

[52 & 53 VICT.]

*Pier and Harbour Orders
Confirmation (No. 1) Act, 1889.*

[Ch. xliii.]



CHAPTER xliii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Boscombe, Clacton-on-Sea, Keppel, Port Ness, Woodda, and Wexford. [24th June 1889.]

A.D 1889.

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 Commissioners and undertakers respectively 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, or of the Secretary for Scotland in Scotland, as the case may be, 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 in England, or in Scotland in any district within the meaning of the Public Health (Scotland) Act, 1867, as the case may be, ten or more houses which, after the passing of this Act, have been or on the fifteenth day of December

Special pro-
vision as to
houses of
labouring
class.

30 & 31 Vict.
c. 101.

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last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, 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. 1) Act, 1889.

THE SCHEDULE OF ORDERS.

1. BOSCOMBE.—Amendment of former Order.
 2. CLACTON-ON-SEA.—Addition to existing pier, and amendment of former Order and Act.
 3. KEPPEL.—Levying of rates, &c. at existing pier.
 4. PORT NESS.—Construction of harbour.
 5. WOODDA.—Construction of pier.
 6. WEXFORD.—Amendment of former Act and Order.
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A.D. 1889.

BOSCOMBE.*Boscombe.**Order for amending Boscombe Pier Order 1887.*

1. This Order shall be read and construed with the Boscombe Pier Order 1887 (in this Order called the Order of 1887) as one Order and may be cited as the Boscombe Pier Order 1889 and the Order of 1887 and this Order may be cited together as the Boscombe Pier Orders 1887 and 1889. Short title.
2. The Boscombe Pier Company Limited (in this Order called the Company) shall be the Undertakers for the purposes of this Order. Undertakers.
3. 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 Company that the works authorised by the Order of 1887 have been so far completed as to afford adequate accommodation for the landing and embarking of passengers by means of such works and the Bournemouth Commissioners shall by writing under the hand of their Clerk have given their approval of such accommodation (which approval shall not be unreasonably withheld) the Company may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 and although the whole of the works authorised by the Order of 1887 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 the Order of 1887 as shall in the opinion of the Board of Trade be commensurate to the accommodation afforded. And if at any time it shall be the opinion of the Board of Trade that the accommodation afforded does not warrant the demand of the full amount of rates specified in that Schedule and increased accommodation is subsequently afforded by the Company then the Company may demand receive and recover the full amount or such proportion of all or any of the said rates as shall in the opinion of the Board of Trade be commensurate with the accommodation afforded. Rates may be levied though works not completed.
4. The Company 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 rates authorised by the Order of 1887 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 the Order of 1887 or of this Order. Power to vary exemptions from rates and to enter into compositions &c.
5. The annual account in abstract of the Company a copy whereof is required to be sent to the Clerk of the Peace and to the Board of Trade and to the Bournemouth Commissioners shall be made up to the end of the day on the twenty-fifth day of March in each year. Accounts to be made up on 25th March.
6. 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 the Order of 1887 or this Order be commenced within limits affected by any such rights interests powers authorities or privileges without the consent of the Board of Trade having been first obtained. Saving rights under Crown Lands Act 1866.
7. All costs charges and expenses of and incidental to preparing and obtaining this Order or otherwise incurred in reference thereto shall be paid by the Company. Costs of Order.

A.D. 1889.

Clacton-on-Sea.

CLACTON-ON-SEA.

Order for amending the Clacton-on-Sea Pier Order, 1875, and for the construction, maintenance, and regulation of additions to the pier and works at Clacton-on-Sea, in the County of Essex.

Short title.

1. This Order may be cited as the Clacton-on-Sea Pier Order, 1889, and this Order, together with the unrepealed parts of the Thorpe and Great Clacton Railway Act, 1866, the Warrant of the Board of Trade, dated the fifth day of April, one thousand eight hundred and seventy-two, issued under the Railway Companies' Act, 1867, and the Clacton-on-Sea Pier Order, 1875 (in this Order called the Order of 1875), shall be read and construed as one Act or Order.

Undertakers.

2. The Clacton-on-Sea Pier Company (in this Order called the Company) shall be the undertakers for carrying this Order into execution.

Incorporation of Acts.

3. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, the Companies Clauses Consolidation Act, 1845, and Parts I., II., and III. (relating respectively to the cancellation and surrender of shares, additional capital, and to debenture stock) of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869, except so far as varied by, or inconsistent with, this Order, are hereby incorporated with this Order; and for the purposes of such incorporation the term special Act in the said Acts shall mean this Order.

Limits.

4. The limits to which the Order of 1875, and the power to levy rates under that Order, and the other provisions of that Order extend, shall comprise the works authorised by this Order.

Power to take lands by agreement.

5. For the purposes of the works authorised by this Order, the Company may from time to time by agreement, enter upon, take, and use all or such parts of the lands shown on the plans deposited with reference to this Order as the Company think requisite for the purposes of this Order.

Power to execute works.

6. 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 Company may in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections (so far as the same are shown thereon) construct and maintain the works authorised by this Order.

Description of works.

7. The works authorised by this Order comprise the following :—

An addition to the width of the present pier of three yards on each side thereof, commencing at the shore end, extending seawards for a distance of two hundred and ninety yards, and of thirteen yards on each side thereof, for a further distance seawards of seventy-five yards.

An extension seaward for ten yards of the present pier-head, commencing at the southern face thereof.

An addition to the width of the wings of the present pier-head on the north or land side thereof so as to extend the same to the existing lifeboat slipways.

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Clacton-on-Sea.

An addition of seven yards to the width of the existing loading berth throughout its full length.

A pavilion or covered building, with all necessary and proper conveniences, on the pier, as widened under this Order, near to the pier-head.

All necessary or proper cranes, buoys, moorings, engines, accumulators, apparatus, hawsers, and other works for use in connexion with the pier.

8. The Company, in constructing the works authorised by this Order, may alter and deviate the same to any extent laterally within the limits of deviation, and vertically not exceeding (except with regard to the pavilion) five feet, but in any case only with the approval in writing of the Board of Trade first obtained; and with regard to the pavilion, to any extent authorised by the Board of Trade.

Power to deviate.

9. Subject to the provisions of this Order the works by this Order authorised shall be deemed part of the pier undertaking of the Company, and they may demand, take, and recover any rates, rents, and charges in respect of the use thereof not exceeding the sums authorised by the Order of 1875.

Works to be part of the pier.

10. Every person who wilfully obstructs any person acting under the authority of the Company 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.

Penalty for obstructing works.

11. The annual account in abstract, a copy whereof is required to be sent to the clerk of the peace and to the Board of Trade, shall be made up to the end of the day on the twenty-fifth day of March in each year, and that day shall, for the purposes of the Companies Clauses Act, 1845, be deemed the prescribed period at which the books of the Company shall be balanced.

Date of annual account.

12. 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, in, through, out of, and from the pier without payment.

Lifeboat crew exempt from rates.

13. 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, 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 harbour.

Life-saving apparatus may be attached to any part of pier.

14. Sections sixteen to nineteen, inclusive, and section twenty-five of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Portions of Harbours Clauses Act excepted.

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Clacton-on-
Sea.Power to raise
additional
capital.

15. The Company may raise for the purposes of their undertaking, in addition to the capital already authorised to be raised by them, any further sums not exceeding in the whole fifteen thousand pounds, by the creation and issue of new shares or new stock, either ordinary or preference, or partly ordinary and partly preference, at the option of the Company, and shares or stock so created and issued shall form part of the general capital of the Company.

Additional
capital to be
subject to
same incidents
as existing
capital.

16. The proprietors of new shares or stock created by the Company by virtue of this Order shall be entitled to the like rights and privileges and be subject to the like liabilities as the proprietors of similar shares or stock in the existing capital of the Company.

Calls.

17. One-fifth of the amount of a share shall be the greatest amount of a call, and two months at the least shall be the interval between successive calls, and four-fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

As to votes
of proprietors
of such shares.

18. The proprietors of any share or stock to be created and issued under the authority of this Order shall be entitled to such number of votes in respect thereof as the nominal amount represented by such shares or stock would have entitled them to if the same had been original shares or stock of the Company, and the proprietors of such new shares or stock shall, except as in this Order specially provided, be entitled to the same dividends and the same rights and privileges in all respects, and be subject to the same obligations and liabilities, as the proprietors of the original shares or stock of the Company.

Power to
borrow.

19. The Company may from time to time borrow on mortgage for the purposes of their undertaking, beyond the sum now authorised to be borrowed by them, any additional sum or sums not exceeding in the whole five thousand pounds.

Power to issue
debenture
stock.

20. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863, but notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after this Order comes into operation granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Arrears may
be enforced
by appoint-
ment of a
receiver.

21. The mortgagees of the Company under this Order may enforce payment of arrears of interest or principal, or principal and interest due on their mortgages, by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five hundred pounds in the whole.

Existing
mortgages to
have priority.

22. All mortgages granted by the Company in pursuance of powers vested in them before the time when this Order comes into operation and subsisting at that time, shall have priority over all mortgages granted by virtue of this Order, but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Application
of capital.

23. The moneys to be raised by shares or stock, or by mortgage, or debenture stock under the powers conferred by this Order shall be applied in the execution

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of the works authorised by this Order, and also to the general purposes of the Company to which capital is properly applicable, and not otherwise.

Clacton-on-Sea.

24. The Company may hold the pavilion authorised by this Order as part of their undertaking, and with and subject to the like powers and provisions as to sale, leasing, and otherwise as are contained in the Order of 1875 with reference to their undertaking, and may provide in the pavilion refreshment rooms and other like accommodation, and may furnish, stock, equip, manage, and conduct the same, and may demand and take reasonable charges for the use of the pavilion and the accommodation afforded therein, and may apply for, and hold in their own name, or in the name of their manager or servant, licenses for the sale of intoxicating liquors in the said pavilion.

Power to hold pavilion and provide refreshment rooms.

25. Any sale authorised by the Order of 1875 or this Order shall be made only with the approval of the Board of Trade first obtained, and every lease authorised by the Order of 1875 or this Order shall be for a term not exceeding seven years from the commencement thereof, and every purchaser and also every lessee, during the continuance of his lease, shall be subject to all the same provisions as to accounts and otherwise to which the Company are subject under the Order of 1875 and this Order.

Sale to be subject to Board of Trade approval, &c.

Provided always, that nothing herein contained shall affect the legality of the grant dated the twenty-first day of April, one thousand eight hundred and eighty-six, of certain rights in respect of the pier in favour of the Royal National Lifeboat Institution, nor of the lease dated the second day of March, one thousand eight hundred and eighty-five, to Frederick Wallis of certain shops and buildings on the pier.

26. The Company may from time to time make byelaws for the regulation and control of persons using the pier or pavilion, and in regard to the goods and traffic on and at the pier and pavilion respectively, 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.

Power to make byelaws.

27. Before commencing the works authorised by this Order the Company 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 every other statutory requirement as to lights during the construction of the works. If the Company 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.

As to lights during construction of works.

28. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall at the outer extremity of the pier and works, or the completed portions thereof, exhibit for all or any part of the time from sunset to sunrise, and according to the requirements of the traffic and the season of the year, such light or lights as shall from time to time be directed by the Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting: and the Company 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 completion of works.

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Clacton-on-
*Sea.*Provision
against danger
to navigation.

29. In case of injury to, or destruction or decay of, the pier or works, or any part thereof, the Company shall lay down such buoys, exhibit such lights, or take such other means for preventing, so far as may be, danger to navigation as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to the said Corporation for directions as to the means to be taken : and the Company 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.

Powers to
cease in cer-
tain cases.

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 substantially commenced ; 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 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 facts stated in such certificate.

Saving rights
under Crown
Lands Act,
1866.

31. 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.

Costs of Order.

32. All costs, charges, and expenses of or incidental to the preparation and obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the Company.

KEPPEL.

A.D. 1889.

*Order for the Maintenance and Regulation of Keppel Pier, in the Island of Cumbrae, Parish of Cumbrae, and County of Bute.*Keppel.

1. The Keppel Pier Company (Limited), in this Order called the Company, 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 Company shall have authority, and within which the powers of the pier-master shall be exercised, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the pier known as Keppel Pier, in the parish of Cumbrae, in the county of Bute, and the lands, accesses, works, and conveniences connected therewith, and the whole area seawards within the distance of one hundred yards from any part of the pier lands or works in any direction. Limits of pier.

3. This Order and the provisions of the Acts incorporated therewith shall apply to Keppel Pier, and the lands, accesses, works, and conveniences connected therewith, in the same manner as if the pier and works had been constructed and completed under powers given by this Order. Order to apply as if works authorised.

4. The Company may maintain and improve the pier or works, and may also dredge, scour, deepen, widen, enlarge, improve, and maintain the entrances and channels of the pier, provided that any work authorised by this section below high-water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing ; and the Company may, on or in connexion with the pier and works, erect and maintain warehouses, sheds, and waiting, refreshment, and other rooms, with all necessary and proper conveniences and appliances. Power to maintain and improve pier.

5. All sand, mud, and other materials dredged up or removed within the limits of this Order shall become and be the property of the Company, who may from time to time sell or otherwise dispose of the same, or remove and lay down the same within those limits, and afterwards from time to time again take up and remove and sell or otherwise dispose of the same, and all money arising therefrom, after payment of the expenses connected therewith, shall be applied as rates received under this Order are applicable. Provided that no sand, mud, stone, or other material shall be laid down or deposited in any place below high-water mark without the consent of the Board of Trade having been first obtained. Disposal of dredging.

