



## CHAPTER lxxiv.

An Act to confirm Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Clacton-on-Sea Hove and Weymouth. [31st July 1925.]

A.D. 1925.  
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**W**HEREAS a Provisional Order made by the Minister of Transport 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 Provisional Orders made by the Minister of Transport 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 Orders as set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and force.

Confirma-  
tion of  
Order in  
schedule.

2. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 2) Act 1925.

Short title.

A.D. 1925.

The SCHEDULE of Orders.

1. CLACTON-ON-SEA.—Extension and widening of pier &c.
2. HOVE.—Revival of powers for construction of pier &c.
3. WEYMOUTH.—Increase of harbour rates powers for construction of works &c.

SCHEDULE.

A.D. 1925.

CLACTON-ON-SEA PIER.

*Provisional Order for authorising the widening and extension of the Pier at Clacton-on-Sea in the County of Essex and for other purposes.*

*Clacton-on-Sea.*

1. This Order may be cited as the Clacton-on-Sea Pier Order 1925 and the Thorpe and Great Clacton Railway Act 1866 (so far as that Act remains in force having regard to the warrant of the Board of Trade dated the fifth day of April one thousand eight hundred and seventy-two issued under the Railway Companies Act 1867) the Clacton-on-Sea Pier Order 1875 the Clacton-on-Sea Pier Order 1889 and the Clacton-on-Sea Pier Order 1897 (all of which are in this Order called "the existing enactments") and this Order may be cited together as the Clacton-on-Sea Pier Act and Orders 1866 to 1925.

Short and collective title.

2. The existing enactments as amended by this Order and this Order shall be read and construed together as one Order.

Construction of Order.

3. 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."

Commencement of Order.

4.—(1) In this Order unless the context otherwise requires—

Interpretation.

"The Company" means the Clacton Pier Limited;

"The pier" means and includes the existing pier and works of the Company and all widenings and extensions thereof constructed under the authority of the existing enactments together with the widenings extensions and works authorised by and constructed under this Order or as the case may be any part thereof respectively;

"The works" means the works authorised by this Order or as the case may be any part thereof.

(2) In the application to this Order of the Harbours Docks and Piers Clauses Act 1847 the expressions "packet boat or Post Office packet" and "Post Office bag of letters" used in that Act shall mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and a mail bag as defined by the same Act:

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*Clacton-on-Sea.*

Provided that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Order shall exempt from rates duties regulation or control any such vessel as aforesaid if she also conveys passengers or goods for hire.

Under-takers.

5. The Company shall be the undertakers for carrying this Order into execution.

Incorporation of Lands Clauses 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 "the special Act" in those Acts shall mean this Order.

Power to take lands by agreement.

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

Limits.

8.—(1) The limits within which the Company shall have authority and within which the powers of the pier master may be exercised shall comprise the pier and an area below high-water mark within a distance of one hundred yards measured in any direction from any part of the pier.

(2) The limits within which the power to levy rates under the existing enactments and this Order may be exercised shall comprise the pier.

(3) Section 23 (Limits of pier) of the Thorpe and Great Clacton Railway Act 1866 is hereby repealed.

Power to construct works.

9. 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 Company 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 namely:—

Work No. 1 A widening of openwork construction of the existing pier on the north-east side commencing at the seaward end of the existing pier widening and extending seawards in a south-easterly direction together with a widening of similar construction on the south-west side commencing at a point 15 feet or thereabouts seawards of the landward face of the existing pier buildings and extending seawards in a south-easterly direction:

Work No. 2 A widening of openwork construction on both sides of the existing pier commencing at the termination of Work No. 1 on each side and extending in

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a south-easterly direction along each side of the existing pier together with a widening of similar construction on each side of the existing pier head:

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Work No. 3 An extension of openwork construction of the existing pier commencing at the outer face thereof extending thence in an east-south-easterly direction.

10. In constructing the works the Company may deviate laterally from the lines thereof as shown on the deposited plan to any extent not exceeding the limits of deviation shown on that plan and they may deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding twelve feet upwards or to any extent downwards Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Power to deviate.

11. Subject to the provisions of this Order in connection with the works the Company may erect construct and maintain whether temporarily or permanently all such piles caissons cofferdams passageways landing stages moorings buoys toll-houses gates shelters and other structures and other works and conveniences as may be requisite or expedient for the purposes of or in connection with the construction maintenance and use of the said works or for the purposes of the existing enactments or this Order.

