



CHAPTER xcvi.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Criccieth, Gloucester, Humber, and Penzance. A.D. 1890.
—

[25th July 1890.]

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

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

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The several Orders as amended and set out in the schedule to this Act shall be and the same are hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, have full validity and force. Confirmation
of Orders in
schedule.

2. The undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, without the consent of the Local Government Board in England, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district ten or more houses which, after the passing of this Act, have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. Special pro-
vision as to
houses of
labouring
class.

A.D. 1890.

For the purposes of this section the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 3) Act, 1890.

THE SCHEDULE OF ORDERS.

1. CRICCIETH.—Construction of pier.
 2. GLOUCESTER.—Incorporation of harbour authority.
 3. HUMBER.—Construction of training walls.
 4. PENZANCE.—Construction of pier.
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CRICCIETH.

*For the construction maintenance and regulation of a Breakwater
Pier and Harbour at Criccieth in the county of Carnarvon.* A.D. 1890.
Criccieth.

1. The Criccieth Pier and Harbour Company Limited shall be the Undertakers for carrying this Order into execution and shall have and may exercise the powers privileges and authorities conferred by this Order. Undertakers.

2. The limits within which the Undertakers shall have authority (which shall be deemed to be the limits to which this Order extends) comprise the harbour of Criccieth and the breakwater pier and works by this Order authorised. Limits of Order.

The limits of the harbour of Criccieth are as follows namely between the shore line at high water ordinary spring-tide mark and an imaginary line commencing at the north-eastern termination of the said breakwater and pier and terminating at the west end of the esplanade at Criccieth which limits are in this Order termed the limits of this Order.

3. The Lands Clauses Consolidation Act 1845 and the Lands Clauses Consolidation Acts Amendment Act 1860 except the provisions of the former Act relating to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking shall be incorporated with this Order. Incorporation of Lands Clauses Acts.

4. For the purposes of the works authorised by this Order the Undertakers may from time to time by agreement enter on take and use all or such parts of the lands and foreshore shown on the plans deposited with reference to this Order as they may think requisite for the purposes of this Order. Power to take lands by agreement.

5. The Undertakers may purchase and hold for extraordinary purposes any lands not exceeding in the whole five acres but this Order shall not exempt the Undertakers from any proceeding for any nuisance caused by them upon any land taken by them under this Order. Lands for extraordinary purposes.

6. 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 require from time to time before the completion of the works in order to prevent injury to navigation the Undertakers may in the lines and situation and according to the levels and within the limits of deviation shown on the deposited plan and sections make and maintain the breakwater pier and harbour authorised by this Order. Power to construct works.

7. The works authorised by this Order are situated wholly in the county of Carnarvon and comprise— Description of works.

A breakwater pier quay and landing place with all proper works approaches appliances sheds houses and conveniences connected therewith for the embarking and landing of passengers goods fish merchandise and other purposes commencing at the south-eastern corner of the Castle Rock in the parish of Criccieth and extending in a north-easterly direction for a distance of 500 feet or thereabouts :

A.D. 1890.

Criccieth.

The dredging deepening scouring cleansing and removing of any rocks shoreway sand or mud within or adjoining the said intended breakwater pier and harbour or in the approach thereto :

Provided that works authorised by this section below high-water mark shall not be commenced without the assent thereto in writing of the Board of Trade having been first obtained.

Power to deviate.

8. Subject to the provisions of this Order the Undertakers may in the execution of the works authorised by this Order deviate laterally from the lines of such works to any extent which may be approved in writing from time to time by the Board of Trade and may deviate vertically from the levels of such works as shown on the deposited sections to any extent not exceeding five feet.

Penalty for obstructing works.

9. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works by this Order authorised or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of such works or defaces or destroys such works or any part thereof shall for every such offence be liable to a penalty not exceeding five pounds.

Power to levy rates.

10. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary for the due construction of the works authorised by this Order have been given the Undertakers may subject and according to the provisions of this Order demand recover and receive for the use of the harbour breakwater and works in respect of vessels boats passengers promenaders animals fish goods minerals and other matters and things described in the schedule to this Order any sums not exceeding the several rates specified in such schedule.

Rates for use of warehouses &c.

11. The Undertakers may demand recover and receive such rates or other considerations as they may think reasonable for the use of any warehouses offices sheds moorings weighing machines cranes lifts and other works buildings machinery and conveniences belonging to the Undertakers for the use of which rates are not specially fixed in the Schedule to this Order.

Power to lease rates.

12. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding seven years for such rent or consideration and on such terms and conditions as they may think fit and the lessee shall have and may exercise during the continuance of his lease the same powers of demanding and recovering rates as the Undertakers have or might exercise under The Harbours Docks and Piers Clauses Act 1847 and this Order and shall be subject to all the provisions as to accounts or otherwise to which the Undertakers are subject under this Order.

Rates may be levied though works not completed.

13. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade and paid by the Undertakers that the works authorised by this Order have been so far completed as to afford accommodation for the landing and embarking or shipping of passengers and goods by means of such works the Undertakers may notwithstanding the twenty-fifth section of the Harbours Docks

and Piers Clauses Act 1847 and although the whole of the works authorised by this Order shall not then have been completed demand receive and recover such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall in the opinion of the Board of Trade be commensurate to the accommodation afforded.

A.D. 1890.

Criccieth.

14. The Undertakers may from time to time confer vary or extinguish exemptions from and enter into compositions with any person or persons with respect to the payment of the rates authorised by this Order but so that no preference be in any case given and that anything done under this section shall not prejudice the other provisions of this Order.

Power to compound for rates.

15. If at any time and from time to time the clear annual income derived from the harbour breakwater pier and works authorised by this Order on the average of the then three last preceding years after payment of all expenses and outgoings other than principal or interest in respect of money borrowed shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing the works authorised by this Order the Board of Trade may if in their discretion they think fit on application in writing from six or more of the owners of vessels or boats using the harbour breakwater pier and works and after hearing the Undertakers reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the schedule to this Order.

Board of Trade may reduce rates.

16. The Undertakers within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the 25th day of March in each year) shall send a copy of the same to the Board of Trade and the sixteenth section of The General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Annual account to be sent to Board of Trade.

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

Certain fishing vessels under stress of weather exempt from rates.

18. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress to and passage and egress on into along through and out of the harbour by land and with their vessels and otherwise without payment.

Exemption of certain officers.

19. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of a lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times

Lifeboat crew exempt from tolls.

A.D. 1890.

have free ingress passage and egress to or along and from the harbour without payment.

Criccieth.

Life-saving apparatus may be attached to harbour.

20. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may either permanently or temporarily and from time to time without payment attach or cause to be attached to any part of the harbour spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the breakwater and pier.

Application of receipts.

21. The rates received under this Order shall be applied for the purposes and in the order following and not otherwise (that is to say):—

(1.) In paying the expenses of the maintenance repair improvement management and regulation of the harbour breakwater pier and works authorised by this Order :

(2.) The surplus revenue (if any) after providing for the purposes aforesaid shall belong to the Undertakers for their use.

Portions of Harbours Clauses Act excepted.

22. Sections sixteen seventeen eighteen and nineteen of The Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Undertakers shall at their own expense when required by the Board of Trade provide to the satisfaction of the Board of Trade a site near the breakwater and pier and build on such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Vessels not to anchor within limits of Order without consent.

23. No vessel shall without the consent of the Undertakers or their piermaster anchor within the limits of this Order.

Power to make byelaws.

24. The Undertakers may from time to time make byelaws—

(1.) For the regulation and control of vessels and boats within the limits of this Order :

(2.) For the regulation and control of all persons who shall be employed within the limits of this Order and of goods ballast and traffic within those limits :

(3.) For setting apart and appropriating any portion of the pier or works or conveniences to or for the use and accommodation of any particular trades persons companies vessels or class of vessels or goods : and

(4.) For providing that no person company or vessel shall make use of any such parts of the pier or works or conveniences so set apart and appropriated without the consent in writing of the Undertakers under the hand of their piermaster :

But such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

As to lights during construction of works.

25. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited

and shall in all respects obey any directions given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works and compliance with directions so given shall satisfy and be in lieu of every other statutory requirement as to lights during the construction of the works by this Order authorised. If the Undertakers neglect to observe any direction of the Board of Trade as to lights during the construction of the works they shall for each offence be liable to a penalty not exceeding ten pounds.

A.D. 1890.

Criccieth.

26. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall at the outer extremity of the pier and works or the completed portions thereof exhibit during all or any part of the time from sunset to sunrise and according to the season of the year and the requirements of the traffic such light or lights (if any) 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 lighting and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

As to lights
after com-
pletion of
works.

