



CHAPTER cx.

An Act to alter and extend the powers of the Commissioners for the harbour of Padstow to authorise the construction of a pier and other works by them and for other purposes. A.D. 1910.
[3rd August 1910.]

WHEREAS by the Act 7 Vict. cap. xxiv. intituled "An Act for regulating maintaining and improving the Port of Padstow in the County of Cornwall and the navigable parts of the River Camel or Allen in the same county" (in this Act referred to as "the principal Act") Commissioners (in the said Act and this Act called "the Commissioners") were constituted for carrying the principal Act into operation and were empowered to regulate maintain and improve the said harbour to purchase lands and tolls and to execute works and for such purposes were authorised to expend moneys and to levy tolls:

And whereas by the Padstow Harbour Improvement Order 1869 (in this Act called "the Order") confirmed by the Pier and Harbour Orders Confirmation Act 1869 the principal Act was amended and further provision was made for the maintenance improvement and regulation of the said harbour:

And whereas in view of the increasing commerce and prosperity of the town and port of Padstow it is expedient that further harbour and quay accommodation and landing places be provided by the construction of a pier or jetty with all necessary appliances and that the harbour be enlarged and be further dredged cleansed and deepened:

And whereas it is expedient that the construction and maintenance of the aforesaid improvements and works be entrusted to the Commissioners and that the principal Act and the Order

A.D. 1910. be amended and that powers be conferred on the Commissioners to apply to the said works and improvements any moneys now in their hands or which they have power to raise and to borrow further and additional moneys :

And whereas the North Cornwall Railway Company (in this Act called "the North Cornwall Company") and the London and South Western Railway Company (in this Act called "the South Western Company") have agreed to assist the Commissioners in carrying out the works authorised by this Act and it is expedient that the agreement between the Commissioners and the North Cornwall Company and the South Western Company as set forth in the First Schedule to this Act should be confirmed and made binding on the parties thereto :

And whereas it is expedient that the existing powers with respect to tolls rates dues wharfage and other charges for the use of the harbour be repealed and that the Commissioners be authorised to levy the tolls rates dues wharfage and other charges as in this Act provided :

And whereas it is expedient that the other powers and provisions in this Act contained should be granted and enacted :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas plans and sections showing the situation lines and levels of the works hereby authorised and the lands by this Act authorised to be acquired for the purpose thereof and a book of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of Cornwall and those plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. This Act may be cited as the Padstow Harbour Act 1910.

Incorporation of Acts.

2. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) and the Harbours Docks and

Piers Clauses Act 1847 (except sections 23 25 73 and 85 and the provisions of the said Act with respect to the accounts to be kept of the rates and of the vessels in respect of which they are payable) are (save so far as any of the provisions of the said Acts are expressly excepted or varied or are inconsistent with the provisions of this Act) incorporated with this Act Provided that sections 16 to 19 of the last-mentioned Act shall not be in force by reason of the incorporation of such Act as in this section provided except so far as may from time to time be required by the Board of Trade As from the passing of this Act the principal Act and the Order shall each be construed and have effect as if sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 were incorporated therein.

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3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Act shall have the same respective meanings unless there is something in the subject or context repugnant to such construction And in this Act—

Interpreta-
tion.

“The principal Act” means the recited Act 7 Vict. cap. xxiv.;

“The Order” means the Padstow Harbour Improvement Order 1869;

“The South Western Company” means the London and South Western Railway Company;

“The North Cornwall Company” means the North Cornwall Railway Company;

And the expression “Port of Padstow” has the meaning assigned to it in the principal Act.

4.—(1) The Commissioners shall be a body corporate under the name and style of “The Padstow Harbour Commissioners” with perpetual succession and a common seal and with power to sue and be sued and to purchase take hold lease and dispose of lands (without any licence in mortmain) and other property for the purposes of this Act.

Incorpora-
tion of Com-
missioners.

(2) The expression “the Commissioners” in the principal Act in the Order and in this Act shall mean the Padstow Harbour Commissioners by this section incorporated and any act matter document or thing required under the principal Act

A.D. 1910. to be signed by or to be under the hand and seal of five of the Commissioners shall not from and after the passing of this Act be authorised or made binding thereby but shall be effectual and binding only when under the common seal of the Commissioners.

Power to
acquire lands
and to con-
struct works.

5. Subject to the provisions of this Act the Commissioners may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works hereinafter described with all proper embankments slips accesses approaches jetties wharves sheds warehouses cranes buoys lights water pipes and beaches for boats tramways and other conveniences connected therewith respectively and may enter upon take and use such of the lands and foreshore delineated on the deposited plans and described in the deposited book of reference as may be required for that purpose and remove any erections or obstructions thereon (that is to say):—

A pier or jetty of masonry or other solid construction with a solid approach thereto commencing by a junction with the existing dock wall of the South Western Company at a point 1,000 feet or thereabouts measured in a south-south-easterly direction from the north end wall of the Custom House and extending seawards in a direction approximately north-north-east for a distance of 800 feet or thereabouts from the point of commencement and there terminating:

All which works will be situate in the parish of Padstow Urban and in the urban district of Padstow in the county of Cornwall:

Provided also that notwithstanding anything in this Act contained the Commissioners shall not unless otherwise agreed acquire any property belonging to the North Cornwall Company and leased to the South Western Company except in accordance with the terms and subject to the conditions mentioned in the agreement set out in the First Schedule to this Act.

Limits of
deviation.

6. In constructing the works by this Act authorised the Commissioners may deviate laterally from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and they may deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding five feet Provided that no deviation either lateral or vertical below high-water mark

shall be made without the consent in writing of the Board of Trade. A.D. 1910.

7. The Commissioners shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Commissioners shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Commissioners and the amount of such costs and charges shall be a debt due from the Commissioners to the Crown and shall be recoverable as a Crown debt or summarily.

Works below high-water mark not to be commenced without consent of Board of Trade.

8. If the special works by this Act authorised are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Period for completion of works.

9. The Commissioners may dispose of and convert to the purposes of the undertaking or lease or sell or otherwise dispose of as they may deem best in the interest of the undertaking the whole or any part of the bed or foreshore of the river or of the Port of Padstow and any other land or foreshore that may be enclosed or reclaimed by the proposed pier or jetty and all moneys so received on account of such lands or foreshore shall be applied in reduction of the cost of constructing and maintaining the said pier and jetty.