Power to construct additional works.

12. Any person who wilfully obstructs any person acting under the authority of the Company 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 such lines shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

13.—(1) The Company 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.

Power to dredge.

(2) All sand mud and other materials dredged up or removed for the purposes and to the extent aforesaid 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 or other material 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) Nothing herein contained shall be deemed to authorise in relation to any foreshore or bed of the sea vested in the Crown within the limits of this Order the removal or sale of any sand mud or other materials by the Company otherwise than to the extent hereinbefore mentioned.

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*Clacton-on-Sea.*

Permanent  
lights on  
works.

14.—(1) After the completion of the works the Company shall at the outer extremity of those works below high-water mark of ordinary spring tides exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct.

(2) If the Company fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Provision  
against  
danger to  
navigation.

15.—(1) In the case of injury to or destruction or decay of the works or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides the Company shall lay down such buoys exhibit such lights or take such other means for preventing so 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) If the Company fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding ten pounds and in case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

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

16. For all the purposes of the Harbours Docks and Piers Clauses Act 1847 this Order shall be deemed to be the special Act but sections 12 13 25 and 26 of that Act shall not be incorporated with this Order.

Crown  
rights.

17. Except as hereinafter expressly provided 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 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 Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands 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).



18. Notwithstanding the provisions contained in the section of this Order of which the marginal note is "Crown rights" or in any public statute His Majesty and His lessees for their respective interests may work any minerals belonging to His Majesty in right of His Crown under or adjacent to lands and works of the Company authorised to be taken or constructed by this Order but in the event of any such right being at any time intended to be exercised sections 77 to 85 (both inclusive) of the Railways Clauses Consolidation Act 1845 as amended by the Mines (Working Facilities and Support) Act 1923 and the First Second and Third Schedules to such last-mentioned Act shall apply as if the same were in relation to such minerals incorporated in this Order and as if the Company were a railway company and the said lands and works were the railways and works of such railway company and as if the Commissioners of Crown Lands were the mine owners or royalty owners as the case may be and so that any compensation payable by the Company to or for the benefit of His Majesty as the mine owner or royalty owner or payable to the Company by His Majesty as such owner shall be payable to or by the Commissioners of Crown Lands as the case may be.

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*Clacton-on-Sea*

Crown minerals.

19. Except as may be otherwise expressly agreed in writing between the Clacton Urban District Council and the Company the Company shall not discharge or allow to be discharged any sewage from the pier except between four hours and two hours before high water.

Discharge of sewage.

20. All the 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.

Costs of Order.

### HOVE PIER.

*Provisional Order to revive and extend the powers conferred by the Hove Pier Order 1912 for the construction of works authorised by that Order and for other purposes.*

*Hove.*

1. This Order may be cited as the Hove Pier Order 1925 and the Hove Pier Order 1912 (hereinafter referred to as "the Order of 1912") and this Order may be cited together as the Hove Pier Orders 1912 and 1925.

Short titles.

2. The Order of 1912 as amended by this Order and this Order shall be read and construed together as one Order.

Construction.

3. 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.

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*Hove.*

Undertakers.

4.—(1) The Hove Pier Theatre and Kursaal Company Limited shall be the undertakers for the purposes of the Order of 1912 and this Order and are in this Order referred to as “the Undertakers.”

(2) Section 5 (Powers not to be exercised unless undertaking is transferred to a registered company) of the Order of 1912 is hereby repealed.

Revival of powers for construction of works authorised by Order of 1912 &c.

5.—(1) The powers conferred by the Order of 1912 for the construction of the works described in section 12 (Description of works) of that Order or otherwise in relation thereto are hereby revived and subject to the provisions of this Order shall continue to be exerciseable by the Undertakers.

(2) (i) If within three years from the commencement of this Order the said works are not substantially completed or if after the said works have been substantially commenced the construction thereof is virtually suspended for six consecutive months then in either case the powers conferred by the Order of 1912 as varied and amended by this Order for constructing the said works or otherwise in relation thereto shall cease except as to so much of the said works as has then been completed unless those powers are by the special direction of the Minister of Transport continued and directed to remain in force for any period not exceeding five years from the commencement of this Order.