27. In case of injury to or destruction or decay of the breakwater pier or works or any part thereof the Undertakers 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 and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any directions given in reference to the means to be taken.

Provision
against danger
to navigation.

28. In the following cases (that is to say) :—

- (1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced ; or
- (2.) If such works after having been commenced should be suspended for twelve consecutive calendar months ;

Powers to
cease in cer-
tain events.

the powers by this Order given for executing such works or otherwise in relation thereto shall cease to be exercised except as to so much of such works as shall be then completed unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

29. This Order shall not be taken as a consent to the surrender of any rights interests powers authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act 1866 nor shall any works under this Order be commenced within the limits affected by any such rights interests powers authorities or privileges without the assent of the Board of Trade having been first obtained.

Saving rights
under Crown
Lands Act
1866.

A.D. 1890.

Criccieth.
Costs of Order.

30. All the costs charges and expenses of or incidental to the obtaining of this Order and otherwise incurred in relation thereto shall be paid by the Undertakers.

Short title.

31. This Order may be cited as The Criccieth Breakwater Pier and Harbour Order 1890.

SCHEDULE to which the foregoing Order refers.

Rates on Passengers.

	£	s.	d.
For every passenger landed on or embarking from the breakwater pier or works—			
On week days - - - - -	0	0	1
On Sundays - - - - -	0	0	2

Rates for Promenaders on the Breakwater or the Approaches thereto.

For every person who shall use the breakwater or approaches for the purpose of walking or any other purpose except for landing on or embarking therefrom for each time any sum not exceeding -	0	0	2
For every bath or sedan chair taken on the breakwater or approaches including the person in charge for each time any sum not exceeding -	0	0	4
For every perambulator for each time including the person in charge any sum not exceeding -	0	0	4

Rates on vessels using the Breakwater or Pier or entering within the limits of this Order.

1. For all vessels from any port in Great Britain or Ireland to load or unload - - - - - per register ton	0	0	4
2. For all vessels windbound not loading or unloading - - - - - per register ton	0	0	2
3. For all vessels laid up in the harbour to pay per month or part of a month - - - - - per register ton	0	0	3
4. For all vessels to or from any port or place in Europe - - - - - per register ton	0	0	6
5. For all vessels not included in the foregoing classes - - - - - per register ton	0	0	8
And for the harbour lights - - - - - per register ton	0	0	0½

But duties for lights shall only be demanded and received so long as a light or lights continue to be duly exhibited during the proper hours.

	£	s.	d.	A.D. 1890.
Rates on Boats.				
All boats engaged in fishing at the port or harbour in full of tonnage duty for the year (payable on or before the first day of January) - - - - - per annum	1	0	0	Criccieth.
All boats loading or discharging herrings or other fresh fish not engaged in fishing at the port for the season shall each pay for every time they so load or discharge - - - - -	0	1	6	
All boats entering the harbour windbound or for shelter having no cargo on board to pay every time they enter the harbour -	0	1	0	
All boats entering the harbour windbound or for shelter having a cargo on board but not discharging to pay for every time	0	1	0	
All other boats loading or discharging - - - - - for every time	0	2	0	
Yachts up to 15 tons register - - - - - per annum	1	10	0	
Decked sailing boats of 27 feet water line - - - - - per annum	1	0	0	
Open do. do. exceeding 18 ft. and under 25 ft. keel				
per annum	0	15	0	
Do. do. do. under 18 ft. keel - - - - - per annum	0	10	0	
Rowing boats - - - - - per annum	0	5	0	
Canoes - - - - - per annum	0	2	0	
All boats when above fifteen tons register to be charged as ships according to tonnage dues.				
For every boat or fishing vessel fitted out for or returning from other fishing stations not paying dues as above including dues on furniture - - - - -				
	0	1	0	

Rates on goods—Articles of Export and Import.

Animals (see Cattle).

Bark of all kinds - - - - - per ton	0	1	0
Barrels herrings and cod (empty) - - - - - each	0	0	0½
Beef or pork - - - - - per 2½ cwt.	0	0	3
Beer of all kinds in cask - - - - - per 36 gallons or less	0	0	3
Bones of cattle &c. - - - - - per ton	0	1	0
Bones (crushed) - - - - - per ton	0	1	0
Bone ash - - - - - per ton	0	1	0
Blubber - - - - - per ton	0	2	0
Bottles (empty) - - - - - per gross	0	0	3
Bottles (full) - - - - - per 2½ cwt.	0	0	3
Bran - - - - - per cwt.	0	0	1
Brass - - - - - per ton	0	2	0
Bricks - - - - - per 1000	0	1	0
Burnt ore - - - - - per ton	0	0	3
Butter - - - - - per cwt.	0	0	2
Candles - - - - - per 2½ cwt.	0	0	3
Carboys - - - - - per gallon or less	0	0	3
Carriages four-wheels viz. :—			
Coaches and chaises - - - - - each	0	3	0
Dog-cart or phaeton - - - - - each	0	1	6
Two-wheeled gig or dog-cart - - - - - each	0	1	0
	9		

A.D. 1890.

£ s. d.

Criccieth.

Carts and other two-wheeled carriages	-	-	-	-	-	each	0	1	0
Carrots	-	-	-	-	-	per ton	0	0	6
Casks (empty) puncheons	-	-	-	-	-	each	0	0	4
hogsheads	-	-	-	-	-	each	0	0	2
barrels	-	-	-	-	-	each	0	0	1
Cattle &c. :									
Bulls	-	-	-	-	-	each	0	2	6
Cows oxen or queys fat	-	-	-	-	-	each	0	2	0
Do. do. lean	-	-	-	-	-	each	0	1	0
Calves	-	-	-	-	-	each	0	0	6
Horses	-	-	-	-	-	each	0	3	0
Ponies	-	-	-	-	-	each	0	1	0
Asses	-	-	-	-	-	each	0	1	0
Pigs	-	-	-	-	-	each	0	0	3
Sheep	-	-	-	-	-	each	0	0	2
Lambs	-	-	-	-	-	each	0	0	2
Cement	-	-	-	-	-	per ton	0	1	6
Chemical manures	-	-	-	-	-	per ton	0	1	6
Cinders and coke	-	-	-	-	-	per ton	0	1	0
Clay—china or stone	-	-	-	-	-	per ton	0	0	6
Do. pipe	-	-	-	-	-	per ton	0	0	6
Clay and loam	-	-	-	-	-	per ton	0	0	2
Coals of all kinds	-	-	-	-	-	per ton	0	0	6
Cod	-	-	-	-	-	per score	0	0	3
Copper	-	-	-	-	-	per cwt.	0	0	1½
Cork	-	-	-	-	-	per 70 lbs.	0	0	3
Clothiery and haberdashery goods	-	-	-	-	-	per 2½ cwt.	0	0	3
Corn &c. :									
Wheat and malt	-	-	-	-	-	per quarter	0	0	4
Barley bigg rye and buckwheat	-	-	-	-	-	per quarter	0	0	3
Oats	-	-	-	-	-	per quarter	0	0	2
Beans pease and tares	-	-	-	-	-	per quarter	0	0	3
Indian corn	-	-	-	-	-	per quarter	0	0	3
Meal of all kinds	-	-	-	-	-	per cwt.	0	0	1
Flour	-	-	-	-	-	per cwt.	0	0	2
Coprolites (ground)	-	-	-	-	-	per ton	0	0	9
„ (unground)	-	-	-	-	-	per ton	0	0	6
Cotton wool	-	-	-	-	-	per 80 lbs.	0	0	3
Dogs	-	-	-	-	-	each	0	0	6
„ (shepherds')	-	-	-	-	-	each	0	0	3
Dung	-	-	-	-	-	per ton	0	0	6
Eggs	-	-	-	-	-	per 2½ cwt.	0	0	3
Fish (salted or smoked)	-	-	-	-	-	per 26 gallons	0	0	3
Do. (dry)	-	-	-	-	-	per cwt.	0	0	2
Do. of all kinds (fresh) other than herring cod ling and salmon	-	-	-	-	-	per cwt.	0	0	1
Flax	-	-	-	-	-	per ton	0	2	0
Flint	-	-	-	-	-	per ton	0	0	6
Fruit of all kinds	-	-	-	-	-	per 2½ cwt.	0	0	3
Guano	-	-	-	-	-	per ton	0	1	6

