



CHAPTER lxxii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Rhyl Torquay and Worthing.

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. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 2) Act 1910.

Short title.

A.D. 1910.

The SCHEDULE of Orders.

1. RHYL.—Extension of pier &c.
2. TORQUAY.—Amendment of Torquay Harbour Order 1906 &c.
3. WORTHING.—Widening of pier &c.

RHYL PIER.

A.D. 1910.

*Order for the Extension of the Pier at Rhyl in the County
of Flint and other purposes in connexion therewith.*

Rhyl.

Preliminary.

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

Short titles.

(2) This Order and the Order of 1864 may be cited together as the Rhyl Pier Orders 1864 and 1910.

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."

Commence-
ment 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):—

Interpreta-
tion.

"The Order of 1864" means the Rhyl Promenade Pier Order 1864;

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

"The existing pier" means and includes the existing pier and the works connected therewith which have been constructed under the powers of the Order of 1864 and immediately before the commencement of this Order were vested in and belonged to the Undertaker in the next succeeding section described;

"The pier" means and includes as well the existing pier as the pier and works authorised by this Order;

"The pier undertaking" means and includes the pier and all lands buildings and property of the Undertaker used for the purposes of or in connexion with the pier and also the right to levy tolls rates and other charges and all other rights conferred on the Undertaker by the Order of 1864 and this Order and the entire assets and undertaking of the Undertaker in connexion with the pier;

"The council" means the Rhyl Urban District Council.

Undertaker &c.

4. Samuel Warhurst of Vincent Mount Mottram Road Stalybridge in the county of Chester justice of the peace and his executors and administrators shall be the Undertakers for carrying this Order into execution.

Undertaker.

A.D. 1910.

*Rhyl.*Powers not
to be exer-
cised unless
existing
structure
transferred to
a company.

5.--(1) The powers given by this Order shall not be exercised unless within six months or such other period (not exceeding in the whole twelve months) as the Board of Trade may allow after the commencement of this Order the Undertaker transfers the existing pier and all rights powers and liabilities conferred and imposed by this Order to a company to be incorporated under the Companies (Consolidation) Act 1908 for the purpose of carrying into effect the powers of this Order.

(2) Within that period the Undertaker may with the previous consent in writing of and on such terms and conditions as may be approved by the Board of Trade and the Commissioners of Woods respectively transfer to such company as aforesaid the existing pier and the full benefit of this Order.

(3) On any such transfer the rights powers authorities obligations and liabilities of the Undertaker under the Order of 1864 and this Order shall be transferred to and may be exercised by and shall attach to the company and the company shall subject to the provisions of this Order become the Undertaker for the purposes of this Order.

*Limits.*Limits of
Order.

6. The limits within which the Undertaker shall have authority and within which the powers of the piermaster may be exercised and which shall be deemed the limits to which this Order and the Order of 1864 extend shall comprise the pier and the area below high-water mark within a distance of one hundred yards measured seawards in any direction from the seaward extremity of the pier which limits are in this Order referred to as "the limits of this Order."

*Lands.*Incorporation of parts
of Acts.

7. The Lands Clauses Acts (except so much thereof as relates to the purchase or taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the Undertaking) are incorporated with this Order and for the purposes of that incorporation the expression "special Act" in those Acts means this Order.

Power to
take land by
agreement.

8. For the purposes of the works authorised by this Order the Undertaker may purchase by agreement and use all or such parts of the lands and foreshore shown on the plan deposited for the purposes of this Order as he may think requisite for the purposes of those works.

Land for
extraordinary
purposes.

9.--(1) The Undertaker may (in addition to the lands by the last preceding section authorised to be purchased) 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

Undertaker from any proceedings for nuisance caused or permitted by him on land acquired under the power conferred by this section. A.D. 1910.

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(2) Section 9 of the Order of 1864 is hereby repealed.

Works.

10. No part of the works authorised by this Order shall be commenced unless and until the council shall under the hand of their clerk or other proper officer have certified that a sum has been raised or secured by or otherwise made available for the Undertaker sufficient to ensure the due completion by the Undertaker under the provisions of this Order of the works authorised by this Order. Works not to be commenced till council satisfied as to financial ability to complete.

11. Subject to the provisions of this Order and subject also to such alterations in and additions to (if any) the plan and section deposited with reference to this Order as the Board of Trade require before the completion of the works in order to prevent injury to navigation the Undertaker may in the lines and according to the levels shown on the deposited plan and section (so far as the same are shown thereon) and within the limits of deviation shown on that plan construct and maintain the works authorised by this Order. Power to execute works.

12. The works authorised by this Order comprise the following:— Description of works.
An extension of the existing pier commencing at the northerly end thereof and extending seawards in a northerly direction for a distance of 1,800 feet or thereabouts and there terminating;
The extension of the pier will be constructed of open work.

13.—(1) In constructing the works authorised by this Order the Undertaker may with the consent in writing of the Board of Trade deviate laterally to any extent not exceeding the limits of deviation marked on the deposited plan and may with the like consent deviate vertically to any extent not exceeding fifteen feet. Power to deviate.

