

[54 & 55 VICT.] *Pier and Harbour Order Confirmation* [Ch. clix.]
(No. 3) Act, 1891.



CHAPTER clix.

An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Poole. A.D. 1891.
[28th July 1891.]

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 Provisional Order made by the Board of Trade under the said Act, which has been amended by Parliament, and as so amended is 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 Order set out in the schedule to this Act shall be and the same is 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 Order in
schedule.

2. This Act may be cited as the Pier and Harbour Order Confirmation (No. 3) Act, 1891. Short title.

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SCHEDULE.

POOLE.

Order for amending an Act passed in the twenty-ninth year of the reign of His Majesty King George the Second, relating to Poole Harbour, and for conferring further powers upon the Mayor, Aldermen, and Burgesses of the Borough of Poole.

Short title.
Order to be
read with
Poole Harbour
Act, 1756.

1. This Order may be cited as The Poole Harbour Order, 1891, and shall be construed as one with the Act passed in the twenty-ninth year of the reign of His Majesty King George the Second, entitled "An Act for the better ascertaining, recovering, and collecting certain duties payable upon the importation and exportation of goods and merchandises, into or out of the harbour of the town and county of Poole, and also of ballast and boomage duties payable in respect of ships and vessels coming into and going out of the said harbour, and for the enlarging, better repairing, and keeping in repair the said harbour, and the quays and wharves, and for providing a proper place for keeping gunpowder in or near the said town, and for establishing and regulating a nightly watch, and enlightening the streets in the said town" (in this Order called the Act of 1756); and this Order and the Act of 1756, as amended and varied by this Order, shall be read and construed together as one Act or Order.

Repeal and
amendment of
provisions of
Poole Harbour
Act, 1756.

2.—(1.) On and after the first day of September, one thousand eight hundred and ninety-one, there shall be repealed and is hereby repealed so much of the Act of 1756 as provides that the mayor, bailiffs, and burgesses of the town and county of the town of Poole, or the major part of them whereof the mayor to be one, may assemble for the purposes of the said Act; also so much of the said Act as provides that in case of nonpayment of rates thereby authorised, it shall be lawful for the mayor or any justice of the peace for the town and county of the town of Poole to issue a warrant under their hand to distrain, detain, and stop the ship wherein any goods, wares, merchandises, or commodities for which such rates are payable shall be loaded until such rates are paid and satisfied, with the costs and charges of such distress; also so much of the said Act as provides that fines and forfeits to be paid by masters or commanders of ships not delivering in an account of their loading shall be recovered by action of debt in any of His Majesty's Courts of Record; also so much of the said Act as provides that if any dispute shall arise with respect to the tonnage of any vessels or goods, the mayor and two justices of the peace for the said town and county, together with four younger Brothers of the Trinity House, or the majority of them, shall from time to time decide and settle such dispute, and ascertain such tonnage respectively; also the table or schedule relating to harbour duties annexed to the said Act, so far as the same is inconsistent with this Order: Provided nevertheless that the repeal of the last-mentioned table or schedule relating to harbour duties annexed to the said Act shall not take effect until the certificate referred to in sections 14 and 17 of this Order is granted by the Board of Trade (except as to the new or increased rates mentioned in section 19 of this Order which may be levied as from the time in that section specified).

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(2.) (a.) The section of the Act of 1756, whereof the marginal note is "Mayor &c. to appoint and remove officers, allow salaries to, and take securities from such officers" shall be read as if the following words had been omitted from the said section, namely, "And also to assign and allow to and amongst the said officers for the time being a reasonable salary or wages for their care or trouble out of the rates and duties to be by them levied, collected, and received by virtue of the present Act not exceeding two shillings in the pound," and in lieu of the said words the following words shall be read and have effect, namely, "And also to assign and pay to the said officers such salaries as may be deemed reasonable and expedient."

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(b.) The section of the Act of 1756, whereof the marginal note is "What quantity of goods shall be deemed a ton" shall be read as if the words "forty cubic feet of measurable goods" had been therein used instead of the words "forty square feet of measurable goods," and as if there had been inserted in the said section after such words aforesaid, "or fifty cubic feet of timber other than dry deals or battens, of which dry deals or battens sixty-six cubic feet."