6. Every person who wilfully obstructs any person acting under the Company in the exercise of his duty, or who defaces or damages the said pier or works, or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds. Penalty for damaging pier or works.

7. After the 31st day of August 1889 all rates or dues authorised to be or usually taken before that day for the use of the pier or works shall cease to be demanded or received by the Company, except that the Company shall continue entitled to recover and receive all rates and dues which on or before that day Power to take rates according to schedule.

A.D. 1889.

Keppel.

have become properly payable and remain unpaid on that day, and the Company may after that day, and subject and according to the provisions of this Order, demand and receive for the use of the pier and works in respect of vessels, boats, passengers, animals, goods, matters, and things described in the schedule to this Order, any sums not exceeding the several rates specified in the same schedule.

Rates for
warehouses, &c.

8. The Company may demand and recover such rates or other consideration as they have usually taken, or as they think reasonable, for the use of any warehouses, sheds, buildings, weighing-machines, mooring posts, buoys, cranes, works, and conveniences belonging to the Company, or in respect of any services rendered by them for which rates are not specially fixed in the schedule to this Order.

Pass tickets
for use of pier.

9. The Company may grant to passengers, promenaders, and others, pass tickets for the use of the pier and works, at such rates, on such terms, and for such periods, not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable nor be used by any person except the person to or for whom it is granted, nor by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass 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.

Board of Trade
may reduce
rates.

10. If at any time, and from time to time, the clear annual income derived from the pier and works and conveniences 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 Company in or about the construction of the pier and works, 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 per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Annual ac-
count to be
sent to the
Board of
Trade.

11. The Company within one month after sending to the sheriff clerk 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 Company 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.

Certain fishing
vessels under
stress of
weather ex-
empt from
rates.

12. 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 coast of the United Kingdom shall, when forced by stress of weather to make use of the pier or works, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

13. The Company may from time to time confer, vary, or extinguish exemptions from, and enter into composition 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 to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

A.D. 1889.

Keppel.

Power to compound for rates.

14. Officers of the Board of Trade and of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress on, into, from, over, along, and through and out of the pier and works by land, from and with their vessels and otherwise, without payment.

Exemption of Custom House officers from rates.

15. 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.

Lifeboat crew to be exempt from tolls.

16. 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.

Life-saving apparatus may be attached to pier.

17. The Company may from time to time lease the pier and works and the rates authorised by this Order for any period not exceeding seven years from the date thereof 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 levying and recovering rates and dues as the Company have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all and the same provisions as to accounts and otherwise to which the Company are made subject by this Order.

Pier and works and rates may be leased.

18. The Company may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic, frequenting or resorting to, or employed, embarked, disembarked, loaded, or unloaded at or near, the said pier and works, and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaw, 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.

Power to make byelaws.

19. The Company may from time to time borrow and re-borrow at interest, on the security of the rates authorised by this Order, such money as may be required for the purposes of this Order, not exceeding in the whole the sum of two thousand pounds, and for recouping to the Company the sum of money expended by them in the construction of the said pier or works, or for the purpose of discharging any sum or sums of money borrowed for that purpose, or they may accept and take from any bank or banking company credit for any amount not exceeding in the whole the said sum of two thousand pounds on a cash account to be

Power to borrow money.

A.D. 1889.

Keppel.

opened and kept in the name of the Company, according to the usage of bankers in Scotland; and the Company may grant bonds and assignments of the said rates, in security of the repayment of the moneys 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; and such bonds and assignments, and any transfers thereof, may be in the forms contained in Schedules (B) and (C) annexed to the Burgh Harbours (Scotland) Act, 1853, or to the like effect, and shall be recorded in the division of the General Register of Sasines at Edinburgh applicable to the county of Bute.

Application of
money bor-
rowed.

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

Payment of
arrears of
interest and
principal may
be enforced by
appointment of
a judicial factor.

21. If within two months after the interest on any bond and assignment granted by the Company has become due, or after the period prescribed for the payment of the principal sum in any such bond and assignment has expired, such interest or principal (as the case may be) shall not be paid, the holders of such bonds and assignments may, without prejudice to any rights, remedies, or securities otherwise competent to or held by them, apply for the appointment of a judicial factor as herein-after provided.

Appointment
of a judicial
factor.

22. Every application for the appointment of a judicial factor under the provisions of this Order shall be made to the sheriff of the county of Bute, and on any such application the said sheriff may, by order in writing, after hearing the parties, appoint some person as judicial factor to receive the whole or a competent part of the rates authorised by this Order until all the arrears of interest or of principal, or of principal and interest (as the case may be), then due on the outstanding bonds and assignments, with all costs, including the charges of receiving the said rates, be fully paid; and upon such appointment being made the rates shall be paid to and received by the judicial factor, and so soon as the full amount of interest or of principal, or of principal and interest (as the case may be), and costs has been so received the power of the judicial factor shall cease, and after payment of the said costs the judicial factor shall distribute among all the holders of the said bonds and assignments (to whom interest or principal shall be in arrear) the rates and other moneys which shall have been received by him, having regard in such distribution to the priorities (if any) of such bonds and assignments.

Amount to
authorise
application for
judicial factor.

23. The amount to authorise the application for appointment of a judicial factor shall be five hundred pounds in one bond or more bonds and assignments.

Meters and
weighers.

24. The Company shall have the appointment of meters and weighers within the limits of this Order.

Portions of
Harbours
Clauses Act
excepted.

25. Sections 16 to 19 inclusive and sections 25 and 26 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Company 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, 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. 1889.

26. No vessel or boat shall anchor within the limits of this Order without the consent of the Company or their pier-master.

Keppel.
Vessels not to anchor within certain limits.
Vessels not to moor alongside pier without consent.

27. No vessel or boat, except steamboats or pleasure-boats embarking or disembarking passengers and their luggage, shall be moored alongside the pier or works without the consent of the Company or their pier-master.

28. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier or works any merchandise, sheep, cattle, or any other thing which in the judgment of the Company or their pier-master might in any way interfere with the use of the pier for the embarking and landing of passengers and their luggage and personal effects.

Restriction on use of pier.

29. Within the limits of this Order the Company shall be a local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on local authorities.

Company to be a local authority.

30. The Company shall at the outer extremity of the pier and works exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

As to lights.

31. In case of injury to, or destruction or decay of, the pier or works, or any part thereof, the Company shall lay down such buoys, exhibit such lights, or take such other means for preventing, so far as may be, danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to the means to be taken, and the Company 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.

Provision against danger to navigation.

32. 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.

33. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in reference thereto, shall be paid by the Company.

Costs of Order.

34. This Order may be cited as the Keppel Pier Order, 1889.

Short title.

A.D. 1889.

The SCHEDULE to which the foregoing Order refers.

Keppel.

I.—RATES ON VESSELS AND BOATS.

RATES ON VESSELS.

	£	s.	d.
All vessels using the pier to load or unload, under fifty tons, per registered ton	0	1	0
Vessels of fifty tons and under one hundred tons, per registered ton	0	0	9
All vessels of one hundred tons and upwards, per registered ton	0	0	6
Steam vessels same rates as sailing vessels.			

FISHING AND OTHER BOATS.

For all fishing boats with their punts (if any) not compounding 28 feet keel and under, each visit	0	1	0
Exceeding 28 feet keel and not exceeding 36 feet, each visit	0	2	0
Exceeding 36 feet keel and not exceeding 50 feet, each visit	0	2	6
Exceeding 50 feet keel, each visit	0	5	0
Gigs and other rowing boats not compounding, each visit	0	0	6
Pleasure boats of any description not exceeding 20 feet keel, each visit	0	0	6
Exceeding 20 feet keel and not exceeding 30 feet keel, each visit	0	1	0
Exceeding 30 feet keel and not exceeding 40 feet keel, each visit	0	2	0
Exceeding 40 feet keel, per registered ton	0	0	3
Steam tugs, each visit	0	3	0

II.—RATES ON GOODS SHIPPED, TRANSHIPPED, OR UNSHIPED AT THE PIER.

	£	s.	d.
Ale, beer, and porter, per 54 gallons	0	0	4
Ale, beer, and porter, per 18 gallons	0	0	2
Ale, bottled, per gallon	0	0	0½
Anchors, per cwt.	0	0	9
Anchor stock, per foot run	0	0	2
Bark, per ton	0	2	0
Bedding, per cwt.	0	0	2
Biscuit or bread, per cwt.	0	0	3
Blubber, per 252 gallons	0	3	0
Bones and bone dust, per ton	0	1	6
Books and newspapers, per cwt.	0	0	2
Bottles, per cwt.	0	0	1
Bricks, per ton	0	1	0
Butter and lard for smearing, or other smearing grease, per 3 cwt.	0	0	6
Butter, eating, salt, or fresh, per 56 lbs.	0	0	2
Bicycles and tricycles, each	0	0	3

[52 & 53 VICT.]

Pier and Harbour Orders
Confirmation (No. 1) Act, 1889.

[Ch. xliii.]

	£	s.	d.	A.D. 1889.
Cakes, linseed or rape, per cwt. - - - - -	0	0	1	<i>Keppel.</i>
Canvas, per 36 yards - - - - -	0	0	1	
Carriages :				
Chaises and other four-wheeled carriages, each - - - - -	0	1	6	
Gigs and other two-wheeled carriages, each - - - - -	0	1	0	
Carts, each - - - - -	0	0	6	
Hand-carts and perambulators, each - - - - -	0	0	3	
Casks (empty) not being returned packages, each - - - - -	0	0	1	
Cattle :				
Bulls, each - - - - -	0	1	0	
Cows and oxen, each - - - - -	0	0	6	
Horses, ponies, and foals, each - - - - -	0	1	6	
Sheep and lambs, per score - - - - -	0	0	6	
For any smaller number than half a score, each sheep - - - - -	0	0	0½	
Pigs, each - - - - -	0	0	3	
Cement, per ton - - - - -	0	1	0	
Chalk, per ton - - - - -	0	1	0	
Cheeses, each - - - - -	0	0	0½	
Chimney-pots, each - - - - -	0	0	3	
Cinders and charcoal, per ton - - - - -	0	0	6	
Clay, per ton - - - - -	0	1	0	
Cloth, haberdashery, &c., per package not exceeding 1 cwt. - - - - -	0	0	1	
Coals, per ton - - - - -	0	1	0	
Copper, per ton - - - - -	0	3	0	
Cordage, per cwt. - - - - -	0	0	3	
Cork, per cwt. - - - - -	0	0	6	
Crystal, crockery, &c., per cwt. - - - - -	0	0	1	
Clams, per 37½ gallons - - - - -	0	1	0	
Crabs, per dozen - - - - -	0	0	2	
Dogs, each, when not the property of those in charge of cattle or sheep, being shipped or unshipped - - - - -	0	0	2	
Drugs (in casks, hampers, or boxes), per cubic foot - - - - -	0	0	2	
Earthenware (in casks, hampers, or boxes) per cubic foot - - - - -	0	0	2	
" per cwt. - - - - -	0	0	1	
Eggs, per 12 dozen - - - - -	0	0	2	
Firkin and jar, empty - - - - -	0	0	0½	
Fish (dried or salted), per cwt. - - - - -	0	0	3	
Do. (fresh) :				
Boxes containing not more than two cwt., each - - - - -	0	0	4	
Boxes containing not more than one cwt. - - - - -	0	0	2	
Cod, ling, skate, turbot, and halibut, per score - - - - -	0	0	1	
Salmon, grilse, sea-trout, or bull-trout, each - - - - -	0	0	1	
" " " or per cwt. - - - - -	0	1	0	
Flax, per ton - - - - -	0	3	4	
Flour and meal, per 280 lbs. - - - - -	0	0	2	
" " per ton - - - - -	0	1	0	
Flowers, roots, plants, or trees, per cwt. - - - - -	0	0	1	
" " " per ton - - - - -	0	1	0	
Fruit of all kinds, per cwt. - - - - -	0	0	6	

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Keppel.