(ii) A certificate from the Minister of Transport to the effect that the said works have not been substantially completed or that the construction thereof has been virtually suspended for six consecutive months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

(iii) The Undertakers before making any application to the Minister of Transport upon any matter arising under this section shall give to the mayor aldermen and burgesses of the borough of Hove (hereinafter called “the Corporation”) fourteen days’ previous notice of their intention to make such application.

(3) Section 17 (Powers to cease in certain events) of the Order of 1912 is hereby repealed.

For protection of Hove Corporation.

6. Notwithstanding anything contained in the Order of 1912 or this Order or shown on the plan and section deposited with reference to the Order of 1912 the following provisions for the protection of the Corporation shall unless otherwise agreed in writing apply and have effect in addition to any provisions contained in the Order of 1912 so far as the same are not altered or repealed by this Order (that is to say) :—

(1) Section 20 (For protection of Corporation) of the Order of 1912 shall apply and have effect as if the following



subsection had been contained therein instead of A.D. 1925.  
subsection (5) of that section namely :—

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*Hove.*

“(5) (a) No part of the works authorised by this Order shall be commenced unless and until the Undertakers shall have satisfied the Corporation that a sum of not less than one hundred and forty thousand pounds has been subscribed or is secured or otherwise available to the Undertakers for the purposes of the pier and the buildings thereon within a distance of ten chains from the commencement of the pier;

(b) The construction of any pavilion or other buildings on any portion of the pier within seven chains from the termination of the pier shall not be commenced unless and until the Undertakers shall have satisfied the Corporation that a further sum which together with any balance of the said sum of one hundred and forty thousand pounds remaining after the completion of the works and buildings referred to in the preceding paragraph (a) is not less than the estimated cost of construction of such pavilion or other buildings has been subscribed or is secured or otherwise available to the Undertakers for the purposes of the construction thereof”:

- (2) Subsection (7) of the said section 20 of the Order of 1912 shall be construed and have effect as if subsection (2) of the section of this Order of which the marginal note is “Revival of powers for construction of works authorised by Order of 1912 &c.” had been therein referred to instead of section 17 (Powers to cease in certain events) of the Order of 1912:
- (3) If the Undertakers submit to the Corporation plans sections elevations and specifications of any works authorised by the Order of 1912 as amended by this Order they shall at the same time submit plans sections elevations and specifications of a pavilion and other buildings connected therewith to be erected on the pier at the seaward end thereof and notwithstanding anything contained in the Order of 1912 the Corporation shall not be required to approve plans sections elevations and specifications of the said works unless plans sections elevations and specifications of such pavilion and other buildings are so submitted:
- (4) When the Undertakers commence the construction of the works described in section 12 of the Order of 1912 they shall proceed diligently with such construction

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and shall complete the same as soon as is reasonably practicable :

- (5) Within a period of one year after the works described in the said section 12 have been completed the Undertakers shall subject as aforesaid commence the construction of the pavilion and other buildings to be constructed at the seaward end of the pier and shall proceed diligently with such construction and complete the same as soon as may be reasonably practicable after its commencement :
- (6) Any dispute or difference between the Undertakers and the Corporation under the provisions of this section shall unless otherwise agreed be determined in accordance with the provisions of subsection (9) of section 20 of the Order of 1912.

Increase of  
rate for  
persons  
using pier.

7. The rate which the Undertakers are by section 22 (Power to levy rates) of the Order of 1912 and the schedule to that Order authorised to charge for every person using the pier for the purpose of walking for exercise pleasure or any other purpose (except for embarking or disembarking) for each time is hereby increased from any sum not exceeding twopence to any sum not exceeding threepence and the Order of 1912 shall be construed and have effect accordingly.

Annual  
account to  
be sent to  
Ministry of  
Transport.

8.—(1) The Undertakers shall within two months after the date to which their annual account and balance sheet are made up send a copy of the same to the Ministry of Transport and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include the Undertakers and any and every such account.

(2) The Undertakers shall as from the expiration of that period 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 the foregoing provisions.

(3) The accounts of the Undertakers referred to in this section and in section 50 of the Harbours Docks and Piers Clauses Act 1847 respectively shall be made up to the end of the thirty-first day of December in each year.

