be repaid within the respective periods following (in this Order referred to as "the prescribed periods") (that is to say):—

- (A) As to the money borrowed for the purposes (A) and (B) mentioned in the last preceding section of this Order within such period not exceeding forty years from the date of borrowing the same as the Board of Trade may prescribe:
- (B) As to the money borrowed for the purpose (C) mentioned in the last preceding section within five years from the commencement of this Order.

Provisions of Public Health Act as to mortgages to apply.

23.—(1) The following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Order (that is to say):—

- Section 236 (Form of mortgage);
- Section 237 (Register of mortgages);
- Section 238 (Transfer of mortgages);
- Section 239 (Receiver may be appointed in certain cases).

Protection of lenders.

24. A person lending money to the Council shall not be concerned to enquire as to the observance by the Council of any provisions of this Order or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent.

25. The Council shall pay off all moneys borrowed by them on mortgage under the powers of this Order either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by such instalments and partly by a sinking fund and the payment of the first instalment or the first payment to the sinking fund shall be made within twelve months if by yearly repayments or within six months if by half-yearly repayments after the date of borrowing the sum in respect of which the payment is made.

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Mode of
payment off
of moneys
borrowed.

26.—(1) If the Council determine to repay by means of a sinking fund any moneys borrowed under this Order the Council in every year shall appropriate and set apart out of the pier revenue and the district fund and the general district rate such equal annual sums as will with the accumulations thereof by way of compound interest at a rate not exceeding three pounds per centum per annum (herein-after in this section referred to as "the prescribed rate") be sufficient to pay off the principal moneys borrowed within the period by this Order or by the Board of Trade in pursuance of this Order prescribed for the repayment thereof respectively.

Sinking fund.

(2) The yearly sums so appropriated and set apart shall be invested from time to time and accumulated in the way of compound interest by investing the same and the dividends interest and annual income thereof respectively in any security in which trustees are by law authorised to invest or in mortgages stocks debentures or other securities issued by any local authority as defined in section 34 of the Local Loans Act 1875 (other than securities of the Council and securities transferable by delivery).

(3) The Council may at any time apply the whole or part of the sinking fund in or towards the repayment of the borrowed moneys for the repayment of which it was set aside in such order and manner as they deem proper Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of such borrowed moneys are discharged a sum equal to the interest which would have been produced by the sinking fund or the part thereof so applied at the rate per centum per annum on which the equal annual payments to the sinking fund are based had the sinking fund or such part thereof as aforesaid not been so applied.

(4) If and so often as the income of the sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the prescribed rate any deficiency shall be made good by the Council.

(5) If and so often as the income of the sinking fund is in excess of the income which would be derived from the amount invested if

A.D. 1910. the same were invested at the prescribed rate any such excess may be
Ventnor. applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Council in addition to the payments provided for by this Order.

(7) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as that Board may direct.

(8) If the Council desire to accelerate the repayment of any loan they may increase the amounts payable to the sinking fund created to meet that loan.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Council may with the consent of that Board discontinue the annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the Council with the consent of the Local Government Board may determine.

Return as to
sinking fund
&c. to be
made to Local
Government
Board.

27.—(1) The clerk to the Council shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or yearly or half-yearly payment

or to be appropriated or paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of the clerk to the Council showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or yearly or half-yearly payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year.

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Ventnor.

(2) The clerk to the Council in the event of any wilful default by him in making the return under this section shall for each offence be liable to a penalty not exceeding twenty pounds and that penalty shall be paid to the Local Government Board and shall be recoverable by that Board by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by that Board out of the High Court.

(3) If it appears to the Local Government Board by the return under this section or otherwise that the Council have failed to pay any instalment or yearly or half-yearly payment or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund under this Order (whether such instalment payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised by this Order the Local Government Board may by order direct that the sum mentioned in that order not exceeding double the amount in respect of which the default has been made shall be paid or applied as in that order mentioned and that order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

28.—(1) The Council shall have power—

(A) to borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or

(B) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied

Power to
re-borrow.

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Ventnor.

from other funds of the Council in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (A) by instalments or annual payments; or
- (B) by means of a sinking fund; or
- (C) out of moneys derived from the sale of land; or
- (D) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Application
of money
borrowed.

29. All moneys borrowed under this Order shall be applied by the Council only for the purposes for which the money is authorised to be borrowed by this Order and to which capital is properly applicable.

Proceeds of
sale of sur-
plus lands to
be treated as
capital.

30. The proceeds of sale of any surplus lands of the Council under the powers of this Order and all other moneys received on capital account not being borrowed moneys shall be distinguished as capital in the accounts of the Council and shall be applied in discharge of moneys borrowed by the Council under this Order. Provided that such proceeds when used to pay off borrowed moneys shall not be applicable to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

Contingency
fund.

31.—(1) Subject to the provisions of this Order with reference to the application of the pier revenue the Council may in any year if they think fit for the purpose of forming and maintaining a contingency fund not exceeding at any one time (inclusive of accumulations of income) one-fifth of the aggregate capital sums for the time being expended by the Council in the purchase of or otherwise upon or in connexion with the pier to meet any deficiency of revenue or any

extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the pier set apart out of the revenue such a sum as they may think fit.

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Ventnor.

(2) Every sum set apart under this section shall be invested in securities in which trustees are authorised to invest money other than securities of the Council and the interest thereon shall be accumulated until the fund reaches one-fifth of the aggregate capital sums for the time being expended by the Council on the pier or is required for any of the purposes mentioned in this section.