						£	s.	d.	A.D. 1890.
Groceries of all kinds	-	-	-	-	per 2½ cwt.	0	0	3	—
Grease	-	-	-	-	- per ton	0	2	0	Criccieth.
Gypsum (ground)	-	-	-	-	- per ton	0	1	0	
Do. (unground)	-	-	-	-	- per ton	0	0	6	
Hares and rabbits	-	-	-	-	per dozen	0	0	2	
Do. do.	-	-	-	-	any smaller quantity	0	0	1	
Hemp	-	-	-	-	- per ton	0	2	0	
Hair	-	-	-	-	- per ton	0	2	0	
Hay	-	-	-	-	- per ton	0	1	0	
Hoops (wood)	-	-	-	-	- per 120	0	0	1	
Herrings shipped	-	-	-	-	per 26 gallons	0	0	3	
Do. (fresh) landed	-	-	-	-	per 37½ gallons	0	0	2	
Iron (bar bolt and rod)	-	-	-	-	- per ton	0	1	6	
Do. (made work) including rails	-	-	-	-	- per ton	0	2	0	
Do. (pig)	-	-	-	-	- per ton	0	1	0	
Do. (cast goods)	-	-	-	-	- per ton	0	2	0	
Lead	-	-	-	-	- per ton	0	2	0	
Do. (shot)	-	-	-	-	- per ton	0	2	6	
Lard	-	-	-	-	per 2½ cwt.	0	0	3	
Leather of all kinds	-	-	-	-	- per cwt.	0	0	6	
Lime	-	-	-	-	- per ton	0	0	6	
Ling	-	-	-	-	- per score	0	0	3	
Oakum	-	-	-	-	- per ton	0	2	0	
Oil cake	-	-	-	-	- per ton	0	1	6	
Oil of all kinds	-	-	-	-	- per ton	0	2	0	
Ores—copper iron lead and other ores	-	-	-	-	- per ton	0	1	0	
Paper	-	-	-	-	per 2½ cwt.	0	0	3	
Pitch	-	-	-	-	- per cwt.	0	0	2	
Pelts	-	-	-	-	- per ton	0	1	6	
Plaster of Paris	-	-	-	-	- per ton	0	2	0	
Porter in cask	-	-	-	-	per 36 gallons or less	0	0	3	
Potatoes	-	-	-	-	- per ton	0	1	0	
Pyrites	-	-	-	-	- per ton	0	0	6	
Ropes and cordage	-	-	-	-	per 2½ cwt.	0	0	3	
Rags	-	-	-	-	- per ton	0	1	0	
Salt	-	-	-	-	- per ton	0	1	0	
Salmon	-	-	-	-	- per cwt.	0	0	3	
Sand	-	-	-	-	- per ton	0	0	4	
Slates	-	-	-	-	per 1,000	0	2	0	
Seed	-	-	-	-	per 2½ cwt.	0	0	3	
Straw	-	-	-	-	- per ton	0	1	0	
Spades or shovels	-	-	-	-	per 2 dozen	0	0	3	
Spirits in cask	-	-	-	-	per gallon or less	0	0	3	
Steel	-	-	-	-	- per ton	0	2	0	
Stones—rubble	-	-	-	-	- per ton	0	0	2	
Do. pavement	-	-	-	-	- per ton	0	0	6	
Do. ashlar rough	-	-	-	-	- per ton	0	0	3	
Do. ashlar hewn	-	-	-	-	- per ton	0	0	4	
Millstones	-	-	-	-	each	0	1	0	

A.D. 1890.

Criccieth.

						£	s.	d.
Gravestones	-	-	-	-	-	each	0	1 0
Scythe stones	-	-	-	-	-	per hundred	0	0 1
Grindstones	-	-	-	-	-	each	0	0 6
All kinds not enumerated	-	-	-	-	-	per ton	0	0 6
Sugar of all kinds	-	-	-	-	-	per 2½ cwt.	0	0 3
Stucco	-	-	-	-	-	per ton	0	2 0
Tanner's waste	-	-	-	-	-	per ton	0	1 0
Tar	-	-	-	-	-	per cwt.	0	0 2
Tallow	-	-	-	-	-	per ton	0	2 0
Tiles—drain and roofing	-	-	-	-	-	per ton	0	1 0
Teas	-	-	-	-	-	per 2½ cwt.	0	0 3
Tobaccos	-	-	-	-	-	per 2½ cwt.	0	0 3
Turnips	-	-	-	-	-	per ton	0	0 6
Tow	-	-	-	-	-	per ton	0	2 0
Tin	-	-	-	-	-	per ton	0	2 0
Vitriol and acids	-	-	-	-	-	in carboys per gallon or less	0	0 3
Wheels—carriage or cart	-	-	-	-	-	per pair	0	0 6
Whitening	-	-	-	-	-	per ton	0	1 0
Whalebone	-	-	-	-	-	per ton	0	2 0
Wood :—								
Mahogany rosewood and all fancy woods	-	-	-	-	-	per ton	0	3 0
Not manufactured	-	-	-	-	-	per 50 feet	0	1 0
Deals staves and all manufactured woods not otherwise stated								
						per pound value at the port	0	0 6
Railway sleepers	-	-	-	-	-	per hundred	0	2 6
Pit props (crown)	-	-	-	-	-	per dozen	0	0 1½
Do. (common)	-	-	-	-	-	per dozen	0	0 1
Wool of all kinds except cotton wool	-	-	-	-	-	per 24 lbs.	0	0 0½
Wire	-	-	-	-	-	per 2½ cwt.	0	0 3
Yarn	-	-	-	-	-	per 2½ cwt.	0	0 3
For all articles merchandise goods wares or commodities not enumerated	-	-	-	-	-	per ton	0	2 0
						or per 2½ cwt.	0	0 3

Small packages under 56 lbs. to be reckoned ½ cwt.

Exemptions from the foregoing Rates.

1st. All returned empty boxes casks sacks and packages are exempted from duties :

2nd. All goods landed from any vessel and re-shipped in the same vessel in the original packages and without being transferred from the lander or the said goods if put into other packages from the original having been destroyed or damaged shall only pay duties on landing and may be re-shipped in the same vessel without paying dues :

3rd. All goods and stock landed from one vessel and re-shipped (such goods being in the original packages) by another vessel if such were their destination when landed shall pay one rate of duties only.

[53 & 54 VICT.] *Pier and Harbour Orders* [Ch. xcvi.]
Confirmation (No. 3) Act, 1890.

Rates for Use of Sheds Cranes Weighing Machines and Hawsers.

A.D. 1890.

Criccieth.

1. *Sheds.*

£ s. d.

For each ton of goods which shall remain in any shed or on any quay or pier for a longer time than twenty-four hours the sum of 3*d.* and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first twenty-four hours.

2. *Cranes.*

For each ton or fraction of a ton - - - - - 0 0 6

3. *Weighing Machines.*

For potatoes salt and coals - each ton or part of a ton 0 0 4
 Goods in quantities of twenty tons and upwards of same cargo per ton 0 0 3
 Other goods - - - per ton or part of a ton 0 0 6

4. *Hawsers.*

For every vessel under the burden of one hundred tons using any hawser the property of the Undertakers 6*d.* per vessel and for every vessel of the burden of one hundred tons or upwards 1*s.* per vessel each time of using.

Harbour Lights.

For every fishing boat for summer season - - - - - 0 1 0
 Do. do. for winter season - - - - - 0 2 6

But dues for lights shall only be demanded and received so long as a light or lights are duly exhibited during the proper hours.

Rates for Ballast.

For all ballast supplied by the Undertakers to vessels or discharged from vessels within the limits of this Order - per ton 0 1 0

A.D. 1890.

GLOUCESTER.

Gloucester. Order for constituting a Harbour Authority for the Maintenance Regulation and Lighting of a Harbour in the Estuary of the River Severn.

Constitution
of Trustees.

1. This Order shall be carried into execution by a body of trustees constituted of the following persons :—

(a.) The Sharpness Lighthouse Trustees incorporated by the Sharpness Lighthouses Order 1889.

(b.) The Mayor of Worcester.

(c.) The Mayor of Tewkesbury.

(d.) The President of the Gloucestershire Chamber of Commerce.

(e.) The person for the time being entitled to the possession or to the receipt of the rents and profits of the lands connected or held with Berkeley Castle, and adjoining the east side of the estuary of the Severn.

(f.) The person for the time being entitled to the possession or to the receipt of the rents and profits of the lands known as the Sedbury Estate adjacent to Slime Road Bay, and adjoining the west side of the estuary of the Severn.

(g.) Two other persons to be appointed by the Severn Commissioners as herein-after in this Order provided.

(h.) Two other persons to be appointed by the Severn and Wye and Severn Bridge Railway Company as herein-after in this order provided.

(i.) Four other persons to be appointed as herein-after in this Order provided.

Incorporation
of Trustees.

2. The trustees constituted by this Order are hereby incorporated by the name of "the Gloucester Harbour Trustees," and by that name shall be a body corporate with perpetual succession and a common seal and have power to sue and be sued and to purchase take lease hold and dispose of lands and other property for the purposes but subject to the provisions and restrictions of this Order and are in this Order called the Trustees.