(4) Section 31 (Annual account to be sent to Board of Trade 25 & 26 Vict. c. 19) of the Order of 1912 is hereby repealed.

Crown  
minerals.

9. Notwithstanding the provisions contained in section 51 of the Order of 1912 or in any public statute His Majesty and His lessees for their respective interests may work any minerals belonging to His Majesty in right of His Crown under or adjacent to lands and works of the Undertakers authorised to be taken or constructed by the Order of 1912 but in the event of any such right being at any time intended to be exercised sections 77

to 85 (both inclusive) of the Railways Clauses Consolidation Act 1845 as amended by the Mines (Working Facilities and Support) Act 1923 and the First Second and Third Schedules to such last-mentioned Act shall apply as if the same were in relation to such minerals incorporated in the Order of 1912 and as if the Undertakers were a railway company and the said lands and works were the railway and works of such railway company and as if the Commissioners of Crown Lands were the mine owners or royalty owners as the case may be and so that any compensation payable by the Undertakers to or for the benefit of His Majesty as the mine owner or royalty owner or payable to the Undertakers by His Majesty as such owner shall be payable to or by the Commissioners of Crown Lands as the case may be.

A.D. 1925.  
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*Hove.*

10. The provisions of the Order of 1912 shall apply and have effect subject to the provisions of this Order and may be exercised enforced and applied accordingly.

Application of provisions of Order of 1912.

11. 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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## WEYMOUTH AND MELCOMBE REGIS HARBOUR.

*Provisional Order conferring powers upon the mayor aldermen and burgesses of the borough of Weymouth and Melcombe Regis with reference to the Harbour of Weymouth and Melcombe Regis and for other purposes.*

*Weymouth.*

1. This Order may be cited as the Weymouth and Melcombe Regis Harbour Order 1925.

Short title.

2. This Order shall be read and construed as one Order together with the Acts and Orders specified in the First Schedule to the Weymouth and Melcombe Regis Corporation Act 1914 and that Act as the same are amended by this Order.

Construction.

3. 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.

[Ch. lxxiv.] *Pier and Harbour* [15 & 16 GEO. 5.]  
*Orders Confirmation (No. 2) Act, 1925.*

A.D. 1925.

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*Weymouth.*  
Interpreta-  
tion.

4.—(1) In this Order the following words and expressions shall unless the context otherwise requires have the meanings hereinafter assigned to them namely :—

“ The Act of 1825 ” means the Act 6 Geo. IV. cap. cxvi ;

“ The Act of 1887 ” means the Weymouth and Melcombe Regis Corporation Act 1887 ;

“ The harbour ” means the harbour of Weymouth and Melcombe Regis or as the case may be any part thereof ;

“ The harbour undertaking ” means the undertaking carried on by the Corporation at and in connection with the pier authorised by the Weymouth and Melcombe Regis Markets and Pier Act 1854 (not including the pavilion winter gardens and skating rink erected on that pier) and the harbour ;

“ The harbour revenue ” means and includes all moneys receivable by the Corporation for and in relation to the harbour undertaking other than borrowed moneys and moneys which ought to be carried to capital account ;

“ The limits of the harbour ” has the same meaning as in section 8 (Limits of the harbour) of the Act of 1887 ;

“ The borough fund ” and “ the borough rate ” respectively mean the borough fund and the borough rate of the borough of Weymouth and Melcombe Regis ;

“ The district fund ” and “ the general district rate ” respectively mean the district fund and the general district rate of the said borough ;

“ The treasurer ” means the borough treasurer of the borough of Weymouth and Melcombe Regis ;

“ High-water mark ” means high-water mark of ordinary spring tides.

(2) In the application to this Order of the Harbours Docks and Piers Clauses Act 1847 the expressions “ packet boat or Post Office packet ” and “ Post Office bag of letters ” used in that Act shall mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and a mail bag as defined by the same Act :

Provided that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Order shall exempt from rates duties regulation or control any such vessel as aforesaid if she also conveys passengers live stock or goods for hire.

Undertakers.

5. The mayor aldermen and burgesses of the borough of Weymouth and Melcombe Regis shall be the undertakers for carrying this Order into execution and are in this Order referred to as “ the Corporation.”