32. The pier revenue shall be applied for the purposes and in the order following and not otherwise (that is to say):—

Applica-
tion of pier
revenue.

- (1) In payment of all expenses connected with the management and maintenance of the pier:
- (2) In payment of the interest as it accrues due on any mortgages for the time being charged under the Act of 1884 upon the pier revenue:
- (3) In payment of the instalments from time to time becoming payable in respect of any moneys which have been borrowed under the Act of 1884 for the purposes of the pier on the terms of repayment by instalments and are for the time being outstanding:
- (4) In payment of interest as it accrues due in respect of moneys borrowed under this Order:
- (5) In payment of the instalments as they become due of the principal and interest on any moneys which have been borrowed under this Order on the terms of repayment by instalments and are for the time being outstanding:
- (6) In providing a sinking fund for the repayment of any moneys borrowed under this Order and not repayable by instalments:
- (7) In creating and maintaining if the Council think fit a contingency fund in manner specified in the last preceding section of this Order:
- (8) In repaying to the district fund or the general district rate all moneys and interest which have been paid thereout for the purposes of the pier whether in respect of moneys borrowed or otherwise and whether under the Act of 1884 or this Order:
- (9) In the general improvement of the pier:
- (10) And the balance shall subject to the provisions of this Order be carried to the district fund.

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*Ventnor.*Deficiency of
pier revenue
to be charged
on district
fund.

33. All charges on the pier revenue which that revenue may be insufficient to meet shall be charged on and paid out of the district fund and the general district rate and the Council shall include in each rate the amount (if any) which it is estimated may be required to cover the deficiency accruing during the currency of the rate and also the amount (if any) which is required to make up any deficiency which has occurred during any previous period.

Repeal of sec-
tions 48 & 49 of
Act of 1884.

34. Sections 48 and 49 of the Act of 1884 are hereby repealed.

Annual
accounts to
be sent to
Board of
Trade.
25 & 26 Vict.
c. 19.

35.—(1) The Council shall keep a separate account of all receipts payments credits and liabilities on capital and revenue accounts respectively in relation to the pier undertaking and shall within one month after sending to the clerk of the peace a copy of their annual account in abstract send a copy of the same account to the Board of Trade and the 16th section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account.

(2) The account shall be made up to the end of the 31st day of March in every year.

(3) The Council shall as from the expiration of the said period of one month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

Byelaws.

Byelaws.

36.—(1) The byelaws which may from time to time be made by the Council in exercise of the power in that behalf conferred on them by section 83 of the Harbours Docks and Piers Clauses Act 1847 may provide for imposing a penalty not exceeding forty shillings for the breach or non-observance of any of the byelaws.

(2) No byelaw shall come into operation until it has received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

(3) Sections 84 and 85 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order or as from the commencement of this Order with the Act of 1884 Provided however that any byelaws in force at such commencement shall continue in force and have effect until the same shall be revoked by the Council.

*Lights.*As to lights
during con-
struction of
works.

37.—(1) Before commencing the works the Council shall apply to the Board of Trade for directions as to the lights to be exhibited and other means to be taken for preventing danger to navigation and shall in all respects obey any directions given upon that application or after-

wards from time to time given as to the like matters 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.

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Ventnor.

(2) The Council shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to obey any such direction.

38.—(1) As from the commencement of this Order the Council shall exhibit at the outer extremity of the pier or in such other places as may be required from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) and shall take such other steps for the prevention of 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 such directions.

(2) The Council shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe or comply with any such direction.

(3) Sections 12 and 13 of the Act of 1884 are hereby repealed.

39.—(1) In case of injury to or destruction or decay of the pier or of the works or any part thereof the Council 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.

Provision
against
danger to
navigation.

(2) The Council shall be liable to a penalty not exceeding ten pounds for every day during which they omit to apply for or refuse or neglect to observe any such directions.

Miscellaneous.

40. The Council may appoint officers for securing the observance of the byelaws and regulations made by the Council in respect of the pier under this Order or under paragraph (b) of section 34 of the Act of 1884 and may from time to time procure such officers to be sworn as constables for that purpose but no such officers shall act as constables unless in uniform or provided with a warrant.

Appointment
of officers to
enforce bye-
laws and
regulations.

41. All penalties recovered under the Act of 1884 or this Order shall except in case of penalties recovered against the Council be paid to the treasurer for the time being of the Council and be by him carried to the credit of the district fund.

Recovery of
penalties.

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

Exclusion of
sections 16 to 19
of 10 & 11 Vict.
c. 27.

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*Ventnor.*Extension of
10 & 11 Vict.
c. 27 (ss. 28
99) to all
Government
departments.

43. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with the Act of 1884 and this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Pier to be
within parish
and district
of Ventnor.

44. From and after the commencement of this Order the pier shall for all purposes be deemed to form part of the parish and urban district of Ventnor in the administrative county of the Isle of Wight.

Saving rights
of Crown.

45. Nothing in this Order affects prejudicially any estate right, power privilege or exemption of the Crown and in particular nothing herein mentioned authorises the Council to take use or in any manner interfere with any portion of the shore or bed of the sea or any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose which consent the said Commissioners and Board are hereby respectively authorised to give.

Costs of
Order.

46. All costs charges and expenses of and incident to the preparation and obtaining of this Order and otherwise incurred in reference thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council out of the pier revenue or out of money borrowed for the purposes of the promotion of this Order.

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