



ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

# VICTORIÆ REGINÆ.

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## *Cap. lxx.*

An Act for altering and amending “The *Maryport* Improvement and Harbour Act, 1866 ;” for authorizing new Works and extending the Powers of the Trustees ; and for other Purposes.

[25th *June* 1868.]

**W**HEREAS an Act was passed in the Session of Parliament holden in the Twenty-ninth and Thirtieth Years of Her Majesty, intituled “The *Maryport* Improvement and Harbour Act, 1866,” whereby Powers were conferred upon the Trustees thereby appointed for the cleansing, sewerage, draining, supplying with Gas and Water, and generally improving and regulating the District therein defined : And whereas it is expedient that the Trustees should be authorized to construct the Works for the Improvement of the Harbour of *Maryport*, and for facilitating Traffic there, herein-after described, and that further Powers for the Regulation and Management of the Harbour should be conferred upon them, and that for the Purposes aforesaid they should be authorized to levy additional Rates and to raise a further Sum of Money : And whereas it is expedient that “The *Maryport* Improvement and Harbour Act, 1866,” should be in such respects as are

29 & 30 Vict.  
c. cexlv.

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herein-

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herein-after mentioned altered and amended, and that the Limits therein defined should be altered, and that the Trustees should be enabled to acquire Lands for Gasworks: And whereas it is expedient to confer certain Powers on the Trustees and the *Maryport and Carlisle* Railway Company, and the *London and North-western* Railway Company, and *Joseph Pocklington Senhouse* Esquire and *Elizabeth* his Wife, in relation to their respective Undertakings, and to authorize Agreements between them: And whereas Plans and Sections of the intended Works showing the Lines and Levels thereof and the Lands which may be taken for the Purposes aforesaid, and also a Book of Reference to such Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of such Lands, have been deposited with the Clerk of the Peace of the County of *Cumberland*, which Plans, Sections, and Book of Reference are herein-after called "the deposited Plans, Sections, and Book of Reference" respectively: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Short Title.

1. This Act may be cited for all Purposes as "The *Maryport* District and Harbour Act, 1868."

8 & 9 Vict.  
cc. 18. & 20.,  
10 & 11 Vict.  
c. 27.,  
23 & 24 Vict.  
c. 106., and  
26 & 27 Vict.  
c. 92. incor-  
porated.

2. The following Acts are (save where expressly varied by this Act) incorporated with and form Part of this Act; (that is to say,)

"The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act Amendment Act, 1860;"

"The Railways Clauses Consolidation Act, 1845," and Part I. (relating to the Construction of a Railway), and Part III. (relating to Working Agreements) of "The Railways Clauses Act, 1863;"

"The Harbours, Docks, and Piers Clauses Act, 1847," with the Exception of the following Sections; (that is to say,)

The Sections with respect to the Construction of Works for the Accommodation of the Officers of the Customs;

The Sections with respect to Lifeboats;

The Sections with respect to keeping a Tide and Weather Gauge;

The Sections numbered 25 and 26 relating to Rates;

The Sections numbered 74, 75, and 76 as to Damage done to Works;

And

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And the Words "Piers or Quays" in the 68th Section of that Act shall include Timber Ponds, Yards, Warehouses, and Places for storing Goods; and that Act shall be construed in connexion with this Act and have Effect as if the Words "or standing in the Name of" had been inserted in the Forty-fifth Section of that Act after the Words "belonging to" in the Ninth Line of that Section in the Queen's Printers Copy thereof.

3. In this Act the several Words and Expressions to which Interpretation of Meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction: Terms.

The Expression "Coal Owners" means the Owners of Collieries shipping in the Harbour:

The Expression "the District," when used in "The *Maryport* Improvement and Harbour Act, 1866," or this Act, shall mean the District herein-after described:

The Expression "the Harbour," when used in "The *Maryport* Improvement and Harbour Act, 1866," or this Act, shall include the Limits of the Harbour of *Maryport* as herein-after defined:

The Word "Drops," when used in this Act, shall include Staiths, Hurries, and Shipping Machines of all kinds:

When *Joseph Pocklington Senhouse* Esquire is named in this Act such Designation shall include *Elizabeth Pocklington Senhouse*, the Wife of the said *Joseph Pocklington Senhouse*, and her Successors in right.

4. Except where the same may be repugnant to or inconsistent with this Act, "The *Maryport* Improvement and Harbour Act, 1866," and this Act shall be read together and have Effect and be construed and executed as if they were One Act, and all the Provisions of the said first-mentioned Act which shall be applicable to any of the Subject Matters contained in this Act shall be construed as if they had been re-enacted in and formed Part of this Act; and all Acts or Parts of Acts incorporated with "The *Maryport* Improvement and Harbour Act, 1866," shall be deemed to be incorporated to the same Extent with this Act; and the several Words and Expressions to which Meanings are assigned in the said first-mentioned Act shall have in this Act the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; and the Expression "this Act," when used in either of the said Acts, (unless there be something clearly to indicate that "The *Maryport* District and Harbour Act, 1868," alone is intended,) shall refer to both Acts read together as One. Act of 1866 and this Act to be read as One Act.

5. The

*The Maryport District and Harbour Act, 1868.*

Certain  
Parts of Act  
of 1866  
repealed.

5. The following Sections of "The *Maryport Improvement and Harbour Act, 1866*," shall be repealed; that is to say,  
The Section numbered 10, describing the Limits (for Improvement Purposes) of the District;  
The Section numbered 16, relating to the Qualification of Electors of Trustees;  
The Section numbered 22, with respect to the Appointment of a Returning Officer;  
The Section numbered 25, with respect to the Rotation of the elected Trustees;  
The Section numbered 151, with respect to the Incorporation of Parts of "The Harbours, Docks, and Piers Clauses Act, 1847;"  
The Section numbered 216, with respect to Marriages solemnized in *Maryport Chapel*;  
And also the Section numbered 159, with respect to the Tonnage Rates on Vessels; and the Section numbered 160, with respect to further Rates on Vessels remaining more than Ninety Days, when and so soon as the Trustees demand and take the Rates by this Act authorized.

General  
Saving of  
Rights and  
Claims.

6. Notwithstanding such Repeal, everything before the passing of this Act done, suffered, and confirmed by the Trustees shall be as valid as if this Act had not been passed, and such Repeal and this Act shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, present or future, which, if such Repeal had not taken place and this Act had not been passed, would be incident to or consequent on anything so done, suffered, and confirmed respectively; and the Generality of this present Provision shall not be deemed to be restricted by any other of the Provisions of this Act that does not expressly refer to this present Provision, and expressly restrict the Operation thereof.

Reduction in  
Number of  
Trustees  
nominated  
by the Lord.

7. One of the Trustees nominated by the Lord of the Manor, and now in Office, shall on the Second *Tuesday* in the Month of *August* One thousand eight hundred and sixty-eight retire from Office, and the Trustee to retire shall be selected by the Lord of the Manor, and thenceforth the Number of Trustees nominated by the Lord of the Manor shall be Four in Number.

Reduction in  
Number of  
Trustees  
elected by  
Ratepayers  
and Ship-  
owners.

8. The Vacancies in the Office of Trustees elected by Ratepayers and Shipowners under the Provisions of the recited Act which will occur in the Month of *August* One thousand eight hundred and sixty-eight shall not be filled up, and thenceforth the Trustees elected by the Ratepayers and Shipowners shall be Nine in Number.

9. For

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9. For the Purpose of making up the Number of Trustees to Eighteen the Coal Owners shall, in manner provided by this Act, elect Four Persons to be Trustees.

Four Trustees to be elected by Coal Owners.

10. The Clerk to the Trustees shall, on or before the Second *Tuesday* of *July* in the Year One thousand eight hundred and sixty-eight, and on the Second *Tuesday* of *July* in every subsequent Year, make and deliver to the Trustees a List, wherein shall be entered the Names of all Persons, being respectively Coal Owners; who, in the Year ending with the Thirtieth Day of *June* then next preceding, shipped at *Maryport* at least Five thousand Tons of Coal, Coke, or Cinders, and the Quantities of Coal, Coke, or Cinders so shipped by them respectively during the Year, and shall at the Foot of the List sign a Certificate of its Accuracy.

Clerk to the Trustees to make yearly List of Coal Owners and Quantities of Coal shipped, and certify its Accuracy.

11. The Trustees shall print every such certified List of Coal Owners, and on every Day during the Seven Days ending with the Fourth *Tuesday* of *July* in the Year One thousand eight hundred and sixty-eight, and during the like Seven Days in every subsequent Year, a printed Copy of the certified List then last made shall be posted by them on the outer Door of their principal Office at *Maryport*, and printed Copies thereof shall be kept at the Office for public Inspection, and on Payment of a reasonable Sum for the same, not exceeding Sixpence, the Trustees shall deliver a Copy of the printed List to any Person requiring it.

Certified List to be printed.

12. The Coal Owners shall be entitled to Votes according to the following Scale, (to wit,) every Person appearing by the certified List to be the Shipper of Five thousand Tons or upwards of Coal, Coke, or Cinders shall have One Vote for every Five thousand Tons up to Thirty thousand Tons, and One additional Vote for every Ten thousand Tons above the First Thirty thousand Tons up to One hundred thousand Tons.

Scale of Votes for Coal Owners.

13. In every Case of several Persons being Coal Owners in Partnership they shall, with respect to the Scale of Votes, be deemed One Person; and One of the Members of the Firm authorized in Writing by the other Members of the Firm, or by a Majority of them, and if no Member shall be so nominated the Member whose Name stands first in the Firm, and in the Case of a Company formed under the Joint Stock Companies Acts then any Shareholder of such Company duly authorized under the Seal of such Company, shall alone be entitled to exercise on behalf of the Firm or Company, as the Case may be, their Right of voting under this Act.