(2) Before submitting the plan of any proposed deviation to the Board of Trade the Undertaker shall furnish to the clerk of the council a copy of the plan which is about to be submitted to that Board to the intent that the council shall have an opportunity of raising any objections which the council may think fit to the consent of that Board being given.

14.—(1) The Undertaker may maintain alter widen extend and improve the pier and in connexion therewith may construct erect maintain alter and improve landing-places buildings lamps lamp-posts gas and electric lighting apparatus lifts cranes offices sheds toll-houses gates pipes sewers drains approaches and other works and conveniences and may lay down and maintain rails and tramways on or along the pier and may construct provide lay down and maintain mooring posts Improvement of pier and accommodation works.

A.D. 1910. buoys and other appliances and works for the use of vessels frequenting the pier.

Rhyl.

(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) Every sewer or drain constructed under the powers given by this section shall be connected with the main sewer of the council in such manner in all respects as shall be reasonably approved by the council and no such sewer or drain shall be discharged otherwise or elsewhere than into that main sewer.

Motive power.

15. The carriages used on the tramways may with the consent of the Board of Trade and subject to such regulations as may be made by that Board be moved by electrical power or such mechanical or other motive power as may be approved by the Board of Trade and the Undertaker may erect construct lay down and maintain upon the pier and upon lands belonging to the Undertaker and shown on the said deposited plan generating stations dynamos conductors posts works and conveniences for the generation of electrical energy and may generate and use such energy for their own purposes in connexion with the pier including the lighting of the pier.

For protection of Postmaster-General.

16. Any electric lighting apparatus or works for the generation of electrical energy constructed erected and laid down under this Order for the purposes mentioned in either of the last two preceding sections shall be so constructed erected laid down and used and the carriages on the tramways shall be so worked as to prevent any interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General.

Restrictions on power to construct generating stations &c.

17. If and so long as the council are able and willing to supply and do supply the Undertaker with electrical energy and gas of sufficient power and pressure at all times for all the purposes of the pier undertaking on such terms as may be agreed upon between the council and the Undertaker or as failing agreement may be determined by arbitration in accordance with the provisions of this Order the Undertaker shall not construct or provide any generating station or other works or apparatus for the generation or manufacture of electrical energy or gas under the powers contained in the section of this Order the marginal reference to which is "Motive power."

Power to construct groynes.

18.—(1) The Undertaker may with the consent in writing of the Board of Trade and the Commissioners of Woods respectively construct such groynes as may be necessary for preventing the pier and foreshore from being damaged or injured by the movement of shingle or other debris.

(2) Before submitting to the Board of Trade or the Commissioners of Woods any proposals or plans for the construction of any groyne the Undertaker shall furnish to the clerk of the council a copy of the proposals or plans proposed to be submitted to that Board and those Commissioners respectively to the intent that the council shall have an opportunity of raising any objections which the council may think fit to the consent of that Board and those Commissioners being given.

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19.—(1) The Undertaker may construct and maintain on the pier and may furnish stock and equip and make such reasonable charges as he may think fit for the use of and admission thereto pavilions shelters concert refreshment reading and other rooms shops lavatories sanitary conveniences bathing-shed and swimming and other baths and the Undertaker may with the consent in writing of the Commissioners of Woods let the pavilions and other works and conveniences constructed under this section or any of them for such period not exceeding seven years and upon such terms and conditions as he may think fit.

Power to
erect
pavilions
and other
buildings.

(2) The Undertaker may at any time and as and when he thinks proper close any of the pavilions and other works and conveniences constructed under this section to the general public.

(3) The provisions of any byelaws and local Acts for the time being in force within the urban district of Rhyl shall so far as the same are applicable apply to all buildings and sanitary conveniences constructed by the Undertaker under this section and no shop office or building other than the pavilion amphitheatre and dining-room shall be erected at the entrance to the pier before the commencement of the works authorised by this Order.

20. Any person who wilfully obstructs any person acting under the authority of the Undertaker in setting out the lines of the works authorised by this Order or 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 each offence be liable to a penalty not exceeding five pounds.

Penalty for
obstructing
works.

21.—(1) If within two years from the commencement of this Order the works authorised by this Order 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 commencement is extended by the special direction of the Board of Trade.

Powers to
cease in cer-
tain events.

(2) If those works after having been substantially commenced are virtually suspended for twelve consecutive months the powers given by this Order for executing those works or otherwise in relation thereto shall cease except as to so much of those works as is then completed unless those powers are by the special direction of the Board of Trade

A.D. 1910. continued and directed to remain in force for any period not exceeding five years from the commencement of this Order.

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(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.

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

22. Works authorised by this Order below high-water mark shall not 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.

Restrictions on mooring.

23. No vessel or boat of any kind shall be moored or attached alongside or to the pier without the consent of the piermaster.

New works to be part of pier undertaking.

24. Subject to the provisions of this Order the works authorised by this Order shall for the purpose of rates and for all other purposes be deemed to be part of the pier undertaking as if they had been authorised by the Order of 1864.

Power to prevent use of pier for cattle or merchandise.

25. Nothing in the Order of 1864 or this Order shall entitle any person with any vessel or boat to ship or unship at the pier any sheep cattle or merchandise or anything which in the opinion of the Undertaker might in any way interfere with the use of the pier for recreation or for the embarking or landing of passengers and their luggage.