Appointment
of additional
Trustees.

3. Within fourteen days after the first day of August one thousand eight hundred and ninety the Severn Commissioners and the Severn and Wye and Severn Bridge Railway Company shall each appoint two persons to be trustees for the purposes of this Order and the Municipal Corporation of Gloucester, the Gloucestershire County Council, the Staffordshire and Worcestershire Canal Company, and the Stroud Water Navigation Company shall each appoint one person to be a trustee for the purposes of this Order (in addition to any persons who have been appointed by the said commissioners corporation and railway company to be Sharpness Lighthouse Trustees) and the persons so appointed trustees under this Order shall continue in office until the fourteenth day of August one thousand eight hundred and ninety-one when they shall cease to hold office but shall be capable of being re-appointed.

Within fourteen days after the first day of August one thousand eight hundred and ninety-one and within the same time in every alternate year thereafter the aforesaid commissioners and railway company shall each appoint two persons to be trustees for the purposes of this Order and the aforesaid corporation county council and companies shall each appoint one person to be a trustee for the purposes of this Order (in addition as aforesaid) and the persons so appointed shall continue in office as trustees for two years from the first day of August next preceding their appointment and at the expiration of such two years shall cease to hold office except as by this Order otherwise provided but shall be capable of being re-appointed.

4. Every trustee whose term of office has expired but in whose place from any cause whatever no trustee has been appointed shall at the expiration of fourteen days from the first day of August on which his term of office expired be by force of this Order re-appointed a trustee and shall continue in office for two years from such first day of August. A.D. 1890.
Gloucester.
Provision in
case Trustee
not appointed.
5. On any vacancy in the office of trustee not arising from expiration of term of office the commissioners corporation county council or company as the case may be whose trustee has vacated shall appoint a person to fill the vacancy and the person so appointed trustee shall remain in office during the residue of the then current office term of two years. Casual
vacancies.
6. The commissioners corporation county council or company may at any time if they shall think it expedient by writing under their seal remove any trustee appointed by them and appoint another person in his place who shall continue in office during the remainder of the current office term of two years. Removal of
Trustees.
7. The commissioners corporation county council or company appointing a trustee shall give notice in writing signed by their secretary or principal officer of the name description and residence of the person appointed to the clerk of the Trustees who shall enter the same on the minutes of the Trustees at their next meeting and upon such entry being made and not otherwise the person named in such entry shall be deemed to be and shall be a duly appointed trustee. Notice of
appointment
of Trustees to
be given.
8. The Trustees shall be the undertakers for carrying this Order into execution. Undertakers.
9. The Commissioners Clauses Act 1847 (except the sections thereof with respect to the qualification of commissioners and with respect to the election and rotation of the commissioners) is except so far as expressly varied by or inconsistent with this Order incorporated with this Order and the term "commissioners" when used in the said Act shall as far as the nature and circumstances of the case will admit apply to the Trustees collectively and individually subject to the following provisions:—
1. With reference to section 39 of the said Act the prescribed number to constitute a quorum of the Trustees shall be seven :
 2. The first or other meetings of the Trustees may be held at Gloucester Berkeley Chepstow or Lydney at such hours and on such days as the Trustees from time to time appoint :
 3. The Board of Trade may from time to time appoint a permanent auditor of the accounts of the Trustees and fix the salary to be paid to him and such salary shall be paid to him accordingly by the Trustees out of the rates levied under this Order.
10. The Lands Clauses Consolidation Acts 1845, 1860, and 1869, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement shall be incorporated with this Order. Lands Clauses
Acts incorpo-
rated.
11. Subject to the provisions of this Order the Trustees from time to time may by agreement purchase and acquire such lands and other property for the purposes of this Order as they think expedient, but anything in this Order contained shall not exempt the Trustees from any indictment or other proceeding for nuisance caused by them on any such lands. Power to
purchase land
by agreement.

[Ch. xcvi.] *Pier and Harbour Orders* [53 & 54 VICT.]
Confirmation (No. 3) Act, 1890.

A.D. 1890.

Gloucester.

Limits of
Order.

12 The limits within which the Trustees shall have authority and which shall be deemed the limits to which this Order and the power to levy rates extend shall comprise all land above high water-mark acquired from time to time by the Trustees under this Order and so much of the area within the port of Gloucester defined by Treasury Warrant dated the tenth day of January one thousand eight hundred and eighty-two as is comprised within a boundary line commencing at Redwick Hill in the county of Monmouth (being the eastern limits of the port of Newport) and extending from thence in a straight line in a southerly direction across the River Severn until it meets another straight line drawn from and intersecting the Flat and Steep Holm Islands in the Bristol Channel to the point at Aust in the county of Gloucester (being the northern and eastern limits of the port of Bristol) as far as the site of the Severn Tunnel and from thence extending up the River Severn and including both banks thereof as far as the south-west side of the Wheel Rock in the said river half a mile or thereabouts northward of Sharpness Point and including all rivers pills creeks channels harbours and canals within the aforesaid limits.

Trustees to
perform duties
of Sharpness
Lighthouse
Trustees and to
be harbour and
local authority.

13. The Trustees shall exercise execute and perform all the powers duties and functions of the Sharpness Lighthouse Trustees under the Sharpness Lighthouses Order 1889 as a lighting and local authority and shall also exercise execute and perform all the rights privileges powers and duties of a harbour and local authority under the Merchant Shipping Acts 1854 1855 1862 and any subsequent Acts extending or amending those Acts the Harbours Docks and Piers Clauses Act 1847 and the Harbours and Passing Tolls &c. Act 1861.

Power to
improve har-
bour and
execute works.

14. Subject to the provisions of this Order the Trustees may from time to time maintain alter improve and light the harbour within the limits of this Order for the protection refuge and shelter of vessels and the better navigation thereof and may alter dredge scour deepen widen enlarge and maintain the channels and waterways of the harbour and may remove rocks and other obstructions to the navigation and may lay down anchorages moorings and other things and provide other facilities necessary to enable ships to ride at anchor or be moored in the said harbour for their refuge protection and safety and to enable vessels to lighten and complete cargoes from lighters and may take such proceedings and adopt such remedies as they may think best for the raising and removal of sunken vessels and wrecks and other obstructions to the navigation and may recover sue for and demand the expense of so doing and may also take steps to and prevent the employment of unseaworthy vessels within the limits of this Order and may also prevent ballast and other things being improperly cast into the harbour within the limits of this Order or placed within the influence of the tide and the Trustees may make provision for the lightening of the cargoes of vessels and completing the loading of vessels within the said limits and may employ dredgers and all other appliances articles and things for the purposes aforesaid :

Provided that the Trustees shall not exercise any of the powers contained in this section, as to altering dredging scouring deepening widening and enlarging the channels and waterways of the harbour, and removing rocks and other obstructions to the navigation within a distance of one hundred yards on either side of the site of the Severn Tunnel without the consent in writing having been first obtained of the Great Western Railway Company or in case such consent is not obtained then without the consent in writing of the Board of Trade having been first obtained.

15. Anything in this Order contained shall not authorise the Trustees to execute any works or do any acts whereby the sea walls, banks, gouts or other works or any lands under the jurisdiction of the Commissioners of Sewers for the levels of the hundreds of Caldicot and Wentlooge in the county of Monmouth shall be injured or prejudicially affected.

A.D. 1890.

*Gloucester.*Saving of
rights of com-
missioners of
sewers.

16. On and after the first day of January one thousand eight hundred and ninety-one no steam tug shall ply for hire to tow vessels nor shall tow vessels for hire within the limits of this Order unless provided with a certificate from the Board of Trade or Lloyd's Register of British and Foreign Shipping or from any association or company approved for this purpose by the Board of Trade certifying the fitness and suitability of the boilers and machinery of such steam tug for the purpose of towing vessels within the said limits and certifying that the byelaws and regulations of the Trustees with respect to steam tugs have been complied with. Such certificate may be renewed from time to time but shall not be available for a longer period than one year from the granting or renewal thereof and the master or other person having the command of any steam tug plying for hire or towing any vessel in contravention of this enactment shall for every such offence be liable to a penalty not exceeding ten pounds.

Steam tugs to
be certified.