As to Votes of Partners, &c.

14. Before the Thirtieth Day of *July* One thousand eight hundred and sixty-eight, and on or within One Month before the Thirtieth

Revisors of List to be appointed.

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Day

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Day of *June* in every subsequent Year, the Trustees shall appoint Three of their Number to be Revisors of the List of the Coal Owners

Yearly  
Revision of  
List.

15. The Three Persons from Time to Time appointed Revisors shall, during the Seven Days next after the Fourth *Tuesday* of *July* One thousand eight hundred and sixty-eight, and during the Seven Days next after the Fourth *Tuesday* of *July* in every subsequent Year, revise at the Office of the Trustees the List of the Coal Owners for the respective Year, giving not less than Three nor more than Seven Days public Notice of every such Revision: Provided always, that in case of the Decease or Failure to act of any of the Revisors, the others or other of them may make or complete the Revision.

Claims and  
Objections  
before  
Revisors.

16. On every such Revision any Person whose Name is not inserted on the List may, in person or by his Agent, claim to have his Name inserted therein, and any Person whose Name is inserted in the List may, in person or by his Agent, claim to have the Number of Votes attributed to him therein corrected, and may object to any other Person as not being entitled to have his Name retained therein, or as not being entitled to the Number of Votes attributed to him therein.

Revisors to  
correct List.

17. The Revisors shall retain in the List the Name of any Person or the Number of Votes so objected to, if the Objection be not established to their Satisfaction, and shall insert in the List the Name of any Person shown, to their Satisfaction to be entitled to have his Name inserted therein, and shall retain in the List the Name of every Person to whom and every Number of Votes to which, an Objection is not made, and shall strike out the Name of every Person shown to their Satisfaction to be dead, or not to be entitled to have his Name inserted therein, and shall correct the Number of Votes attributed to any Person shown to their Satisfaction to be entitled to any other Number of Votes than the Number attributed to him.

Revisors to  
sign List.

18. The Decision of the Revisors, or the Majority of them, with respect to the List, shall be final and conclusive, and the Revisors shall forthwith, after every Revision, sign their Names at the Foot of the List revised, and if any Revisor shall refuse to sign or wilfully make default in signing any List he shall be liable to a Penalty not exceeding Fifty Pounds.

Production  
to Revisors  
of Books, &c.

19. For the Revision of the List the Trustees shall produce at their Office to the Revisors and their Assistants such of the Books and Accounts of the Trustees as are proper and sufficient to enable those

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those Persons respectively, according to the Provisions of this Act, to revise the List, and shall afford to them respectively all reasonable and proper Facilities in that Behalf.

20. Every List purporting to be a List revised according to this Act, and to be signed by a Majority of the Revisors, shall, without Proof of any Matter other than that of the Signatures thereto, be *prima facie* Evidence of the same being a List revised according to this Act, and of the Provisions of this Act relating to the revised List having been duly complied with.

Evidence of revised List.

21. Every revised List shall be in force until the Revision of the then next List, and the Persons whose Names appear on the revised List from Time to Time in force shall be the Persons entitled to vote for the Purposes of the Election of Trustees to be elected by the Coal Owners, and shall at every such Election be respectively entitled to such a Number of Votes as appears by the revised List.

Continuance of revised List.

22. Every revised List shall forthwith after the Revision thereof be printed and published by the Trustees, and all Persons whose Names appear therein shall be entitled to a Copy thereof, paying for every Copy such a Sum not exceeding Sixpence as the Trustees think reasonable.

Revised List to be printed and published.

23. For the Election from Time to Time of the Trustees to be elected by the Coal Owners, a Meeting of the Coal Owners shall be held at such convenient Place in *Maryport* as the Trustees from Time to Time appoint, between the Hours of Eleven in the Forenoon and Four in the Afternoon, on the Second *Tuesday* in the Month of *August* One thousand eight hundred and sixty-eight, and on the Second *Tuesday* in the Month of *August* in every Third Year thereafter.

Place of Meetings for Election of Trustees by Coal Owners.

24. At every Meeting of the Coal Owners a Person appointed by the Meeting shall preside as Chairman, and the Person so presiding shall receive the Votes and shall act in all other respects as Chairman of the Meeting, and the only Business to be transacted or discussed at any such Meeting shall be the Election by the Meeting of the Persons to be elected Trustees.

Procedure at the Meetings.

25. The Persons to be from Time to Time elected by the Coal Owners shall be elected by a Majority of the Votes of the Persons present in person or by proxy, and entitled to vote at the Meeting for the Election, and the Votes shall only be given in Writing under the Hands of the respective Voters: Provided that in every Case of an Equality of Votes the Chairman of the Meeting shall, when

Election by Majority of Votes.

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when requisite to decide the Election, have an additional or Casting Vote.

Triennial Retirement of Trustees elected by Coal Owners.

26. On the Second *Tuesday* in *August* One thousand eight hundred and seventy-one the whole of the Persons who shall be then Trustees elected by the Coal Owners shall go out of Office, and on the Second *Tuesday* of *August* in every subsequent Third Year the Trustees elected by the Coal Owners shall retire from Office, but every such Trustee going out of Office may, if duly qualified, be re-elected.

Meetings of Coal Owners for Supply of Vacancies.

27. In every Case of a Vacancy happening in the Number of the Trustees elected by the Coal Owners, and occasioned by Death, Resignation, Disqualification, or other Cause, the Trustees shall convene a Special Meeting of the Coal Owners for the Election by them of a Trustee to supply the Vacancy.

Supplying by Coal Owners of Vacancies.

28. Whenever a Trustee elected by the Coal Owners dies, resigns, becomes disqualified, or from any other Cause ceases to be a Trustee, the Coal Owners shall, at a Special Meeting convened for the Purpose according to this Act, elect a qualified Person to be a Trustee in his Place.

Description of the Boundaries of the District.

29. The District within which the Trustees shall have Authority for Improvement Purposes shall comprise all Harbours, Docks, Basins, Piers, and other Works of the Trustees, whether existing or authorized by this Act, and all that Part of the Parishes of *Cross Canonby* and *Dearham* in the County of *Cumberland* comprised within the Limits following; (that is to say,)

Such Limits to commence at Low-water Mark of the Sea of high Spring Tides, as defined on the Ordnance Survey, at the Point where such Low-water Mark would be intersected if the Boundary between the Parishes of *Flimby* and *Dearham* were carried in a straight Line to that Mark, and to proceed from thence in a straight Line, or nearly so, to and along that Boundary up to the Fence on the North-west Side of the Turnpike Road leading from *Maryport* to *Workington*, where the said Boundary crosses that Road, and to proceed from thence along the Fence of the said Turnpike Road, on the North-west Side thereof, to or near to *Ellen Bridge*, which crosses the River *Ellen* near to the *Ellen Bridge* Toll Gate, and thence to proceed in a North-westwardly Direction by and along the South-west Fence of the aforesaid Turnpike Road to *Curzon Street*, crossing that Street to the North-west Corner thereof, and across the said Turnpike Road in a North-eastwardly Direction, and to proceed in the same Direction thence,



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thence, by and along the Fence of the Turnpike Road leading from *Maryport* to *Wigton* and *Carlisle*, on the North-west Side of the said Turnpike Road, for a Distance of Ninety-five Yards or thereabouts, and to proceed thence in a North-westerly Direction, crossing the Mill Race, to the East Corner of the Chapel-yard of *Saint Mary's* Chapel, *Maryport*, and to proceed thence by and along the Fence Wall inclosing that Chapel-yard on the North-east Side thereof to the Termination of that Wall by a Junction with *Church Street*, and to proceed thence in a North-easterly Direction by and along the Fence Wall on the South-east Side of that Street to the End of that Wall, and thence to proceed in a straight Line in a North-easterly Direction to a certain Turnstile in or adjoining certain Fields of *Joseph Pocklington Senhouse* Esquire, called *Pigeonwell Fields*, and thence to proceed in a straight Line in a North-westerly Direction to Low-water Mark as herein-before defined, and thence along the said Low-water Mark, and to terminate at the said Commencement of such Limit :

The whole of which District is defined by a Line coloured Red on a Plan signed by the Chairman of the Committee of Ways and Means of the House of Commons, and deposited with the Clerk of the Peace of the County of *Cumberland*.

30. And whereas it is expedient that the Qualifications of Voters at Elections of Trustees provided by "The *Maryport* Improvement and Harbour Act, 1866," should be altered : Therefore such Qualifications shall henceforth be as follows ; (that is to say,)

Qualification  
of Electors  
of Trustees.

No Person shall be entitled to vote at any Meeting of the Inhabitants of the District for the Election of Trustees unless he shall—

- (1.) Be assessed to the District Rate of the District to the Amount of Five Pounds *per Annum* at the least, and shall have resided within the said District, or within Five Miles of the Boundaries thereof, for the Space of Twelve Months at least prior to the Day of Election ;  
or
- (2.) Be possessed in his own Right of Sixteen Sixty-fourth Shares in some One Vessel belonging to the Port of *Maryport* of between Fifty and One hundred Tons Register at the least ; or of Eight Sixty-fourth Shares in some One Vessel belonging to the said Port of between One hundred and Two hundred Tons Register at the least ; or of Four Sixty-fourth Shares in some One Vessel belonging to the said Port of Two hundred Tons Register at the least ;

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Nor

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Nor shall any Person be entitled to vote in respect of any Vessel unless such Vessel shall have entered the Harbour within Twelve Months of the Day of Election, and all the Dues payable in respect of such Vessel shall have been fully paid and satisfied.

Appoint-  
ment of  
Returning  
Officer.