3.—(1.) The mayor, aldermen, and burgesses of the borough of Poole, acting by the Council of the said borough as Trustees, shall be the Trustees of the quays and harbour of Poole, and shall be the Undertakers for carrying this Order into execution, and are in this Order referred to as the Trustees.

Undertakers.

(2.) Any nine members of the Council shall be sufficient to form a quorum for the transaction of business for the purposes of this Order and the Act of 1756 at any meeting of the Council as Trustees convened as herein-after provided. If the mayor be present at such meeting he shall, ex-officio, act as chairman thereof, and in the absence of the mayor from such meeting the members present shall elect one of their number to be chairman thereof.

(3.) The clerk to the mayor, aldermen, and burgesses shall act as clerk to the Trustees, and shall give three clear days' notice in writing beforehand by post to each member of the Council as Trustees of the date and time and place of every meeting of the Council as Trustees, for the purposes above mentioned, and such notice shall state briefly the nature of the business to be transacted at the meeting thereby notified, and no business shall be transacted at any such meeting other than that specified in such notice: Provided that want of service of any such notice upon any Trustee shall not affect the validity of the meeting.

(4.) All acts of the Trustees and all questions coming or arising before the Trustees may be done and decided by a majority of the Trustees present and voting at any meeting held in pursuance of this Order or the Act of 1756, and in case of equality of votes the chairman shall have a second or casting vote.

(5.) A Trustee shall not vote or take part in the discussion of any matter in which he has directly or indirectly by himself or his partner any pecuniary interest.

4. The limits within which the Trustees, their officers and servants, 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 harbour and works constructed under the powers of the Act of 1756, and the works by this Order authorised, and the whole lands, accesses, works, buildings, and conveniences connected therewith.

Limits.

5. This Order or anything therein contained shall not be construed to extend any power which the Trustees may possess under the Act of 1756 of levying any

Power to levy certain rates under Act of

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1756 not to
extend to
purposes of
Order.

Incorporation
of Harbours,
&c. Clauses
Act, 1847.

rate or rates upon any owners or occupiers of any messuages, houses, shops, warehouses, malthouses, granaries, buildings, or yards, for defraying the charges and expenses of lighting or watching, or providing a proper magazine for the keeping of gunpowder as provided by that Act, to levying any such rate or rates upon such owners or occupiers for the purposes of this Order, or the payment of expenses in connexion therewith.

6. The Harbours Docks and Piers Clauses Act, 1847 (except as the same is expressly varied by this Order, and except sections 16 to 19, both inclusive), is hereby incorporated with this Order, and shall apply to the existing harbour and works constructed under the powers of the Act of 1756 (in this Order called "the existing harbour"), and to the quays and works by this Order authorised (in this Order called "the works by this Order authorised"), and to the lands, works, buildings, conveniences, and property connected therewith, and to the whole of the harbours and works at any time under the control of the Trustees: Provided that the Trustees shall at their own expense, when directed by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the harbour, and build on such a 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.

Power to take
lands by agree-
ment.

7. 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 shown on the deposited plans as they think requisite for the purposes of this Order, and for such purposes the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except the provisions as to the purchase and taking of lands otherwise than by agreement, shall be and are hereby incorporated in this Order.

Power to
execute works.

8. Subject to the provisions of this Order, and subject also to such alteration (if any) in the plans 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 Trustees may on the lands taken by them under this Order, and in the lines and situations and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the works authorised by this Order.

Description of
works autho-
rised.

9. The works authorised by this Order comprise the following:

No. 1. A new quay wall in the quay channel at the town of Poole commencing at the steps in the existing quay face opposite to the Custom House, and extending eastward for a distance of about one hundred and thirty-three yards, and terminating at a point about eight yards south of the steps in the quay face opposite to "The Portsmouth Hoy" public-house, and also to dredge to a depth of fourteen feet at low water along the front of the said new quay wall.

No. 2. A new quay wall commencing at a point on the present quay face about forty-four yards south-east from the south-east corner of Fish Street, and extending in an easterly direction along a slightly curved line for a distance of about one hundred and seventy yards, and terminating

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at a point about seventy yards south of the south-east corner of the Poole Pottery Works.