	£	s.	d.
Furniture (household), per five cubic feet	0	0	4
Game of all kinds, per score	0	3	0
Glass, per cwt.	0	0	1
Grains, including barley, beans, Indian corn, malt, oats, peas, rye, wheat, seeds of all kinds, and feeding stuffs, per 280 lbs.	0	0	2
" " " per ton	0	1	0
Groceries not enumerated, per cwt.	0	0	1
Guano, per cwt.	0	0	2
Gunpowder, per 100 lbs	0	0	6
Haddocks (smoked), per 300 fish	0	0	4
Hams, bacon, or tongues, per cwt.	0	0	4
Hardware, per ton	0	2	6
Harrows, each	0	0	4
Hay and straw, per ton	0	1	0
" per 56 lbs.	0	0	2
Hemp, per ton	0	3	0
Herrings, per 26 $\frac{2}{3}$ gallons	0	0	2
Hides :			
Ox, cow, or horse (wet or dry), each	0	0	2
Hoops of wood, all of the size of puncheon hoops and under, per 1,200	0	0	9
All above, per 1,200	0	1	0
Iron hoops, per cwt.	0	0	2
Iron :			
Bar, bolt, rod, and sheet per ton	0	0	8
Pig and old, per ton	0	0	8
Manufactured, per ton	0	0	8
Pots, each	0	0	1
Grates, stoves, and other ironmongery, per cwt.	0	0	2
Jambs, marble, ironstone or freestone, each	0	0	2
Kelp, per ton	0	1	0
Lead, per ton	0	0	8
Leather, tanned and dressed, per cwt.	0	0	6
Lime, per ton	0	0	8
Limestone, per ton	0	1	0
Lobsters, per dozen	0	0	2
Machinery, per ton	0	2	6
Manure (not enumerated), per ton	0	1	6
Masts and spars, 10 inches in diameter and upwards, each	0	2	6
Meat, fresh, per cwt.	0	0	6
" salted or otherwise preserved, per cwt.	0	0	9
Milk, per gallon	0	0	0 $\frac{1}{2}$
Musical instruments, per cubic foot	0	0	1
Nets, per cwt.	0	0	1
Oakum, per cwt.	0	0	2
Oils, per 252 gallons	0	2	0
Oilcake, per ton	0	1	0
Ores, per ton	0	1	0
Oysters, per hundred	0	0	3

	£	s.	d.	A.D. 1889.
Paint, per cwt.	0	0	4	Keppel.
Peats, per ton	0	0	1	
Piano, cottage, each	0	0	6	
„ large or grand, each	0	1	0	
Pitch, per cwt.	0	0	4	
Potatoes, per cwt.	0	0	1	
„ in bulk, per ton	0	1	0	
Poultry, per dozen	0	0	6	
Any smaller number than a dozen, each	0	0	1	
Rags and old rope, per cwt.	0	0	1	
Rabbits, per dozen	0	0	4	
Rope, all kinds, per cwt.	0	0	2	
Sails, per cwt.	0	0	6	
Salt, per cwt.	0	0	1	
Sand or gravel, per ton	0	0	8	
Scythes, per dozen	0	0	4	
Shell fish, other than those herein particularly specified, per cwt.	0	0	2	
Shrimps, per cwt.	0	0	2	
Sieves, per dozen	0	0	3	
Skins :				
Calf, goat, sheep, lamb, or dog, per cwt.	0	0	3	
Slates, per ton	0	1	0	
Snuff, per cwt.	0	0	6	
Spirits, per 63 gallons	0	0	4	
„ per 36 gallons	0	0	3	
„ per gallon	0	0	1	
Sprats or garvies, per 37½ gallons	0	0	4	
Stones, asphalte, pipes, or other building or heavy material, per ton	0	1	0	
Steel, per ton	0	3	0	
Sugar, per cwt	0	0	1	
Tallow, soap, and candles, per cwt.	0	0	1	
Tar, per cwt.	0	0	2	
Tea, per cwt.	0	0	6	
Tiles, per ton	0	0	8	
Tin and zinc, per ton	0	0	8	
Tobacco, per cwt.	0	0	6	
Tombstones, per cwt.	0	0	4	
Toys, in boxes, per cubic foot	0	0	1	
Turnips, per ton	0	1	0	
Turpentine and varnish, per 36 gallons	0	0	6	
Turtle, each	0	2	6	
Vegetables (not enumerated), per cwt.	0	0	1	
Vinegar, per 54 gallons	0	0	6	
Vitriol, per 10 gallons	0	1	0	
Wine, in bottles, per gallon	0	0	0½	
Ditto, per 10 gallons	0	0	2	
Wood :				
Fir, pine, and other descriptions not enumerated, per 50 cubic feet	0	1	6	

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Keppel.

	£	s.	d.
Oak or wainscot, per 50 cubic feet - - - - -	0	2	0
Firewood, per 216 cubic feet - - - - -	0	1	6
Laths and lathwood, per 216 cubic feet - - - - -	0	2	6
Handspikes, per 120 - - - - -	0	3	0
Oars, per 120 - - - - -	0	5	0
Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120 - - - - -	0	5	0
Ditto, 2½ inches in diameter and under, per 120 - - - - -	0	4	0
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120 - - - - -	0	9	0
Ditto, above 4 and under 6 inches in diameter, per 120 - - - - -	0	14	0
Spokes of wheels, not exceeding two feet in length, per 120 - - - - -	0	2	0
Ditto exceeding two feet in length, per 120 - - - - -	0	3	0
Trenails, per 1,000 - - - - -	0	2	6
Wedges, per 1,000 - - - - -	0	2	6
Pipe staves, and others in proportion, per 120 - - - - -	0	2	6
Herring-barrel staves, per 1,000 superficial feet - - - - -	0	1	2
Lignum vitæ, fustic, logwood, teak, greenheart, mahogany, and rosewood, per ton - - - - -	0	2	0
Wool, per 240 lbs. - - - - -	0	0	3
Yarn :			
Lint, per cwt. - - - - -	0	0	2
Cotton, per cwt. - - - - -	0	0	2
Tow, per cwt. - - - - -	0	0	1½
Hemp, per cwt. - - - - -	0	0	1½
Worsted, per cwt. - - - - -	0	0	4
All other goods not particularly enumerated above :			
Light goods, per cubic foot - - - - -	0	0	1
Heavy goods per ton - - - - -	0	0	8
In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.			
In weighing and measuring, packages to be included.			
Animals (live) other than those particularly enumerated, each - - - - -	0	1	0

III.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1.—RATES OF CRANAGE.

All goods, of packages not exceeding one ton - - - - -	0	0	4
Exceeding one ton and not exceeding two tons - - - - -	0	0	6
Exceeding two tons and not exceeding three tons - - - - -	0	0	8
Exceeding three tons and not exceeding four tons - - - - -	0	0	10
Exceeding four tons and not exceeding five tons - - - - -	0	1	0
Exceeding five tons and not exceeding six tons - - - - -	0	1	2
Exceeding six tons and not exceeding seven tons - - - - -	0	1	4
Exceeding seven tons and not exceeding eight tons - - - - -	0	1	6
Exceeding eight tons and not exceeding nine tons - - - - -	0	1	10
Exceeding nine tons and not exceeding ten tons - - - - -	0	2	4
Exceeding ten tons - - - - -	0	3	6

2.—WEIGHING MACHINES.

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	£	s.	d.	<i>Keppel.</i>
For goods weighed, for each ton or part of a ton	0	0	2	

3.—SHED DUES.

For each ton or forty cubic feet of goods which shall remain in the sheds or on the pier or other works for a longer time than forty-eight hours the sum of 3*d.*, and the sum of 1½*d.* per ton or forty cubic feet for each day during which such goods shall remain after first forty-eight hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day after first twenty-four hours, per package	0	0	2	
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IV.—RATES FOR SUPPLYING WATER ON PIER, &c.

Water, per 100 gallons	0	0	2	
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V.—RATES ON PASSENGERS AND PASSENGERS' LUGGAGE.

For every person above twelve years of age landing from or embarking in any vessel	0	0	2	
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For every person under twelve years of age with parent, guardian, master, or servant	0	0	1	
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Children in arms, free.

Servants going for or with luggage not to be charged, but the luggage to be paid for as below.

Passengers' luggage, each article, unless carried by themselves	0	0	1	
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Port Ness.

PORT NESS.

*Order for the construction and maintenance of Works at the Harbour of Port Ness in the Island of Lewis and County of Ross and for the regulation of the Harbour.*Incorporation
of Trustees.

1. There shall be a body of Trustees (in this Order called "the Trustees") nominated or elected as by this Order provided for carrying this Order into execution which Trustees and their successors are hereby for the purposes of this Order incorporated by the name of "The Port Ness Harbour Trustees" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Interpretation
of terms.

2. The several words and expressions to which by the Acts incorporated with this Order meanings are assigned have in this Order the same respective meanings unless excluded by the subject or context, and in this Order the following expressions have the following meanings, that is to say:—

"The proprietor" means and includes Dame Mary Jane Matheson of the Lewis proprietor in life rent of the lands and estate of the Lewis in extenso in the county of Ross and also her successors in the said lands and estate whether male or female for the time being and also the heirs and successors of the proprietor for the time being and also the tutor curator guardian or other party or parties legally acting for the proprietor for the time being in case of the proprietor being incapacitated from exercising the powers conferred upon him by this Order by reason of minority or otherwise as the case may be or require:

"The fishermen" means persons resident for the time being within the district of Ness proper who are fishermen paying harbour rates annually and are engaged or employed in the fishery in and out of the harbour:

"The existing harbour" means and includes the present harbour of Port Ness and the piers buildings works lands and conveniences connected therewith and all such property rights and right to levy harbour rates and dues and all such powers and privileges connected therewith as are vested in the proprietor:

"The Harbour" means and includes the harbour and port of Ness as defined by this Order.

3. The body of Trustees shall consist of—

(A) Three members to be nominated by the proprietor one of whom may be the nominator:

(B) Four members to be elected by the fishermen:

Constitution
of Trustees.

First Trustees.

4. The first Trustees shall be the following seven persons who shall hold office until the first nomination and election of Trustees by rotation under this Order (that is to say):—William McKay chamberlain of the Lewis (or his successor in office) Æneas McKay Mackenzie shipowner Stornoway and John Mackenzie shipbroker Stornoway being nominees of the proprietor and John McLeod

boat builder Port of Ness Donald McDonald fisherman Knockaird John Morison
fish curer Lionel and John McDonald merchant Lionel all of Ness being
nominees of the fishermen. A.D. 1889.
Port Ness.

5. In the case of the death resignation refusal to act incapacity or incompetency of any of the Trustees appointed by this Order or nominated or elected under this section before the period appointed by this Order for nomination or election of Trustees by rotation as in this Order provided then in case such vacancy shall be of a Trustee being the nominee of the proprietor the proprietor shall nominate another person to supply such vacancy and in case such vacancy shall be of a Trustee being nominee of the fishermen the fishermen shall elect a person to supply such vacancy in the manner in this Order provided for the election of Trustees going out of office by rotation Provided that any Trustee so nominated or elected as the case may be shall only continue in office for the same period as the person in whose place he is nominated or elected would in ordinary course have so continued and shall go out of office at the same time but unless disqualified shall be eligible to be re-nominated or re-elected as the case may be.

Occasional
vacancies
among Trustees
before first
nomination and
election of new
Trustees.

6. The following provisions shall be applicable to the nomination of Trustees by the proprietor (that is to say): Trustees to be
nominated by
the proprietor.

(1.) On the third Friday of the November of the third year after the passing of the Act confirming this Order the proprietor may by notice in writing addressed to the Trustees (but if a clerk of the Trustees has been appointed then such notice shall be addressed to such clerk) nominate three persons to be Trustees and said nomination may if requisite include the name of the nominator as one of the three persons so nominated and so from time to time at the expiration of each successive period of three years and in the event of any Trustee nominated by the proprietor refusing to accept office dying resigning or becoming disqualified or incompetent to act as or ceasing to be a Trustee from any other cause than that of going out of office in regular course as aforesaid the proprietor may at any time by notice in writing addressed to the clerk of the Trustees nominate another person to fill the vacancy and the person so nominated shall continue in office for the same period as the person in whose place he is nominated would in ordinary course have continued and shall go out of office at the same time but shall be eligible to be re-nominated:

(2.) A Trustee nominated by the proprietor may at any time resign by notice in writing to that effect addressed to the proprietor and to the clerk of the Trustees:

(3.) In case the proprietor for the time being shall be incapacitated by reason of minority or otherwise from exercising the powers with reference to Trustees hereby conferred on him all such powers may during such incapacity be exercised by the tutor curator or guardian or other party legally acting for the proprietor for the time being.

7. The following provisions shall be applicable to the election of Trustees for the fishermen (that is to say)— Trustees to
nominated by
the fishermen.

(1.) On the third Friday of the November of the third year after the passing of the Act confirming this Order the fishermen qualified to vote as in this Order provided shall elect four persons to be Trustees and so from time to time at the expiration of each successive period of three years and a Trustee

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*Port Ness.*Mode of con-
ducting election
of Trustees for
the fishermen.

elected by the fishermen going out of office shall unless disqualified be capable of being again elected :

(2.) A fisherman as in this Order defined shall alone be qualified to vote at the election of Trustees for the fishermen.

8. The following rules shall be observed with respect to the election of Trustees for the fishermen :

(1.) The election shall take place at a meeting of the fishermen to be held at Lionel Public Schoolhouse or other suitable place within the district of Ness proper to be specified by the Trustees a majority of whom in case of a division ruling the appointed place within said district :

(2.) The Trustees shall cause the day hour and place of such meeting to be made public by notice written or printed in both English and Gaelic affixed to the door of the parish church of Cross the door of the free church at Dell and the door of the post office at Port Ness all of which places are in the Ness district of the parish of Barvas island of Lewis and county of Ross The said intimations shall be thus made public not less than seven clear days before such meeting :

(3.) The election shall be by show of hands at a meeting of the fishermen to be notified as aforesaid a majority of the fishermen present to rule the election :

(4.) Any two fishermen may at such meeting propose as a candidate any bonâ fide resident in the district of Ness proper who is of the full age of twenty-one years or upwards as a candidate for the office of Trustee for the fishermen If four persons only are proposed as candidates the chairman shall declare them elected without taking a show of hands :

(5.) The clerk of the Trustees or one of the Trustees for the time being shall act as chairman of the meetings of the fishermen and shall declare the number of votes given to each candidate and in case his decision is challenged shall cause the number of fishermen voting for any candidate to be ascertained by taking a division or in some other convenient manner :

(6.) The decision of the chairman who in the case of equality shall have a casting vote as to the result of such division or ascertainment of the number of fishermen voting shall be final and unimpeachable :

(7.) The four candidates having the greatest number of votes shall be the Trustees for the fishermen :

(8.) The chairman of the meeting shall report to the Trustees the names of the persons elected as Trustees for the fishermen.