**31.** Whereas it is expedient that the Provisions of "The *Maryport* Improvement and Harbour Act, 1866," with respect to the Appointment of a Returning Officer at Elections of Trustees, should be amended: Therefore the Trustees may at any of their Ordinary Meetings appoint a Person who shall preside and be the Returning Officer at the Elections of Trustees, and such Appointment shall continue in force for One Year, unless the Person so appointed shall in the meantime die or resign, or refuse or become incapable to act, in either of which Cases the Trustees may at their next or any subsequent Meeting appoint another Person to be such Returning Officer; and the Trustees may, out of any Monies in their Hands, provide such Remuneration for such Returning Officer as they shall think fit.

Rotation of  
elected  
Trustees.

**32.** The Trustees comprised in the Third Section mentioned in the Twenty-fifth Section of the recited Act shall retire from Office on the Second *Tuesday* in the Month of *August* One thousand eight hundred and sixty-nine, and those in the Fourth Section on the Second *Tuesday* in the Month of *August* One thousand eight hundred and seventy; and on the Second *Tuesday* in the Month of *August* in every succeeding Year the Three Trustees who have been longest in Office shall retire therefrom; and on every such periodical Retirement Three duly qualified Persons shall be elected to supply the Vacancies.

As to Mar-  
riages solemn-  
ized at  
Maryport  
Chapel.

**33.** Whereas under and by virtue of the Powers conferred on him by the Act of Parliament of the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-five, the Right Reverend *Hugh Percy* Lord Bishop of the Diocese of *Carlisle* did by Licence under his Hand and Seal, dated the Twenty-first Day of *December* One thousand eight hundred and forty-two, authorize the Curate of the Chapel of *Maryport* in the Parish of *Cross-Canonby* in the County of *Cumberland*, and his Successors, to solemnize Marriages according to the Rites and Ceremonies of the Church of *England* in the said Chapel: And whereas divers Marriages have under the Authority of such Licence been solemnized in the said Chapel of *Maryport*, but Doubts have arisen whether such Marriages are valid in Law because the Limits of the District to which the Licence was intended to apply were not duly specified in such Licence as required by that Act of Parliament, inasmuch as such Licence was made to apply to the District or Township of *Maryport*, there being

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being no such District or Township: And whereas such Licence ought to have been made to apply to the Township of *Netherhall* in the Parish of *Cross-Canonby* in the County of *Cumberland*: And whereas it is expedient that all Doubts relative to the Validity of such Marriages should be removed: Therefore the said Licence shall be read and construed as if Limits had been duly specified therein, and as if such Limits had been co-extensive with the Township of *Netherhall* in the said Parish, and all Marriages which shall have been or shall hereafter be duly solemnized according to the Rites and Ceremonies of the Church of *England* within the said Chapel of *Maryport* shall be as good, valid, and effectual to all Intents and Purposes as if solemnized according to such Rites and Ceremonies in the Parish Church of the said Parish of *Cross-Canonby*, and all Banns of Marriage which shall have been or shall hereafter be published in the said Chapel according to Law shall be deemed to have been duly published.

**34.** The Limits of the Harbour of *Maryport* are hereby declared to include the River *Ellen* and the Entrance thereto from the North-westerly End of the proposed Extension of the South Pier as shown on the deposited Plans to a Point on that River Nine hundred Yards from the North-westerly End of such proposed Extension, measured along the Centre of that River, and also the Docks, Basins, Quays, Wharves, Piers, Jetties, and other Works, Lands, and Easements of the Trustees already constructed or acquired, or by this Act authorized to be constructed or acquired, and also all Parts Seaward of Low-water Mark of ordinary Spring Tides within a Curve struck with a Radius of Three hundred Yards from the North-westerly End of such proposed Extension of the South Pier.

Limits of  
Maryport  
Harbour.

**35.** Subject to the Provisions of this Act, the Trustees may make and maintain in the Lines and according to the Levels shown on the deposited Plans and Sections the Embankment, Dock, Basin, Railways, and other Works herein-after described, with all proper Stations, Gates, Approaches, Sidings, Wharfs, Warehouses, Drops, Staiths, Hurries, Cranes, Weighing Machines, Platforms, Works, and Conveniences connected therewith, and may enter upon, take, and use such of the Lands described in the deposited Book of Reference as may be required for that Purpose, and may abandon such of their existing Works as are herein-after described.

Power to  
make Dock  
or other  
Works.

**36.** The Works which the Trustees are by this Act authorized to make and maintain, and the Works which they are by this Act authorized to abandon, are as follows; (that is to say,)

Description  
of Works.

An Embankment in the Township of *Ellenborough* and Parish of *Dearham* in the County of *Cumberland*, and on the Foreshore adjoining

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adjoining that Township and Parish, commencing on the West Side of the Branch Railway constructed by the *Whitehaven Junction* Railway Company under the Powers of "The *Whitehaven Junction* Railway (New Branches) Act, 1858," and described in the Fifth Section of that Act, and numbered I. therein, (which Railway is now the Property of the *London and North-western* Railway Company, and is herein-after called the Branch Railway,) at or near a Point Fifty-seven Yards or thereabouts Southward of the Point where that Branch Railway crosses the Road in the said Township and Parish leading from *Ellenborough Place* in that Township and Parish to the Seashore (which Road is a Continuation in a straight Line or nearly so, and in a North-westerly Direction, of the said *Ellenborough Place*), and thence extending in a North-westerly Direction for a Distance of Four hundred Yards or thereabouts, and then in a Direction parallel or nearly so to the West Side of the *Elizabeth* Dock belonging to the Trustees, to the South Side of the South Pier belonging to the Trustees at or near a Point One hundred and eighty-five Yards or thereabouts from the Western Extremity of that Pier :

A Dock situated in the said Township of *Ellenborough* and Parish of *Dearham*, and on the Foreshore adjoining that Township and Parish, within the Embankment lastly described, with an Entrance at its Northern End leading from a Basin herein-after described, which Dock will be parallel or nearly so to the West Side of the *Elizabeth* Dock, and will commence at a Point Two hundred and fifty Yards or thereabouts Northward of the Point where the said Branch Railway crosses the said Road leading from *Ellenborough Place* aforesaid to the Seashore, and will terminate at or near a Point Two hundred and eighty Yards or thereabouts Northward from such Commencement :

A Basin in the said Township of *Ellenborough* and Parish of *Dearham*, and on the Foreshore adjoining that Township and Parish, which Basin will commence at the Northern End of the Dock and Entrance lastly herein-before described, and thence will extend Northward to the Channel of the River *Ellen*, and will extend from the Pier called "the Jetty," the Property of the Trustees, Westward to a Point Thirty Yards or thereabouts Eastward of the inner or principal Lighthouse on the said South Pier :

The Abandonment and Removal of the Portion of the said South Pier in the said Township of *Ellenborough* and Parish of *Dearham*, and on the Foreshore adjoining that Township and Parish, lying between the said Point Thirty Yards or thereabouts Eastward of the said inner or principal Lighthouse and the South-eastern Extremity of the said South Pier, and the making

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making on the Foreshore adjoining that Township and Parish an Extension of that Pier from the Western Extremity thereof to Low-water Mark or thereabouts, the Length of such Extension being Thirty-three Yards or thereabouts :

The Abandonment and Removal of so much of the North Pier belonging to the Trustees in the Township of *Netherhall* and Parish of *Cross Canonby* in the County of *Cumberland*, and on the Foreshore adjoining that Township and Parish, as extends from the Western Extremity of the said North Pier to a Point Eighty-five Yards or thereabouts Landwards from the said Western Extremity, and the making of a Pier commencing from the said Point Eighty-five Yards or thereabouts Landwards from the Western Extremity of the said North Pier, and extending on the Northern Side of the River *Ellen* in a North-westerly Direction to or near to a Point on the Foreshore opposite or nearly so to the North-west Corner of the Embankment herein-before described :

A Railway (No. 1) Three Furlongs in Length in the said Township of *Ellenborough* and Parish of *Dearham*, and on the Foreshore adjoining that Township and Parish, commencing by a Junction with the said Branch Railway at or near a Point One hundred Yards or thereabouts Southward of the said Point where that Branch Railway crosses the said Road leading from *Ellenborough Place* to the Seashore, and thence extending by the Side of and along the Western Side of the said proposed Dock, and terminating at a Point near the North-west Corner of the said proposed Dock :

A Railway (No. 2) Two Furlongs Six Chains in Length in the said Township of *Ellenborough* and Parish of *Dearham*, and on the Foreshore adjoining that Township and Parish, commencing by a Junction with the *Maryport and Carlisle* Railway at or near a Point in that Township and Parish where that Railway crosses the public Highway leading from and out of the *Maryport and Workington* Turnpike Road to *Irish Street* and *Glasson* and the South Side of the Harbour of *Maryport*, and thence extending by the Side of and along the East Side of the said proposed Dock, and terminating near the North-east Corner of that Dock :

A Railway (No. 3) Nine Chains in Length in the said Township of *Ellenborough* and Parish of *Dearham*, and on the Foreshore adjoining that Township and Parish, commencing by a Junction with Railway (No. 2) Fifty Yards or thereabouts from the said Point of Commencement of Railway (No. 2), and terminating by a Junction with Railway (No. 1) at or near a Point One hundred and twenty-five Yards or thereabouts, measuring in a North-westerly Direction, from the Point where the said Branch

[Local.]