17. Subject to such terms and conditions as may be previously agreed upon by the Sharpness Lighthouse Trustees and approved by the Board of Trade in writing the existing lighthouses (including the Charstone Lighthouse) lights beacons buoys and land or sea marks erected constructed or placed for the navigation or guidance of vessels within the limits of the Sharpness Lighthouses Order 1889 are hereby vested in the Trustees who shall on and after the first day of January one thousand eight hundred and ninety-one maintain the same in a proper state of efficiency to the satisfaction of the Sharpness New Docks and Gloucester and Birmingham Navigation Company, and the Trustees shall subject to the provisions of this Order from time to time and so soon as money can be raised for that purpose erect construct place and maintain such new or additional lighthouses lights beacons buoys and land and sea marks and all necessary accesses works and conveniences connected therewith at such places within or adjacent to such limits and of such character as they shall from time to time consider expedient: And the Trustees shall have vested in them all the powers conferred by the Sharpness Lighthouses Order 1889 upon the Sharpness Lighthouse Trustees and shall take over and be responsible and liable for the debts liabilities and obligations of such Trustees:

To maintain
existing lights
and erect light-
houses beacons
&c.

Provided that if any difference should arise between the Trustees and the Sharpness New Docks and Gloucester and Birmingham Navigation Company as to the requirements of that company under this clause such difference shall be referred to the decision of the Corporation of Trinity House Deptford Strond whose decision thereon shall be obligatory and final.

18. The Trustees may from time to time make alter and rescind byelaws rules and regulations for all or any of the purposes of this Order or the Sharpness Lighthouses Order 1889 and for the regulation and control of vessels and for the protection and navigation lighting discharging and loading of vessels employment of steam tugs towage of vessels within the limits of this Order and for the regulation and control of persons and goods and traffic in and at the harbour and works ground or property belonging to the Trustees and used for harbour purposes but such byelaws shall not come into operation until the same

Power to make
byelaws.

A.D. 1890.

*Gloucester.*Power to levy
rates.

have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

19. The Trustees may on and after the first day of January one thousand eight hundred and ninety-one levy on and in respect of all vessels using the moorings or other facilities laid down by them in the harbour such tolls rates or charges as appear to them reasonable not exceeding the amounts specified in the schedule to this Order.

Power to make
byelaws as to
towage.

20. The Trustees may with the sanction of the Board of Trade make alter and rescind byelaws rules and regulations for or in respect of the towage of vessels by steam tugs to and from Sharpness Docks, Lydney Docks, and generally within the limits of this Order. Such byelaws rules and regulations may prescribe the sums to be paid for towage and such sums shall be paid by the owner agent master consignee or other person having charge of the vessel obtaining the assistance of such steam tug to the owners masters or agent of such steam tug so employed as the case may be and shall be due and payable whether such steam tug shall be actually employed or not provided the assistance thereof shall have been required and shall in consequence of a requisition have been tendered by the master or other person having the command of such steam tug: Provided that such byelaws, rules, and regulations shall not apply to or affect persons making use of their own steam tugs for the towage of their own vessels.

Power to
provide con-
veniences.

21. The Trustees may provide such warehouses wharves and other conveniences as may be found necessary in connexion with the harbour or for the accommodation of vessels or the goods lightered loaded or discharged as aforesaid.

Penalty on
obstructing or
defacing works.

22. Every person who wilfully obstructs any person acting under the authority of the Trustees or who pulls up removes or defaces any houses fences land or sea marks lamps lights stays buoys beacons poles or other things acquired or placed by the Trustees for the purposes of this Order or for carrying the same into effect shall for every such offence be liable to a penalty not exceeding twenty pounds.

Revise rates.

23. The Trustees shall from time to time revise the tolls rates and charges received by them under this Order so that the income of the Trustees may always be so far as practicable sufficient and not more than sufficient for the purposes of this Order and if at any time and from time to time the clear annual income derived from the harbour and works on the average of the then three last preceding years after payment of all expenses interest and outgoings shall exceed the amount sufficient to answer the purposes of this Order the Board of Trade may if in their discretion they think fit reduce such tolls rates or charges to such amounts as will be sufficient to provide for the purposes aforesaid with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the sums specified in the schedule to this Order.

Power to
compound for
rates.

24. The Trustees may from time to time confer vary or extinguish exemptions from and compound with any person or persons with respect to the payment of rates authorised by this Order but so that no preference be in any case given to any person and that anything done under this section shall not prejudice the other provisions of this Order.

Annual
account to be
sent to Board
of Trade.

25. The Trustees within one month after sending to the clerk of the peace the copy of their annual account in abstract (which account shall be made up to the end of the day on the 25th day of March in each year) shall send a copy of the same to the Board of Trade and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account.

If the Trustees refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

A.D. 1890.

Gloucester.

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

Fishing vessels
or vessels
seeking shelter
to be free
from dues.

27. The Trustees may from time to time lease the rates authorised by this Order for any period not exceeding seven years from the date of the lease and for such rent and consideration and on such terms and conditions as they think fit and the lessee shall have and may exercise during the continuance of his lease the same powers of recovering rates as the Trustees have or might exercise under the Harbours Docks and Piers Clauses Act 1847 and this Order and shall be subject to all the provisions as to the accounts and otherwise to which the trustees are made subject under this Order.

Power to
lease rates.

28. In addition to the sum authorised to be borrowed by the Sharpness Lighthouses Order 1889 the Trustees may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order not exceeding in the whole the sum of ten thousand pounds on the security of the rates authorised by this Order or they may accept and take from any bank or banking company credit to such amount as they may deem expedient not exceeding in the whole the said sum of ten thousand pounds on a cash account to be opened and kept in the name of the Trustees but so that the whole sum owing by the Trustees on such cash account and for other money borrowed and for the time being unpaid shall not exceed in the whole the sum of ten thousand pounds exclusive of interest and may assign the rates hereby authorised in security for the repayment of the sum or sums so borrowed or of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon respectively by bonds and assignments in security under their common seal and signed by three of the Trustees and may grant bonds debentures or mortgages of such rates or of any part or parts thereof in security of the repayment of the money so borrowed with interest thereon:

Power to
borrow.

Every part of the money so borrowed shall be applied only for the purposes authorised by this Order to which capital is properly applicable.

29. The Trustees shall apply all money received by them from the tolls rates duties and charges authorised by this Order and the Sharpness Lighthouses Order 1889 or either of them for the purposes and in the order following (that is to say):—

Application of
rates.

1. In paying the costs of and connected with the preparation obtaining and making of this Order and the Sharpness Lighthouses Order 1889:
2. In paying all money due and payable to the Sharpness Lighthouse Trustees for or in respect of the lights lighthouses beacons buoys and land and sea marks taken over by the Trustees from the said Sharpness Lighthouse Trustees and in paying any debts and liabilities of the said Trustees in excess of the money so paid to them:
3. In providing any additional lighthouses and paying the expenses thereof and of the maintenance repair improvement management and regulations of the lighthouses lights beacons buoys and land and sea marks and

[Ch. xcvi.] *Pier and Harbour Orders* [53 & 54 Vict.]
Confirmation (No. 3) Act, 1890.

A.D. 1890.
Gloucester.

accesses thereto vested in or erected and provided by the Trustees pursuant to this Order and the Sharpness Lighthouses Order 1889:

4. In paying any duties and rents payable in respect of the lands and property belonging to and leased by or to the Sharpness Lighthouse Trustees or by or to the Trustees and the expenses of providing warehouses wharves and other conveniences and of laying down moorings and other facilities and of the maintenance management and regulation of the harbour and works with all accesses roads and conveniences and of the lands and property connected therewith:
5. In paying year by year the interest on any money borrowed and remaining due:
6. In from time to time providing the instalments or creating a sinking fund for the repayment of the principal of money borrowed in such manner that all such money may be discharged within fifty years of the time of borrowing or otherwise in payment of the principal of the money borrowed:
7. Subject to and after answering the purposes aforesaid the surplus revenue (if any) shall be applied by the Trustees in the further improvement of the harbour.

Trustees may provide dredgers, &c.

30. The Trustees may for the purposes of the works authorised by this Order or any of them from time to time provide purchase lease or hire such steam or other dredgers engines tugs lighters or other vessels diving-bells ballast lighters rubbish lighters tools plant or other materials as they think fit and may from time to time demand and receive such sums for the use of the same as they may think fit or may sell or dispose of the same and the money thereby realised shall be applied towards carrying into effect the purposes of this Order or some of them.

Certain sections in Harbours Docks and Piers Clauses Act 1847 excluded.

31. Sections 16 to 19 inclusive 25 26 35 47 and 60 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order:

With reference to section 88 it shall not be necessary that the byelaws therein mentioned shall be exhibited in the office of the Undertakers unless such office is situated within the limits of this Order.

Interpretation.

32. In construing this Order and incorporated Acts the following word shall have the meaning herein-after assigned to it namely:—

“ Harbour ” means the harbour within the limits of this Order.

Saving for the Severn Commissioners.

33. Except as by this Order expressly otherwise provided anything in this Order contained shall not prejudicially affect or interfere with the powers or rights of the Severn Commissioners.