Appointment
by Trustees in
case of failure
to elect.

9. In case at any time there is a failure to make a valid election in accordance with the provisions of this Order of Trustees for the fishermen the Trustees shall within two months thereafter at a special meeting appoint as Trustee or Trustees for the fishermen any qualified person or persons and every Trustee so appointed shall be deemed a Trustee for the fishermen and shall in all respects be as if he had been actually elected In case of an equality of votes at any such election or appointment by the Trustees the chairman of the Trustees for the time being shall have a second or casting vote.

Trustees for
the fishermen
may resign.

10. A Trustee for the fishermen may resign office at any time by giving to the Trustees or their clerk not less than three weeks written notice of such his intention.

A.D. 1889.

Port Ness.
Occasional
vacancies
among Trustees
for the fisher-
men.

11. If a Trustee elected by the fishermen refuses to accept office dies resigns or becomes incapable or incompetent to act as or ceases to be a Trustee from any cause other than that of going out of office in regular course the vacancy shall be filled up in manner following (that is to say) the other Trustees elected by the fishermen shall as soon as may be thereafter at a meeting of such Trustees elect a qualified person in his stead and in every case the Trustee so elected shall continue in office for the same period as the person in whose place he is elected would in ordinary course have continued and shall go out of office at the same time but shall be eligible for re-election

Annual roll of
electors to be
prepared and
publicly
exhibited.

12. The Trustees shall cause annually to be prepared a roll of all fishermen who are or have qualified themselves to vote at the election of Trustees for the fishermen as defined in this Order which list shall be publicly exhibited for one month from and after the first day of October in each successive year and any fisherman whose name does not appear in the said roll but who claims the enrolment must within thirty days after publication of the said roll lodge his claim with the clerk of the Trustees in writing and produce evidence to the Trustees sufficiently substantiating his contention to entitle them to order his name to be added to the roll Any such additions must be made prior to the first day in November of each year.

Acts of the
Trustees valid
notwithstand-
ing vacancies.

13. All acts and proceedings of the Trustees shall be valid and regular notwithstanding any vacancy in the number of the Trustees or any informality in the nomination or election of any Trustee and on the expiration of their term of office the Trustees for the time being shall continue to be competent to act until their successors are nominated or elected.

Incorporation
of parts of
10 & 11 Vict.
c. 16.

14. The Commissioners Clauses Act 1847 (except sections six and seven and except the provisions thereof with respect to the election and rotation of the Commissioners where the Commissioners are to be elected by the ratepayers or other like class of electors and except so far as other sections of that Act are inconsistent with this Order) is hereby incorporated with this Order and that Act shall so far as the nature and circumstances of the case will admit apply to the Trustees collectively and severally but with reference to section thirty-nine thereof the prescribed number constituting a quorum of the Trustees shall be five.

Meetings of
Trustees.

15. Meetings of the Trustees shall be held in such places as they shall appoint within the district of Ness proper upon the second Friday of the months of January and July of each year at twelve of the clock noon or upon such other day or at such other hour as the Trustees may fix and all meetings of the Trustees shall be notified to each Trustee in writing at least sixty hours before the hour of meeting.

Special
meetings.

16. The clerk of the Trustees on requisition being made to him in writing stating the object of the intended meeting and signed by the chairman or two of the Trustees shall cause special meetings to be called within sixty hours and to be held within ten days after such requisition.

Election of
chairman.

17. The Trustees shall annually elect one of their number to be chairman who shall preside at all meetings at which he is present.

Trustees to
appoint auditor.

18. The Trustees shall 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

A.D. 1889. shall be paid to him accordingly by the Trustees out of the rates levied under this Order.

Port Ness.

Undertakers.

19. The Trustees shall be the Undertakers of the works authorised by this Order.

Incorporation
of Lands
Clauses Acts.

20. The Lands Clauses Consolidation (Scotland) Act 1845 and the Lands Clauses Consolidation Acts Amendment Act 1860 except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement are hereby incorporated with this Order.

Vesting by the
proprietor in
Trustees of any
rights in exist-
ing harbour.

21. The proprietor if and when required by the Trustees shall within two years from the passing of the Act confirming this Order sell to the Trustees and the Trustees are hereby authorised and empowered to purchase at a price to be agreed on or failing agreement then at a price to be settled by the valuation of two arbitrators one to be chosen by the proprietor and the other by the Trustees or by an oversman to be nominated by the arbitrators before they proceed to the arbitration all such estate right and interest (if any) in or over the existing harbour at Port Ness within the limits of the harbour as are invested in the proprietor and upon payment to the proprietor of the purchase price all the estate right and interest so purchased shall by virtue of this Order and of a conveyance to be executed by the proprietor in which such purchase price shall be truly stated become and be vested in the Trustees free from all claim and demand for any moneys expended thereon and from any other right title interest claim demand or incumbrance whatsoever on the part of the proprietor.

Payment of
stamp duty on
conveyance of
harbour or
existing rights.

22. Within three months from the date of its execution the Trustees shall produce to the Commissioners of Inland Revenue any deed of conveyance so executed by the proprietor and duly stamped and if the said deed of conveyance shall not within the said period of three months be produced to the said Commissioners duly stamped as aforesaid a penalty of ten pounds shall be recoverable from the Trustees with full costs of suit and all costs and charges attending the same.

Trustees to
expend five
thousand
pounds in
works.

23. The Trustees shall commence the works authorised by this Order within the period of two years from the passing of the Act confirming this Order and shall be bound to expend a sum of not less than five thousand pounds in executing such works. If any dispute shall arise between the Trustees and the proprietor as to whether the sum of five thousand pounds has been expended by the Trustees as required by this section such dispute shall be settled by an arbitrator to be appointed on the application of either party by the Board of Trade whose decision shall be final.

The proprietor
to sell addi-
tional ground
required.

24. The proprietor shall within ten years from the passing of the Act confirming this Order give over to the Trustees such additional ground and buildings now belonging to her or him as the Trustees may within that period require in writing for harbour purposes at a price to be settled by the valuation of two arbitrators one to be chosen by the proprietor and the other by the Trustees or by an oversman to be nominated by the arbitrators before they proceed to the arbitration.

Limits of
harbour.

25. 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 the existing and proposed harbours and the piers quays beaching ground and all the works roads accesses and conveniences connected therewith and the whole area below the line of high-water mark of ordinary spring tides within a distance of five hundred feet from any part of the harbours and works which limits (and all additions to and improvements on the harbour works from time to time to be made by the Trustees) are in this Order and in the schedule hereto termed "the limits of this Order."

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26. For the purpose of the works authorised by this Order the Trustees may from time to time by agreement enter on take and use all or any part of the lands foreshore and hereditaments shown on the deposited plans as they may think requisite for the purposes of this Order.

Power to take
land by agree-
ment.

27. The Trustees may purchase and hold for extraordinary purposes any lands not exceeding in the whole ten acres, but this Order or anything herein contained shall not exempt the Trustees from any proceedings on account of any nuisance caused by them on any land acquired by them under this Order.

Lands for
extraordinary
purposes.

28. Subject to the provisions of this Order and subject also to such alterations (if any) in the deposited plans and sections as the Board of Trade may require from time to time before completion of the works in order to prevent injury to navigation the Trustees may on the lands belonging to them or acquired by them under this Order and in the lines and according to the levels and within the limits of deviation shown on the deposited plans execute and maintain the works authorised by this Order.

Power to con-
struct and
maintain
works &c.

29. The works authorised by this Order comprise—

Description of
works.

- (1.) A pier or quay commencing at a point on the east side of the spur or jetty forming the inner entrance to the existing Harbour of Port Ness twenty yards or thereabouts measuring in a southerly and easterly direction from the north end of the said jetty and extending in an easterly direction for a distance of thirty-seven yards or thereabouts thence in a south-easterly direction for a distance of twenty-six yards or thereabouts thence in an easterly and northerly direction for a distance of eighteen yards or thereabouts where it joins the rock and terminates :
- (2.) A breakwater commencing at a distance of thirteen yards or thereabouts measuring in a southerly direction from the termination of the said pier or Quay No. 1 above described and thence extending in a south-easterly direction for a distance of forty-five yards or thereabouts and there terminating :
- (3.) A jetty on the south side of the rock or islet called Sgarabhol commencing at a point nineteen yards or thereabouts measuring in an easterly direction from its western end and thence proceeding in a southerly direction for a distance of four yards or thereabouts and there terminating :
- (4.) A breakwater across the gullet on the northern side of the rock or islet of Sgarabhol commencing at a point in the said rock thirty-eight yards or thereabouts measuring from the western end of that rock and thence extending in a northerly direction for a length of twelve yards or thereabouts to the rocks on the mainland and there terminating :
- (5.) To deepen by means of dredging or otherwise the area inclosed by the piers or quays and breakwaters above described and also the area of the existing harbour.

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(6.) To close up the present entrance and to open a new entrance at the western end of Sgarabhol Rock or Islet and to form a connecting channel to the existing harbour by the removal of certain rocks and also a portion of the old pier and also the removal of the outer jetty on the north side of the entrance to the existing harbour:

To make and maintain all necessary and proper works and conveniences in connexion with such works respectively all which works are situated in the parish of Barvas Island of Lewis and county of Ross or on the foreshore or in the sea and bed thereof adjacent thereto.

Improvement
of harbour.

30. The Trustees may from time to time improve the harbour by deepening the same and the accesses thereto and by deepening the adjoining sea and may make and maintain all buoys moorings lights beacons landing-places approaches and other works and conveniences which from time to time they may think necessary for effecting any of the purposes of this Order and may do any of the works authorised by this Order either by themselves or their servants or by others and generally make such arrangements as may appear to them desirable for carrying out the said works.

Power to con-
struct ware-
houses &c.

31. The Trustees may also construct and maintain or take on lease all warehouses offices sheds weighing machines cranes and other public buildings and conveniences which may be found necessary in connexion with the harbour for the accommodation of vessels thereat and of traffic landed at or embarked at the harbour.

Consent of
Board of Trade
to works.

32. Any works authorised by this Order below high-water mark shall not be commenced without the consent thereto of the Board of Trade having been first obtained in writing.

Powers as to
deviations.

33. Subject to the provisions of this Order and with the consent of the Board of Trade the Trustees may in the execution of the works authorised by this Order deviate laterally from the lines of such works delineated on the deposited plans to any extent not exceeding the limits of deviation marked on the said plans and may deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding ten feet.

Local survey
may be ordered
by Board of
Trade at
expense of
Trustees.

34. The Board of Trade may at any time from time to time as they may deem it expedient order a local survey and examination of any works of the Trustees in or over or affecting any tidal water or of the intended site thereof and the Trustees shall defray all the costs of each such survey and examination and the amount of such costs shall constitute a debt due from the Trustees to the Crown and may be recovered accordingly.

Power to take
rates in
Schedule.

35. 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 by this Order or otherwise necessary to the due construction of the works authorised by this Order have been given the Trustees may subject and according to the provisions of this Order for the use of the harbour and works and conveniences connected therewith demand and take in respect of vessels boats goods animals fish persons and things and of services rendered described in the schedule to this Order any sums not exceeding the rates in that schedule mentioned.

36. When and so soon as it shall be at any time or from time to time certified in writing under the hand of any officer to be appointed for the purpose by the Board of Trade and paid by the Trustees that the works authorised by this Order have been so far completed as to afford increased harbour accommodation by means of such works the Trustees 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 increased accommodation afforded.

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Port Ness.
Rates may be levied though works not completed.

37. When and so soon as the Trustees are entitled to demand and take all or any part of the rates specified in the Schedule to this Order all other rates tolls dues or duties shall cease to be demanded in respect of the Harbour or the works or conveniences connected therewith but without prejudice to their right to recover any money actually due at the time of cesser and all exemptions from payment of rates tolls or dues shall cease to be operative.

Existing rates to cease when new rates leviable.

38. The Trustees shall from time to time revise the rates received by them under this Order so that the income of the Trustees under this Order 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 rates on the average of the then three last preceding years after payment of all expenses 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 rates to such sums as will be sufficient to provide the amount 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.

Revision of rates.

39. The Trustees may from time to time build purchase contract for or hire and may maintain use and let steam tugs or other power for the use and accommodation of vessels frequenting the harbour and may also from time to time license such number of steam tugs or other power belonging to any person for such period and on such terms and conditions as they think fit.

Trustees may provide and license steam tugs.

40. The Trustees may from time to time with the approval of the Board of Trade fix such rates and charges as appear to them reasonable for or in respect of the use of such steam tugs or other power maintained used and let or licensed by them and such rates or charges shall be paid by the owner agent master consignee or other person having charge of the vessel obtaining assistance of such steam tug or other power to the Trustees or their lessee or to the person with whom they contract or to the owner of such steam tug or other power if licensed by the Trustees as the case may be and such rates and charges shall be due and payable whether such steam tug or other power 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 command of such steam tug or other power.

Charges for use of steam tugs.

41. The Trustees may demand and receive such rates or other consideration as they may think reasonable for the use of any warehouses sheds buildings yards

Rates for use of warehouses &c.

A.D. 1889. works and conveniences belonging to them and for which rates are not specified in the Schedule to this Order.

Port Ness.

Power to confer exemptions and compound for rates.

42. The Trustees may from time to time confer vary or extinguish exemptions from and enter into compositions with any person or persons or company with respect to the payment of the rates authorised by this Order but so that no preference be given to any person or company 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.