Power to dispose of lands.

10. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Commissioners on in over through or across tidal lands or tidal water or of the intended site of any such work the Commissioners shall defray the expense of the

Survey of works by Board of Trade.

A.D. 1910. survey and examination and the amount thereof shall be a debt due from the Commissioners to the Crown and be recoverable as a Crown debt or summarily.

Abatement
of work
abandoned
or decayed.

11. If a work constructed by the Commissioners on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Commissioners and the amount of such expense shall be a debt due from the Commissioners to the Crown and be recoverable as a Crown debt or summarily.

Lights on
works during
construction.

12. The Commissioners shall at or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve.

If the Commissioners fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Permanent
lights on
works.

13. The Commissioners shall at the outer extremity of their works below high-water mark exhibit and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct.

If the Commissioners fail to comply in any respect with the provisions of the present section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision
against
danger to
navigation.

14. In case of injury to or destruction or decay of the pier or works or any part thereof the Commissioners 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 Commissioners 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 direction given in reference to the means to be taken.

15. The Commissioners shall at all times keep at the outer extremity of the pier by this Act authorised and at reasonable distances along such pier and in accordance with any requirements which may be made by the Board of Trade a sufficient number of lifebuoys and lifelines in good order and fit and ready for use.

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Lifebuoys to
be kept at
pier.

16. The Commissioners shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the pier by this Act authorised and build on that site a house or other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

Provision for
life-saving
apparatus.

If the Commissioners fail to comply with this section they shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

17. The officers of the coastguard and all other persons for the time being actually employed in connection with the lifeboat or the apparatus for saving life may either permanently or temporarily without payment attach or cause to be attached to any part of the pier by this Act authorised 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 said pier.

Life-saving
apparatus
may be
attached to
pier.

18. Section 97 of the principal Act (Works to be approved by the Admiralty before commenced) is hereby repealed.

As to power to
dredge and im-
prove port and
river.

19. The Commissioners may use and appropriate in the works connected with their undertaking or otherwise dispose of the material and soil dredged by them from time to time Provided that no materials excavated or dredged by the Commissioners shall be deposited in any place below high-water mark otherwise than in such position and under such restrictions as may be fixed by the Board of Trade.

As to soil
and material
dredged by
Commis-
sioners.

20. The powers of the Commissioners for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of five years from the passing of this Act.

Period for
compulsory
purchase of
lands.

21. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant any easement

Power to
take ease-
ments &c. by
agreement.

A.D. 1910. right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid.

Lands may be acquired by agreement.

22. The Commissioners may by agreement purchase or take on lease for the purposes of the principal Act the Order and this Act and of their undertaking any additional lands which the Commissioners may deem requisite and convenient not exceeding three acres and any easements rights and interests in over or affecting such lands.

Power to Commissioners and railway companies to agree as to construction of works.

23. Subject to the provisions of this Act the Commissioners on the one hand and the North Cornwall Company and the South Western Company or either of the said companies on the other hand may from time to time enter into and carry into effect contracts agreements and arrangements with respect to the mode of construction and the management use and maintenance of the pier or jetty hereby authorised or any part thereof and the conduct of traffic thereon and the appropriation and acquisition of lands and property or any incidental matters and the exercise by the Commissioners of the powers by this Act conferred upon the Commissioners with reference to the said works or any part of them.

Confirmation of agreement with railway companies.

24. The agreement dated the eighteenth day of April one thousand nine hundred and ten and made between the Commissioners of the one part the North Cornwall Company of the second part and the South Western Company of the third part as set forth in the First Schedule to this Act is hereby confirmed and made binding upon the parties thereto respectively and the same shall and may (unless otherwise agreed in writing) be carried into effect by the respective parties.

South Western Company may apply funds.

25. The South Western Company may apply for any of the purposes of this Act relating to them to which capital is properly applicable any moneys which by any previous Act or Acts they are authorised to raise by shares stock debenture stock or borrowing and which are not by the Act or Acts under which they are authorised to be raised made applicable to any special purposes or which being so made applicable are not required for such special purposes.

26.—(1) No person (other than a fisherman or registered owner of a fishing boat) shall sell fish by auction or otherwise within the limits of the principal Act as amended by this Act or of the Port of Padstow without first obtaining a licence for the purpose from the Commissioners.

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Licensing of
fish sales-
man.

(2) The Commissioners are hereby authorised and required to grant such licence to any person upon tender to them by such person of such sum or fee not exceeding twenty shillings as they shall determine to be the fee payable in respect of such licence and the Commissioners are hereby authorised to charge and receive such sum or fee and any such licence shall remain and be in force only until the thirty-first day of December next succeeding the issue thereof.

(3) Every such person shall deliver to the Commissioners each week on such day as they shall appoint a true account in writing in such form as shall be required by the Commissioners of the gross amount of moneys received by him during the preceding week for all fish sold by him within the said limits or port and at the same time shall pay over to the harbour master the dues or rates payable in respect of such sales under the provisions of this Act.

(4) Every fisherman or licensed or registered owner of a fishing boat selling otherwise than through a salesman licensed as aforesaid within the said limits or port any fish caught by him or by his boat shall within forty-eight hours thereof make and deliver to the Commissioners a true account in writing in such form as shall be required by the Commissioners of the gross amount received by him in respect of such sale and shall at the same time pay over to the harbour master the dues or rates payable in respect thereof under the provisions of this Act.

(5) Any person who shall offend against any of the provisions of this section shall be liable to a penalty not exceeding five pounds for each offence to be recovered summarily in addition to the amount of the dues or rates payable by him under the provisions of this Act.

(6) Nothing in this section shall be deemed to exempt any person from taking out an excise auctioneers licence and a note to that effect shall be made on every licence granted under this section.

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Power to
levy tolls.

27. From and after the passing of this Act and in lieu of the several rates granted by the principal Act the Commissioners may demand and take in respect of the vessels entering or using the Port of Padstow the rates set out in Part I. of the Second Schedule to this Act and in respect of the animals goods articles or things in Part II. of the said schedule described which shall be shipped or unshipped received or delivered within the limits of the said port any sums not exceeding the several rates in the said part of the said schedule specified and the principal Act and the Order shall be construed and have effect as if the provisions of this section had originally been inserted in the principal Act and any reference in the principal Act to Schedule (H) of such Act shall be construed to mean the said Part II. of the said schedule to this Act.