Rates.

Powers to levy rates.

26. The power of the Undertaker to demand and receive rates under the Order of 1864 and this Order shall not come into operation as respects the works authorised by this Order until in addition to the certificate to be given under the twenty-sixth section of the Harbour Act 1847 a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary for the due construction of those works have been given.

Rates may be levied though works not completed.

27. 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 Undertaker that the works authorised by this Order have been so far completed so as to afford increased accommodation for persons walking on the pier or for the landing and embarking or shipping of passengers animals or goods by means of those works the Undertaker may notwithstanding the twenty-fifth section of the Harbour Act 1847 and although the whole of the works authorised by this Order have not then been completed demand recover and receive for the use of the works authorised by this

Order such of the rates or such proportion of all or any of the rates authorised by the Order of 1864 and this Order as are in the opinion of the Board of Trade commensurate with the increased accommodation afforded.

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28. The rates set out in the schedule to this Order shall be deemed to be included in the schedule to the Order of 1864 and the said schedule and the Order of 1864 shall have effect accordingly and apply to the pier.

Power to
take addi-
tional rates.

29. If and so long as the Undertaker shall make and maintain such provisions and appliances as may be necessary for furnishing to vessels resorting to the pier a supply of pure and wholesome water the Undertaker shall be entitled to make and recover such reasonable charges as he may think fit not exceeding the rates specified for that purpose in the schedule to this Order for pure and wholesome water supplied by him.

Supply of
and rate for
water.

30. The Undertaker may so far as the rates specified in the schedule to the Order of 1864 and this Order do not extend demand and recover reasonable rates rents or other considerations for the use of any buildings tramways cranes works and conveniences belonging to or provided by the Undertaker or in respect of any services rendered by him in connexion with the pier.

Rates for
use of build-
ings &c.

31.—(1) The Undertaker may on any occasion which he may deem special but not on more than twelve days in any one year or for more than three days consecutively close the pier against the public and may on such occasions charge such special rates of admission not exceeding one shilling for each person as the Undertaker may think fit.

Power to
close pier on
certain occa-
sions &c.

(2) On all such occasions the Undertaker shall reserve a sufficient passage along the pier for persons landing or embarking at the pier such reserved passage to be open for use by such persons at the ordinary rates and without payment of any special rates so long only as they use the pier as a passage and do not remain thereon.

(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 Order of 1864 and any person paying the special rate shall not be liable to pay any further or other rate or sum for admission to the pier on the day for which the special rate is charged.

(4) The Undertaker shall give notice of his 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.

32.—(1) Notwithstanding anything contained in the Order of 1864 and this Order the Undertaker may charge for every person entering

Power to
charge higher
rates at cer-
tain times.

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upon and using the pier between the hours of six p.m. and ten p.m. on any day on which a concert or other public entertainment (lasting for at least one and a half hours between the said hours of six p.m. and ten p.m.) is held on the pier or in any pavilion building or room for the time being on the pier any sum not exceeding sixpence.

(2) Any person who having already paid the ordinary charge for using the pier remains on the pier after six p.m. on any such day as in the preceding subsection mentioned shall have credit for the sum already paid by him and shall be liable in addition thereto to pay only the difference between the special charge and the sum already paid by him as aforesaid.

(3) The Undertaker shall notwithstanding the progress of any concert or other public entertainment reserve a sufficient passage along the pier for all persons landing or embarking at the pier or jetties and that reserved passage shall be open for use by such persons at the ordinary charge and without payment of the special rate by this section authorised so long as they use the pier as a passage only and do not remain upon it.

(4) A copy of this section shall be exhibited in print at the entrance to the pier and in some conspicuous place or places on the pier.

Family and
day tickets.

33.—(1) The Undertaker may grant to passengers and promenaders or others for the use of the pier (either exclusively or not of any building or room for the time being thereon) pass tickets or family tickets at such rates on such terms and for such periods not exceeding one year as may be agreed upon and may issue books containing any number of pass tickets at a reduced rate and day tickets available for one day or part of a day only but for any number of admissions on such day or part of a day at a reduced rate but so that no preference be given to any person.

(2) The Undertaker shall have power to prescribe the conditions on which pass tickets and family tickets are issued and the persons by whom family tickets may be used.

(3) A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted. No pass ticket or family ticket shall be used otherwise than in accordance with the conditions on which it is issued or after the period limited for its use.

(4) There shall be printed on every pass ticket and family ticket the conditions on which the same is issued.

(5) If any person wilfully and with intent to defraud acts in any way in contravention of the provisions of this section or uses or

attempts to use any false or counterfeit ticket he shall for each offence be liable to a penalty not exceeding twenty shillings.

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(6) The Undertaker 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 Undertaker thinks fit but so that no preference be given to one fisherman over another.

(7) Section 7 of the Order of 1864 is hereby repealed.

34. The Undertaker may confer vary or extinguish exemptions from and enter into composition with any person with respect to the payment of the rates and charges authorised by the Order of 1864 and this Order but so that no undue preference be in any case given to any person over any other person and that anything done under this section shall not prejudice the other provisions of the Order of 1864 and this Order.