6.—(1) Subject to the provisions of this Order the Corporation may within the limits of the harbour maintain widen alter improve and extend the harbour and any works thereof and construct maintain alter and improve embankments landing-places piers quays jetties slips wharves buoys moorings cranes lights beacons roads sewers drains watercourses cuts gas and water pipes electric light and power and other works and conveniences which may be found necessary for the accommodation of vessels and traffic and may also from time to time lay down and maintain rails tramways sidings and turn-tables on and along the piers quays and other works of the Corporation and any such works and conveniences as aforesaid which at the commencement of this Order have been constructed or provided or are in course of construction or provision shall be deemed to have been constructed or provided under the powers conferred by this section.

A.D. 1925.

Weymouth.

Power to  
maintain  
and improve  
works.

(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 it has been inspected and certified by the Minister of Transport to be fit for that use.

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

(4) Nothing in this Order shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1922 to which the provisions of section 15 of the Electric Lighting Act 1882 and section 17 of the Electric Lighting (Clauses) Act 1899 apply except in accordance with and subject to the provisions of those sections.

(5) Provided that (a) any works carried out by the Corporation under the powers of this section shall be so constructed and maintained that the main road running from the south side of Weymouth Town Bridge to Boot Hill shall not at any time be of a less width or less commodious to the public than the existing main road without the consent of the county council of the administrative county of Dorset and (b) any dispute or difference arising between the Corporation and the said county council as to whether any works proposed or executed under this Order will or do in fact render the said road less commodious to the public than the same is at the date of this Order shall (failing agreement between the parties) be referred to and determined by an arbitrator to be appointed by the Minister of Transport on the application of either party after notice in writing to the other of them and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to such determination.



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A.D. 1925.

*Weymouth.*

Power to  
dredge &c.

7.—(1) The Corporation may deepen dredge scour cleanse excavate improve and alter the bed channel and foreshore of the harbour and any portion of the foreshore and bed of the sea necessary to secure a sufficient waterway and approach to the harbour for vessels using the same.

(2) All sand mud and other materials dredged up or removed under the powers of this section shall be the property of the Corporation 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 material 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 moneys arising from any sale or other disposition of sand mud or other materials under this section after payment of the expenses connected therewith shall be deemed to form part of the harbour revenue.

(4) Nothing contained in this section shall be deemed to authorise in relation to any foreshore or bed of the sea vested in the Crown within the limits of the harbour the removal or sale of any sand mud or other materials by the Corporation or their licensees otherwise than to the extent hereinbefore mentioned.

Power to  
purchase  
dredgers &c.

8.—(1) The Corporation 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 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.

(2) All sums received in respect of any such letting on hire or in respect of any such sale of any article of which the cost of acquisition was defrayed out of revenue shall be deemed to form part of the harbour revenue and the net amount realised by any such sale of any article of which the cost of acquisition was defrayed otherwise than out of revenue (after deducting the expenses of such sale) shall be applied towards carrying into effect any of the purposes of this Order or of the harbour undertaking to which capital is properly applicable.

Provision  
against  
danger to  
navigation

9.—(1) In case of injury to or destruction or decay of the works by this Order authorised or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark the Corporation shall lay down such buoys exhibit such lights or take such other means for preventing so 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.



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(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

A.D. 1925.

Weymouth.

10.—(1) After the completion of the works by this Order authorised the Corporation shall at the outer extremity of those works below high-water mark exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct.

Permanent  
lights on  
works.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

11. From the commencement of this Order—

(a) Such of the provisions of section 2 (New duties) of the Act of 1825 as relate to the petty customs and wharfage duties mentioned in that Act and the first table or schedule to that Act (as amended by section 11 (Rates on certain goods in transitu) of the Act of 1887) and the said section 11 and Part II. (Transit rates) of the Second Schedule to the Act of 1887 are hereby repealed; and

Rates on  
goods &c.

(b) The Corporation may demand receive and recover in respect of goods articles animals and things shipped unshipped or transhipped in the harbour rates not exceeding those specified in the schedule to this Order.

12. The harbour dues on vessels pleasure steamers tug boats and fishing smacks loading or unloading in or entering remaining in or leaving the harbour which are specified in Part I. of the Second Schedule to the Act of 1887 are hereby increased by fifty per centum of the respective amounts thereof.

Increase of  
harbour dues  
on vessels.