Certain fish-
ing vessels
under stress
of weather
exempt from
rates.

28. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges those 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 pier by this Act authorised and not breaking bulk while making use thereof be exempt from rates leviable under this Act.

Lifeboat
crew exempt
from tolls.

29. 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 all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to along and from the pier and other works by this Act authorised without payment.

As to appli-
cation of
surplus
income.

30. The surplus (if any) of the rates authorised by the principal Act as amended by this Act referred to in section 10 (Application of rates and income) of the Order shall be applied in the first instance to providing the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed by the Commissioners under the powers conferred on them by the next succeeding section of this Act.

Borrowing
powers.

31. The Commissioners may from time to time in addition to their present borrowing powers borrow at interest on the credit of the several rates by the principal Act as amended by

this Act granted and other property vested in such Commissioners such sums of money as shall be necessary for the purposes hereinafter specified and the powers and provisions of the principal Act with respect to borrowing of money and to mortgages shall apply to moneys borrowed under this Act. A.D. 1910.

The purposes hereinbefore referred to are—

- (A) For the purpose of paying the costs charges and expenses of and incidental to the preparing applying for and obtaining and passing of this Act or otherwise in relation thereto such sums as may be required:
- (B) For the purchase of lands and foreshore and easement of access and the construction of works by this Act authorised the sum of twenty-three thousand two hundred pounds:
- (C) For any of the purposes of the principal Act the Order or this Act to which capital is properly applicable such sum as the Board of Trade shall from time to time sanction Provided always that moneys borrowed under the provisions of this section shall be applied only to the purposes for which it is authorised to be borrowed:

Provided also that any moneys borrowed under this section for the purpose mentioned in sub-paragraph (A) of this section shall be repaid within five years from the passing of this Act and moneys borrowed under the provisions of this section for the purposes mentioned in sub-paragraph (B) shall be repaid within forty years from the date of borrowing the same and any moneys borrowed under this section for the purposes of sub-paragraph (C) of this section shall be repaid within such period from the borrowing of the same as the Board of Trade shall sanction (all which respective periods are hereafter referred to as "the prescribed periods") and such repayments shall be made either by equal annual instalments of principal or of principal and interest combined or by means of a sinking fund appropriated for that purpose and the accumulations thereon (if any) from time to time applied for that purpose or partly in one way or partly in any of the other ways.

32.—(1) The Commissioners shall have power—

- (A) To borrow for the purpose of paying off any moneys previously borrowed under the principal Act the

Power to
reborrow.

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Order or this Act which are intended to be forthwith repaid; or

- (B) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Commissioners in repaying moneys previously borrowed under the principal Act the Order or this Act and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Commissioners shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Commissioners shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (A) By instalments or annual payments; or
 (B) By means of a sinking fund; or
 (C) Out of moneys derived from the sale of land; or
 (D) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Sinking
fund.

33.—(1) Any sinking fund shall be formed and maintained either—

- (A) By payment to the fund throughout the prescribed period subject as in the last preceding section provided of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a “non-accumulating sinking fund”; or
 (B) By payment to the fund throughout the prescribed period subject as in the last preceding section provided of such equal annual sums as with accumulations at a

rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an "accumulating sinking fund." A.D. 1910.

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority the Commissioners being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Commissioners towards the equal annual payments to the fund.

(4) The Commissioners may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Commissioners shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Commissioners:

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

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(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Commissioners in addition to the payments provided for by this Act.

(7) If it appears to the Commissioners at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Commissioners to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose.

(8) If the Commissioners desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Commissioners be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Commissioners may reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Commissioners be sufficient to repay the loan in respect of which it is formed within the prescribed period the Commissioners may discontinue the annual payments to such sinking fund.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes of the undertaking as the Commissioners may determine.

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

34. The secretary or clerk shall within two months after the expiration of each year during which any sum is by this Act required to be set apart for a sinking fund transmit to the Board of Trade a return in such form as may be prescribed by

the Board of Trade and verified by statutory declaration if so required by them showing the amount which has been so set apart in respect of that year and the description of the securities upon which the same has been invested and also showing the purpose to which any portion of such sinking fund and the interest or income thereof have 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 the secretary or clerk so making default shall be liable to a penalty not exceeding twenty pounds which shall be recoverable by the Board of Trade as a debt to the Crown is recoverable If it appear to the Board of Trade by any such return or otherwise that the Commissioners have failed to set apart the sum required by this Act to be set apart for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest or income thereof to any purposes other than those authorised by this Act 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.

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35. The Commissioners shall within one month after sending to the clerk of the peace a copy of their annual account as required by section 52 of the principal Act send a copy of the same to the Board of Trade and the Commissioners shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

Annual
account to
be sent to
Board of
Trade.

36. Byelaws made by the Commissioners after the passing of this Act shall not come into operation until they are confirmed by the Board of Trade and the power of the Commissioners to make and enforce byelaws under the Harbours Docks and Piers Clauses Act 1847 shall extend to the making and enforcement of such byelaws as they think fit for all or any of the following purposes (that is to say):—

As to bye-
laws.

For regulating the conduct of the owners masters and crews of vessels propelled by steam with respect to the rate of speed at which they may proceed within the harbour and for requiring such vessels to stop or slow their engines at such times and places as the Commissioners may

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require and to keep the advertised times of sailing and for regulating the taking on board transshipping landing or putting out of passengers:

For regulating the using of the buoys of the Commissioners:

For preventing nuisance or annoyance by smoke and noise caused by vessels and the machinery and appliances thereof:

For regulating the use of warehouses sheds depôts quays trucks barges machinery plant and appliances and labour provided by the Commissioners:

For berthing and removing vessels lying in any part of the harbour and regulating the conduct and behaviour of boatmen lumpers jobbers stevedores and others resorting to the harbour piers or works or lands connected therewith:

For preventing the exhibiting or placing in or on any of the piers or works or lands connected therewith of any goods for sale other than such goods as the Commissioners from time to time think fit to be permitted to be sold there and other than perishable articles landed on the piers or works or lands connected therewith and sold within forty-eight hours of their being landed.

Application
of provisions
of principal
Act and
Order to this
Act.