43. The Trustees shall within one month after sending to the sheriff clerk 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) send a copy of the same to the Board of Trade and section sixteen 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.

Certain fishing vessels under stress of weather exempt from rates.

44. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties or port charges such vessels when driven 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 works and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Custom House officers and others exempt from rates.

45. Officers of the Board of Trade and of the Customs and of the Fishery Board for Scotland being in the execution of their duties shall at all times have free ingress passage and egress to in through out of and from the harbour and works by and with their vessels and otherwise without payment.

Lifeboat crew exempt from rates.

46. 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 in through out of and from the harbour and works without payment.

Life saving apparatus may be attached to any part of harbour.

47. The officers of the coast guard 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 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 harbour and works.

Meters and weighers may be licensed.

48. The Trustees may appoint and license a sufficient number of persons to be meters and weighers at and within the harbour.

Pilotage and local authorities.

49. For the purposes of this Order the Trustees shall be deemed a pilotage authority and a local authority within the meaning of the Merchant Shipping Acts 1854 to 1880 and all the powers by those Acts conferred on pilotage authorities and on local authorities shall be vested in the Trustees for the purposes of this Order.

50. Within twelve hours after the arrival within the harbour of any vessel liable to rates the master of such vessel shall report such arrival to the collector of rates and if he fails to make such report within the time aforesaid and after he has been required to do so by the collector he shall be liable to a penalty not exceeding ten pounds.

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Port Ness.
Masters of vessels to report arrival.

51. The master or owner or crew of every fishing boat shall on arrival in the harbour forthwith report the same to the harbour-master or collector of rates and shall furnish to the collector a true and accurate statement of his or their take of fish and the names of the persons obtaining delivery of the same and liable for the rates or dues thereon and he and they shall not leave the harbour without paying to the collector his or their rates or dues and if he or they fail to do so they shall be liable to a penalty not exceeding ten pounds.

Masters of fishing boats to report arrival and give account of take of fish.

52. The harbour master may prevent the removal or sailing out of the harbour of any vessel in respect of which any rate or due shall have been payable until evidence shall have been produced to him of the payment of such rate or due to the collector of rates and until the master or owner or crew shall have given in a statement of his or their take of fish as required by the last preceding section hereof.

Harbour master may prevent sailing of vessels when rates have not been paid.

53. The Trustees may from time to time lease the rates and dues 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 as they think fit and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering rates and dues 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 accounts and otherwise to which the Trustees are subject under this Order.

Power to lease rates.

54. The Trustees may from time to time borrow at interest such money as may be required for the purposes of this Order not exceeding in the whole the sum of five thousand pounds on the security of the tolls rates dues and charges by this Order authorised to be taken or any part thereof.

Power to borrow money.

55. The Trustees shall apply all money borrowed by them under this Order in defraying the cost of the works conveniences and purposes authorised by this Order and of other purposes in connexion with the harbour to which capital is properly applicable and not otherwise.

Application of money borrowed.

56. Any money borrowed under this Order and discharged otherwise than by means of a sinking fund or by instalments may be reborrowed if required for the purposes of this Order and so from time to time.

Re-borrowing.

57. The Trustees shall every year appropriate and set apart out of the surplus revenues (if any) of the harbour such a sum as will with the accumulations thereof by way of compound interest be sufficient to pay off the whole of the principal moneys borrowed under this Order within sixty years after the same are respectively borrowed.

Sinking fund.

58. The Trustees shall yearly for the purpose of forming a contingency fund to meet any unforeseen accident or extraordinary damage which may happen or be caused to the harbour set apart the surplus revenue of the harbour (if any)

Contingency fund.

A.D. 1889.
Port Ness.

after meeting the ordinary expenditure and interest and sinking fund as by this Order provided and shall deposit the sum set apart in some joint stock bank of issue in Scotland to be increased by accumulation in the way of compound interest or otherwise until required for any of the aforesaid purposes and the whole accumulated fund shall be applied as required for the maintenance and improvement of the Harbour.

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

59. The clerk to the Trustees shall within two 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 the 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 purpose to which any portions of the moneys invested for the sinking fund and the interest 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 such clerk shall be liable in a penalty not exceeding twenty pounds. If it appear to the Board of Trade by such return or otherwise that the Trustees have failed to set apart in accordance with the provisions of this Order the sum required by this Order for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof 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 decree of either Division of the Inner House of the Court of Session in Scotland in a summary application presented for that purpose.

Application of
revenues.

60. The rates received by the Trustees under this Order and the other harbour revenues shall be applied for the purposes and in the order following and not otherwise (that is to say) :—

- (1.) In paying the costs charges and expenses of and incident to preparing and obtaining this Order or otherwise in relation thereto :
- (2.) In paying the expenses of the maintenance repair management and regulation of the harbour and works and in defraying the other necessary administration expenses of the Trustees in relation to the harbour including the cost of borrowing money under this Order :
- (3.) In paying year by year the interest on money borrowed by the Trustees for the purposes of this Order :
- (4.) In forming a sinking fund for payment of principal moneys borrowed under this Order :
- (5.) In forming a contingency fund for accidents to the harbour ;
- (6.) In paying off any other debts contracted or to be contracted by the Trustees for the purposes of this Order :
- (7.) In executing the works authorised by this Order and in further improving deepening and extending the harbour and works connected therewith and in carrying into effect the purposes of this Order.

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61. The existing harbour at Port Ness and the works authorised by this Order shall for all purposes including the levying and collection of rates and dues be deemed and taken as forming part of the undertaking of the Trustees.

Port Ness.
Works authorised to form part of undertaking of Trustees.

62. Sections sixteen to nineteen inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Trustees 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 harbour 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.

Portion of Harbours Clauses Act excepted.

63. Part V. of the Harbours and Passing Tolls &c. Act 1861 shall be incorporated with this Order.

Partial incorporation of Harbours and Passing Tolls Act.

64. 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 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.

Power to Trustees to purchase or hire dredgers and apparatus.

65. No vessel or boat shall without the consent of the Trustees or their harbour-master anchor within the limits of the harbour.

Boats not to anchor within harbour without consent of Trustees.

66. The Trustees may make byelaws for the regulation and control of vessels and boats within the harbour and for the regulation and control of the fishermen and other 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 have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

Byelaws.

67. Before commencing the works authorised by this Order the Trustees 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 directions so given shall satisfy and be in the place of every other statutory requirement as to lights during the construction of the works. If the Trustees 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.

Lights to be exhibited during construction of works.

68. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Trustees shall at the Harbour and works or the completed portions thereof exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners

Lights after completion of works.

A.D. 1889. for directions as to lighting and the Trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Port Ness.

Provision
against danger
to navigation.

69. In case of injury to, or destruction or decay of, the works, or any part thereof, the Trustees 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 Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be taken, and the Trustees 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.

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

Powers to cease
in certain
events.

(1.) If within two years from the date of 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 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:

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 facts stated in such certificate.

Saving rights
under Crown
Lands Act
1866.

71. 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 consent of the Board of Trade having been first obtained.

Costs of Order.

72. All the costs charges and expenses of and incident to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Trustees and the Trustees may apply any of their funds towards such purposes.

Short title.

73. This Order may be cited as the Port Ness Harbour Order 1889.

The SCHEDULE to which the foregoing Order refers.

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Port Ness.

I.—RATES ON VESSELS EXCLUSIVE OF THEIR CARGOES.

	£	s.	d.
1. For every vessel entering and loading or discharging at the harbour - - - - - per register ton	0	0	4
2. For every pleasure yacht entering the harbour not carrying goods or passengers for hire - - - - - per register ton	0	0	3
3. For every vessel entering the harbour for safety or windbound and which shall not unload any goods or cargo - per register ton	0	0	2
4. Vessels remaining in the harbour beyond one month shall be liable in repetition of the above rates for every month or part of a month they may remain beyond the first month.			

II.—RATES FOR BOATS AND OTHER FISHING VESSELS EXCLUSIVE OF THEIR CARGOES.

1. For every boat or vessel employed at the herring fishery at the harbour for the herring fishing season viz. first April to first September :			
If not over twenty feet keel - - - - -	0	15	0
If under thirty tons register (payable on or before twentieth May) - - - - -	1	5	0
If above thirty tons (payable on or before twentieth May) -	1	10	0
2. For every boat or vessel prosecuting the white or other fishing other than the herring fishing at the harbour :			
From first January to thirty-first December - - - each	1	0	0
3. For every boat or vessel not employed at the regular fishings at the harbour as above but which shall discharge or load herrings or other fish on entering the harbour each time :			
If under thirty tons register - - - - -	0	2	0
If above thirty tons register - - - - -	0	3	0
4. For every boat or fishing vessel loading or discharging any cargo other than fish on entering the harbour each time :			
If under thirty tons register - - - - -	0	3	0
If above thirty tons register same as trading vessels.			
5. For every boat or fishing vessel coming into the harbour for safety or windbound but which shall not load or unload any fish or other cargo each time :			
If under thirty tons register - - - - -	0	1	0
If above thirty tons and under fifty tons - - - - -	0	2	6
If above fifty tons same as trading vessels.			
6. For every boat or fishing vessel fitting out for or returning from other fishing stations not paying dues as above including dues on furniture - - - - -	0	1	6

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Port Ness.

7. Beaching ground for boats :

	£	s.	d.
For every large herring boat or white fishing boat beached for the season - - - - -	0	15	0
For every small do. - - - - -	0	7	6

III.—RATES ON GOODS SHIPPED TRANSHIPPED OR UNSHIPED IN THE HARBOUR.

	£	s.	d.
Ale and beer - - - - - per 9 gallons	0	0	2
Ditto bottled - - - - - per 24 gallons	0	1	0
Alum - - - - - per cwt.	0	0	1
Anchors - - - - - per ton	0	5	0
Ashes - - - - - per ton	0	2	0
Asphalte and bitumen - - - - - per ton	0	1	3
Aerated waters all kinds - - - - - per ton	0	1	8
Bacon or hams - - - - - per ton	0	3	4
Ballast - - - - - per ton	0	0	2
Barrilla - - - - - per ton	0	3	0
Bark oak - - - - - per ton	0	2	6
Barley and all other groats - - - - - per ton	0	2	0
Barrels (empty herring) - - - - - each	0	0	1
Baskets under twelve inches diameter - - - - - per dozen	0	0	6
Ditto above ditto - - - - - per dozen	0	1	0
Basket rods - - - - - per cwt.	0	0	2
Beef or pork (fresh or salt) - - - - - per ton	0	3	6
Beer (black or spruce) - - - - - per three gallons	0	0	2
Billiard table - - - - - per cwt.	0	0	2
Biscuits - - - - - per ton	0	0	3
Blacking - - - - - per cwt.	0	0	6
Bleaching salts - - - - - per cwt.	0	0	2½
Blubber (whale or seal) - - - - - per 252 gallons	0	3	0
Boats - - - - - each	0	5	0
Bones (crushed or uncrushed) - - - - - per ton	0	1	6
Books and stationery - - - - - per cwt.	0	0	4
Bottles - - - - - per gross	0	0	4
Do. broken - - - - - per ton	0	0	6
Boxwood - - - - - per cwt.	0	0	1¼
Bran - - - - - per ton	0	1	0
Brass - - - - - per ton	0	2	0
Bricks - - - - - per thousand	0	0	10
Brimstone - - - - - per ton	0	2	0
Bristles - - - - - per cwt.	0	0	9
Brooms (common) - - - - - per dozen	0	0	2
Bulrushes - - - - - per cwt.	0	0	8
Butter - - - - - per cwt.	0	0	9
Boxes (empty) - - - - - each	0	0	1

		£	s.	d.	A.D. 1889.
Candles	per ton	0	3	6	Port Ness.
Canvas	per cwt.	0	0	2	
Carpets rugs and upholstery articles	per ton	0	2	6	
Cane reeds	per cwt.	0	0	3	
Carboys (empty)	each	0	0	1	
Carriages with springs under 5 cwt.	each	0	3	0	
Do. 5 cwt. and under 7½ cwts.	each	0	5	6	
Do. 7½ cwt. and under 10 cwts.	each	0	7	6	
Do. 10 cwt. and above	each	0	10	0	
Carrots	per ton	0	1	0	
Casks boxes sacks and kits empty except returned empties as provided for in the notes of this Schedule	each	0	0	1	
Cattle	each	0	1	6	
Calves	each	0	0	6	
Horses	each	0	2	0	
Ponies under 12 hands	each	0	1	0	
Asses or mules	each	0	1	0	
Pigs	each	0	0	3	
Sheep and lambs	each	0	0	3	
Small cattle	each	0	0	8	
Cement	per ton	0	1	6	
Chalk	per ton	0	1	6	
Cheese	per ton	0	2	6	
Chestnuts	per cwt.	0	0	4½	
Chimney tops	each	0	0	1	
Chocolate	per cwt.	0	1	0	
Cider	per gallon	0	0	0¼	
Cinders and charcoal	per ton	0	0	9	
Clay viz. china or stone	per ton	0	1	0	
Do. pipes	per ton	0	1	0	
Clocks	each	0	1	0	
Clothing haberdashery silk mercery &c. not otherwise enumerated	per ton	0	3	0	
Coals	per ton	0	0	6	
Cocoa	per ton	0	4	0	
Cocoanuts	per 100	0	0	4	
Coffee	per cwt.	0	0	3	
Coke	per ton	0	0	10	
Confections of all kinds	per cwt.	0	0	2	
Copper	per ton	0	3	0	
Do. old	per ton	0	2	0	
Do. ore	per ton	0	1	0	
Copperas	per cwt.	0	0	1½	
Colours	per cwt.	0	0	1½	
Cordage	per ton	0	2	6	
Do. old not in use	per ton	0	1	0	
Corkwood and corks	per ton	0	3	4	

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Port Ness.