Costs of Order.

34. All costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Trustees.

Short title.

35. This Order may be cited as the Gloucester Harbour Order 1890.

The SCHEDULE to which the foregoing refers.

RATES ON VESSELS.

For all vessels using the moorings or other facilities laid down by the Trustees a rate of one halfpenny per registered ton for every tide such vessel may be so moored.

HUMBER.

A.D. 1890.

Humber.

Order for the Construction of Training Walls along the Northern shore of the River Humber, in the Parish of Hessle, in the County of York, and in the Borough and County of the Town of Kingston-upon-Hull, and for the Reclamation of Foreshore and Bed of the Humber.

1. This Order and the Humber Conservancy Acts, 1852 to 1876, (in this Order called The Humber Conservancy Acts) shall be read and construed together as one Act or Order.

Order and Conservancy Acts to be read as one.

2. The Humber Conservancy Commissioners (in this Order called the Commissioners) shall be the undertakers for carrying this Order into execution.

Undertakers.

3. The Lands Clauses Consolidation Acts, 1845, 1860 and 1869, (except so much thereof as relates to the purchase and taking of and entry on lands otherwise than by agreement) and the provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, and with respect to the accounts to be kept by the Commissioners, shall be incorporated with this Order.

Incorporation of Acts.

4. For the purposes of the works authorised by this Order, the Commissioners may from time to time, by agreement, enter on, take and use all or any part of the lands, foreshore, and bed of the River Humber shown on the deposited plans as they may think requisite for the purposes of this Order.

Power to take lands by agreement.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade may from time to time require before the completion of the works in order to prevent injury to navigation, the Commissioners may in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, construct and maintain the works authorised by this Order.

Power to construct works.

6. The works authorised by this Order comprise—

Description of works.

(1.) A training wall or embankment (to be called Training Wall No. 1) commencing at or near a point in the River Humber, on the left bank thereof, in that part of the township and parish of Hessle which lies within the east riding of the county of York, one furlong five chains six yards or thereabouts eastward of Cliff Cottages in the said township of Hessle, and terminating at or near a point on the west bank of Hessle Haven, situate in the said river, on the left bank thereof, in the last-mentioned part of the said township and parish of Hessle four chains eighteen yards or thereabouts south-eastward of the public-house known by the name of the Ferry Inn, near the said Hessle Haven.

(2.) A training wall or embankment (to be called Training Wall No. 2), commencing at or near a point on the east bank of Hessle Haven, situate in the River Humber, on the left bank thereof, in that part of the township and parish of Hessle which lies within the said east

A.D. 1890.

Humber.

riding, five chains and thirteen yards or thereabouts south-eastward of the said public-house, and terminating at or near a point in the said river, on the left bank thereof, in that part of the parish of Hessle which lies within the borough and county of the town of Kingston-upon-Hull, two furlongs six chains fifteen yards or thereabouts south-eastward of the "New Clough" situate at the western boundary of the said borough and county of the town of Kingston-upon-Hull.

(3.) Reclamation of the foreshore and bed of the River Humber lying between the banks of the River Humber, and the training walls or embankments to be erected in accordance with this Order.

(4.) All such dolphins piles groynes approaches landing stages and places moorings sewers drains cloughs and other works as may be requisite or expedient for the before-mentioned works or for strengthening improving or utilising the same.

Power to deviate.

7. The Commissioners may deviate vertically from the levels defined on the deposited sections to any extent not exceeding five feet.

Restriction on construction of walls.

8. The Commissioners shall not construct any portion of the permanent works of the training walls southwards of the line known as the Humber Conservancy Line but they shall construct the Training Wall No. 2 so as that the face of it at the eastern end thereof shall be in a line with the river wall or embankment authorised to be constructed by the Dock Company at Kingston-upon-Hull.

Provision for preservation of public rights.

9. Except as by this Order expressly provided nothing in this Order contained shall affect the rights of the public over the land and foreshore and bed of the River Humber lying between the public footpath on the banks of the said river and the training walls or embankments to be constructed in accordance with this Order or the public right of access from and to the said footpath to and from the said river. Provided that such rights of the public shall be extinguished so soon as the Commissioners have provided the sites for all the footpaths and the connexions mentioned in the next section of this Order.

Provision for footpaths and connexions.

10. The Commissioners shall whenever the training walls or embankments to be constructed in accordance with this Order or any part or parts thereof have been made up to such a level as will prevent flooding---

(a.) Provide on the land reclaimed sites for footpaths twelve feet in width along the entire length of the river front of the said training walls or embankments or of the said part or parts thereof as the case may be; and

(b.) Provide on the land reclaimed sites for footpaths twelve feet in width connecting the sites for the footpaths along the river front of the said training walls or embankments at their eastern and western terminations or as near thereto as practicable with the ancient footpath known as the Humber Bank footpath; and

(c.) Provide on the land reclaimed a site for connecting the footpath on the said Training Wall or Embankment No. 2 at the eastern termination of such embankment with a footpath on the Dock Company's said embankment when and if such last-mentioned footpath shall be provided.

Footpaths and landing places to be public

11. The sites for footpaths and landing places to be constructed under this Order shall be open to the public at all times both day and night, and such landing places shall be open for the convenience of all persons landing or embarking.

12. Every person who wilfully obstructs any person acting under the authority of the Commissioners in setting out the lines of the works by this Order authorised, or who pulls up removes or displaces any piles poles or stakes driven into the ground for the purpose of setting out the lines of the said works or of constructing the same, or injures defaces or destroys the said works or any part thereof, shall for every such offence be liable on conviction before a court having summary jurisdiction, to a penalty not exceeding five pounds, in addition to the expenses of making good any damage so occasioned. A.D. 1890.
—
Humber.
Penalty for obstructing works.
13. The Commissioners may for the purposes of the works authorised by this Order or any of them from time to time provide purchase lease or hire such steam or other dredgers tugs steam or other hoppers lighters or other vessels steam engines piling engines machinery implements tools apparatus plant or other materials as they think fit and may from time to time sell or dispose of the same and the money thereby realised shall be applied towards carrying into effect the purposes of this Order or some of them. Power for Commissioners to provide apparatus.
14. The Commissioners may and shall, if required by the owners of any lands which at the time of the passing of the Act confirming this Order abut upon the foreshore of the River Humber within the limits of the training walls, extend or lengthen by open or covered drains as the Commissioners may deem advisable, any drains or watercourses which now discharge their waters into the River Humber over or through the foreshores interfered with, so as to secure the egress of the waters from the same and shall make such openings in the training walls as may be necessary for the above purposes. Commissioners to prolong drains and watercourses.
15. The Commissioners may for any of the purposes of this Order borrow at interest on the security of any lands which they have reclaimed or may reclaim and of any contributions rents and revenues which they are authorised to receive any sums which they may require not exceeding fifteen thousand pounds, and they may mortgage such lands contributions rents or revenues to secure the repayment of any sums borrowed under the provisions of this section together with interest thereon at any rate not exceeding 5% per cent. per annum. Borrowing of money.
16. All moneys borrowed by the Commissioners under the authority of this Order shall be applied in defraying the cost of executing the works and carrying into effect the purposes authorised by this Order or to other purposes in connexion with the conservancy of the Humber, to which capital is properly applicable, and not otherwise. Application of moneys borrowed.
17. Any person lending money to the Commissioners shall not be bound to inquire as to the application or be answerable for any loss or misapplication of such money or any part thereof. Lenders not to be required to look to application of moneys.
18. If the Commissioners pay off any part of the money borrowed by them under this Order they may re-borrow the same and so from time to time. Power to re-borrow.
19. The mortgagees of any lands contributions rents or revenues of the Commissioners under this Order may enforce the payment of the arrears of interest or principal due on their mortgages by the appointment of a receiver, but the amount owing to the mortgagee or mortgagees by whom the application for a receiver is made shall not be less than five thousand pounds in the whole. Arrears may be enforced by appointment of a receiver.
20. In case the Commissioners under the authority of this Order borrow any money they shall in every year after the borrowing of the same and in order to Formation of sinking fund.

A.D. 1890.
Humber.

discharge the principal moneys so borrowed appropriate and set apart out of the moneys which may from time to time be received by them under the authority of the Humber Conservancy Acts a sum equal to one-fiftieth part of the sums so borrowed respectively as a sinking fund to be applied in paying off the respective principal moneys so borrowed and shall from time to time cause such sinking fund to be invested in the purchase of Exchequer bills or other Government or other securities authorised by statute for investment of trust money and to be increased by accumulation in the way of compound interest or otherwise until the same respectively shall be of sufficient amount to pay off the principal moneys respectively to which such sinking fund shall be applicable or some part thereof which the Commissioners shall think ought then to be paid off, at which time the same shall be applied in paying off the same : Provided always that whenever any of such principal moneys have been so paid off the Commissioners shall thenceforth until the whole of such principal moneys have been paid off, pay into the sinking fund every year in addition to the other sums herein-before required to be set apart and appropriated a sum equal to the annual interest of the principal money so paid off : Provided further that whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of the principal moneys then due and outstanding, the Commissioners may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to the sinking fund of the yearly sums herein-before required to be paid thereto.