10 N

Railway

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Railway crosses the said Road leading from *Ellenborough Place* to the Seashore :

A Railway (No. 4) Four and One Half Chains in Length in the said Township of *Ellenborough* and Parish of *Dearham*, commencing by a Junction with the Tramway leading from the *Ellenborough* Colliery to the *Elizabeth* Dock, and belonging or reputed to belong to *Joseph Pocklington Senhouse* Esquire, at or near a Point Eighty Yards or thereabouts, measuring in a North-westerly Direction, from the Northern Corner of *Hutton Place* in the said Township and Parish, and terminating by a Junction with Railway (No. 3) at or near a Point Forty Yards or thereabouts, measuring in a North-easterly Direction, from the Point where the said Branch Railway crosses the said Road leading from *Ellenborough Place* to the Seashore :

The deepening, dredging, scouring, cleansing, widening, altering, and improving the Channel of the River *Ellen* and the Entrance thereto in the said Township of *Ellenborough* and Parish of *Dearham*, and in the Township of *Netherhall* and Parish of *Cross Canonby*, or either of them, and on the Fore-shore of the Sea and in the Sea adjacent to those Townships and Parishes respectively, from or near the Entrance to the *Elizabeth* Dock Basin belonging to the Trustees to or near a Point Two hundred Yards or thereabouts, measuring in a Westerly Direction, from the Western End of the said South Pier belonging to the Trustees.

Power to deviate.

**37.** In the Execution of the said Works the Trustees may deviate from the Lines of the said Works as delineated upon the deposited Plans to any Extent not exceeding the Limits of Deviation shown on those Plans, and may deviate from the Levels shown upon the deposited Sections to any Extent, but not exceeding Ten Feet, unless the Marine Department of the Board of Trade shall certify in Writing that a greater Extent is necessary or expedient.

Land for extraordinary Purposes.

**38.** The Quantity of Land to be taken by the Trustees by Agreement for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed One Acre.

Powers for compulsory Purchases limited.

**39.** The Powers of the Trustees for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Four Years from the passing of this Act.

Period for Completion of Works.

**40.** The Works by this Act authorized shall be completed within Ten Years from the passing of this Act, and if they shall not be

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be completed within that Period, then on the Expiration thereof the Period by this Act granted to the Trustees for making and completing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed: Provided always, that this Act or anything therein contained shall not restrain the Trustees from making from Time to Time any Improvements or Alterations of any existing Works or Conveniences, or from making any new Works or Conveniences, which if this Act were not passed they might lawfully make.

41. During the Construction of the Entrance to the Dock authorized by this Act, and the Works connected therewith, the Trustees shall exhibit every Night from Sunset to Sunrise a Light or Lights, to be kept burning by and at the Expense of the Trustees, for the Guidance of Vessels, and after the Completion of such Dock the Trustees shall, if so required by the Board of Trade, exhibit upon the Entrance to it every Night from Sunset to Sunrise a Light or Lights, to be kept burning by and at the Expense of the Trustees, for the Guidance of Vessels, which Lights shall from Time to Time be altered by the Trustees in such Manner, and be of such Descriptions, and be so used and placed, as the Board of Trade by Writing under the Hand of a Secretary or Assistant Secretary of the Board direct or approve; and if the Trustees shall neglect to exhibit and keep any such Light burning as aforesaid they shall for every such Neglect be liable to a Penalty not exceeding Ten Pounds.

Lights to be exhibited during and after Construction of Works according to Directions of Board of Trade.

42. If at any Time it is deemed expedient by the Board of Trade to order a local Survey and Examination of any Works of the Trustees in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Trustees shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due from the Trustees to the Crown, and be recoverable accordingly, with Costs, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Trustees.

Board of Trade may order local Survey at Expense of Trustees.

43. If any Work to be constructed by the Trustees in, under, over, through, or across any tidal or navigable Water or River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, the Board of Trade may abate and remove the same or any Part thereof, and restore the Site thereof to its former Condition, at the Expense of the Trustees, and the Amount of such Expense shall be a Debt due from the Trustees to the

Works affecting tidal Water abandoned may be removed by Board of Trade at Expense of Trustees.

*The Maryport District and Harbour Act, 1868.*

the Crown, and be recoverable accordingly, with Costs, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Trustees.

Monies arising from Use of new Works to be carried to Harbour Fund.

44. All Monies which shall come to the Hands of the Trustees under the Provisions of this Act arising from the Use of any of the new Works by this Act authorized shall be carried to the Harbour Fund.

Power to borrow on Mortgage.

45. The Trustees from Time to Time, in addition to any existing Mortgage Debt, and in addition to the Sum of Thirty-two thousand Pounds which they were authorized to borrow under the Provisions of "The *Maryport* Improvement and Harbour Act, 1866," may borrow on the Security of their Property and Estates within the Harbour, and of the Harbour Fund, any Sum not exceeding in the whole Eighty-eight thousand Pounds, and they may mortgage such Property and Estates, and the Harbour Fund, to secure Repayment thereof, with Interest.

Existing Mortgages to have Priority.

46. All Mortgages and Bonds granted by the Trustees in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages and Bonds have Priority over any Mortgages to be granted by virtue of this Act.

For Appointment of a Receiver.

47. Section One hundred and ninety-four of "The *Maryport* Improvement and Harbour Act, 1866," (respecting the Appointment of a Receiver,) is hereby repealed, and the Mortgagees of the Trustees may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less than Five thousand Pounds in the whole.

Application of Monies.

48. All Money borrowed by the Trustees under the Authority of this Act shall be applied in defraying the Cost of this Act, and of the Lands to be acquired under the Authority of this Act, and of the Works to be executed under the Authority of the recited Act and this Act, including Engineering and other necessary Superintendence thereof, and all Rates levied by the Trustees under the Authority of this Act shall be applied in or towards carrying into execution the Purposes of the recited Act and this Act, and



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and the Undertakings thereby authorized, and to no other Purpose whatsoever.

49. The Master and Owner of every Vessel and Float of Timber navigating or being within the Harbour shall be answerable for any Damage that shall be done by such Vessel or Float of Timber, or by any of the Persons belonging to or employed about the same, to any of the Works or to any Buildings or Lands near thereto; and, in addition to the Remedies by this Act prescribed for the Recovery of the same, the Trustees may detain any such Vessel or Float of Timber until sufficient Security has been given for the Amount of such Damage; and the Amount of such Damage, notwithstanding anything contained in this Act, whether the same do or do not exceed Fifty Pounds, may be ascertained and recovered, with all attendant Costs, in the Mode prescribed by the Seventy-fifth Section of "The Harbours, Docks, and Piers Clauses Act, 1847;" and the Amount of such Damage and Costs may be recovered by the Owner or Master who shall have paid the same from the Person who actually did such Damage in the Mode prescribed by the Seventy-sixth Section of the same Act.

Master and Owner of Vessels and Floats of Timber to be answerable for Damage to Harbour.

50. The Trustees may run their Docks dry, or lower the Level of the Water therein, for the Purpose of repairing or cleansing the same, or for any other Purpose, and, if they shall think proper, they may remove out of either such Docks any Vessel then lying therein, whether she shall or shall not have discharged the whole of her Cargo, or may give reasonable Notice to the Master of such Vessel to remove the same out of the Dock so to be run dry or partially discharged of Water by delivering such Notice to the Person in charge of the Vessel, or, if he cannot be found, by affixing the same to the Mast or some other conspicuous Part of the said Vessel, and whether there shall then be any Person in charge or on board thereof or not; and in case the said Vessel shall not be removed after such Notice, the Trustees shall not be responsible for any Damage which such Vessel or her Cargo may sustain in consequence of the Dock being run dry or partially discharged of Water, and if after any such Notice such Vessel shall not be removed, and the Trustees shall have caused such Vessel to be removed, then the Master thereof shall repay to the Trustees the Costs attending such Removal.

Power to run Docks dry for the Purpose of Repairs, &c.

51. Every Vessel lying within any Dock shall always have as much Ballast or Cargo on board as may be necessary to enable her to be removed with Safety either from Place to Place within such Dock, or from one Dock into another Dock, or out of the Docks, whenever it may be necessary in the Judgment of the Harbour-master to remove such Vessel; and in case of any Neglect to keep such

Vessels to be always kept so loaded with Ballast or otherwise as to be safely removed.

[Local.]

10 O

Quantity

*The Maryport District and Harbour Act, 1868.*

Quantity of Ballast or Cargo on board any Vessel, the Master or Owner thereof shall be liable to a Penalty of not exceeding Fifty Pounds.

Trustees  
may exclude  
dangerous  
Articles  
from the  
Harbour.

**52.** The Trustees shall not be compellable to receive within the Harbour any Articles which in their Opinion would endanger the Safety of any of their Works or Property, or any Vessels or Goods: Provided that they shall from Time to Time publish in such Manner as is prescribed with respect to the List of Rates required by Section Forty-seven of "The Harbours, Docks, and Piers Clauses Act, 1847," a Schedule of such Articles as they refuse to receive; and every Person who, after such Publication, brings or causes or permits to be brought within the Harbour any such Article, shall forfeit any Sum not exceeding One hundred Pounds; and the Trustees may remove the Article so brought in, and may recover the Costs of such Removal, and of placing or storing the same elsewhere, from the Offender.

Trustees  
may advance  
Sums for  
Freight.

**53.** The Trustees may from Time to Time advance and pay the Freight of any Vessel entering the Harbour, and may recover the Sum so advanced and paid in like Manner as they may recover any Toll, Rate, or Charge under this Act.

Expressions  
in Merchant  
Shipping  
Act to  
include the  
Trustees.  
Goods and  
Chattels  
stolen may  
be laid as  
Property of  
Trustees.

**54.** The Expressions "Wharf Owner" and "Warehouse Owner" in "The Merchant Shipping Act Amendment Act, 1862," shall include the Trustees.

