



# Harbours and Passing Tolls, &c. Act 1861

## 1861 CHAPTER 47

### *Preliminary*

#### Short Title.

- 1 This Act may be cited for all Purposes as "The Harbours and Passing Tolls, &c. Act, 1861."

#### Interpretation of Terms.

- 2 In the Construction of this Aft the following Expressions shall have the Meanings hereby assigned to them, unless such Meanings are inconsistent with the Context; that is to say,

The Expression " Board of Trade " shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations : The "Word " Harbour " shall include Harbours properly so called, whether natural or artificial, Estuaries, navigable Rivers, Piers, Jetties, and other Works in or at which Ships can obtain Shelter, or ship and unship Goods or Passengers :

" Harbour Authority " shall include all Persons, or Bodies of Persons, corporate or unincorporate, being Proprietors of or intrusted with the Duty of constructing, improving, managing, maintaining, or lighting any Harbour : The Expression " Limited Estate," shall mean the Estate of any Person entitled under any Settlement at Law or in Equity for his own Benefit to the Possession or Receipt of the Rents and Profits of Land of any Tenure for the Term of his own Life or of the Life of any other Per-son, whether such Land is or is not subject to Incumbrances : The Word " Settlement" shall include any Act of Parliament, Will, Deed, or other Assurance whereby particular Estates or particular Interests in Land are created with Remainders or Interests expectant thereon, and any Deed of Entail; and every Estate and Interest created by Appointment made in the Exercise of any Power contained in any Settlement or derived from any Settlement shall be considered as having been created by the same Settlement; and an Estate or Interest, by way of resulting Use or Trust to or for the Settlor, or his Heirs, Executors, or Administrators, shall be deemed to be an Estate or Interest under the same Settlement:

" Pilotage Authority " shall include all Bodies and Persons authorized to appoint or license Pilots, or to fix or alter Rates of Pilotage, or to exercise

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*Status: This is the original version (as it was originally enacted).*

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any Jurisdiction in respect of Pilotage : The Expression "Shipping Purposes" shall include the constructing or doing any Work or Thing that conduces to the Safety or Convenience of Ships, or that facilitates the shipping or unshipping of Goods, and the Management and superintending the same, and shall also include the Maintenance of any Lifeboat or other Means of preserving Life in case of Shipwreck: The Expression " Differential Dues "shall include any Dues, Rates, or Taxes levied on Foreign Ships, or on Goods carried in Foreign Ships, which are not levied under like Circumstances on British Ships or on Goods carried in British Ships ; and shall also include any Excess of Dues, Rates, or Taxes levied on Foreign Ships, or on Goods carried in Foreign Ships, over the Dues or Taxes levied under like Circumstances on British Ships or on Goods carried in British Ships; excepting always such Duties as the Commissioners of Customs may be. empowered to levy for the Use of Her Majesty under any Act of Parliament in the Events therein mentioned.