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

35.—(1) The Undertaker 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 entire pier undertaking or (B) the rates and other charges authorised by the Order of 1864 and this Order.

Power to lease.

(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 Undertaker by the Order of 1864 and this Order which the Undertaker has or might exercise under the Order of 1864 and this Order and shall be subject to all the liabilities and obligations to which the Undertaker is subject and shall perform all the duties of the Undertaker under the Order of 1864 and this Order.

(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 Undertaker 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 he refuses or neglects to comply with this subsection.

(5) A lease made under this section may be made in consideration or part consideration of any fine premium or other capital sum.

(6) Nothing in this section shall exempt the Undertaker from his 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

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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 Undertaker and all moneys received by the Undertaker under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Order.

Contracts
with railway
companies
&c.

36. The Undertaker may from time to time in connexion with and for the purposes of the pier undertaking enter into and carry into effect contracts and agreements with railway and other companies shipowners owners of boats and vessels and other persons with reference to the receiving forwarding and conveyance of passengers and traffic of all kinds including the user by any company or person of the pier and may for the like purposes act as general shipping and forwarding agents provided that no undue preference be given to any company or person under any such contract or agreement.

Annual ac-
count to be
sent to Board
of Trade.
25 & 26 Vict.
c. 19.

37.—(1) The Undertaker shall within one month after sending to the clerk of the peace 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.

(2) The Undertaker 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 he refuses or neglects to comply with this section.

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

Exemption
of lifeboat
crews.

38. 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 actually employed in saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to and along and on and from the pier.

Exemption
from rates
of certain
fishing vessels
under stress
of weather.

39. Fishing vessels belonging to the United Kingdom or to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall when forced by stress of weather to make use of the pier and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Application
of revenue.

40. The revenue received from the rates or otherwise under the Order of 1864 and this Order shall be applicable in paying the expenses properly chargeable to revenue of the maintenance repair and management of the pier and works and so far as not required for those purposes shall belong to the Undertaker for his own use.

41. If at any time the clear annual income derived from the pier undertaking on the average of the then three last preceding years after payment of all expenses and outgoings other than payments for principal in respect of money borrowed 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 properly expended by the Undertaker in purchasing constructing repairing and improving the pier and executing the works authorised by this Order the Board of Trade may if in their discretion they think fit reduce the rates leviable under the Order of 1864 and 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 schedules to the Order of 1864 and to this Order respectively.

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Board of
Trade may
reduce rates.

Byelaws.

42.—(1) The byelaws which may from time to time be made by the Undertaker in exercise of the power in that behalf 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.

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 Harbour Act 1847 shall not be incorporated with this Order.

(4) Every byelaw made under the Order of 1864 shall cease to have any force or operation after the expiration of two years from the commencement of this Order and is hereby repealed as from that date but this repeal shall not affect any penalty in respect of any offence against any byelaw made under the Order of 1864 committed before the date on which the same is hereby repealed.

Lights.

43.—(1) Before commencing the works authorised by this Order the Undertaker shall apply to the Board of Trade for directions as to lights to be exhibited and other means to be taken for preventing danger to navigation and shall in all respects obey any direction given upon that application or afterwards 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 those matters during the construction of the works.

As to lights
during con-
struction of
works.

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*Rhyl.*As to lights
after com-
pletion of
works.

(2) The Undertaker shall be liable to a penalty not exceeding ten pounds for every day during which he omits so to apply or refuses or neglects to observe any such direction.

44.—(1) After completion or permanent discontinuance or abandonment of the works by this Order authorised the Undertaker shall at the outer extremity of the pier or the completed portions thereof or in such other places as may be required exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) and take such other steps for the prevention of danger to navigation as may be directed by the Corporation of Trinity House Deptford Strond and shall apply to that corporation for such directions.

(2) The Undertaker shall be liable to a penalty not exceeding ten pounds for every day during which he omits so to apply or refuses or neglects to obey any such directions.

Provision
against
danger to
navigation.

45.—(1) In case of injury to or destruction or decay of the pier or any part thereof the Undertaker 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.

(2) The Undertaker shall be liable to a penalty not exceeding ten pounds for every day during which he omits so to apply or refuses or neglects to obey any such directions.

*Life-saving Apparatus.*Provision of
life-saving
apparatus.

46.—(1) Sections 16 to 19 inclusive of the Harbour Act 1847 shall not be incorporated with this Order.

(2) The Undertaker shall whenever required by the Board of Trade provide at his 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 Undertaker fails to comply with this section he shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

Life-saving
apparatus
may be
attached to
pier.

47. 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 using or of exercising the apparatus for saving life fire rockets over the pier.

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

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Rhyl.
Lifebuoys to
be kept.

Miscellaneous.

49. All penalties under the Order of 1864 and this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbour Act 1847 and for all the purposes of that Act this Order shall be deemed the special Act.

Recovery of
penalties.

50. 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.

Extension of
10 & 11 Vict.
c. 27 (sections
28 and 99) to
all Govern-
ment depart-
ments.

51. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Undertaker 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 of
Crown rights.