37. All the provisions of the principal Act and the Order (as amended by this Act) shall so far as applicable extend and apply to the works and powers by this Act authorised and granted and to the Port of Padstow as improved under the provisions in that behalf of this Act and to the penalties by this Act enacted and the works powers and privileges authorised and granted by the principal Act the Order and this Act shall form and be one undertaking and the works by this Act authorised shall for the purposes of the principal Act be deemed to be and be a purpose and object of such Act.

Repeal of
certain sec-
tions of prin-
cipal Act.

38. The sections of the principal Act set out in the Third Schedule to this Act and Schedule (H) of the principal Act (in this section hereinafter referred to as "the repealed sections") are hereby repealed Provided as follows (that is to say):—

(1) All existing mortgages granted payable or created by the Commissioners shall be and continue valid and available for all purposes and for and against all

parties and the holders of all such mortgages shall be in the like position and entitled to the like powers rights and remedies as if the same had been granted or issued in respect of the rates by this Act authorised to be demanded and taken by the Commissioners: A.D. 1910.

- (2) All actions prosecutions and proceedings by with or against the Commissioners by reason of any matter or thing done before the passing of this Act in execution of or in relation to the repealed sections or any of them may be continued commenced or prosecuted by or against the Commissioners as if this Act had not been passed:
- (3) All existing byelaws regulations and orders shall continue in force until repealed altered or revoked under the provisions of this Act or until their expiration and may be enforced in like manner and with the same penalties as if this Act had not been passed:
- (4) All rates rents charges and other sums at the passing of this Act due or accruing due to the Commissioners may be collected and recovered by the Commissioners as if this Act had not been passed:
- (5) All books and documents which under any of the repealed sections or otherwise would have been receivable in evidence shall be receivable in evidence as if this Act had not been passed.

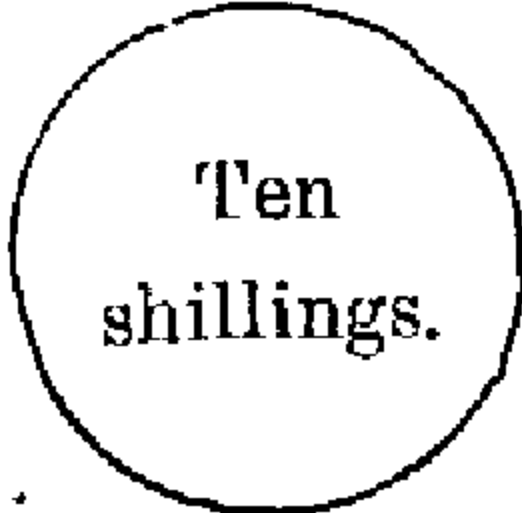
39. All costs charges and expenses of and incident to the preparation and obtaining of this Act and otherwise incurred in reference thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Commissioners out of moneys received by them under the principal Act or the Order or this Act or out of money borrowed by them for the purpose. Costs of Act.

A.D. 1910.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Stamp.

Ten shillings.

AN AGREEMENT made the eighteenth day of April one thousand nine hundred and ten between the PADSTOW HARBOUR COMMISSIONERS (hereinafter called "the Commissioners") of the first part the NORTH CORNWALL RAILWAY COMPANY (hereinafter called "the North Cornwall Company") of the second part and the LONDON AND SOUTH WESTERN RAILWAY COMPANY (hereinafter called "the South Western Company") of the third part.

WHEREAS the Commissioners are the owners of the harbour at Padstow :

And whereas the North Cornwall Company are the owners and the South Western Company are the lessees of the line of railway between Wadebridge and Padstow and of the dock and foreshore adjoining the railway station at Padstow aforesaid :

And whereas with a view to improving and increasing the harbour and dock accommodation at Padstow aforesaid the Commissioners are promoting a Bill in the present session of Parliament to enable them (inter alia) to construct and maintain a pier and other works as shown on the plans deposited in connection with the said Bill (hereinafter called "the deposited plans") in substitution for the existing dock walls of the railway companies and to dredge and otherwise improve the harbour :

And whereas the Commissioners have requested the North Cornwall Company and the South Western Company (hereinafter referred to as "the railway companies") to assist them in carrying out the proposed works which the railway companies have agreed to do on the terms and conditions hereinafter appearing :

Now therefore it is hereby agreed between the Commissioners on the one hand and the railway companies jointly and each of them separately on the other hand as follows :—

1. When and so soon as the necessary Parliamentary powers shall have been obtained by the Commissioners and they shall be in a position to commence the construction of the said pier and other works (hereinafter called "the new works") the railway companies will grant and convey unto the Commissioners free of cost so much of

the land and foreshore of the railway companies as lies between the western limit of the property to be acquired shown on the deposited plans and the new works including the site thereof Provided that nothing in this article contained shall in any way lessen interfere with or prejudice the rights privileges and powers of the railway companies or either of them in or over the said area or to moor alongside the quays wharves and jetties free of all charges and tolls (except harbour dues for the time being in force) and restraint as at present or to interfere with the full and free right of access thereto and thereon Provided further that if under the clause of the Bill of which the marginal note is "Abatement of work abandoned or decayed" the Board of Trade shall at any time abate and remove the work or any part of it and restore the site thereof to its former condition the same shall revert to the railway companies.

A.D. 1910.

2. The Commissioners shall complete the new works with all due despatch and shall construct the same up to the level of the adjoining property of the railway companies and when the same shall have been completed to the satisfaction of the South Western Company's chief resident engineer the South Western Company will provide and maintain all such rails and cranes on the new works as shall in the opinion of the said engineer be from time to time necessary but except as aforesaid the Commissioners shall at their own expense in all things maintain the new works and assume all liability in respect of the proper upkeep of the dock and the works surrounding it and carry out from time to time all such dredging as may be necessary to maintain the dock at the depth at which it is constructed Any damage caused to the works or property of the railway companies by dredging or otherwise shall be made good by the Commissioners.

3. The Commissioners shall not without the consent of the railway companies remove or interfere with the existing dock wall or jetty of the railway companies numbered 4 on the deposited plans and hereinafter referred to as "the existing jetty" until so much of the new pier or jetty shown on those plans shall have been completed to a point extending ten yards beyond the existing jetty numbered 4 and on such completion as aforesaid the Commissioners shall be at liberty to remove the existing jetty and use the materials thereof for the purposes of the new works as may be found convenient for the purpose Provided that the Commissioners shall not interfere with the access at all times having due regard to the tides to the quay side adjoining the fish shed and ice house shown on the deposited plans.