**55.** In any Indictment against any Person for stealing or embezzling any Goods, Chattels, or Property belonging to the Trustees, or in the Custody or Possession of them or of their Officers or Servants, or of the Officers of Customs or Inland Revenue, or of any Person who may have deposited such Goods, Chattels, or Property in the Harbour, such Goods, Chattels, and Property may be laid to be the Goods, Chattels, and Property of the Trustees; and it shall be sufficient on any such Indictment to prove that such Goods, Chattels, and Property were at the Time of the stealing or embezzling thereof in the Harbour, or in the Custody or Possession of the Trustees or their Officers or Servants, or the Officers of Customs or Inland Revenue, or the Person who may have deposited the same as aforesaid (as the Case may be), without any other Proof of Property.

Tonnage  
Rates on  
Vessels.

**56.** The Trustees may from Time to Time demand and take for every Vessel (except a Steam-tug when in use as such) using or entering the Harbour, and for every Vessel (except as aforesaid) leaving the Harbour, any Sum for every Ton Measurement of such Vessel not exceeding

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exceeding the Rates mentioned in the Schedule (A.) to this Act; and every such Sum shall be payable by the Master of such Vessel.

**57.** If any such Vessel using the Harbour, whether it has previously paid or been liable to pay any such Tonnage Rates or not, remain in the Harbour for more than Forty-two Days, the Trustees may demand and take for such Vessel a further Rate of Twopence a Ton for every Week, and so in proportion for any Period less than a Week, during which the Vessel so remains beyond Forty-two Days, but no such additional Rate shall be payable for any Vessel prevented from leaving the Harbour by any Embargo or by Stress of Weather; and in the Case of any Vessel which shall have used or entered the Harbour, and in respect of which all the Rates or Dues which may by this Act be demanded shall have been paid, and shall have gone to Sea and put back from Stress of Weather, the Number of Days such Vessel shall have used the Harbour before going to Sea, and the Number of Days such Vessel shall use the Harbour after so putting back (excluding the Time she shall have been at Sea), shall be accounted as the Number of Days such Vessel shall have used the Harbour, and such Vessel shall not be liable on so putting back to pay any of the Rates mentioned in the Schedule (A.) to this Act.

Further Rates on Vessels remaining more than Forty-two Days.

**58.** The Trustees may from Time to Time agree with the Master or Owner of any Steam Vessel trading to or from the Harbour for the Payment in respect of such Vessel of such special Rates, Dues, or Sums of Money other than those mentioned in the Schedule (A.) to this Act, as they shall think fit.

Power to agree for Payment of special Rates by certain Vessels as in Schedule (A).

**59.** The Trustees may demand and take for every Passenger, including his ordinary Luggage, not exceeding Fifty-six Pounds in Weight, embarking or disembarking within any Dock or Basin, or at or upon any Pier, Quay, Wharf, Jetty, or other Work of the like Nature now or hereafter vested in or constructed or acquired by the Trustees, any Sum not exceeding One Shilling, and for all Luggage belonging to any Passenger beyond Fifty-six Pounds in Weight they may demand and take any further Sum not exceeding Three-pence *per* Hundredweight.

Rates on Passengers.

**60.** The Trustees may from Time to Time demand and take for all Goods which are shipped or unshipped, received or delivered, within any Dock or Basin, or at or upon any Pier, Quay, Wharf, Jetty, or other Work of the like Nature now or hereafter vested in or constructed or acquired by the Trustees, or upon or from the Lands of the Trustees, or which shall be discharged from one Vessel into another Vessel or into the Waterway of the Harbour, any Sum not

Rates on Goods, as in Schedule (B.)

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not exceeding the several Rates in the Schedule (B.) to this Act, and every such Rate shall be payable by the Owner or Consignee of the Goods.

New Rates not to be taken until Contract made and Works commenced.

**61.** Provided always, that the Trustees shall not demand and take the Rates set forth in Schedules (A.) and (B.) to this Act until they shall have entered into a Contract for the Construction of a new Dock and Basin by this Act authorized, and shall have expended thereon at least Ten thousand Pounds; but until those Events shall have happened the Trustees may demand and take the Rates authorized by the recited Act.

Rates for Warehouses, Cranes, &c. as in Schedule (C.)

**62.** The Trustees may from Time to Time demand and take for the Use of any of the Warehouses, Wharfs, Cranes, and Weighing Machines belonging to them from the Owner or Person having the Charge of any Goods deposited therein, or loaded, unloaded, or weighed by means thereof, any Rates not exceeding the several Rates specified in the Schedule (C.) to this Act.

Rate for Shipment of Coals, &c. at Dock.

**63.** The Trustees may (in addition to any other Sums which they are by this Act empowered to demand) demand and take for the Shipment at the Dock by this Act authorized of Coals, Coke, Culm, or Iron Ore by means of Drops any Sum not exceeding Twopence *per* Ton.

Officers of Customs to have free Access to Harbour.

**64.** All Officers of Customs, and all Officers and Men of the Coastguard being in the Execution of their Duty, shall have free Ingress and Egress into and out of the Harbour, and through the Gates and Entrances of any Dock or Basin or other Work within the same, and may freely pass and repass with their Vessels and Boats through any Locks and Water Communications within the same and at all Times, provided the State of the Tide and of the said Water Communication will admit of such passing, without Payment of any Toll or Sum for so doing.

Trustees may appoint Meters, &c.

**65.** The Trustees may appoint such Person or Persons as they may think fit to be Meters and Weighers within the Harbour, and no Persons except such as shall be appointed or allowed by the Trustees shall exercise the Calling of Meter or Weigher therein: Provided always, that nothing herein contained shall prevent the *London and North-western* Railway Company, or the *Maryport and Carlisle* Railway Company (herein-after called "the Two Companies"), from appointing Meters, Weighers, or Porters for Purposes of Traffic conveyed by them over their Railways.

**66.** The

*The Maryport District and Harbour Act, 1868.*

**66.** The Trustees may demand and take in respect of Passengers, Goods, Animals, and Things conveyed on any of the Railways by this Act authorized any Tolls and Charges not exceeding those mentioned in the Schedule (D.) to this Act, which shall include every Expense incidental to the Conveyance, except a reasonable Charge for loading and unloading Goods or Things, and for Delivery and Collection, and any other Service incidental to the Business or Duty of a Carrier where any such Service is performed by the Trustees.

Tolls on Railways as in Schedule (D.)

**67.** Every Passenger travelling upon the Railways by this Act authorized may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Passengers Luggage.

**68.** Nothing in this Act shall prevent the Trustees from taking any increased Charges, over and above the Charges by this Act limited, for the Conveyance of Animals or Goods of any Description, by Agreement with the Owners or Persons in charge thereof, either by reason of any special Service performed by the Trustees in relation thereto, or in respect to the Conveyance of Animals or Goods by Passenger Trains.

Trustees may take increased Charges by Agreement.

**69.** The several Rates by this Act authorized to be demanded and taken by the Trustees may be demanded and taken by such Persons, at such Places, at such Times, and under such Regulations as the Trustees may from Time to Time appoint.

Collectors of Rates.

**70.** The Trustees may, in addition to any other Remedies for the Recovery of Tolls, Rates, and Charges, recover the Tolls, Rates, and Charges by this Act made payable for any Vessel from the Owner or Master thereof, and the Tolls, Rates, and Charges made payable for Animals, Goods, or Things from the Owner or Consignee of the Animals, Goods, or Things, and in every such Case the Tolls, Rates, and Charges may be recovered by the Trustees in any Court of competent Jurisdiction.

Remedies for Rates.

**71.** *Joseph Pocklington Senhouse* Esquire, and his Lessees and Licencees, and also the Two Companies and all Companies and Persons lawfully working or using their respective Undertakings, may respectively run over, work, and use with their own Engines, Carriages, and Servants, and for the Purposes of their Traffic of every Description, the Railways hereby authorized: Provided that such Use shall be subject to the Payment of the Tolls and Charges by this

Running Powers to Maryport and Carlisle and Whitehaven Junction Railway Companies.

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Act authorized, and to the reasonable Byelaws and Regulations of the Trustees.

Power to enter into Traffic Arrangements.

72. The Trustees on the one hand, and *Joseph Pocklington Senhouse* Esquire and the Two Companies, or any or either of them, on the other hand, may from Time to Time enter into Contracts or Arrangements with respect to the following Purposes, or any of them; (that is to say,)

The Construction by the Trustees, and the Maintenance, Repair, and Management by *Joseph Pocklington Senhouse* Esquire, and the Two Companies, or any of them, of the Railways by this Act authorized, or any of them, and of any Drops to be used in connexion therewith:

The Use and Working of the said Railways or either of them, and the Conveyance of Traffic thereon, and also the Use and working of the said Drops:

The Supply of any Rolling or Working Stock, and of Officers and Servants, for the Conduct of the Traffic on the said Railways, and for the working of the said Drops:

The Appropriation for the joint or separate Use of the Trustees, and *Joseph Pocklington Senhouse* Esquire, and the Two Companies, or any of them, of any Railways, Tramways, Drops, Warehouses, Quays, Wharves, or other Conveniences belonging to the Trustees or to *Joseph Pocklington Senhouse* Esquire, or to the Two Companies, or any of them:

The Conditions with respect to the Matters aforesaid:

The Interchange, Accommodation, Conveyance, and Delivery of Traffic coming from or destined for the Railways of the contracting Parties, and the fixing and Division between the said Parties of the Receipts arising from such Traffic.

Trustees to take Rates for Use of Railways and Drops to Extent only required to repay Expenses.