52. From and after the commencement of this Order notwithstanding anything contained in section 70 of the Rhyl Improvement Act 1872 and section 3 of the Rhyl Improvement Act 1901 all shops and other buildings (other than the pavilion amphitheatre and dining-room) which may form part of the pier undertaking and are for the time being erected and situate on the landward side of the turnstiles on the pier shall be rateable at their proper value Save as aforesaid section 3 of the Rhyl Improvement Act 1901 shall apply to the undertaking authorised by the Order of 1864 and this Order and to the lands property and buildings (including the pavilion amphitheatre and dining-room) which now are or at any time hereafter shall be held in connexion with that undertaking but so that for the purpose of such application that section shall be read and have effect as if the words "sixty-five thousand pounds" were substituted for the words "twenty-two thousand pounds" in that section.

Power of
council to
levy rates.

53.—(1) The public shall at all times have a free right of way but for foot passengers only over and along so much of the pier as

Public right
of footpath.

A.D. 1910. is situate on the landward side of the turnstiles on the pier as shown
Rhyl. on the plans signed in duplicate by Francis William Maxwell on behalf of the Undertaker and the clerk of the council on behalf of the council one of which plans has been deposited at the offices of the council and one at the office of the Board of Trade.

(2) Any copy of the plan in this section referred to which shall be certified by the clerk of the council to be a true copy of the plan deposited at the offices of the council shall be received in all courts of justice and elsewhere as *primâ facie* a true copy of that plan.

Arbitration.

54. Any dispute question or difference which may arise between the Undertaker and the council touching the construction of or otherwise relating to the provisions of this Order or as to any matter or thing to be done under this Order shall be referred to and determined by a single arbitrator to be appointed by the parties to such reference or (failing agreement between those parties) by the Board of Trade upon the application of those parties or either of them and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to every such reference.

Pier and works to be deemed to be within parish and urban district of Rhyl.

55. The pier shall for all purposes be deemed and taken to be within and form part of the parish and urban district of Rhyl in the county of Flint.

Costs of Order.

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

The SCHEDULE to which the foregoing Order refers.

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

	<i>s.</i>	<i>d.</i>
Bicycles or tricycles - - - - - each	0	3
Motor cars not exceeding two tons - - - - - "	7	6
Motor cars exceeding two tons - - - - - "	10	0

II.—RATES FOR SUPPLYING WATER.

	<i>s.</i>	<i>d.</i>
Fresh water on pier per 100 gallons - - - - -	0	6
Sea water on pier per 100 gallons - - - - -	0	6

TORQUAY HARBOUR.

A.D. 1910.

Order for amending the Torquay Harbour Order 1906
and for other purposes.

Torquay.

1.—(1) This Order may be cited as the Torquay Harbour Order 1910. Short title and commencement.

(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 expressions shall have the following meanings (that is to say):— Interpretation.

“The Order of 1868” means the Torquay Harbour Order 1868;

“The Act of 1886” means the Torquay Harbour and District Act 1886;

“The Order of 1888” means the Torquay Harbour Order 1888;

“The Order of 1892” means the Torquay Harbour Order 1892;

“The Order of 1893” means the Torquay Harbour Order 1893;

“The Order of 1906” means the Torquay Harbour Order 1906.

3. The mayor aldermen and burgesses for the borough of Torquay (in this Order called “the Corporation”) shall be the undertakers for carrying this Order into execution. Undertakers.

4. The Corporation may lease for the erection of a pavilion concert hall or place of entertainment and gardens in connexion therewith to any person or persons the portion comprising four thousand three hundred and seventy superficial square yards and coloured pink and light green on a plan signed in duplicate by Arthur Hingston Dymond and Frederick Samuel Hex (one copy being deposited with the Board of Trade and the other copy with the clerk of the peace for the county of Devon) of the pleasure ground known as the Princess Gardens for such term at such rent under such covenants and conditions and with under and subject to such rights powers privileges reservations and authorities relating thereto as the Corporation with the approval of the Local Government Board may think fit. Power to lease portion of Princess Gardens for erection of pavilion.

5. The Corporation may themselves with the approval of the Local Government Board erect and maintain furnish and equip upon the site referred to in the last preceding section of this Order a pavilion concert hall or place of entertainment with gardens thereto and may charge for admission thereto or the Corporation may from time to time let or lease the said pavilion concert hall or place of entertainment (if and when so erected by them) and gardens to any person or persons for such term at such rent under such covenants and Power for Corporation to erect pavilion &c.

A.D. 1910. conditions and with under and subject to such rights powers privileges
reservations and authorities relating thereto as the Corporation may
think fit.

Torquay.

Restriction
on buildings
to be erected.

6. Notwithstanding anything in the last two preceding sections contained the Corporation shall not nor shall any person or persons deriving title under them erect on the portion of the Princess Gardens aforesaid coloured pink on the plan herein-before referred to any building exceeding the heights shown on such plan nor erect either on the portion of the said gardens coloured light green on the said plan or on the portion thereof coloured dark green on the same plan any buildings other than kiosks shelters fountains conservatories greenhouses bandstands or other similar buildings and no building or erection whatsoever shall be erected on either the portion coloured light green or the portion coloured dark green on the said plan so as materially to obstruct the view towards Torbay from the Central Hotel Cary Parade and Cary Green.