4. In order to provide proper and convenient access for all persons having business in connection with the railway or the trade carried on on the quays or in the dock at all times and for all purposes to pass and re-pass to or from the existing fish shed and

A.D. 1910. also to or from the new works the railway companies shall provide and for ever afterwards maintain—

- (1) A convenient way adjacent to the harbour for pedestrian traffic only commencing at the northern end of the railway at the South Quay and leading to the fish shed and new works:
- (2) A level crossing for vehicular and pedestrian traffic at the southern end of the station and shall also maintain the existing level crossing to form an access for vehicular and pedestrian traffic to the fish shed.

5. The South Western Company shall have the exclusive user of the railways and sidings to be laid on the new works and shall give all reasonable facilities for the receiving forwarding and delivery of all traffic upon and from such railway and sidings including a complete system of local and through rates the same in cases where the circumstances are similar as those for the time being in force to and from Padstow Station (including terminals) in respect of the like traffic and whenever the South Western Company make any rebate or allowance in respect of traffic to and from Padstow Station they shall where the circumstances are similar make the like rebate or allowance in respect of the like traffic to and from such railway and sidings but the South Western Company shall be at liberty to make in addition to the aforesaid rates a reasonable charge for working and shunting.

6. The South Western Company will pay to the Commissioners the sum of fifty pounds per annum as a contribution towards the expense of lighting and maintaining the new works and such contribution shall be made by equal half-yearly payments on the 30th day of June and the 31st day of December in each year the first payment or a proportionate part thereof being made on the first 30th day of June or 31st day of December as shall happen after the opening of the new works for public traffic.

7. The Commissioners shall pay all rates and taxes whether payable by landlord or tenant in respect of the new works (except such rates and taxes as may be attributable to the railways and sidings of which the South Western Company have the user and which shall be paid by the South Western Company) and shall indemnify the railway companies therefrom.

8. If any question shall arise between the Commissioners and the railway companies or either of them under this agreement the same shall be referred to and determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party by the Board of Trade.

9. This agreement is subject to the approval of Parliament and to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration not approved of by the railway companies or the Commissioners as the case may be then and in such case the party disapproving of the alteration may withdraw from this agreement. A.D. 1910.

In witness whereof the parties hereto of the first part have hereunto set their hands and seals and the railway companies have caused their respective common seals to be hereunto affixed the day and year first above written.

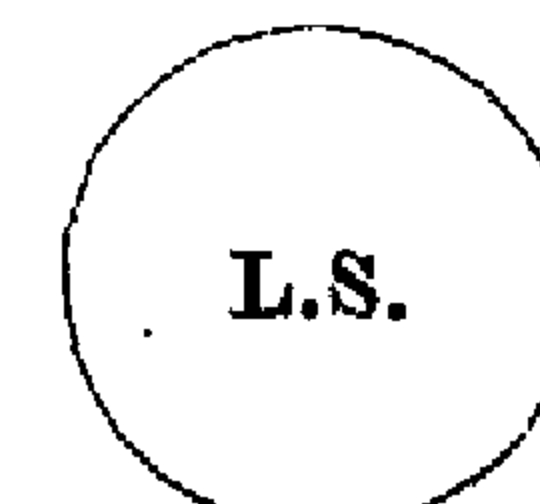
The common seal of the North Cornwall Railway Company was hereunto affixed in the presence of
ERNEST C. PRICE Secretary.



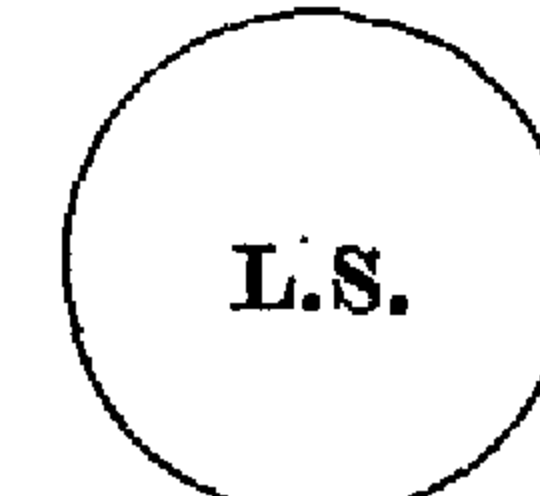
The common seal of the London and South Western Railway Company was hereunto affixed in the presence of
GODFREY KNIGHT Secretary.



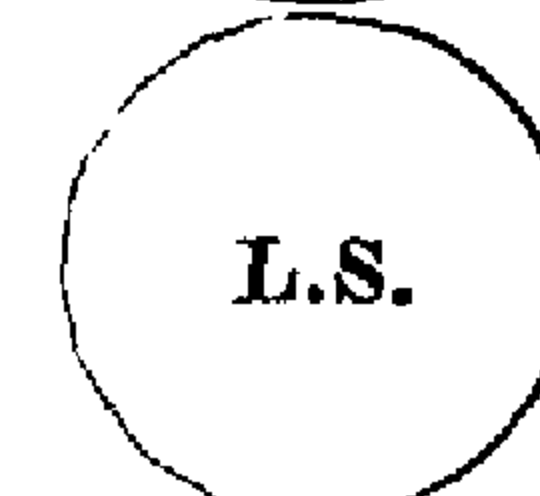
WM. LUCY.



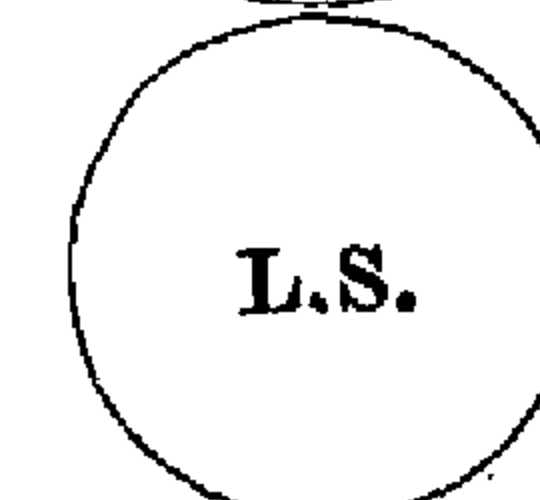
JOSHUA HICKS.