13. The ballast duties specified in the second table or schedule to the Act of 1825 are hereby increased by fifty per centum of the respective amounts thereof.

Increase of  
ballast  
duties.

14.—(1) If it is represented in writing to the Minister of Transport (in this section referred to as "the Minister")—

Revision of  
rates dues  
and duties.

(a) by any chamber of commerce or shipping or any representative body of traders or any person who in the

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opinion of the Minister is a proper person for the purpose; or

Weymouth.

(b) by the Corporation

that under the circumstances then existing all or any of the rates dues or duties authorised by or in pursuance of this Order should be revised the Minister may if he thinks fit make an order revising all or any of such rates dues or duties as aforesaid and may fix the date as from which such order shall take effect and thenceforth such order shall be observed until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this section. Provided that before making an order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(2) No application may be made under this section for a general revision of the rates dues or duties for the time being authorised under this Order within twelve months after the date of an order made by the Minister for a general revision thereof and no application may be made for a revision of any particular rate due or duty within twelve months after the date of an order made by the Minister for a general revision or of any previous application for a revision of the particular rate due or duty in question.

(3) The provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section—

- (a) As if the Minister of Transport were referred to therein in lieu of the Board of Trade;
- (b) As if the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and
- (c) As if in section 4 the words “under the seal of the Minister of Transport” were substituted for the words “by writing under the hand of the President or of one of the secretaries of the Board.”

(4) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner

as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

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*Weymouth.*

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

Power to confer exemptions and compound for rates.

16. As from the commencement of this Order the order dated the ninth day of February one thousand nine hundred and twenty-five and made by the Minister of Transport on the application of the Corporation under the provisions of the Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922 as extended by the Expiring Laws Continuance Act 1924 shall cease to have effect.

Annulment of Temporary Increase of Charges Order.

17. The Corporation may from time to time independently of any other borrowing power borrow at interest (at a rate not exceeding without the consent of the Minister of Transport seven per centum per annum) on the security of the harbour revenue and the borough fund and the borough rate :—

Power to borrow.

- (a) For the payment of the costs charges and expenses of and incidental to the preparing and obtaining of this Order such sum as may be requisite for the purpose ;
- (b) With the consent of the Minister of Transport such sum or sums as may from time to time be required for any of the purposes of the harbour undertaking.

18. All moneys borrowed by the Corporation under the authority of this Order shall be paid off within the periods hereinafter respectively mentioned which periods shall be deemed to be the prescribed periods for the purposes of the enactments applied by this Order (that is to say) :—

Repayment of borrowed money.

As to moneys borrowed for the purpose (a) mentioned in the section of this Order of which the marginal note is " Power to borrow " within five years from the commencement of this Order ;

As to moneys borrowed under the authority of this Order with the consent of the Minister of Transport within such period not exceeding sixty years as the said Minister may prescribe.

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—  
*Weymouth.*  
 Application  
 of certain  
 provisions  
 of Wey-  
 mouth and  
 Melcombe  
 Regis Cor-  
 poration Act  
 1914.

19.—(1) The following sections of the Weymouth and Melcombe Regis Corporation Act 1914 shall with any necessary modifications apply to the exercise of the powers of borrowing conferred by this Order as if the same were re-enacted in this Order (that is to say):—

- |             |  |
|-------------|--|
| Section 86  | (Certain provisions of Public Health Acts not to apply); |
| Section 87  | (Mode of raising money);                                 |
| Section 88  | (Provisions as to mortgages);                            |
| Section 89  | (Protection of lenders from inquiry);                    |
| Section 91  | (Mode of payment off of money borrowed);                 |
| Section 92  | (Sinking fund);  |
| Section 95  | (Appointment of receiver);                               |
| Section 101 | (Incorporating certain sections of Act of 1887):         |

Provided that the said section 92 shall for the purposes of this Order be read and have effect as if a rate not exceeding three pounds ten shillings per centum per annum or such higher rate as the Minister of Health may from time to time approve had been therein referred to instead of a rate not exceeding three pounds per centum per annum.

(2) Nothing in this Order shall prejudice or affect the rights or powers of the Corporation under section 98 (Power to use one form of mortgage for all purposes) of the said Weymouth and Melcombe Regis Corporation Act 1914.

Application  
 of money  
 borrowed.