Application
of moneys to
be received.

7. All moneys received by the Corporation on account or in respect of any lease of the site referred to in the section of this Order of which the marginal note is "Power to lease portion of Princess Gardens for erection of pavilion" or on account or in respect of any pavilion concert hall or place of entertainment which may be erected thereon under the power conferred by the section of this Order of which the marginal note is "Power for Corporation to erect pavilion &c." whether for charges for admission thereto or for rent therefor shall be applied in the same manner as rates and income received by the Corporation are by section 33 of the Order of 1888 directed to be applied.

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

8. Sections 16 to 19 of the Harbours Docks and Piers Clauses Act 1847 are not incorporated with the Order of 1868 the Order of 1892 the Order of 1893 the Order of 1906 or this Order.

Repeal.

9.—(1) Sections 3 4 5 and 6 of the Order of 1906 are hereby repealed.

(2) Section 7 of the Order of 1906 is hereby repealed except as to any moneys which have been borrowed under the powers conferred by that section before the commencement of this Order.

Power to
borrow.

10.—(1) For the purposes of raising money for the erection maintenance furnishing and equipment of any buildings authorised by the section of this Order of which the marginal note is "Power for Corporation to erect pavilion &c." and of defraying the costs charges and expenses mentioned in the section of this Order of which the marginal note is "Costs of Order" the Corporation may from time to time subject in each case to the approval of the Local Government Board borrow (in addition to any sums they may be entitled to borrow

under the Order of 1888 and the Order of 1892 or under the provisions of any other public or local Act or Order) at interest not exceeding five per cent. per annum upon the security of the revenue of the harbour undertaking as defined by the Act of 1886 and extended by the Order of 1888 and the Order of 1892 and this Order and of the district fund and general district rate such sum or sums as the Local Government Board may from time to time allow and section 46 of the Act of 1886 shall apply to all mortgages made under this Order.

(2) All sums borrowed under this Order shall be repaid within the following periods (that is to say):—

As regards moneys borrowed for the purpose of defraying the costs charges and expenses mentioned in the section of this Order of which the marginal note is "Costs of Order" within five years from the commencement of this Order and as regards other moneys within such a period not exceeding fifty years from the date when they are borrowed as the Local Government Board may sanction.

(3) Sections 49 to 54 of the Act of 1886 shall with the necessary variations apply to moneys borrowed under this Order.

(4) The provisions of section 8 of the Order of 1906 shall apply to all moneys borrowed under this Order.

11. The powers by section 9 of the Order of 1906 given to the Local Government Board and their inspectors shall extend and apply to the provisions of this Order and the provisions of that section as to payment of expenses shall extend and apply to the expenses of or in relation to inquiries under this Order.

A.D. 1910.
—
Torquay.

Application of section 9 of Order of 1906 to this Order.

12. All costs charges and expenses of and incident to the preparation of and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Corporation out of the revenue of the harbour undertaking or out of moneys to be borrowed (with the sanction of the Local Government Board) under this Order for that purpose.

Costs of Order.

WORTHING PIER.

Order authorising a widening of the Worthing Pier in the County of Sussex and for other purposes.

Worthing.

Preliminary.

1. This Order may be cited as the Worthing 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.

A.D. 1910.

Worthing.
Interpreta-
tion.

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

“The Company” means the Worthing Pier Company Limited;

“The Order of 1889” means the Worthing Pier Order 1889;

“The pier” means the existing pier and works of the Company and includes the works authorised by this Order;

“The Harbour Act 1847” means the Harbours Docks and Piers Clauses Act 1847.

Undertakers.

Undertakers.

4. The Company shall be the Undertakers for carrying this Order into execution.

*Limits.*Limits of
Order.

5.—(1) The limits within which the Company shall have authority and within which the powers of the piermaster may be exercised shall comprise the pier and an area below high-water mark within a distance of two hundred yards in any direction from the southern extremity of the pier head and are in this Order called “the limits of this Order.”

(2) The limits within which the power to levy rates under the Order of 1889 and this Order may be exercised shall comprise the pier and are in this Order called “the rating limits.”

*Acquisition of Lands.*Incorpora-
tion of Acts.

6. 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.

7. For the purposes of the works authorised by this Order the Company may purchase by agreement such parts of the lands shown on the plan deposited for the purposes of this Order as do not now belong to the Company and may use all or any part of such lands whether now held or to be acquired by them as they may think requisite for the purposes of those works.

Power to
grant ease-
ments &c.

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 to the Company 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 over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-

charges 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.

A.D. 1910.
—
Worthing.

Works and Powers.

9. The Company may maintain the pier and subject to the provisions of this Order and subject also to such alterations (if any) in the plan and section deposited in reference to this Order as the Board of Trade may require or sanction before completion of the works the Company may on the lands belonging to them or acquired for the purpose and in the lines and according to the levels and within the limits of deviation shown on the said plan and section construct and maintain in the parish and borough of Worthing in the county of Sussex and on the foreshore and bed of the sea adjoining or near thereto the works authorised by this Order.

Construction
of works.

10.—(1) The works authorised by this Order are the following (that is to say):—

Description
of works.