Annual return
to Board of
Trade with
respect to
sinking fund.

21. The clerk to the Commissioners shall within three calendar months after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Order transmit to the Board of Trade a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them, showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the money so invested for the sinking fund has been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Board of Trade by such return or otherwise that the Commissioners have failed to set apart the sum required by this Order for the sinking fund or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Order the Board of Trade may by Order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such Order shall be enforceable by writ of Mandamus to be obtained by the Board of Trade out of the High Court of Justice in England.

Application of
money arising
from sales of
land.

22. Any money which may be received by the Commissioners from any sale of lands reclaimed under the authority of this Order shall be applied in payment of the costs charges and expenses of or incident to such sale and of any costs charges and expenses of or incident to the execution of the works authorised by this Order, or in payment of the principal and interest (if any) secured by any mortgage or mortgages made under the powers of this Order and the balance

shall be applied as to one third in payment to the Board of Trade in accordance with the Agreement set forth in the Schedule to the Humber Conservancy Act 1868 and as to the remaining two-thirds in paying off any principal moneys owing by the Commissioners or to any other purpose to which capital is properly applicable.

A.D. 1890.

Humber.

23. The Commissioners may from time to time make, alter, repeal and renew such byelaws as they think fit in connexion with the construction management or protection of the works authorised by this Order or any of them, provided that such byelaws shall not have any force or effect unless and until the same be confirmed by the Board of Trade.

Power to make
byelaws.

24. Any byelaw made in pursuance of this Order may provide that any person offending against such byelaw shall be liable for every offence to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings for every day such offence shall continue after conviction, and such penalties shall be payable to the Commissioners and applied to the purposes of the conservancy fund and shall be in addition to any damages which may be recoverable for any loss, damage or injury consequent on such offence, and such penalties and damages may be recovered summarily, in like manner as provided by section 23 of The Humber Conservancy Act 1871.

Penalty for
breach of
byelaws.

25. Before commencing the works authorised by this Order the Commissioners shall apply to the Board of Trade for directions as to the lights to be exhibited and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works; and compliance with the directions so given shall satisfy and be in place of any other statutory requirement as to lights during the construction of the works. If the Commissioners refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works they shall for each offence be liable to a penalty not exceeding ten pounds.

Exhibition of
lights during
the construc-
tion of works.

26. In the following cases (that is to say) :—

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or,

(2.) If such works after having been commenced shall be virtually suspended for twelve consecutive calendar months;

the powers by this Order given for executing such works or otherwise in relation thereto shall cease to be exercised except as to so much of such works as shall be then completed unless the time for completion be extended by the special direction of the Board of Trade.

Powers to
cease in cer-
tain events.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purpose of this Order be conclusive evidence of the facts stated in such certificate.

27. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities or privileges, without the assent of the Board of Trade having been first obtained.

Saving rights
under Crown
Lands Act.
1866.

A.D. 1890.

Humber.
Saving rights
of Board of
Trade.

Saving rights
of Commis-
sioners of
Woods.

Saving for
Thomas
Stephen
Whitaker.

Harbours,
Docks and
Piers Clauses
Act 1847
excepted.
Costs of Order.

Short title.

28. Nothing in this Order contained shall take away or abridge any rights reserved to the Board of Trade by an agreement set forth in the schedule to The Humber Conservancy Act, 1868, and confirmed by that Act in respect of the profits of the foreshore affected by this Order.

29. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order contained prejudice or affect any property interest rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Her Majesty's Woods or either of them.

30. Nothing herein contained shall prejudice, diminish, alter, or take away the right (if any) to land or foreshore of the River Humber reclaimed by the works hereby authorised or the rights (if any) of access to or to drain into the River Humber of Thomas Stephen Whitaker in respect of or incident or appurtenant to lands or hereditaments belonging or reputed to belong to him, situate in the township and parish of Hessle aforesaid, and the borough and county of the town of Kingston-upon-Hull.

31. The Harbours, Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

32. All costs, charges and expenses of or incident to the preparation and obtaining of this Order, or otherwise incurred in relation thereto shall be paid by the Commissioners, and such costs, charges and expenses, together with the cost of executing the works authorised by this Order, shall be a charge on the gross profits to be derived by the Commissioners from the foreshores under the jurisdiction of the Commissioners, and those profits shall accordingly be liable to the payment of those costs, charges and expenses before the ascertainment and division of net profits as stipulated for in the agreement mentioned in the twenty-eighth section of this Order.

33. This Order may be cited as The Humber Conservancy Order, 1890.

PENZANCE.

A.D. 1890.

*Order for the Construction, Maintenance, and Regulation of a
Pier off the Esplanade at Penzance, in the County of
Cornwall.**Penzance.*

1. The Penzance Pier Company (Limited) shall be the Undertakers for carrying into execution the works authorised by this Order and are in this Order referred to as "the Undertakers." Undertakers.
2. In this Order the expression the corporation means the mayor, aldermen, and burgesses of the borough of Penzance, acting by their council. "Corporation" defined.
3. The Lands Clauses Consolidation Act 1845 and the Lands Clauses Consolidation Acts Amendment Act 1860 except the provisions of the former Act relating to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking shall be incorporated with this Order. Incorporation of Lands Clauses Acts.
4. For the purposes of the works authorised by this Order the Undertakers may from time to time by agreement enter on take and use all or such part of the lands shown on the deposited plans for the purposes of this Order as they think requisite for the purposes of the proposed pier and the works and conveniences connected therewith. Power to acquire lands by agreement.
5. The Undertakers may purchase and hold for extraordinary purposes any lands not exceeding in the whole five acres but this Order shall not exempt the Undertakers from any proceeding for any nuisance caused by them upon any land taken by them under this Order. Lands for extraordinary purposes.
6. Subject to the provisions of this Order and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation the Undertakers may on the lands acquired by them under this Order and in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon) and within the limits of deviation shown on those plans make and maintain the pier and works authorised by this Order but no deviation westward of the said pier shall be made beyond a line parallel with the pier as shown on the deposited plans at a distance of eighty feet from it. Power to make works.
7. The works authorised by this Order include—
- (1.) A promenade pier jetty and landing place with all proper terraces landing stages landing places tramways roads footpaths sheds approaches toll houses turnstiles toll gates and bars cranes buoys moorings sewers drains groynes breakwaters and other buildings erections works and conveniences connected therewith for the accommodation of steam and other vessels and the embarking and landing of passengers goods and also for a promenade and other purposes in the parish of Madron chapelry of St. Mary Penzance and borough of Penzance in the county of Cornwall and on the foreshore and bed of the sea adjoining that parish such pier commencing at a point adjoining the sea wall of the esplanade on the esplanade fifteen yards west

Description of works authorised.

A.D. 1890.

Penzance.

from the junction of Cornwall Terrace with the esplanade and thence extending seawards in a south-easterly direction three hundred and twenty-three yards or thereabouts.

Power to erect
rooms &c.

8. The Undertakers may from time to time erect and construct upon the pier and works pavilions concert rooms saloons assembly or music rooms with reading refreshment and other rooms shops bazaars baths and other conveniences and may apply for accept and hold licenses for the sale of intoxicating liquors for consumption in the intended pavilions or buildings.

Plans &c. to
be submitted
for approval of
the corpora-
tion of Pen-
zance.

9. One month at least before depositing at the Harbour Department of the Board of Trade the working drawings of the works authorised by this Order the Company shall deposit the plans sections and working drawings of the same at the office of the town clerk of Penzance for approval by the corporation but the power of the Board of Trade to deal as they think fit with such working drawings is not to be thereby altered or abridged and any alteration or extension of plans sections and working drawings not made with the approval or by direction of the Board of Trade shall also be submitted for the approval of the corporation in like manner :

If any work be commenced constructed altered or extended otherwise than in accordance with the plans sections or working drawings or any alteration or extension of the same approved by the Board of Trade the corporation may with the consent of the Board of Trade at the expense of the Company abate and remove such work or any part thereof and restore the site thereof to its former condition :

Provided that the plans and elevations of any buildings to be erected on the pier or works and on any property belonging to or acquired from the corporation shall be first submitted to and approved by the corporation and their approval shall be signified in writing under the hand of the town clerk and buildings shall not be erected otherwise than in accordance with the plans and elevations so approved.