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All which lands and works will be situate in or adjacent to the parish of St. James's, in the borough and county of the town of Poole and in the county of Dorset.

All which works are solid throughout.

10. The Trustees in constructing the works authorised by this Order may alter and deviate the same vertically and laterally to any extent which may be approved in writing by the Board of Trade, but not beyond the limits of deviation marked on the deposited plans.

Power to deviate.

11. Every person who wilfully obstructs any person acting under the authority of the Trustees in setting out the lines of the works authorised by this Order, 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 be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

12. Subject to the provisions of this Order the Trustees may, within the limits of this Order, from time to time make, construct, and maintain all embankments, approach roads, footways, jetties, toll houses, warehouses, offices, sheds, dredgers, weighing-machines, cranes, moorings, buoys, electric and other lights, and other buildings, works, conveniences, and accessories which may be found necessary for the accommodation of vessels and traffic landed within the harbour or the maintenance or improvement of the harbour, and they may also from time to time lay down and maintain rails, tramways, sidings, and turntables on and along the quays, and other works and lands connected therewith; and they may, within the aforesaid limits, dredge, scour, cleanse, deepen, widen, straighten, enlarge, improve, and maintain the entrances and channels to the quays, harbour, and works, and may remove rocks, banks, sand, mud, or shingle therefrom; 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 maintain and improve works, warehouses, &c., and to dredge.

13. The Trustees shall have the appointment of meters, weighers, and other officers on and in connexion with the existing harbour and the works authorised by this Order.

Appointment of meters, weighers, and other officers.

14. 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 Trustees may subject and according to the provisions of this Order for the use of the quays and works, demand, recover, and receive in respect of vessels, goods, and things described in the schedule to this Order any sums not exceeding the several rates in that schedule specified.

Power to levy rates.

15. The Trustees may, at any time in lieu of and by way of compensation for the boomage rates on vessels specified in the schedule to this Order, make such charges and levy such rates not exceeding the boomage rate specified therein, on vessels as they may deem just and expedient, but so that no preference shall be given.

Compensation for boomage rates.

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Rebate on
goods at pri-
vate wharves.

Rates may be
levied though
works not
completed.

As to certain
rates.

Boomage rates
and rates on
clay and bricks
may be taken
before works
are completed.

Rates for the
use of ware-
houses, &c.

Power to
lease under-
taking and
rates.

Annual
account to be
sent to Board
of Trade.

16. The Trustees shall in respect of goods shipped or unshipped, laden or unladen, in, on, or out of any ship or vessel at any quay or wharf which is the property of private owners within the limits of the harbour of Poole, make and allow a rebate or discount of ten per cent. on the rates applicable to such goods specified in the schedule to this Order.

17. 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 Trustees, that the works authorised by this Order have been so far completed as to afford accommodation for the traffic of the harbour 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, other than the boomage rates and the rates on clay payable by shippers as provided by this Order, and bricks, as shall, in the opinion of the Board of Trade, be commensurate with the accommodation afforded.

18. Where the rates authorised by this Order are inconsistent with the rates and duties authorised by the Act of 1756, the rates authorised by this Order shall prevail.

19. 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 have not been completed, the Trustees may, on and after the first day of September one thousand eight hundred and ninety-one, demand, receive, and recover all or any part of the boomage rates and of the rates on clay payable by shippers as provided by this Order, and bricks specified in the schedule to this Order.

20. The Trustees may demand and receive such rates or other consideration as they may think reasonable for the use of any warehouses, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to them and used in connexion with the harbour for the use of which rates are not specially fixed in the schedule to this Order.

21. The Trustees may from time to time lease their undertaking, harbour, quays, warehouses, works, and conveniences, or any part or parts thereof, or the tolls, rates, and other charges authorised to be taken by this Order for any term not exceeding seven years from the date of the lease, to take effect in possession for such rent and consideration, and on such terms and conditions as they may think fit, and the lessee shall have and may exercise during the continuance of his lease, the same power of levying and recovering rates as the Trustees have or might exercise, and shall be subject to all the same provisions as to accounts and otherwise to which the Trustees are made subject by this Order.