The widening of the existing pier on both sides thereof so that the total width of the pier shall not exceed 100 feet for a distance of four chains in a seaward direction from the commencement of the pier at the shore end thereof.

(2) The works shall be constructed upon piers or pillars and shall be open work except so far as they are otherwise shown upon the said plan or section.

11. In constructing the works authorised by this Order the Company 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.

12. No part of the works authorised by this Order 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.

Consent of
Board of
Trade to
works.

13.—(1) The Company may so far as may be necessary for the purposes of this Order deepen dredge scour and excavate any portion of the foreshore and bed of the sea.

Power to
dredge &c.

(2) All sand mud and other materials dredged up or removed within the limits of this Order shall be the property of the Company and they may sell or otherwise dispose of or remove or deposit the same as they think fit Provided that no sand mud stone 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.

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Worthing.

(3) All moneys 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.

Powers to
cease in cer-
tain events.

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

(2) If the works authorised by this Order after having been substantially commenced are virtually suspended for twelve consecutive months the powers by this Order given for executing the same or otherwise in relation thereto shall cease except as to so much of the same as has then been completed unless those powers be extended and continued by the special direction of the Board of Trade.

(3) In either of the above cases a certificate from the Board of Trade to the effect that the said works have not been substantially commenced or 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.

Penalty for
obstructing
works.

15. If any person wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works authorised by this Order or pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works that person shall for each offence be liable to a penalty not exceeding five pounds.

Erection of
pavilions &c.

16. The Company may maintain all buildings and conveniences now erected or being on the existing pier and may erect construct furnish equip and maintain on the pier and on any lands already acquired or held or hereafter to be acquired by the Company in connexion with the pier pavilions assembly rooms concert lecture reading refreshment and other rooms galleries saloons arcades and shops and other buildings and conveniences (which together with any existing buildings and conveniences are in this Order included in the expression "buildings") and may make such reasonable charges as they think fit for the use of and admission to buildings.

Power to
lease.

17.—(1) If and so far as the Company may under its constitution have power so to do the Company 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 entire undertaking of the pier or (B) the rates and other charges authorised to be taken by the Order of 1889 and this Order.

(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 Company by the Order of 1889 and this Order which the Company have or might exercise under the Order of 1889 and this Order and shall be subject to all the liabilities and obligations to which the Company are subject and shall perform all the duties of the Company under the Order of 1889 and this Order.

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—
Worthing.

(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 Company 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) A lease made under this section may be made in consideration or part consideration of a fine premium or other capital sum.

(6) Nothing in this section shall exempt the Company 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 the Order of 1889 and this Order and the provisions of the Order of 1889 and this Order as to the keeping delivery and audit of accounts shall apply to and be binding upon as well the lessees as the Company and all moneys received by the Company under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under the Order of 1889 and this Order.

18. The Company may grant the use of let for hire or lease for any term not exceeding seven years any buildings as defined by the section of this Order the marginal reference to which is "Erection of pavilions &c." or any parts of those buildings separately from any other part of their 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 build-
ings.

Rates &c.

19.—(1) Sections 25 and 26 of the Harbour Act 1847 shall not be incorporated with this Order.

Rates &c.

(2) Subject to the provisions of this Order the works by this Order authorised shall for the purposes of the rates which may be demanded and received by the Company and for all other purposes be deemed to

A.D. 1910.

Worthing.

Payment of rates not to confer right to use buildings.

form part of the pier and works referred to in or authorised by the Order of 1889.

20. The payment of rates for the use of the pier shall not entitle any person paying the same to use or enter any buildings as defined by the section of this Order the marginal reference to which is "Erection of pavilions &c." or any part of the pier which is set apart for any particular purpose.

Pass and family tickets.

21.—(1) The Company may grant to passengers and promenaders or others for the use of the pier (either exclusively or not of any building for the time being thereon) pass tickets or family tickets at such rates on such terms and for such periods not exceeding one year as the Company may think fit and may issue books containing any number of pass tickets at a reduced rate and day tickets available for one day or part of a day only but for any number of admissions on such day or part of a day at a reduced rate but so that no preference be given to any person.

(2) The Company shall have power to prescribe the conditions on which pass tickets and family tickets are issued and the persons by whom such tickets may be used.

(3) A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted unless by the terms or conditions thereon printed it is expressed to be transferable. A pass ticket or family ticket shall not be used otherwise than in accordance with the conditions on which it is issued or after the period limited for its use.

(4) There shall be printed on every pass ticket and family ticket the terms and conditions upon and subject to which the same is issued.

(5) If any person wilfully and with intent to defraud acts in any way in contravention of the provisions of this section or uses or attempts to use any false or counterfeit ticket he shall for each offence be liable to a penalty not exceeding twenty shillings.

Power to close pier on special occasions.

22.—(1) The Company may on such occasions as they may deem special 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 Company may think fit.

(2) On all such occasions the Company shall reserve a sufficient passage along the pier from the landing-steps to the shore for any persons landing or embarking at the pier 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. A.D. 1910.

Worthing.

(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 Order of 1889 and any person paying the special rate shall not be liable to pay any further or other rate or sum for admission to the pier on the day for which the special rate is charged.