20. The money borrowed under this Order may be applied to the purposes of this Order or of the harbour undertaking to which capital money may properly be applied and not otherwise.

Annual  
 account to  
 be sent to  
 Ministry of  
 Transport.

21.—(1) Within one month after the accounts of the undertakers relating to the harbour have been audited under the provisions of section 104 (Audit of accounts) of the Weymouth and Melcombe Regis Corporation Act 1914 the Corporation shall send a copy of such accounts as so audited to the Ministry of Transport.

(2) The Corporation 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 the requirements of subsection (1) of this section.

(3) Section 25 (Annual account to be sent to Board of Trade) of the Act of 1887 is hereby repealed.

Crown  
 rights.

22. Except as hereinafter expressly provided nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river

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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 Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands 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).

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23. Notwithstanding the provisions contained in the section of this Order of which the marginal note is "Crown rights" or in any public statute His Majesty and His lessees for their respective interests may work any minerals belonging to His Majesty in right of His Crown under or adjacent to lands and works of the Corporation authorised to be taken or constructed by this Order but in the event of any such right being at any time intended to be exercised sections 77 to 85 (both inclusive) of the Railways Clauses Consolidation Act 1845 as amended by the Mines (Working Facilities and Support) Act 1923 and the First Second and Third Schedules to such last-mentioned Act shall apply as if the same were in relation to such minerals incorporated in this Order and as if the Corporation were a railway company and the said lands and works were the railway and works of such railway company and as if the Commissioners of Crown Lands were the mine owners or royalty owners as the case may be and so that any compensation payable by the Corporation to or for the benefit of His Majesty as the mine owner or royalty owner or payable to the Corporation by His Majesty as such owner shall be payable to or by the Commissioners of Crown Lands as the case may be.

Crown  
minerals.

24. All costs charges and expenses of and incident to the preparing and obtaining of this Order and otherwise incurred in reference thereto (as taxed by the proper officer) shall be paid by the Corporation.

Costs of  
Order.

SCHEDULE to which the foregoing Order refers.

RATES.

Animals live—								s.	d.
Asses	-	-	-	-	-	-	each	0	9
Calves	-	-	-	-	-	-	each	0	3
Goats	-	-	-	-	-	-	each	0	3
Horses	-	-	-	-	-	-	each	2	0
Mules	-	-	-	-	-	-	each	2	0
Oxen	-	-	-	-	-	-	each	0	9
Pigs	-	-	-	-	-	-	each	0	3
Sheep or lambs	-	-	-	-	-	-	each	0	3



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A.D. 1925.		s.	d.
—	Beer - - - - -	per ton	2 0
Weymouth.	Chairs - - - - -	per dozen	1 6
	Cinders - - - - -	per ton	0 6
	Coal (other than bunker) - - - - -	per ton	0 6
	Culm - - - - -	per ton	0 6
	Cyder - - - - -	per ton	2 0
	Feathers - - - - -	per cwt.	2 0
	Gunpowder - - - - -	per ton	3 0
	Hops - - - - -	per ton	15 0
	Kitchen ranges - - - - -	each	1 6
	Onions - - - - -	per ton	1 6
	Spirits - - - - -	per ton	3 9
	Tea - - - - -	per ton	2 6
	Vehicles (four-wheeled) - - - - -	each	3 4
	Vehicles (two-wheeled) - - - - -	each	1 6
	Vinegar - - - - -	per ton	2 6
	Wines - - - - -	per ton	2 6
	Wood—		
	Deals (double and single) - - - - -	per 120	3 0
	Deal ends and battens - - - - -	per 120	1 6
	Logwood - - - - -	per ton	2 6
	Mahogany - - - - -	per ton	2 6
	Masts from 8 to 12 inches diameter - - - - -	each	0 3
	Planks (not fir) - - - - -	per load	1 6
	Ufers and spars under 8 inches diameter - - - - -	per 120	2 3
	Wainscot boards 12 feet long by 1 inch thick - - - - -	per 120	2 3
	All other goods articles and things (coal or fuel oil in or put direct into bunkers and fresh fish only excepted) - - - - -	per ton	1 6

In charging the rates on goods the gross weight or measurement of all goods shall be taken (fractional parts of any weight or number shall be charged proportionately and the minimum charge for a single package shall be one penny).

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