73. Provided always, that notwithstanding anything in this Act contained to the contrary as respects the Tolls and Charges for the Use of the Railways, and as respects the Charge for the Use of the Drops, including in every Case Terminals, the Trustees shall demand and take those Tolls to such an Extent only as will be sufficient to defray,—

1st, Interest at the Rate of Five Pounds *per Centum per Annum* on the Cost of constructing the Railways and Drops, the Amount of such Cost to be agreed upon between the Trustees and the Two Companies respectively:

2nd, the Cost of maintaining and repairing the Railways and Drops:

3rd, the Cost of working the Railways and Drops and of Labour in connexion therewith:

But

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But the Amount of such Tolls and Charges to be payable by each of the Two Companies shall be computed only on such Cost of Construction of the Railways and of such Works as shall be required and agreed to by each Company, or as shall be settled by Arbitration as herein-after mentioned, and of such Maintenance and Repair, Working and Labour, in proportion to the User of such Railways and Works by each such Company: Provided always, that if at any Time any Dispute shall arise as to the Extent of the Railways and Drops, or the Amount of Capital expended or to be expended thereon, or as to the Cost of their Maintenance and Repair, or of their Working or of Labour in connexion therewith, or the Proportions in which the Sums are to be payable by each of the Two Companies for such Tolls and Charges, such Dispute shall be settled by an Arbitrator to be from Time to Time appointed by the Board of Trade on the Application of the Trustees or of the Two Companies, or either of them; and the Costs of, incident to, and consequent on any such Application shall be borne and paid as such Arbitrator shall direct: Provided also, that any such Application, or any Proceeding arising thereunder, shall not during the Pendency of such Arbitration prevent the Trustees demanding and taking such Tolls and Charges for the Use of the Railways and Drops as are by this Act authorized; but the Trustees shall, if such Arbitrator shall award that such Tolls and Charges ought to have been reduced, make to the Parties (if any) aggrieved by such demanding and taking a Drawback or Allowance to such Extent as such Arbitrator shall award to be just and proper.

74. All Works to be constructed by the Trustees under the Authority of this Act in any way affecting the *Whitehaven Junction* Railway of the *London and North-western* Railway Company, or its Works or Lands belonging to the *London and North-western* Railway Company, shall be constructed under the Superintendence and to the reasonable Satisfaction of the principal Engineer for the Time being of the *London and North-western* Railway Company in such Manner and according to Plans previously approved by such Engineer, but at the Expense in all things of the Trustees; and in case any Difference shall arise between the Trustees and that Company as to the said Plans, such Difference shall be determined by an Arbitrator to be appointed by the Board of Trade on the Application either of the Trustees or of that Company; and the Costs of and incident to any such Application, and consequent thereon, shall be borne and defrayed as such Arbitrator shall direct; and such Works shall, as far as may be practicable, be so constructed as to cause no Injury to such Railway, Lands, or Works, or Obstruction to or Interference with the Passage of Traffic thereon; and if any such Injury, Obstruction, or Interference shall arise, the Trustees shall  
make

As to Construction of Works affecting the *Whitehaven Junction* Line of the *London and North-western* Railway.

*The Maryport District and Harbour Act, 1868.*

make full Compensation to the *London and North-western* Railway Company for such Injury, Obstruction, or Interference; and with respect to any Lands belonging to or under the Control of the *London and North-western* Railway Company, which the Trustees are under this Act authorized to take or interfere with, the Trustees shall not purchase or take the same, but they may purchase and take, and that Company may and shall sell and grant accordingly, an Easement or Right of using such Lands for the Purposes for which but for this Enactment the Trustees might purchase and take the same.

Power to Trustees to alter Levels of Rails, &c. of Maryport and Carlisle Railway, and London and North-western Railway, and Tramway belonging to Mr. Senhouse.

**75.** Subject to the Provisions of this Act, the Trustees may alter, either temporarily or permanently, such Portions of the Lines, Levels, and Points of Junction of the Railways of the Two Companies, and of the private Tramway belonging or reputed to belong to *Joseph Pocklington Senhouse* Esquire, as are within the Limits of Deviation shown on the deposited Plans to such Extent and in such Manner as may be necessary for the Purposes of the Dock, Basin, Railways, and other Works by this Act authorized, and may re-construct and re-arrange all or any of such Railways and Tramway as are within such Limits: Provided always, that nothing in this Section contained shall authorize the Trustees to do any Act whereby the efficient working of the Traffic on the said Railways and Tramway shall be interfered with.

Differences as to Alteration of Rails, &c. to be settled by Arbitration.

**76.** If any Difference shall arise between the Trustees and the Two Companies and the said *Joseph Pocklington Senhouse*, or any or either of them, as to the Mode in which such Alteration, Reconstruction, or Re-arrangement shall be carried out, the same shall be determined by an Arbitrator to be appointed, on the Application of either of the said Parties, by the Board of Trade.

Supply of Water to Parish of Flimby.

**77.** The Limits for the Supply of Water by the Trustees as defined by "The *Maryport* Improvement and Harbour Act, 1866," shall be extended by including within such Limits the Parish of *Flimby* in the County of *Cumberland*; provided that the Obligation imposed on the Undertakers by the Thirty-fifth Section of "The Waterworks Clauses Act, 1847," shall only be applicable to the Trustees as regards the District herein-before defined.

Power to acquire Lands for Gasworks.

**78.** The Trustees may purchase, either by Agreement or otherwise, or lease and use, for the Purpose of erecting Gasworks and of manufacturing and storing Gas, the Lands shown on the deposited Plans as intended to be taken for Gasworks, and described in the Schedule (E.) to this Act.

**79.** The



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**79.** The Harbour shall not be liable to "the District Rate" authorized by Section One hundred and seventy-one of the recited Act, but the Trustees shall pay out of the "Harbour Fund" the Costs of lighting the Quays and Piers of the Harbour, and of maintaining and repairing the Highways, Quays, and Wharves of the Harbour.

Provision that Harbour shall not be liable to District Rate.

**80.** Any Person entering into any Contract with the Trustees with respect to the towing of Vessels shall not thereby be disabled from being, continuing, or acting as a Trustee, or as an Officer or Servant of the Trustees, or incur any Penalty by reason of such Contract, or of his being, continuing, or acting as such Trustee or Officer or Servant.

Persons entering into Contracts for towing Vessels not disqualified as Trustees.

**81.** Nothing contained in this Act or to be done under the Authority thereof shall in any Manner affect the Title to any of the Subjects, or any Rights, Powers, or Authorities, mentioned in or reserved by Sections Twenty-one and Twenty-two of "The Crown Lands Act, 1866," or shall divest, alter, or affect any other Estate, Right, or Interest belonging to the Queen's most Excellent Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

**82.** Nothing contained in this Act or in any of the Acts herein referred to shall authorize the said Trustees 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 Right in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Board of Trade on behalf of Her Majesty (which Consent the Board of Trade may give); neither shall anything in the said Act or Acts contained extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Crown in the Shore and Bed of the Sea.

**83.** And whereas it is necessary that the Fortifications and Works belonging to Her Majesty, and under the Charge of Her Majesty's Principal Secretary of State for the War Department, should be preserved intact and free from all Obstruction: Be it therefore enacted, That nothing in this Act contained shall authorize the Trustees to enter upon, use, or interfere with any Land, Soil, or Water, or any Right in respect thereof, or to take away, lessen, prejudice, or alter any of the Rights, Privileges, or Powers, vested in or exercised by the said Principal Secretary for the Time being, without his previous Consent signified in Writing under his Hand, and which Consent the said Principal Secretary for the Time

Saving Rights of Her Majesty's Principal Secretary of State for the War Department.

[Local.]

10 Q

being

*The Maryport District and Harbour Act, 1868.*

being is hereby authorized to give, subject to such special or other Conditions as he shall see fit to impose on the said Trustees.

Saving  
Rights of  
Lord of  
Manor of  
Ellen-  
borough.

84. Nothing in this Act contained shall take away, prejudice, interfere with, or in any Manner whatever affect or recognize or confirm any Right of whatsoever Nature, or any Title or Claim, of the Lord of the Manor of *Ellenborough* to any Lands, Tenements, or Hereditaments, or any Easements connected therewith, beyond the Limits or proposed Limits of the Harbour as herein-before defined, or to any Anchorage Dues on Shipping resorting to such Part of the Harbour as is within the Manor of *Ellenborough*, but such Right, Title, or Claim shall continue and be of the same Effect as if this Act had not passed.

Railways  
not to be  
exempt from  
any General  
Act.

85. Nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made from the Provisions of any General Act relating to Railways now in force, or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Expenses of  
Act.

86. All Costs, Charges, and Expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be borne by the Trustees, and shall be paid by them out of the District Fund and the Harbour Fund in such Proportions as they shall think proper.

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*The Maryport District and Harbour Act, 1868.*

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## SCHEDULES referred to in the foregoing Act.

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SCHEDULE (A.)

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## TONNAGE RATES.

## INWARD CHARGES.

	s.	d.
For every Vessel with a Cargo from any Port in the United Kingdom, or the Isle of Man, or the Channel Islands, per Ton Register -	0	6
For every Vessel with a Cargo from any other Port or Place, per Register Ton - - - - -	0	9
For every Vessel entering the Harbour without Cargo, or in Ballast -	0	2½

## OUTWARD CHARGES.

For every Vessel clearing, either with or without a Cargo on board, for any Port in the United Kingdom, or the Isle of Man, or the Channel Islands, per Register Ton - - - - -	0	5
For every Vessel clearing, either with or without a Cargo on board, for any other Port or Place, per Register Ton - - - - -	0	9

Paddle Steam Vessels entering the Harbour may, in the Discretion of the Trustees, be charged One Third, and Screw Steam Vessels One Sixth, in addition to the above Rates.

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## SCHEDULE (B.)