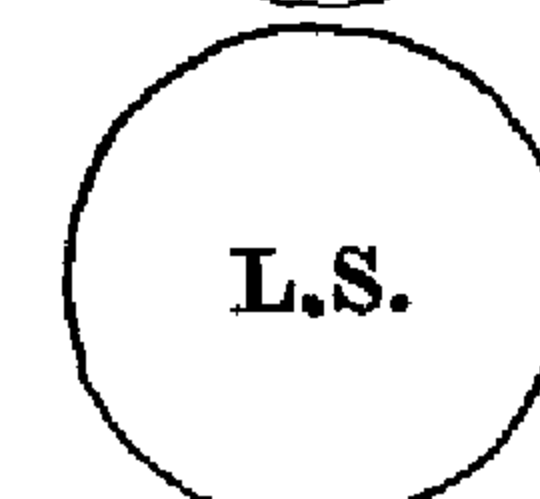
R. SUSSEX LANGFORD.



W. PHILLIPS.



RICHARD BINNY.



Signed, sealed and delivered by the above-named William Lucy Joshua Hicks R. Sussex Langford W. Phillips and Richard Binny being five of the Commissioners acting under the Padstow Harbour Act in the presence of

G. L. ELLIS
Wadebridge
Solicitor.

A.D. 1910.

SECOND SCHEDULE.

PART I.

Tonnage Rates on Vessels.

	s.	d.
For every loaded vessel for every registered ton	0	2
For every vessel in ballast per registered ton	0	1
For every barge and boat above twenty feet in length belonging to and frequenting the Port of Padstow and not going beyond the limits of the port per annum ...	2	6
For every tugboat for each occasion entering the harbour the sum of	3	0
For every vessel which shall remain at any pier belonging to the Commissioners or in the basin of Padstow for a longer time than one month shall pay the additional rate per ton of tonnage per month of	0	2
But no vessel shall pay for any twelve months more than £10 and any vessel having repairs executed to the amount of £10 to be exempt for three months after entering the harbour.		
For all vessels laid up in winter for each month or part of a month (vessels not going to sea within one month after arrival considered laid up) for every ton measurement ...	0	1

PART II.

Rates on Articles of Import and Export.

	s.	d.
Ale beer or porter per barrel of 36 gallons	0	2
Ale beer or porter in bottles per doz.	0	0½
Anchors } Anvils } see Iron.		
Aniseed per cwt.	0	1
Antimony per ton	2	0
Arrowroot and powder per cwt.	0	2
Arsenic per cwt.	0	1
Bacon or pork per cwt.	0	2
Bagging per cwt.	0	0½
Barley (see Corn).		
Bark generally per ton	0	6
Baskets per doz.	0	0½
Basket rods per 1,000	0	1
Beans (see Corn).		

	<i>s.</i>	<i>d.</i>	A.D. 1910:
Bed posts per set	0	1	—
Beef per cwt.	0	2	
Beer spruce per barrel of 36 gallons	0	2	
Biscuit or bread per cwt.	0	1	
Blacking per cwt.	0	1	
Blocks (see Timber).			
Blue per cwt.	0	1	
Bone dust dissolved bones sulphuric acid and all fertilisers including nitrate of soda per ton	0	4	
Bottles per gross	0	4	
Boards (see Timber).			
Bran (see Corn).			
Brandy (see Spirits).			
Brass per cwt.	0	1	
Bricks per 1,000	0	6	
Brimstone per cwt.	0	0½	
Brooms per doz.	0	0½	
Brooms and brush handles per gross of 12 doz.	0	2	
Brush heads and stocks per 100	0	1	
Brushes per bundle of 20	0	1½	
Butter per 56 lbs.	0	1	
Cables tarred or not per ton	1	0	
Cable yarn per ton	1	0	
Cages per doz.	0	1	
Cakes cotton and feeding meals per cwt.	0	0½	
Candles tallow per cwt.	0	1	
Candles wax per cwt.	0	4	
Canvas per cwt.	0	2	
Carboys each	0	1	
Carts each	1	0	
Carts (hand) each	0	6	
Cattle viz.:—			
Bulls cows and oxen each	0	6	
Calves each	0	3	
Horses each	1	0	
Pigs and sheep each	0	1	
Lambs each	0	1	
Asses and mules and cattle not otherwise charged each	0	3	
Cement per ton	0	6	
Chain and chain cables (as anchors).			
Chairs per doz.	0	4	
Cheese per cwt.	0	1	
China per crate of 3 cwt.	0	6	
Chocolate per cwt.	0	2	
Cider or perry in bottles per doz.	0	0½	

A.D. 1910.

	s.	d.
Cider per 63 gallons	0	3
Clay per ton	0	2
Clocks per doz.	1	6
Clocks wood per doz.	0	6
Cloth of all kinds per cwt.	0	2
Cloth linen per cwt.	0	2
Cloth woollen per cwt.	0	2
Coals per ton	0	2
Cocoa per cwt.	0	1
Cocoa nuts per 100	0	3
Coffee per cwt.	0	1
Copper per cwt.	0	1
Cordage tarred or not per ton	1	0
Cordials per case of 1 doz.	0	2
Cork per cwt.	0	2
Corn viz. :—Wheat barley oats bere and Bigg Indian corn rye and all other grain per quarter	0	1½
Flour per sack of 280 lbs.	0	1½
Barley meal and Indian meal per quarter	0	1½
Bran per sack of four bushels	0	0½
Oatmeal per cwt.	0	1
Beans and peas per quarter	0	1½
Malt per quarter	0	1½
Cotton per ton	1	0
Cradles each	0	1
Crates each	0	3
Crease per doz.	0	0¼
Clum per ton	0	2
Currants per ton	0	10
Dates per cwt.	0	2
Dogs and other animals each	0	2
Drain pipes per 100 feet	0	1½
Drugs per cwt.	0	1½
Earths per cwt.	0	1
Earthenware coarse in bulk per ton	0	6
Earthenware ovens each	0	1
Eggs per gross of 12 doz.	0	1
Emery per cwt.	0	1
Emery stones per cwt.	0	1
Felt per cwt.	0	1
Figs per cwt.	0	0½
Fish cured per ton	0	10
Fish (other than cured fish) brought into the harbour or to any place within the limits of the Port of Padstow and sold the following tolls on the gross proceeds of the fish :—		

[10 EDW. 7 &
1 GEO. 5.]