Restriction on
commencement
of works.

10. Notwithstanding anything in this Order contained the Undertakers shall not commence any of the works authorised by this Order unless and until they have entered into a binding contract with a responsible contractor for the construction of the first (or inshore) portion of the pier to the extent of four hundred and fifty feet and such contract executed by all parties has been produced to the corporation for their inspection.

Damage to the
corporation to
be made good.

11. If by reason of any works or operations of the Undertakers or of the failure of any works or of any act default or omission of the Undertakers or of any persons in their employment or of their contractors or otherwise any damage or loss shall be occasioned to the harbour and dock undertakings of the corporation or to the corporation the Undertakers shall on demand make good to the corporation all such damage or loss and in default the amount thereof may be recovered by the corporation against the Undertakers in any court of competent jurisdiction.

Power to levy
rates.

12. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary to the due construction of the works authorised by this Order have been given the Undertakers may subject and according to the

[53 & 54 VICT.] *Pier and Harbour Orders* [Ch. xcvi.]
Confirmation (No. 3) Act, 1890.

provisions of this Order for the use of the pier and works demand recover and receive in respect of the vessels persons matters and things in the schedule to this Order specified any sums not exceeding the rates in such schedule specified.

A.D. 1890.
Penzance.

13. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade and paid by the Undertakers that the works authorised by this Order have been so far completed as to afford accommodation either for persons walking on the pier or for the landing and embarking of passengers the Undertakers may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 and although the whole of the works authorised by this Order shall not then have been completed demand recover and receive such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall in the opinion of the Board of Trade be reasonable.

Rates may be levied though works not completed.

14. The Undertakers may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms and for such period not exceeding one year as are agreed on but so that no preference shall be given to any person. A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted or by any person after the period limited for its use. If any person act in any way in contravention of this provision or use or attempt to use any false or counterfeit ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings to be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 for all the purposes of which Act this Order shall be deemed the special Act.

Undertakers may contract with persons for the use of the pier.

15. If at any time and from time to time the clear annual income derived from the pier and works authorised by this Order on the average of the then three last preceding years after payment of all expenses and outgoings other than payments of principal or interest in respect of money borrowed shall exceed interest at the rate of ten pounds per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing the works authorised by this Order the Board of Trade may if in their discretion they think fit reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten pounds per centum per annum with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the schedule to this Order.

Board of Trade may reduce pier rates.

16. The Undertakers within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade and the corporation and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Annual account to be sent to Board of Trade.

17. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced

Certain fishing vessels under stress of

A.D. 1890.

*Penzance.*weather exempt
from rates.

by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall when forced by stress of weather to make use of the pier or works authorised by this Order and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Board of Trade
officers exempt
from rates.

18. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress passage and egress to on along and from the pier and works by land and with their vessels and otherwise without payment.

Lifeboat crew
exempt from
tolls.

19. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to or along and on and from the pier and works without payment.

Life-saving
apparatus may
be attached to
the pier.

20. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may either permanently or temporarily and from time to time without payment attach or cause to be attached to any part of the pier or works spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the pier.

Power to make
byelaws.

21. The Undertakers may make byelaws for the regulation and control of vessels and boats to take effect below high-water mark and seaward within twenty-five yards of any part of the pier or works and also for the regulation and control of persons embarking disembarking frequenting or resorting to or employed at the pier approaches and other works authorised by the Order and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaws but byelaws made under this Order shall not come into operation until the same have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

Limiting use
of pier.

22. The Order shall not be deemed to authorise the use of the pier or works for shipping or discharging general merchandise or goods (except stores and provisions on passenger steamers or yachts which may resort to the pier for obtaining the same or any small articles not exceeding in any one cargo ten cwt.) or for landing or embarkation of passengers from and to any port out of the United Kingdom except in connexion with daily pleasure trips or excursions and every master of a vessel or boat which shall land or embark any passenger or ship or unship any goods or merchandise contrary to the provisions of this Order shall be liable to a penalty not exceeding ten pounds and the Undertakers shall also be liable to a penalty not exceeding twenty pounds in respect of every vessel or boat from or on which any passenger shall be landed or embarked or any goods or merchandise shall be shipped or unshipped contrary to the provisions of this Order.

Parts of Har-
bours &c.
Act 1847
excepted.

23. The following sections of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order namely sections sixteen to nineteen inclusive and twenty-one to twenty-three inclusive but the Undertakers shall at their own expense when directed by the Board of Trade provide to the satisfaction

of the Board of Trade a site near the pier and build on such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required to do so by the Board of Trade.

A.D. 1890.

Penzance.

24. Part V. of the Harbours and Passing Tolls &c. Act 1861 shall apply to the works authorised by this Order.

Part V. of
24 & 25 Vict.
c. 47 to apply.

25. The Undertakers shall at all times keep at the outer extremity of the pier sufficient life buoys and lines in good order and fit and ready for use.

Life buoys to
be kept.

26. The whole of the pier and works shall in respect of all matters crimes or offences arising or committed thereon requiring the cognisance of any justices of the peace be deemed to be taken to be within and as forming part of the borough of Penzance in the county of Cornwall and within the jurisdiction of any justices acting within and for the said borough and for the purposes of the poor-rate assessment and all other rate assessments whether borough parochial general district rate or otherwise shall also be taken to be within and as forming part of the poor rate area of the chapelry of St. Mary's and borough and district of Penzance.

Pier to be
deemed within
borough of
Penzance.

27. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to lights to be exhibited and shall in all respects obey any directions given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during construction of the works they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
during con-
struction of
works.

28. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall at the outer extremity of the pier and works or the completed portion thereof exhibit during all or any part of the time from sunset to sunrise and according to the season of the year and the requirements of the traffic such light or lights if any 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 lighting and the Undertakers shall be liable to a penalty not exceeding ten pounds or every calendar month during which they omit so to apply.

As to lights
after comple-
tion of works.

29. In case of injury to or destruction or decay of the pier or works or any part thereof the Undertakers 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 and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any directions given in reference to the means to be taken.

Provision
against danger
to navigation

A D. 1890.

*Penzance.*Powers to
cease in certain
events.

30. In the following cases (that is to say) :—

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be commenced and completed to the extent of four hundred and fifty feet from the face of the present sea wall ; or

(2.) If such works after having been commenced should be virtually suspended for twelve consecutive calendar months ;

the powers by this Order given for executing such works or otherwise in relation thereto shall cease to be exercised except as to so much of such works as shall then be completed unless the time for completion shall with the consent of the corporation be extended by special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights
of the Crown.

31. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order contained prejudice or affect any property interest rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Her Majesty's Woods or either of them.

Saving rights
of the Duchy
of Cornwall.

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

Saving for
corporation of
Penzance.

33. Except as is in this Order otherwise expressly provided nothing herein contained shall be deemed or construed to take away abridge or prejudicially affect any right power authority or privilege vested in or exercised or enjoyed by the corporation.

Costs of
Order.

34. All the costs charges and expenses of and incidental to the obtaining of this Order and otherwise incurred in relation thereto shall be paid by the Undertakers.

Short title.

35. This Order may be cited as the Penzance Pier Order 1890.

SCHEDULE to which the foregoing Order refers.

A.D. 1890.

Penzance.

I.—RATES ON PASSENGERS AND PROMENADERS USING THE PIER.

	s.	d.
For every passenger or other person who shall land on the pier from or embark from it on board of any ship vessel packet or passage boat for each and every time any sum not exceeding - - -	0	2
For every person who shall use the pier for the purpose of walking for exercise pleasure or any other purpose except for embarking or disembarking for each and every time any sum not exceeding - - -	0	2
For every bath or sedan chair including driver taken on the pier for each and every time any sum not exceeding - - - - -	0	4
For every perambulator including driver taken on the pier for each and every time any sum not exceeding - - - - -	0	2
For every master of any vessel boat or wherry using the said pier for the purpose of going to or returning from his own vessel boat or wherry an annual sum not exceeding - - - - -	10	0

II.—RATES ON PASSENGERS LUGGAGE.

For every trunk portmanteau box parcel or package not exceeding 28 lbs. - - - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - - -	0	6
Over 140 lbs. and not exceeding 196 lbs. - - - - -	0	7
Over 196 lbs. and not exceeding 2 cwt. - - - - -	0	8
And for every 20 lbs. weight in addition up to the limit of 16 cwt. - - -	0	1
For every bicycle and tricycle every time - - - - -	0	3

III.—RATES FOR SUPPLYING WATER.

Fresh water on pier per 100 gallons - - - - -	1	6
Sea water per 3 gallons - - - - -	0	3

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