## RATES OR TOLLS ON GOODS.

	s.	d.
For every Ton of Coal put on board any Vessel in the Harbour for Export, Coastwise - - - - -	0	1
For every Ton of Iron Ore, Stone, Lime, Tiles, or Bricks put on board any Vessel in the Harbour for Export, Coastwise - - -	0	1½
For every Ton of Coal put on board any Vessel in the Harbour for Export, Foreign - - - - -	0	2
For every Ton of Iron Ore, Stone, Tiles, or Bricks put on board any Vessel in the Harbour for Export, Foreign - - - - -	0	3
For every Ton of Coke, Culm, or Cinders put on board any Vessel in the Harbour - - - - -	0	2
For every Load of Timber containing Fifty Cubic Feet received or delivered from or put on board any Vessel in the Harbour -	1	0
And in case such Timber shall continue in the Harbour for a longer Period than One Week, then for each Week beyond such First Week, per Load - - - - -	0	3
For every Standard of Deal, Deal Ends, Battens, or Batten Ends delivered from or put on board any Vessel in the Harbour -	3	0
For every Fathom of Lathwood delivered from or put on board any Vessel in the Harbour - - - - -	0	6
For every One hundred and twenty Staves delivered from or put on board any Vessel in the Harbour - - - - -	0	6
For every Ton Weight of Goods, Wares, or Merchandise of every other Kind, Character, or Description, and whether liquid or solid, received or delivered from or put on board any Vessel in the Harbour - - - - -	1	0
Or, at the Option of the Trustees, for every Ton Measurement of such Goods and Merchandise, each Ton comprising Forty Cubic Feet, per Ton - - - - -	1	6
For every Package or Parcel of Goods, Wares, or Merchandise less than a Ton either of Weight or Measurement, the same Sum as is payable in respect of a Ton.		
For every Horse, Mule, and other Beast of Draught or Burthen -	1	6
For every Ox, Cow, Bullock, Steer, or Heifer - - - - -	1	6
For every Calf, Pig, Sheep, Lamb, or other small Animal - - -	0	6
For every reclaimed and domestic Fowl - - - - -	0	1

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SCHEDULE (C.)

WAREHOUSE AND WHARFAGE RATES AND RENT, AND TOLLS FOR USE OF CRANES AND WEIGHING MACHINES.

Rates.	Wharfage.	Rent per Week.		For Use of Cranes and Weighing Machines.		
		s.	d.	s.	d.	
Alum - - - - - per Ton	0	1	0	2	0	5
" - - - - - per Hogshead	0	6	0	1	0	3
Apples - - - - - per Hogshead	0	6	0	1	0	3
" - - - - - per Cask	0	4	0	0	0	2
Ashes - - - - - per Ton	0	9	0	2	0	4
" Russian - - - - - per Cask	0	6	0	1	0	4
" American - - - - - per Barrel	0	4	0	1	0	2
Bacon - - - - - per Bale	0	3	0	1	0	1
" - - - - - per Side	0	1	0	0	0	0
Beer or Cyder - - - - - per Butt	0	6	0	1	0	0
" - - - - - per Hogshead	0	3	0	1	0	3
" - - - - - per Barrel	0	2	0	0	0	1
" - - - - - per Hamper	0	2	0	0	0	1
" - - - - - per Kilderkin	0	1	0	0	0	0
Bellows, large - - - - - each	0	4	0	0	0	1
" small - - - - - per Bundle	0	2	0	0	0	0
Blood Manure - - - - - per Ton	1	0	0	6	0	6
Bones - - - - - per Ton	0	6	0	2	0	6
Brass Wire - - - - - per Ton	1	6	0	3	0	6
Bricks and Tiles, common - - - - - per 1,000	1	0	0	2	1	0
" Paving, Malt, Kiln, Tiles - - - - - per 100	0	6	0	1	0	6
" Fire - - - - - per 1,000	2	0	0	4	2	0
Brimstone or Fuller's Earth - - - - - per Ton	1	0	0	1	0	6
Brooms - - - - - per Dozen	0	1	0	0	0	0
Butter - - - - - per Firkin	0	1	0	0	0	0
Copper and other Metallic Ores - - - - - per Ton	0	4	-	-	-	-
Copper and Brass Battery - - - - - Ditto	1	2	0	2	0	6
" Nails, Wrought, Copper, or Brass - - - - - Ditto	1	6	0	2	0	6
Chairs - - - - - per Bundle	0	1	0	0	0	0
Cattle - - - - - each	0	6	-	-	0	6
Carriages - - - - - Ditto	2	0	-	-	2	0
" Cart - - - - - Ditto	1	6	-	-	1	6
" Chaise, Four-wheel - - - - - Ditto	1	6	-	-	1	6
" Phaeton or Gig - - - - - Ditto	1	3	-	-	1	3
" Omnibus - - - - - Ditto	5	0	-	-	5	0
" Stage Coach - - - - - Ditto	4	0	-	-	4	0
" Waggon - - - - - Ditto	2	6	-	-	2	6
" Harrows or Ploughs - - - - - Ditto	0	6	-	-	0	3
Carboys, large - - - - - Ditto	0	6	-	-	0	2
" small - - - - - Ditto	0	3	-	-	0	1
Cement, or Plaster of Paris - - - - - per Barrel	0	1	0	1	0	1
" - - - - - per 1/2 ditto	0	1	0	0	0	0
" - - - - - per 1/4 ditto	0	0	0	0	0	0
Candles - - - - - per Box	0	1	0	0	0	0
Cheese - - - - - per Ton	1	6	0	9	0	6
Coal, Culm, or Stone Coal - - - - - Ditto	0	2	-	-	-	-
Corn, Wheat, Barley, Oats, &c. - - - - - Quarter	0	2	0	1	0	2

[Local.]

10 R

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Rates.	Wharfage.	Rent per Week.	For Use of Cranes and Weighing Machines.
	s. d.	s. d.	s. d.
Cotton - - - - - per Bag	0 4	0 1	0 1½
" - - - - - per Bale	0 4	0 1	0 1½
" - - - - - per Packet	0 2	0 0½	0 1
" - - - - - per Seron	0 1	0 0¼	0 0½
Coffee - - - - - per Tierce	0 6	0 1½	0 2
" - - - - - per Bag	0 1	0 0½	0 0½
" East India, &c. - - - - - per Bale	0 2	0 1½	0 1½
Cork, Wood, loose - - - - - per Ton	2 3	0 4	0 9
Corks, large - - - - - per Bag	0 1½	0 0½	0 0½
" small - - - - - Ditto	0 1	0 0¼	0 0½
Crates of Ware, 10 Cwt. - - - - - large	0 9	0 0¾	0 3
" 5 Cwt. - - - - - small	0 6	0 0½	0 2
Deals, per St. Petersburg std. - - - - - per 120	1 0	0 2	2 0
Deal Ends - - - - - per 120	0 4	0 1	0 9
Dogs - - - - - each	0 2	-	0 1
Drugs, per Hamper or Box - - - - - each	0 4	0 1	0 1½
Eggs - - - - - per Chest	0 2	0 1½	0 0½
Fish - - - - - per Barrel	0 1½	0 0½	0 0½
Flax - - - - - per Ton	1 9	0 4	0 9
Flour - - - - - per Sack	0 2	0 1	0 1
" or Meal, per 20 Barrels or Bags - - - - - Ditto	1 8	0 10	0 10
Fruit—Currants, above 15 Cwt. - - - - - per Butt	1 0	0 6	0 4
" " " 7 Cwt. and under - - - - - Ditto	0 9	0 4	0 3
" " " 15 Cwt. - - - - - Ditto	0 6	0 3	0 2
" " under 7 Cwt. - - - - - Ditto	0 3	0 1	0 1
" " " - - - - - per Chest	0 2	0 0½	0 1
" " " - - - - - per Bag	0 1	0 0½	0 0½
" " " - - - - - per Basket or Box	0 1	0 0½	0 0½
Furniture and Goods, per Measure - - - - - ¼ per Foot	0 2½	0 1	0 1
" " per Barrel Bulk per 5 Square Feet	1 6	0 3	0 6
Fustic - - - - - per Ton	1 6	0 3	0 3
Glass - - - - - per Hogshead	1 0	0 2	0 2
" - - - - - per Tierce	0 6	0 1½	0 1½
" - - - - - per Bar	0 4	0 1	0 1
" - - - - - per Crate	0 2	0 1	0 1
" - - - - - per Side	1 0	0 6	0 9
Guano - - - - - per Ton	0 2	-	0 1
Gunpowder - - - - - per Barrel	0 2	0 0¼	0 1
Hampers, empty - - - - - per Dozen	0 2	0 1	0 1
Hardware - - - - - per Hamper	1 9	0 4	0 9
Hemp - - - - - per Ton	0 3	0 1½	0 1
Hops - - - - - per Bag	0 1½	0 1	0 0½
" - - - - - per Pocket	2 0	-	2 0
Horses - - - - - each	1 0	-	1 0
" Ponies - - - - - Ditto	1 0	-	1 0
" Asses or Mules - - - - - Ditto	1 0	-	1 0
Indigo - - - - - per Chest	1 0	0 1½	0 2
" - - - - - per Seron	0 4	0 0½	0 1
Iron—Bar, Bolt, Pig, Guns, Shot, Wire, Cast Iron, Gun Carriages - - - - - per Ton	0 6	-	-
" Broken or Ballast - - - - - Ditto	0 4	-	-
Juice (Liquorice, &c.) - - - - - per Chest	0 3	0 0½	0 1
Lead or Sheet Lead - - - - - per Ton	1 0	0 2	0 4
" White or Red - - - - - Ditto	1 6	0 3	0 4
Leather - - - - - per Cwt.	0 2½	0 1	0 1½
Limestone - - - - - per Ton	0 2	0 0½	0 4
Lime - - - - - per Chaldron	0 6	0 1	-
Logwood - - - - - per Ton	1 6	0 2	0 6