(4) The Company 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.

23.—(1) Notwithstanding anything contained in this Order the Company may charge for every person entering upon and using the pier between the hours of 6 p.m. and 10 p.m. on any day on which a concert or other public entertainment (lasting for at least one and a half hours between the said hours of 6 p.m. and 10 p.m.) is held on the pier or in any pavilion building or room for the time being on the pier any sum not exceeding sixpence exclusive of and in addition to any charge which may be made for admission to the pavilion building or room in which the concert or entertainment takes place. Power to charge higher rates for evening entertainments.

(2) Any person who having already paid the ordinary charge for using the pier remains on the pier after 6 p.m. on any such day as in the preceding subsection mentioned shall have credit for the sum already paid by him and shall be liable in addition thereto to pay only the difference between the special charge and the sum already paid by him as aforesaid.

(3) The Company shall notwithstanding the progress of any concert or other public entertainment reserve a sufficient passage along the pier for all persons landing or embarking in accordance with this Order at the pier and that reserved passage shall be open for use by such persons at the ordinary charge and without payment of the special rate by this section authorised so long as they use the pier as a passage only and do not remain upon it.

(4) A copy of this section shall be exhibited in print at the entrance to the pier and in some conspicuous place or places on the pier.

24. It shall be lawful for the Company to issue without payment to the holders of mortgages debentures or debenture stock of the Company non-transferable passes for admission to the pier available for the life of the person to whom any such pass is issued or for such time as he remains the holder of mortgages debentures or debenture stock of the Company or for such other period as the Company may determine and subject to such terms and conditions as they may think fit. Issue of passes to debenture holders &c.

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*Worthing.*Annual
account to be
sent to Board
of Trade.
25 & 26 Vict.
c. 19.

25.—(1) The Company shall within one month after sending to the clerk of the peace 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.

(2) The Company 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.

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

*Finance.*Borrowing
powers.

26.—(1) The Company may from time to time borrow and re-borrow at interest on the security of the pier and the rates authorised by the Order of 1889 and by this Order either together or separately such a sum as together with the sum of six thousand pounds authorised to be borrowed by the Order of 1889 shall not exceed the total aggregate sum of ten thousand pounds.

(2) Money authorised by the Order of 1889 and by this Order to be borrowed may be raised wholly or partially by mortgage or the issue of debentures or debenture stock or partly in one way and partly in another.

(3) Nothing in this Order contained shall prejudice or affect the rights or securities of persons who have lent money to the Company under the authority of the Order of 1889 and all moneys which have before the commencement of this Order been borrowed by the Company under the powers of the Order of 1889 and all securities therefor shall have priority over any moneys borrowed after the commencement of this Order under the Order of 1889 and this Order or either of them and the securities therefor.

(4) Nothing in this section or in the Order of 1889 shall be deemed to restrict or affect such powers as the Company may have to borrow money on the security of their property other than the rates authorised by the Order of 1889 and this Order.

Application of
sections 24-27 of
Order of 1889 to
moneys borrowed
under this Order.

27. Sections 24 to 27 inclusive of the Order of 1889 shall apply to all moneys borrowed under this Order as if every reference to the Order of 1889 in those sections were a reference to this Order.

*Lights.*Lights during
construction
of works.

28.—(1) Before commencing the works by this Order authorised the Company 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.

A.D. 1910.

Worthing.

(2) The Company 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.

29.—(1) In case of injury to or destruction or decay of the pier or any part thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing (as far as may be) danger to navigation as may 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.

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

(2) The Company 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.

Byelaws.

30.—(1) The byelaws which may from time to time be made by the Company in exercise of the power in that behalf conferred on them 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.

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 Harbour Act 1847 shall not be incorporated with this Order or the Order of 1889.

Miscellaneous.

31. Sections 16 to 19 inclusive of the Harbour Act 1847 shall not be incorporated with this Order.

Exclusion of
sections 16-19 of
Harbours Clauses
Act. 10 & 11 Vict.
c. 27.

32. For all the purposes of the Harbour Act 1847 this Order shall be deemed the special Act.

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

33. All penalties under the Order of 1889 and this Order shall be recovered and applied as penalties are recoverable or applicable under the Harbour Act 1847.

Recovery of
penalties.

A.D. 1910.

*Worthing.*Exemptions
and savings for
Government
departments.

34. 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.

Local light-
house autho-
rity.

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

Repeal.

36.—(1) Sections 2 7 8 12 13 16 21 29 30 and 35 of the Order of 1889 are hereby repealed.

(2) Notwithstanding that repeal any byelaws made under the powers of that Order and in force at the commencement of this Order shall continue in force for one year from the commencement of this Order but shall then cease to have effect and be repealed.

(3) The repeal of the said byelaws shall not affect any penalty forfeiture or punishment in respect of any offence against those byelaws committed before the date on which those byelaws cease to have effect and are repealed.

Pier to be in
parish &c. of
Worthing.

37. The pier shall be deemed to be for all purposes within the parish and borough of Worthing in the county of Sussex.

Saving rights
of Crown.

38. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company 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 lands 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 those Commissioners and that Board are hereby respectively authorised to give).

Costs of
Order.

39. 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 Company.

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