Padstow Harbour Act, 1910.

[Ch. cx.]

	s.	d.	A.D. 1910.
Where the gross proceeds amount to 20s. and upwards in the £ sterling on the gross value	0	3	—
15s. and less than 20s.	0	3	
5s. and less than 15s.	0	2	
Under 5s.	0	1	
Flag stones (see Stones).			
Flax per ton	1	0	
Floor cloth per cwt.	0	2	
Flower roots plants or trees per gross	0	2	
Free stones (see Stones).			
Fruit (green or dried) per ton	0	10	
Gates per doz.	0	6	
Gigs each	1	6	
Glass (sized) per cwt.	0	1	
Glass per cwt.	0	1	
Glue per cwt.	0	1	
Granite or Moorstone (see Stones).			
Grease or greaves per cwt.	0	0½	
Grinding stones (see Stones).			
Gunpowder per cwt.	0	1	
Gunstocks per hundred	1	0	
Guano per ton	0	4	
Haberdashery and hosiery per cwt.	0	4	
Hair of all sorts per cwt.	0	1	
Hams per cwt.	0	1	
Hardware per cwt.	0	0½	
Hats per gross	0	2	
Hemp per ton	1	0	
Hides each	0	0¼	
Honey per cwt.	0	1	
Hooks reap per doz.	0	0½	
Hoops per thousand	0	2	
Mast and hanks per gross	0	1	
Hops per cwt.	0	4	
Hurdles per doz.	0	2	
Ice per ton	0	1½	
Indigo per cwt.	0	2	
Iron iron bars bolts boiler plates and pigs per ton	0	4	
Nail rods			
Hoops			
Anchors			
Anvils			
Shear mould ploughshares			
Plates pots kettles			
Stamp heads			
Shovel plates			
	} per ton	0	6

A.D. 1910. Iron &c.—*continued.*

	s.	d.
Nails per cwt.	0	0½
Grates stoves each ...	0	0½
Grates register each ...	0	1
Wire per cwt.	0	1
Scythes per doz. ...	0	1
Furnaces at per 20 gallons ...	0	0½
(Cast) hollow ware per cwt. ...	0	1
Irons bakers' and puddling pans per cwt. ...	0	1
Jack screws per pair ...	0	1
Junks per ton ...	0	3
Lard per cwt. ...	0	1
Laths } (see Timber).		
Lathwood }		
Lead per ton ...	0	6
Lead shot per cwt. ...	0	0½
Leather generally per cwt. ...	0	2
Lemons or oranges per cwt. ...	0	2
Lime per ton ...	0	3
Linen or woollen rags per cwt. ...	0	0½
Linen cloth per cwt. ...	0	2
Machinery steam and other iron engines and parts of the same foundation plates bobs and pumps for engines per ton ...	0	6
Ditto wood and iron mixed per ton ...	0	6
Mahogany (see Timber).		
Marble (see Stone).		
Matting per cwt. ...	0	1
Mats per score ...	0	2
Maunds per cwt. ...	0	1
Millinery per cwt. ...	0	6
Millstones (see Stones).		
Mineral waters per doz. ...	0	1
Molasses per cwt. ...	0	0½
Mops per doz. ...	0	0½
Muriate of lime } Ditto of potash } per cwt. ... Ditto of soda }	0	1
Muskets per doz. ...	0	3
Mustard per cwt. ...	0	1
Nails (see Iron).		
Nitrate of soda per ton ...	0	4
Nuts per cwt. ...	0	1
Nutmegs per cwt. ...	0	4
Oars (see Timber).		
Oakum per ton ...	0	6
Ochre per cwt. ...	0	0½
Ochre exported (raw) per ton ...	0	1

[10 EDW. 7 &
1 GEO. 5.]

Padstow Harbour Act, 1910.

[Ch. cx.]

	s.	d.	A.D. 1910.
Oil castor per cwt. ...	0	3	—
Oil cake per ton ...	0	10	
Oils per ton ...	0	10	
Olives per cwt. ...	0	2	
Onions per bushel ...	0	0½	
Ores tin copper lead and other minerals per ton ...	0	3	
Iron and mundic per ton ...	0	0½	
Manganese per ton ...	0	3	
Paints and painters' colours per cwt. ...	0	0½	
Paintings pictures and other pier glasses per square foot ...	0	2	
Paper per cwt. ...	0	1	
Peas (see Corn).			
Pickles per cwt. ...	0	2	
Pilchards (see Fish).			
Pipes tobacco per cwt. ...	0	2	
Pitch per ton ...	0	10	
Ploughs each ...	0	3	
Plums per cwt. ...	0	2	
Potash per ton ...	0	10	
Potatoes per ton ...	0	6	
Preserves all sorts per cwt. ...	0	1	
Plaster of Paris per cwt. ...	0	0½	
Prunes per cwt. ...	0	2	
Rosin per ton ...	0	10	
Raisins and figs per cwt. ...	0	0½	
Rice per cwt. ...	0	1	
Rope per ton ...	1	6	
Rushes per cwt. ...	0	1	
Salt per ton ...	0	3	
Salting trays each ...	0	0½	
Saltpetre per cwt. ...	0	0½	
Sago per cwt. ...	0	1	
Sails and sail cloths per cwt. ...	0	1	
Scythe stones (see Stones).			
Scythes (see Iron).			
Seeds per cwt. ...	0	1	
Sieves per doz. ...	0	1	
Silks raw per cwt. ...	0	4	
Silks thrown per cwt. ...	0	8	
Silks waste per cwt. ...	0	2	
Skins badger bear beaver deer elk ermine fitchet fox leopard lion martin otter panther seal tiger per score ...	1	0	
Skins horse per score ...	0	6	
Skins sheep per doz. ...	0	2	
Skins calf per score ...	0	3	

A.D. 1910.