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Rates.	Wharfage.	Rent per Week.		For Use of Cranes and Weighing Machines.	
		s.	d.	s.	d.
Manure - - - - - per Ton	0	2	-	-	-
Marble, Black, under 2 Tons - - - - - Ditto	2	0	0	4	2
„ 2 and under 5 - - - - - Ditto	3	0	0	6	3
„ above 5 Tons - - - - - Ditto	5	0	0	6	5
Molasses - - - - - per Puncheon	0	6	0	1	0
„ - - - - - per Half Ditto	0	3	0	0 $\frac{1}{2}$	0
Mustard - - - - - per Keg	0	1	0	0 $\frac{1}{4}$	0
Music, per Case, large - - - - - per Foot	0	0 $\frac{1}{2}$	0	6	1
„ „ small - - - - - Ditto	0	0 $\frac{1}{2}$	0	3	0
Nitre of Phosphate - - - - - per Ton	1	0	0	6	0
Nuts - - - - - per Bag	0	1	0	0 $\frac{1}{4}$	0
Oak Knees, large - - - - - each	0	2	-	-	0
„ small - - - - - Ditto	0	1	-	-	0
Oak Bark, loose - - - - - per Ton	1	0	0	4	2
„ Bags - - - - - - - - -	0	6	0	2	1
Oak, Ash, Elm, or other Timber - - - - - per Load	1	3	-	-	1
Oil „ „ „ - - - - - per Ton, 50 Feet	0	8	0	1	1
„ - - - - - per Leager	2	0	0	3	0
„ - - - - - per Pipe	1	0	0	2	0
„ - - - - - per Hogshead	0	6	0	1	0
„ - - - - - per Barrel	0	4	0	0 $\frac{1}{2}$	0
„ - - - - - per Can	0	2	0	0 $\frac{1}{2}$	0
Pepper, per Bag, large - - - - -	0	4	0	1	0
„ „ small - - - - -	0	1 $\frac{1}{2}$	0	0 $\frac{1}{2}$	0
Pigs - - - - - each	0	2	-	-	0
Potatoes - - - - - per Ton	1	0	0	6	1
Pork or Beef - - - - - per Tierce	0	3	0	0 $\frac{3}{4}$	0
„ - - - - - per Barrel	0	2	0	0 $\frac{1}{2}$	0
„ - - - - - per Half Barrel	0	1	0	0 $\frac{1}{4}$	0
Rags - - - - - per Ton	1	6	0	3	0
Rice - - - - - Ditto	1	6	0	2	0
„ - - - - - per Bag	0	1	0	0 $\frac{1}{2}$	0
Rope or Junk - - - - - per Cwt.	0	1	0	1	0
Salt - - - - - per Ton	0	6	-	-	0
Saltpetre or Nitre, rough - - - - - Ditto	1	8	-	-	0
„ „ refined (Cakes) - - - - - Ditto	2	6	-	-	0
Seeds - - - - - per Sack	0	3	0	0 $\frac{1}{2}$	0
Sheep - - - - - each	0	2	-	-	0
Shumac - - - - - per Bag	0	2	0	0 $\frac{1}{4}$	0
Shoes - - - - - per Hamper	0	2	0	1	0
Slates - - - - - per Ton	0	6	0	1	0
Soap, large - - - - - per Chest	0	6	0	1	0
„ under 3 Cwt. - - - - - Ditto	0	4	0	0 $\frac{1}{2}$	0
Soda - - - - - per Hamper	0	2	0	1	0
Spars, 6 In. and under 8 Diam. - - - - - each	0	3	-	-	-
„ 8 „ 12 „ - - - - - Ditto	0	6	-	-	-
„ 12 and upwards - - - - - Ditto	1	0	-	-	-
Sugar, refined - - - - - per Cwt.	0	1	perhd 2	-	0
„ raw - - - - - per Hogshead	0	8	0	2	0
„ „ - - - - - per Tierce	0	6	0	1 $\frac{1}{2}$	0
„ „ - - - - - per Barrel	0	3	0	1	0
„ „ - - - - - per Bag	0	1 $\frac{1}{2}$	0	0 $\frac{1}{2}$	0
Sulphur - - - - - per Ton	0	4	0	2	0
Sulphur ore - - - - - per Ton	0	4	0	2	0
Tallow, 12 Cwt. - - - - - per Hogshead	0	6	0	2	0
„ 8 „ - - - - - per Cask	0	4	0	1 $\frac{1}{2}$	0
Tar - - - - - per Barrel	0	1	-	-	0

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Rates.	Wharfage.	Rent per Week.		For Use of Cranes and Weighing Machines.		
		s.	d.	s.	d.	
Tar - - - - - per Half Barrel	0	0 <sup>3</sup> / <sub>4</sub>	—	0	0 <sup>3</sup> / <sub>4</sub>	
Tea - - - - - per Chest	0	4	0	2	0	1 <sup>1</sup> / <sub>2</sub>
" - - - - - per Half Ditto	0	2	0	1 <sup>1</sup> / <sub>2</sub>	0	1
" - - - - - per Quarter Ditto	0	1	0	1	0	0 <sup>1</sup> / <sub>2</sub>
Tin - - - - - per Barrel or Block	0	2	0	2	0	6
" - - - - - per Ton	2	0	0	2	0	6
Tin Plates - - - - - per Box	0	0 <sup>1</sup> / <sub>2</sub>	0	0 <sup>1</sup> / <sub>4</sub>	0	0 <sup>1</sup> / <sub>2</sub>
Tobacco - - - - - per Hogshead	0	9	0	4	0	3
" - - - - - per Chest	0	4	0	0 <sup>1</sup> / <sub>2</sub>	0	1
" - - - - - per Box	0	3	0	0 <sup>1</sup> / <sub>2</sub>	0	0 <sup>1</sup> / <sub>2</sub>
Vegetables - - - - - per Sack or Hamper	0	1	0	0 <sup>1</sup> / <sub>2</sub>	0	1
Vinegar - - - - - per Pipe	1	0	0	3	0	4
" - - - - - per Hogshead	0	6	0	1 <sup>1</sup> / <sub>2</sub>	0	2
" - - - - - per Barrel	0	3	0	1	0	1
Wine or Spirits - - - - - per Pipe	1	0	0	6	0	6
" - - - - - per Puncheon	0	9	0	4	0	4
" - - - - - per Hogshead	0	6	0	2	0	2
" - - - - - per Quarter Pipe	0	4	0	1	0	1 <sup>1</sup> / <sub>2</sub>
" Cases or Casks - - - - - under Ditto	0	2	0	1	0	1
" - - - - - per Hamper	0	3	0	1	0	1
" - - - - - Jars	0	2	0	1	0	1
Wool, Spanish - - - - - per Bag	1	0	0	1	0	4
" English - - - - - Ditto	1	0	0	0 <sup>1</sup> / <sub>2</sub>	0	4
Yarn - - - - - per Ton	1	8	0	4	0	4
Yeast - - - - - per Puncheon	0	6	0	2	0	3
Zinc, manufactured - - - - - per Cwt.	0	1	0	0 <sup>1</sup> / <sub>2</sub>	0	0 <sup>1</sup> / <sub>2</sub>
Small Parcels - - - - - each	0	2	—	—	—	—

For every other Article of Goods, Wares, or Merchandise whatsoever which shall be shipped from or landed or deposited upon the Wharves or Quays in the Harbour, such reasonable Rates as the Trustees shall think fit.

And for the Use of the Warehouses, such reasonable Rate, Rent, or Sum as the Trustees shall think fit.



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## SCHEDULE (D.)

	Toll.		Carriage or Waggon.		Locomo- tive Power.	
	s.	d.	s.	d.	s.	d.
For every Passenger	0	2	0	0½	0	0½
For every Ton of Coal, Coke, Culm, Cinders, Iron Ore, Stone, Lime, Tiles, or Bricks	0	1¼	0	0¼	0	0½
For every Load of Timber containing Fifty Cubic Feet	0	5¼	0	0¼	0	0½
For every Ton Weight of Goods, Wares, Merchandise, or Things of every other Kind, Character, or Description, and whether liquid or solid	0	5¼	0	0¼	0	0½
Or, at the Option of the Trustees, for every Ton Measurement of such Goods and Merchandise, each Ton comprising Forty Cubic Feet	0	8¼	0	0¼	0	0½
For every Carriage not being a Carriage adapted and used for travelling on a Railway carried or conveyed on a Truck or Platform, per Ton	0	7¼	0	0¼	0	0½
For any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which with the Carriage shall exceed Eight Tons, the Trustees may demand such Sum as they think fit.						
For every Package or Parcel of Goods, Wares, Mer- chandise, or Thing less than a Ton either of Weight or Measurement, the same Sum as is payable in respect of a Ton.						
For every Horse, Mule, or other Beast of Draught or Burthen	0	11	0	0½	0	0½
For every Ox, Cow, Bull, Steer, or Heifer	0	11	0	0½	0	0½
For every Calf, Pig, Sheep, Lamb, or other small Animal	0	5	0	0½	0	0½

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SCHEDULE (E.)

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First. A Piece of Land with the Buildings thereon, and situated in the Township of Netherhall and Parish of Cross Canonby, belonging or reputed to belong to Joseph Mark, and occupied as to Part by John Pattinson, and as to Residue by John Mark, and commonly called "Mark's Tanyard."

Second. Three Pieces of Land with the Buildings thereon, belonging or reputed to belong to Joseph Pocklington Senhouse, Esquire, and in the Occupation of the said John Mark, adjoining the North-easterly Side of the Property firstly described.

Third. A Piece of Land belonging or reputed to belong to and in the Occupation of Joseph Pocklington Senhouse, Esquire, adjoining the North-easterly Corner of the Property secondly described.

Fourth. A Piece of Land belonging or reputed to belong to Joseph Pocklington Senhouse, Esquire, and in the Occupation of Henry Clark, adjoining the Properties secondly and thirdly described, and extending Northwards for a Distance of One hundred and forty Yards or thereabouts from the North Side of the Property firstly described.

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