Corn and meal viz. :—

						£	s.	d.
Barley and bigg	-	-	-	-	-	per ton	0	1 4
Bere and meal	-	-	-	-	-	per ton	0	1 6
Beans	-	-	-	-	-	per ton	0	1 4
Indian corn	-	-	-	-	-	per ton	0	1 4
Do. meal	-	-	-	-	-	per ton	0	1 6
Malt	-	-	-	-	-	per ton	0	2 8
Oats	-	-	-	-	-	per ton	0	1 4
Oatmeal	-	-	-	-	-	per ton	0	1 6
Peas	-	-	-	-	-	per ton	0	1 6
Rye	-	-	-	-	-	per ton	0	1 4
Wheat	-	-	-	-	-	per ton	0	1 6
Cotton Wool	-	-	-	-	-	per ton	0	5 0
Crabs	-	-	-	-	-	per 28 lbs.	0	0 1
Crystal	-	-	-	-	-	per ton	0	5 0
Cutch	-	-	-	-	-	per ton	0	3 4
Dogs	-	-	-	-	-	each	0	0 6
Drugs	-	-	-	-	-	per cwt.	0	0 4
Dung	-	-	-	-	-	per ton	0	0 4
Earthenware	-	-	-	-	-	per ton	0	2 6
Eggs	-	-	-	-	-	per cwt.	0	0 3
Emery and emery stones	-	-	-	-	-	per cwt.	0	0 3
Feathers	-	-	-	-	-	per ton	0	10 0
Felt	-	-	-	-	-	per ton	0	2 6
Fish dried	-	-	-	-	-	per ton	0	3 6
Do. pickled or salt	-	-	-	-	-	per ton	0	2 6
Do. fresh cod and ling	-	-	-	-	-	per 100	0	1 0
Do. fresh haddock skate &c. not enumerated	-	-	-	-	-	per cwt.	0	0 3
Do. fresh halibut and turbot	-	-	-	-	-	per cwt.	0	0 6
Do. offal	-	-	-	-	-	per ton	0	0 6
Flax	-	-	-	-	-	per cwt.	0	0 2
Flour	-	-	-	-	-	per ton	0	2 8
Flower roots	-	-	-	-	-	per cwt.	0	0 2
Flint stones	-	-	-	-	-	per ton	0	0 6
Fruit viz. :								
Apples pears and berries	-	-	-	-	-	per cwt.	0	0 3
Plums cherries grapes	-	-	-	-	-	per cwt.	0	0 4
Nuts (except cocoa)	-	-	-	-	-	per cwt.	0	0 2
Melons	-	-	-	-	-	per cwt.	0	0 2
Peaches	-	-	-	-	-	per 56 lbs.	0	0 2
All not enumerated	-	-	-	-	-	per 10% value	0	0 10
Furniture household	-	-	-	-	-	per 10% value	0	1 0
Furriers' waste	-	-	-	-	-	per ton	0	0 4
Game viz. :								
Hares	-	-	-	-	-	each	0	0 2
Rabbits	-	-	-	-	-	each	0	0 1
All others	-	-	-	-	-	each	0	0 2

	£	s.	d.	A.D. 1889.
Ginger - - - - -	0	0	3	Port Ness.
Do. preserved - - - - -	0	0	6	
Glass of all descriptions - - - - -	0	0	2	
Glue - - - - -	0	0	4	
Grates stoves &c. - - - - -	0	3	6	
Grease - - - - -	0	2	6	
Groceries all kinds - - - - -	0	0	3	
Gunpowder - - - - -	0	0	3	
Guano - - - - -	0	1	6	
Hair all kinds - - - - -	0	0	4½	
Do. plasterers - - - - -	0	2	0	
Hardware - - - - -	0	0	2	
Hats - - - - -	0	0	0½	
Hay - - - - -	0	1	6	
Hemp - - - - -	0	3	6	
Herrings fresh - - - - -	0	0	2	
Do. cured and exported - - - - -	0	0	4	
Do. in barrels imported - - - - -	0	0	4	
Hides raw (except sealskins with blubber) - - - - -	0	0	2	
Do. sealskins with blubber attached - - - - -	0	0	2	
Honey - - - - -	0	0	3	
Hoops of wood - - - - -	0	0	10	
Hops - - - - -	0	0	6	
Horns slugs and tips - - - - -	0	1	8	
Husbandry implements - - - - -	0	1	4	
Iron viz :				
Bar plate bolt and rod - - - - -	0	2	0	
Forged made work and hoops - - - - -	0	3	4	
Old - - - - -	0	1	3	
Old and broken goods - - - - -	0	0	6	
Cast-iron goods - - - - -	0	2	6	
Wire - - - - -	0	0	2	
Pig - - - - -	0	1	0	
Kelp - - - - -	0	1	0	
Kiln pavement - - - - -	0	0	4	
Lard - - - - -	0	2	0	
Lead - - - - -	0	2	0	
Do. black - - - - -	0	2	0	
Do. ore - - - - -	0	2	0	
Do. red and white - - - - -	0	2	0	
Do. shot - - - - -	0	3	0	
Do. sugar of - - - - -	0	0	2	
Leather tanned and dressed - - - - -	0	0	3	
Lemons - - - - -	0	0	4	
Lignum vitæ - - - - -	0	3	0	
Lime - - - - -	0	0	6	
Loam - - - - -	0	0	4	
Lobsters - - - - -	0	0	2	

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Port Ness.

			£	s.	d.
Machinery	-	-	-	-	-
Manures manufactured and not otherwise enumerated	-	-	-	-	-
Mats and basses	-	-	-	-	-
Mill waste	-	-	-	-	-
Molasses	-	-	-	-	-
Mussels	-	-	-	-	-
Nuts all kinds	-	-	-	-	-
Oakum	-	-	-	-	-
Ochre	-	-	-	-	-
Oil all kinds	-	-	-	-	-
Do. cakes	-	-	-	-	-
Onions	-	-	-	-	-
Oranges	-	-	-	-	-
Oysters	-	-	-	-	-
Peats	-	-	-	-	-
Paper	-	-	-	-	-
Pewter	-	-	-	-	-
Do. old	-	-	-	-	-
Pianoforte	-	-	-	-	-
Pictures under two feet square	-	-	-	-	-
Do. two feet and under four feet	-	-	-	-	-
Do. four feet and upwards	-	-	-	-	-
Pigs head	-	-	-	-	-
Pitch	-	-	-	-	-
Plaster of Paris	-	-	-	-	-
Plants (nursery and garden) all kinds	-	-	-	-	-
Porter	-	-	-	-	-
Do. bottled	-	-	-	-	-
Potatoes	-	-	-	-	-
Poultry all kinds	-	-	-	-	-
Pumice stones	-	-	-	-	-
Pipes, drain, under three inches diameter	-	-	-	-	-
Do. above	-	-	-	-	-
Do. collars	-	-	-	-	-
Do. spigot and faucet clay glazed	-	-	-	-	-
NOTE—Drain tiles and linings one-third less.					
Do. tobacco	-	-	-	-	-
Provisions (preserved) all kinds	-	-	-	-	-
Rags and old ropes	-	-	-	-	-
Rice	-	-	-	-	-
Ropes all kinds	-	-	-	-	-
Rosin	-	-	-	-	-
Saddlery all kinds	-	-	-	-	-
Salt in bulk	-	-	-	-	-
Do. rock	-	-	-	-	-
Do. saltpetre and glauber salt	-	-	-	-	-
Do. in barrel including dues of barrel	-	-	-	-	-
Salmon	-	-	-	-	-

						£	s.	d.	A.D. 1889.
Sealskins green or dressed	-	-	-	-	each	0	0	1	Port Ness.
Seaware	-	-	-	-	per ton	0	0	3	
Seed viz. :									
Rape and flax	-	-	-	-	per cwt.	0	0	1	
Clover	-	-	-	-	per cwt.	0	0	3	
Rye Grass	-	-	-	-	per ton	0	3	4	
Shoes of all kinds	-	-	-	-	per ton	0	3	0	
Sheepskins with wool	-	-	-	-	per cwt.	0	0	3	
Do. pelts	-	-	-	-	per cwt.	0	0	2	
Shell fish other than those specified	-	-	-	-	per cwt.	0	0	2	
Slates large	-	-	-	-	per 1,000	0	1	4	
Do. sizeable	-	-	-	-	per 1,000	0	0	10	
Do. small	-	-	-	-	per 1,000	0	0	6	
Snuff	-	-	-	-	per cwt.	0	0	6	
Soap	-	-	-	-	per ton	0	2	0	
Soda	-	-	-	-	per ton	0	0	6	
Spades or shovels	-	-	-	-	per dozen	0	0	1	
Spirit of all kinds	-	-	-	-	per gallon	0	0	0 $\frac{1}{4}$	
Starch	-	-	-	-	per cwt.	0	0	3	
Steel	-	-	-	-	per ton	0	3	0	
Straw	-	-	-	-	per ton	0	1	0	
Stones viz. :									
Freestone building	-	-	-	-	per ton	0	0	5	
Polished granite	-	-	-	-	per ton	0	2	6	
Causeway granite	-	-	-	-	per ton	0	0	3	
Kerb pavement and building	-	-	-	-	per ton	0	0	5	
Rubble and chips	-	-	-	-	per ton	0	0	2	
Rigging stones	-	-	-	-	per 100 running feet	0	1	6	
Flagstones	-	-	-	-	per ton	0	0	9	
Gravestones	-	-	-	-	each	0	3	0	
Marble	-	-	-	-	per ton	0	3	0	
Scythe stones	-	-	-	-	per cwt.	0	0	2	
Grindstones	-	-	-	-	each	0	0	4	
Millstones	-	-	-	-	each	0	0	6	
All other descriptions	-	-	-	-	per ton	0	1	0	
Stucco	-	-	-	-	per ton	0	1	8	
Sugar all kinds	-	-	-	-	per ton	0	1	8	
Stoneware all kinds	-	-	-	-	per cwt.	0	0	2	
Tallow	-	-	-	-	per ton	0	2	0	
Tanners' waste	-	-	-	-	per ton	0	1	1	
Tar coal	-	-	-	-	per 39 gallons	0	0	1	
Do. archangel	-	-	-	-	per 26 $\frac{1}{2}$ gallons	0	0	2	
Tea	-	-	-	-	per cwt.	0	0	6	
Tiles roofing	-	-	-	-	per 1,000	0	1	0	
Tin of all kinds	-	-	-	-	per ton	0	2	0	
Do. plates	-	-	-	-	per ton	0	2	0	
Tobacco in leaf	-	-	-	-	per cwt.	0	0	2 $\frac{1}{4}$	
Do. manufactured	-	-	-	-	per 100 lbs.	0	0	4 $\frac{1}{4}$	

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			£	s.	d.				
Tobacco stalks	-	-	-	-	-	per cwt.	0	0	3
Tongues smoked	-	-	-	-	-	per cwt.	0	0	9
Do. pickled	-	-	-	-	-	per cwt.	0	0	4
Toys	-	-	-	-	-	per cwt.	0	0	3
Treenails	-	-	-	-	-	per 1,000	0	1	6
Turnery	-	-	-	-	-	per £10 value	0	0	10
Turnips	-	-	-	-	-	per ton	0	0	6
Twine	-	-	-	-	-	per cwt.	0	0	3
Tow all kinds	-	-	-	-	-	per ton	0	1	6
Vases or sculptural marble	-	-	-	-	-	per cwt.	0	0	3
Vinegar	-	-	-	-	-	per gallon	0	0	0 $\frac{1}{4}$
Vitriol	-	-	-	-	-	per gallon	0	0	0 $\frac{1}{2}$
Varnish	-	-	-	-	-	per cwt.	0	0	2
Veneers all kinds	-	-	-	-	-	per cwt.	0	0	4
Vegetables	-	-	-	-	-	per ton	0	0	6
Whalebone or whale fins	-	-	-	-	-	per ton	0	3	4
Wheels coach carriage or cart	-	-	-	-	-	per pair	0	0	9
Whelks	-	-	-	-	-	per cwt.	0	0	2
Whitening	-	-	-	-	-	per ton	0	0	10
Willow reeds	-	-	-	-	-	per cwt.	0	0	2
Wine	-	-	-	-	-	per gallon	0	0	0 $\frac{1}{4}$
Do. bottled	-	-	-	-	-	per gallon	0	0	1
Wood:									
Herring barrel billets	-	-	-	-	-	per ton	0	1	0
Herring barrel staves	-	-	-	-	-	per 1,000 superficial feet	0	1	4
All other kinds not enumerated	-	-	-	-	-	per £1 value	0	0	4
Wool	-	-	-	-	-	per ton	0	3	4
Yarn viz.:									
Lint and cotton	-	-	-	-	-	per ton	0	4	6
Tow	-	-	-	-	-	per ton	0	3	4
Hemp	-	-	-	-	-	per ton	0	3	6
Worsted	-	-	-	-	-	per ton	0	4	6
Zinc	-	-	-	-	-	per ton	0	2	0
All goods or articles not enumerated in the foregoing schedule						per cwt.	0	0	2

NOTES WITH REFERENCE TO THE FOREGOING SCHEDULE.