	s.	d.
Skins cat chinchilla mink raccoon seal (hair) per score	0	3
Skins goat per doz.	0	3
Skins calf velves per cwt.	0	1
Skins lamb per doz.	0	1
Skins lambs' felts per 100	0	6
Skins sheep's felts per 100	0	8
Skins coney hare mole per score	0	1
Slates writing per gross	0	2
Slate per ton	0	1 $\frac{1}{2}$
Snuff per cwt.	0	1
Soap per ton	0	10
Soda per ton	0	4
Spars (see Timber).		
Spirits per 252 gallons	1	6
Starch per cwt.	0	1
Staves (see Timber).		
Steel per cwt.	0	0 $\frac{1}{2}$
Stone wrought granite per ton	0	1 $\frac{1}{2}$
Stone flooring per ton	0	1 $\frac{1}{2}$
Stone moor or granite per ton	0	0 $\frac{1}{4}$
Stone grinding stones per ton	0	3
Stone whetstones per gross	0	1
Stone free and other wrought per ton	0	3
Stone lime per ton	0	1
Stone marble per ton	1	0
Stone chirt per ton	0	3
Stone burr per cwt.	0	1
Stone mill per cwt.	0	0 $\frac{1}{2}$
Stone quern each	0	2
Stone marble in slabs per cwt.	0	1
Succades and sweetmeats per cwt.	0	1
Sugar per ton	0	10
Sweets and peel per cwt.	0	1
Tallow per ton	0	6
Tapioca per cwt.	0	1
Tar per ton	0	10
Tea per cwt.	0	1
Tin per cwt.	0	1
Tin plates per cwt.	0	2
Tin ware per cwt.	0	1
Timber per 50 cubic feet	0	6
Blocks heel per gross	0	1
Blocks last per doz.	0	1
Blocks ship per doz.	0	1
Brazil wood of all sorts per cwt.	0	0 $\frac{1}{2}$

Timber—*continued.*

	s.	d.	A.D. 1910.
Deal and deal ends per 50 cubic feet ...	0	4	—
Lathwood per 40 feet ...	0	4	
Laths per 1,000 ...	0	0 $\frac{1}{2}$	
Lignum vitæ and hard woods in general per cwt. ...	0	0 $\frac{1}{2}$	
Mahogany per 50 cubic feet ...	0	8	
Oars per doz. ...	0	1	
Pick and shovel hilts per 100 doz. ...	2	0	
Spars per doz. ...	0	2	
Staves pipes per 1,000 ...	2	0	
Hogsheads per 1,000 ...	1	0	
Barrels per 1,000 ...	0	6	
Stamp lifters per set ...	0	2	
Wheel per set ...	0	2	
Uphirs per doz. ...	0	2	
Not otherwise charged per 50 cubic feet ...	0	6	
Tobacco per cwt. ...	1	0	
Tongues per cwt. ...	0	1	
Treenails per 1,000 ...	0	1	
Twine and thread per ton ...	2	0	
Turpentine per ton ...	1	0	
Turnips per ton ...	0	3	
Twine or netting per cwt. ...	0	1	
Types per cwt. ...	0	2	
Venice turpentine per cwt. ...	0	1	
Vinegar per ton ...	1	0	
Wax per cwt. ...	0	1	
Whiting per ton ...	0	6	
Wheelbarrows each ...	0	1	
Wheels each ...	0	0 $\frac{1}{2}$	
Whetstones (see Stones).			
Whipsticks per gross ...	0	1	
Wick yarn per cwt. ...	0	2	
Willows per cwt. ...	0	0 $\frac{1}{2}$	
Wines and liquors in bottles per doz. ...	0	3	
Wine per 252 gallons ...	4	6	
Wool per ton ...	2	6	
Yarns of all sorts per ton ...	2	6	

A.D. 1910.

THIRD SCHEDULE.

SECTIONS OF PRINCIPAL ACT REPEALED.

No. of Section of principal Act.	Marginal Note of Section.
38	Actions or suits to be brought in the name of any two Commissioners or their clerk.
41	Indemnity to Commissioners.
71	Parties under disability enabled to sell and convey.
72	Parties under disability to exercise other powers.
73	Consideration to be a gross sum.
74	Acceptance of compensation for price of or damage to lands.
75	Amount of compensation to be ascertained by valuation in case of parties under disability.
90	Purchase money payable to parties under disability amounting to £200 to be deposited in Bank of England.
91	Order for application.
92	Sums from £20 to £200 to be deposited or invested in trustees.
93	Sums not exceeding £20 to be paid to parties.
94	Costs in cases of money deposited.
100	Cranes and weighing engines.
104	Tolls for the harbour to be taken.
106	Exemption for vessels returning from stress of weather &c.
107	How tonnage of vessels to be ascertained.
108	Rates on goods shipped or unshipped.
111	Rates on foreign vessels may be reduced to rates on British ships.
112	Rates to be charged equally.
116	Masters to report arrival of vessels within the harbour.
117	Master of vessel to produce certificate of registry.
118	Masters of vessels to give account of goods intended to be unshipped.
119	Penalty on masters giving no account or a false account.
121	In case of dispute goods to be weighed or measured.
122	Expences of weighing or measuring goods.
123	Rates on goods by whom and when payable.
124	Recovery of rates on ships.
125	Recovery of rates on goods.
126	Power for collector to board vessels and ascertain rates due.
127	Penalty on evading payment of rates.
128	Collector of customs may withhold a discharge to any vessel until rates are paid.
129	Disputes concerning rates and distress to be settled by a justice.
130	List of rates to be set up.
131	Power to appoint harbour master.
133	Harbour master may remove vessels.
135	Harbour master may cut ropes.
136	Harbour master may remove wrecks &c.
137	Penalty on harbour master.
138	Masters of vessels to obey orders of harbour master.
139	Combustible matter on quays &c. to be removed.
140	Combustibles to be guarded during the night.
141	Penalties against fire.
144	Remedies for damage to port quays &c.
145	Owner or master of vessel answerable for servants.
146	Masters may recover from servants.
147	Harbour and dock police.

A.D. 1910.

No. of Section of principal Act.	Marginal Note of Section.
148	Power of justices to dismiss constables.
150	Byelaws.
151	Penalty for enforcing byelaws.
152	Byelaws to be confirmed.
153	A copy of proposed byelaws to be open to inspection.
154	Publication of byelaws.
155	Byelaws to be binding on all parties.
156	Evidence of byelaws.
160	Provision for damages not otherwise provided for.
161	For ascertaining compensation expenses.
162	Penalties to be summarily recovered before justices.
163	Penalties may be levied by distress.
164	Imprisonment in default of distress.
167	Penalty on witnesses making default.
168	Transient offenders.
	And Schedule (H) of the Act.

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