- (1.) All empty boxes barrels sacks and packages returned to the original shipper within three months from date of import are exempted from duties:
- (2.) All goods landed from any vessel and re-shipped in the same or another vessel in the original packages and without being transferred from the lander or if the said goods have been put into other packages from the original packages having been destroyed or damaged shall only pay duties on landing and may be re-shipped in the same or another vessel upon her departure without paying duties again:
- (3.) If any goods for which rates shall have been paid when loaded shall from any accident or otherwise be unloaded no rates shall be charged a second time for such goods on being reloaded:

- (4.) Goods of all descriptions rated by weight shall be charged according to gross weight fractional parts of any weight measure number or value shall be charged proportionally and the minimum charge for a single package shall be one penny.

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Port Ness.

IV.—RATES FOR THE USE OF SHEDS CRANES AND WEIGHING MACHINES
WARPS OR PLANKS.

These to be paid by persons using the same.

(1.) *Sheds.*

For every 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 threepence and the sum of three half-pence per ton for each day during which such goods shall remain after the first twenty-four hours.

(2.) *Cranes.*

	£	s.	d.
All goods or packages not exceeding one ton	-	0	0 3
Exceeding one ton and not exceeding two tons	-	0	0 4
Exceeding two tons and not exceeding three tons	-	0	0 6
Exceeding three tons and not exceeding four tons	-	0	0 8
Exceeding four tons and not exceeding five tons	-	0	0 10
Exceeding five tons and not exceeding six tons	-	0	1 0
Exceeding six tons and not exceeding seven tons	-	0	1 2
Exceeding seven tons and not exceeding eight tons	-	0	1 4
Exceeding eight tons and not exceeding nine tons	-	0	1 8
Exceeding nine tons and not exceeding ten tons	-	0	2 0
Exceeding ten tons	-	0	3 0

(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.) *Warps or Planks.*

Harbour warps all vessels	-	per register ton	0	0	0½
Harbour planks long	-	per pair	0	3	0
Do. short	-	per pair	0	1	0

The long planks to be paid for by the vessel and short planks by the merchant.

Lights flags and signals for all vessels	-	per register ton	0	0	0½
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(5.) *Pilotage.*

1. For every vessel piloted into or out of Harbour with a boat and four men	-	per register ton	0	0	3½
Laying out a kedge	-		0	5	0
Hawlers on board	-	each	0	1	0
Hawlers on quays or piers	-	each	0	0	6

To be paid only by vessels requiring these services.

		£	s.	d.
A.D. 1889.	2. Tides work :			
Port Ness.	For every tides work within the Harbour			
	per man employed each	0	2	6
	3. Berthing master's or captain pilot's fees :			
	For all vessels under forty tons register	0	0	6
	Forty tons and under eighty tons register	0	1	0
	Eighty tons and under one hundred and twenty tons register			
	each	0	1	6
	One hundred and twenty tons and under one hundred and sixty tons register	0	2	0
	One hundred and sixty tons and upwards register	0	2	6
	To be paid only by vessels requiring berthing or master's or captain pilot's services.			

(6.) *Water money.*

For each one hundred gallons or part thereof for all vessels supplied	0	0	6
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(7.) *Harbour Lights.*

For every fishing boat under thirty tons	0	1	0
For every fishing boat above thirty tons	0	1	6
For all other boats	0	0	6
For every ship under one hundred tons register	0	2	0
For every ship above one hundred tons register	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.			

(8.) *Rates on Passengers and Passengers' Luggage.*

For every passenger or other person who shall within the harbour land from or embark on board of any ship vessel packet or passage boat for each time a sum not exceeding—			
Above twelve years of age	0	0	2
Under twelve years of age	0	0	1
Crews of boats and vessels to be exempt from this rate.			
For every trunk portmanteau box parcel or other package within the description of luggage not carried by the passenger in his hand—			
Not exceeding twenty-eight pounds weight	0	0	2
Over twenty-eight pounds and not exceeding eighty-four pounds	0	0	4
Over eighty-four pounds and not exceeding one hundred and twelve pounds	0	0	5
Over one hundred and twelve pounds and not exceeding one hundred and forty pounds	0	0	6
Over one hundred and forty pounds and not exceeding one hundred and ninety-six pounds	0	0	7
Over one hundred and ninety-six pounds and not exceeding two hundredweight	0	0	8
And for every hundredweight beyond	0	0	4
And for every twenty pounds in addition	0	0	1

WOODDA.

A.D. 1889.

*Order for the Construction of a Pier and Works at Woodda Bay
in the Parish of Martinhoe and County of Devon.*

Woodda.

1. Benjamin Greene Lake of Woodda Bay near Martinhoe in the county of Devon and of the Priory Orpington in the county of Kent Esquire a Major in Her Majesty's auxiliary forces his heirs assignees and successors in title shall be the Undertakers for carrying this Order into execution.

Undertakers.¹

2. The limits within which the Undertakers shall have authority and which shall be deemed the limits to which this Order and the power to levy rates extend and which are in this Order and the schedule hereto termed "the limits of this Order" shall comprise the pier and works authorised by this Order (which expression "pier and works" comprises all the works accesses and conveniences connected therewith) and shall also comprise the area below the line of high-water mark of Woodda Bay within five hundred feet from any part of the pier or works, or westward of an imaginary line drawn from the pier head on a south-east (true) bearing.

Limits of
Order.

3. 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 shown on the deposited plan and sections so far as the same are shown thereon, and within the limits of deviation shown on the plan make and maintain the pier and works authorised by this Order with all necessary works accesses and conveniences.

Power to con-
struct works.

4. The works authorised by this Order include :—

1st. An approach road or embankment commencing at a point seventeen yards or thereabouts south of the southern end of the landing slip at Woodda Bay thence extending in a curved line in a northerly to a north-easterly direction for a distance of 160 yards or thereabouts and terminating there all in the parish of Martinhoe and county of Devon or in the bed of the sea or of the Bristol Channel adjacent thereto.

Description of
works.

2nd. A pier causeway or jetty commencing at the point of termination of the approach road or embankment last described thence extending in a north-easterly direction in a straight line for a distance of 110 yards or thereabouts and terminating there all in the parish of Martinhoe in the county of Devon or in the bed of the sea or of the Bristol Channel adjacent thereto.

5. Subject to the provisions of this Order the Undertakers may construct and maintain all warehouses offices and other works buildings and conveniences including rails tramways sidings and turntables which may be found necessary on or in connexion with the said pier and works for the accommodation of vessels goods passengers and traffic landed at or embarked from the same and they may also from time to time dredge scour deepen widen enlarge alter improve and maintain the entrances and channels to the said pier and works and the approaches works and

Power to con-
struct offices
and other build-
ings and to
maintain and
improve pier.

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

Power to alter
and deviate
works.

6. The Undertakers in constructing the pier and works may (with the consent in writing of the Board of Trade) alter and deviate the same vertically or laterally to any extent within the limits of deviation marked on the deposited plan.

Penalty for
obstructing
works.

7. 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 the said works or defaces or destroys the said works or any part thereof shall for every such offence be liable to a penalty not exceeding five pounds.

Power to levy
rates.

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

Rates may be
levied though
works not
completed.

9. 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 increased accommodation for the landing and embarking of passengers 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 increased accommodation afforded.

Pass tickets for
use of pier.

10. The Undertakers may grant to passengers promenaders and others pass tickets for the use of the pier and works at such rates on such terms and for such periods not exceeding one year as may be agreed upon but so that no preference be given to any person. A pass ticket shall not be transferable nor be used by any person except the person to or for whom it is granted nor by any person after the period limited for its use. If any person acts in any way in contravention of this provision or uses or attempts to use any false or counterfeit pass 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.

Powers to vary
exemptions
from rates and
to enter into
compositions,
&c.

11. 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 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.

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12. If at any time and from time to time the clear annual income derived from the pier and works on the average of the then three last preceding years after payment of all expenses and outgoings other than payments of interest or principal 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 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 per centum per annum and the rates shall thereupon be reduced accordingly but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Board of Trade
may reduce
rates.

13. The Undertakers 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 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
the Board of
Trade.

14. 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 coast of the United Kingdom shall when forced by stress of weather to make use of the pier or works 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.

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

Exemption of
Custom House
officers from
rates.

16. 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 from the pier and works without payment.

Lifeboat crew
to be exempt
from rates.

17. 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.

Life-saving
apparatus may
be attached to
pier.

18. The Undertakers may from time to time with the consent of the Board of Trade first obtained in writing sell their undertaking and the pier and works or

Power to sell
or lease under-
taking.

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any part or parts thereof or the rates tolls duties and other charges authorised by this Order or may from time to time lease the same for any term not exceeding seven years from the date of this lease to take effect in possession to such person or persons company or local authority upon such terms and under such restrictions and conditions as they think fit and the purchaser or lessee shall have and may exercise all the same power of levying and recovering rates and dues 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 and the same provisions as to accounts and otherwise to which the Undertakers are made subject by this Order.

Power to make
byelaws.

19. The Undertakers may make byelaws for the management use and protection of the pier and works for the regulation and control of vessels and boats within the limits of this Order and for the regulation and control of the fishermen and others embarking disembarking frequenting or resorting to or employed at or near the pier approaches and other works authorised by or within the limits of this Order and for the regulation and control of the goods and traffic on and at the pier and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaw 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.

Power to provide and use
cranes, &c.

20. The Undertakers may provide and use such steam and other cranes buoys mooring posts mooring craft weighing machines tackle and other machinery vessels apparatus and conveniences as they think proper for any of the purposes of this Order and may demand take and recover such sums for the use thereof respectively as they think reasonable.

Application of
rates received.

21. The rates received under this Order whether by the Undertakers or any receiver to be appointed under the provisions of this Order shall be applicable for the purposes and in the order following and not otherwise :

- (1.) In paying the costs of and connected with the preparation and making of this Order :
- (2.) In paying the expense of the maintenance and repair management and regulation of the pier and works within the limits of this Order :
- (3.) In paying year by year the interest accruing on money borrowed under this Order and if so arranged in creating a sinking fund for the purpose of discharging money borrowed under this Order :
- (4.) The surplus revenue (if any) of the pier and works after providing for the purposes aforesaid shall belong to the Undertakers for their own use.

Power to
borrow money.

22. The Undertakers may from time to time borrow and re-borrow on mortgage 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.

Application of
money
borrowed.

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

Payment of
arrears of
interest and

24. If within two months after the interest on any mortgage granted by the Undertakers has become due or after the period prescribed for the payment of

the principal sum in any such mortgage has expired such interest or principal as the case may be shall not be paid the holder of such mortgage may without prejudice to any rights remedies or securities otherwise competent to or held by him apply for the appointment of a receiver as herein-after provided

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principal may be enforced by appointment of a receiver.
Appointment of a receiver.

25. Every application for the appointment of a receiver under the provisions of this Order shall be made to a justice of the county of Devon and on any such application the said justice may by order in writing after hearing the parties appoint some person as a receiver to receive the whole or a competent part of the rates authorised by this Order until all the arrears of interest or of principal or of principal and interest as the case may be then due on the outstanding mortgages with all costs including the charges of receiving the said rates be fully paid and upon such appointment being made the rates shall be paid to and received by the receiver and so soon as the full amount of interest or of principal or of principal and interest as the case may be and costs has been so received the power of the receiver shall cease and after payment of the said costs the receiver shall distribute among all the holders of the said mortgages to whom interest or principal shall be in arrear the rates and other moneys which shall have been received by him having regard in such distribution to the priorities (if any) of such mortgages.

26. The amount to authorise the application for appointment of a receiver shall be one thousand pounds in one or more mortgages.

Amount to authorise application for receiver.

27. Sections sixteen to nineteen inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Undertakers 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 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.

Portions of Harbours Clauses Act excepted.

28. Within the limits of this Order the Undertakers shall be a local authority within the meaning of the Merchant Shipping Act 1854 and Acts amending the same and shall have all the powers and privileges conferred by those Acts on local authorities.

Undertakers to be local authority.

29. No vessel or boat shall break bulk within the limits of this Order without the consent of the Undertakers or their piermaster.

Vessels not to break bulk within limits.

30. No vessel or boat shall be moored alongside the pier without the consent of the Undertakers or their piermaster; and the piermaster is hereby empowered to prevent vessels or boats anchoring or remaining in such part of Woodda Bay as is in the approach to the pier or works.

Vessels not to moor alongside pier without consent, &c.

31. Nothing in this Order shall without the consent of the Undertakers or their piermaster entitle any person with any vessel or boat to ship or unship at the pier any sheep cattle or merchandise or to ship or unship anything which in the judgment of the undertakers or their piermaster might in any measure interfere with the use of the pier for recreation or for the embarking or landing of passengers.

Sheep cattle &c. not to be shipped or unshipped without consent.

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Meters and
weighers.
As to lights
during the
construction of
works.

32. The Undertakers shall have the appointment of meters and weighers within the limits of this Order.

33. 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 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 direction 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 the continuance of the works they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights
after comple-
tion of works.

34. 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 exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the seasons of the year 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.

Provision
against danger
to navigation.

35. 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 direction given in reference to the means to be taken.

Powers to cease
in certain
events.

36. 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 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 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.

Pier and works
to be deemed
within the
parish of
Martinhoe.

37. The pier and works shall in respect of all matters crimes or offences arising or committed thereon or within the limits of this Order requiring the cognizance of any justice of the peace be deemed and taken to be within or as forming part of the parish of Martinhoe in the county of Devon and within the jurisdiction of any justice acting within and for the division of which that parish forms part.

38. 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 consent of the Board of Trade having been first obtained. A.D. 1889.
—
Woodda.
Saving rights
under Crown
Lands Act
1866.

39. All costs charges and expenses of and incidental to preparing and obtaining this Order or otherwise incurred in reference thereto shall be paid by the Undertakers. Costs of Order.

40. This Order may be cited as "The Woodda Bay Pier Order 1889." Short title.

The SCHEDULE to which the foregoing Order refers.

I.—RATES FOR USE OF PIER.

	£	s.	d.
For every passenger or other person landing on the pier from or embarking from it on board of any ship, vessel, packet, or passage boat, for each time any sum not exceeding - - -	0	0	2
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose except for embarking or disembarking, for each time any sum not exceeding - - -	0	0	2
For every bath or sedan chair including the driver taken on the pier, for each time any sum not exceeding - - -	0	0	4
For every perambulator including the driver, taken on the pier, for each time any sum not exceeding - - -	0	0	3
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - -	1	0	0

II.—RATES ON PASSENGERS' LUGGAGE LANDED, SHIPPED, OR TRANSHIPPED
AT THE PIER.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs. - - -	0	0	2
Over 28 lbs. and not exceeding 84 lbs. - - -	0	0	3
Over 84 lbs. and not exceeding 112 lbs. - - -	0	0	4
Over 112 lbs. and not exceeding 140 lbs. - - -	0	0	5
Over 140 lbs. and not exceeding 196 lbs. - - -	0	0	6
Over 196 lbs. and not exceeding 2 cwt. - - -	0	0	7
And for every 20 lbs. weight in addition, or part thereof - - -	0	0	1

III.—RATES ON VESSELS MOORING OR ANCHORING WITHIN THE LIMITS
SPECIFIED IN THE ORDER.

For every vessel not exceeding 15 tons, per ton - - -	0	0	4
For every vessel exceeding 15 tons and under 50 tons register, per ton register - - -	0	0	5

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	£	s.	d.
For every vessel of 50 tons and under 100 tons, per ton register	0	0	6
For every vessel of 100 tons and under 150 tons, per ton register	0	0	8
For every vessel of 150 tons and upwards, per ton register	0	1	0
For every barge or lighter, for each trip, per ton	0	0	2
All boats entirely open, landing or taking on board goods, each	0	0	6
All vessels mooring or anchoring within the limits of the order, for refuge or for fishing, provided they do not break bulk			free.

IV.—RATES ON GOODS SHIPPED, TRANSHIPPED, OR UNSHIPED AT THE PIER.

Ale, beer, and porter in cask, per 54 gallons	0	0	6
Ale, beer, or porter bottled, per 36 gallons	0	0	4
Ale, beer, or porter bottled, per dozen quart bottles	0	0	2
Ale, beer, or porter bottled, per dozen pint bottles	0	0	1
Anchors, per cwt.	0	0	9
Anchor stock, per foot run	0	0	2
Ballast, per ton	0	1	6
Bark, per ton	0	1	6
Beef or pork, per cwt.	0	0	3
Biscuits or bread, per cwt.	0	0	3
Blubber, per 250 gallons	0	3	0
Bones and bone dust, per ton	0	1	0
Bottles, per gross	0	0	9
Bricks, per 1,000	0	1	0
Butter and lard, per cwt.	0	0	2
Bicycles and tricycles, each	0	1	6
Cables, iron or hempen, per ton	0	3	0
Canvas, per 40 yards	0	0	1
Carriages :			
Chaises and other four-wheeled carriages, each	0	7	6
Gigs, carts, and other two-wheeled carriages, each	0	5	0
Hand-carts and perambulators, each	0	1	0
Casks (empty), not being returned packages, each	0	0	3
Cattle :			
Bulls, cows, and oxen, each	0	2	0
Calves, each	0	0	9
Horses, each	0	3	0
Mules, ponies, or donkeys, each	0	2	0
Pigs, each	0	0	3
Sheep, each	0	0	3
Chalk, per ton	0	1	0
Cheese, per cwt.	0	0	4
Chimney pots, each	0	0	2
Clay, per ton	0	1	0
Cloth, haberdashery, &c., per package not exceeding 1 cwt.	0	0	6
Coals, per ton	0	0	6
Copper, per ton	0	3	0
Cordage, per cwt.	0	0	3
Corks, per cwt.	0	0	6
Crystal, per ton	0	5	0

	£	s.	d.	A.D. 1889.
Dogs, each - - - - -	-	0	0	6
Drugs (in casks, hampers, or boxes), per foot - - - - -	-	0	0	2
Earthenware (in crates), per foot - - - - -	-	0	0	1
Eggs, per cwt. - - - - -	-	0	1	0
Fish (not sold by auction), turbot, brill, halibut, soles, cod, and ling, per cwt. - - - - -	-	0	0	3
Fish (not sold by auction), herrings (fresh), per 1,000 - - - - -	-	0	0	3
Fish (not sold by auction), herrings (salt), per cwt. - - - - -	-	0	0	3
Fish (not sold by auction), oysters, crabs, and lobsters, per half-cwt.	0	0	2	
Fish (not sold by auction), (dried and salted), per cwt. - - - - -	-	0	0	3
Fish (not sold by auction), (fresh), not enumerated, per cwt. - - - - -	-	0	0	2
Fish of all kinds (sold by auction), one pound per cent. upon the gross amount realised by the sale. Any fraction of a shilling to be reckoned as a shilling.				
Flax, per ton - - - - -	-	0	2	0
Flour and meal, per 4 bushels - - - - -	-	0	0	3
Flour and meal, per cwt. - - - - -	-	0	0	1
Furniture (household), per 5 cubic feet - - - - -	-	0	0	4
Fruit, per bushel - - - - -	-	0	0	4
Fuel, manufactured, per ton - - - - -	-	0	0	6
Glass, per cwt. - - - - -	-	0	1	0
Grains and seeds, per 100 lbs. - - - - -	-	0	0	1½
Groceries, not enumerated, per cwt. - - - - -	-	0	0	6
Guano, per ton - - - - -	-	0	1	0
Gunpowder, per cwt. - - - - -	-	0	0	6
Hams, bacon, or tongues, per cwt. - - - - -	-	0	0	4
Hardware, per ton - - - - -	-	0	2	6
Hares and rabbits, per dozen - - - - -	-	0	0	4
Hay, per ton - - - - -	-	0	1	6
Hemp, per ton - - - - -	-	0	2	0
Hides:				
Ox, cow, or horse (wet or dry), each - - - - -	-	0	0	2
Ice, per ton - - - - -	-	0	1	0
Iron:				
Bar, bolt, rod, and shots, per ton - - - - -	-	0	1	6
Pig, and old, per ton - - - - -	-	0	1	0
Manufactured, per ton - - - - -	-	0	2	6
Pots, each - - - - -	-	0	0	1
Kelp, per ton - - - - -	-	0	2	0
Lead, per ton - - - - -	-	0	2	0
Leather (tanned and dressed), per cwt. - - - - -	-	0	0	3
Lime, per twenty-eight bushels - - - - -	-	0	1	4
Limestone, per ton - - - - -	-	0	0	6
Machinery, per ton - - - - -	-	0	2	6
Manure (not enumerated), per ton - - - - -	-	0	1	0
Masts and spars, ten inches in diameter and upwards, each - - - - -	-	0	4	6
Masts and spars, under ten inches in diameter, each - - - - -	-	0	3	0
Meat, fresh, per cwt. - - - - -	-	0	0	6
Milk, per gallon - - - - -	-	0	0	0½
Musical instruments, per cubic foot - - - - -	-	0	0	1

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	£	s.	d.
Mussels or other bait for fish, per ton	-	0	1 0
Nets, per 5 cubic feet	-	0	0 4
Oakum, per cwt.	-	0	0 2
Oils, per ton	-	0	2 0
Oilcake, per ton	-	0	1 6
Oranges and lemons, per cwt.	-	0	0 6
Ores, per ton	-	0	1 0
Paint, per cwt.	-	0	0 2
Peat, per ton	-	0	0 6
Pitch and tar, per cwt.	-	0	0 2
Potatoes, per cwt.	-	0	0 2
Poultry and game, per dozen	-	0	0 4
Rags and old rope, per ton	-	0	2 0
Sails, per cwt.	-	0	0 6
Salt, per cwt.	-	0	0 1
Sand, per ton	-	0	1 0
Shrimp baskets, each	-	0	0 2
Skins :			
Calf, goat, sheep, lamb, or dog, per dozen	-	0	0 6
Slates, per 24 cubic feet	-	0	0 3
Spirits, per 54 gallons	-	0	2 0
Spirits, per gallon	-	0	0 2
Steel, per ton	-	0	3 0
Stones, per 16 cubic feet	-	0	1 6
Sugar, per cwt.	-	0	0 3
Tallow, soap, and candles, per cwt.	-	0	0 3
Tea, per 56 lbs.	-	0	1 0
Tiles, per 1,000	-	0	1 0
Tin and zinc, per ton	-	0	3 0
Tobacco, per cwt.	-	0	0 6
Turnips, per ton	-	0	0 6
Turpentine and varnish, per cwt.	-	0	0 2
Turtle, each	-	0	2 6
Vegetables (not enumerated), per cwt.	-	0	0 4
Vinegar, per 54 gallons	-	0	0 6
Vitriol, per 36 gallons	-	0	0 1
Water, per 54 gallons	-	0	0 3
Wine, per 54 gallons	-	0	1 0
Wine (bottled), per gallon	-	0	0 1
Wood :			
Per 50 feet	-	0	1 0
Firewood and laths and lathwood, per 216 cubic feet	-	0	1 6
Spars and oars, per 120	-	0	5 0
Treenails and wedges, per 1000	-	0	2 6
Pipe-staves and others in proportion, per 120	-	0	2 6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	-	0	2 0
Wool, per cwt.	-	0	0 2
Yarn, per cwt.	-	0	0 2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

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	£	s.	d.
Light goods, per cubic foot - - - - -	0	0	1
Heavy goods, per ton - - - - -	0	2	0

Woodda.

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

V.—FOR THE USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1.—Rates of Cranage.

All goods or packages not exceeding 1 ton - - - - -	0	0	4
Exceeding 1 ton and not exceeding 2 tons - - - - -	0	0	6
Exceeding 2 tons and not exceeding 3 tons - - - - -	0	0	8
Exceeding 3 tons and not exceeding 4 tons - - - - -	0	0	10
Exceeding 4 tons and not exceeding 5 tons - - - - -	0	1	0
Exceeding 5 tons and not exceeding 6 tons - - - - -	0	1	2
Exceeding 6 tons and not exceeding 7 tons - - - - -	0	1	4
Exceeding 7 tons and not exceeding 8 tons - - - - -	0	1	6
Exceeding 8 tons and not exceeding 9 tons - - - - -	0	1	10
Exceeding 9 tons and not exceeding 10 tons - - - - -	0	2	4
Exceeding 10 tons - - - - -	0	3	6

2.—Weighing Machines.

For goods weighed, for each ton or part of a ton - - - - -	0	0	2
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3.—Shed Dues.

For each ton of goods, which shall remain in the sheds or on the other works of the pier for a longer time than 24 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 24 hours.

For any portmanteau, trunk, parcel, or other article of passenger's luggage, for each day or part of a day, per package - - - - -	£	s.	d.
	0	0	2

It shall be at the option of the Undertakers to ascertain the amount of dues payable on goods either by weight or by measurement, at their option, 40 cubic feet being held equal to one ton.

A.D. 1889.

WEXFORD.

*Wexford.**Order for amending the Wexford Harbour Act, 1874.*

Short title.

1. This Order may be cited as the Wexford Harbour Order, 1889.

Order and former Act and Order to be read together.

2. This Order and the Wexford Harbour Act, 1874 (in this Order called the Act of 1874), as amended by the Wexford Harbour Order, 1886 (in this Order called the Order of 1886), shall be read and construed together as one Act and Order.

Interpretation.

3. Expressions to which meanings are assigned by the Act of 1874 or the Order of 1886 shall in this Order have the same respective meanings.

Limit of expenses of returning officer at elections by qualified electors.

4. From and after the passing of the Act confirming this Order, the returning officer at any election of Commissioners by the "qualified electors" authorised by the Act of 1874 and the Order of 1886 to elect Commissioners, shall not be entitled to be paid by the Commissioners any greater sum than forty pounds for his expenses in relation to such election, and Section 33 of the Act of 1874 shall be read as if the expenses of the returning officer thereby made payable by the Commissioners had been by that section limited to the sum of forty pounds.

Taxation of expenses.

5. The expenses of the returning officer at any such election may (without prejudice to the limit of such expenses imposed by the foregoing section) be taxed in the manner, as nearly as may be, provided by the Parliamentary Elections (Returning Officers) Act, 1875, and the Parliamentary Elections (Returning Officers) Act, 1875, Amendment Act, 1886, for the taxation of the expenses of returning officers at Parliamentary elections.

Annual account to be sent to the Board of Trade.

6. The Commissioners, within one month after sending to the clerk of the peace the copy of their annual account in abstract 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 Commissioners 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.

Costs of Order.

7. All costs, charges, and expenses of and incident to preparing and obtaining this Order, or otherwise incurred in relation thereto, shall be paid by the Commissioners.

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