22. The Trustees within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account is to be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade; and 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,

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they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds. A.D. 1891.

23. The Trustees shall from time to time revise the rates, dues, and charges received by them in respect of the harbour and works under the Act of 1756 and under this Order, so that their income under the said Act and this Order may always be, so far as practicable, sufficient, and not more than sufficient for the purposes of the said Act and this Order, and if at any time, and from time to time, the clear annual income derived from the harbour and works on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed the amount sufficient to answer the purposes of the said Act and this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates, dues, and charges leviable under the said Act and this Order to such extent as will be sufficient to provide the amount aforesaid, and the same 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 those authorised by this Order.

Poole.
 Rates to be revised.

24. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour and 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.

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

Exemption of Board of Trade officers.

26. 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 harbour and works without payment.

Lifeboat crew to be exempt from tolls.

27. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat, or the apparatus for saving life, may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the harbour 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.

Life-saving apparatus may be attached to harbour or works.

28. Inasmuch as all borrowing powers under the Act of 1756 have been exhausted and all loans under that Act have been repaid, the Trustees may from time to time for the purposes of the improvement of the existing harbour and the works authorised by this Order, in addition to any sum which they are already authorised to borrow, borrow at interest any sum or sums not exceeding in the whole twenty thousand pounds on the security of the rates authorised by the Act of 1756 and by this Order.

Powers to borrow.

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Pooler.

Re-payment
of borrowed
money.

29. The Trustees shall pay off all moneys borrowed by them under this Order within fifty years from the time or respective times of borrowing the same by any one or more of the methods mentioned in the Local Loans Act, 1875, and sections thirteen, fourteen, and fifteen of that Act are hereby incorporated with this Order and shall apply accordingly: Provided that the Trustees shall not invest any sinking fund or sinking funds created under this Order in their own securities.

Re-borrow-
ing.

30. Any moneys borrowed by the Trustees under this Order and repaid otherwise than in manner provided by this Order may be from time to time re-borrowed by the Trustees, but so that the same shall be repaid within the period limited by this Order; and for the purposes of repayment and of sections fourteen and fifteen of the Local Loans Act, 1875, the moneys borrowed and the moneys originally borrowed shall be deemed to form the same loan.

Annual return
to Board of
Trade as to
sinking fund.

31. The clerk to the Trustees shall within forty-two days after the expiration of each year during which any sum is required to be set apart for a sinking fund, or any instalment is required to be paid 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 paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the 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 the clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to and be recoverable by that Board in the same manner as penalties recoverable in a summary manner under the Public Health Act, 1875, may be recovered by parties aggrieved within the meaning of that Act.

If it appears to the Board of Trade by such return or otherwise that the Trustees have failed to pay any instalment or to set apart the sum required by this Order for the sinking fund, or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Order or the Act of 1756, that Board may by Order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such Order shall be enforceable by writ of Mandamus, to be obtained by that Board out of the High Court of Justice, and the provisions of this section shall apply, mutatis mutandis, to appropriations and annual repayments.

Application of
borrowed
money.]

32. All money borrowed under the powers of this Order shall be applied only for the purposes of the harbour and works to which capital is properly applicable.

Application of
rates and
income.

33. The Trustees shall apply all money received by them from the rates, dues, and charges authorised by this Order to the following purposes; (that is to say,)

- (1.) In paying the costs of and incidental to the preparation and making of this Order.

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(2.) In paying the expenses of the maintenance, management, and regulation of the existing harbour and of the works authorised by this Order, with all buildings, machinery, accesses, roads, and conveniences, and of the lands and property connected therewith. A.D. 1891

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(3.) In paying year by year the interest of any money borrowed for the purposes of the harbour under this Order, and in providing sums for the repayment of borrowed money by annual appropriations or instalments (if either of such modes of repayment shall be adopted) or in the creation of a sinking fund in manner provided by this Order.

(4.) In paying the costs of the construction of the works and conveniences authorised by this order.

(5.) Subject to and after answering the purposes aforesaid the surplus revenue (if any) shall be applied by the Trustees in further improvement of the harbour.

34. The existing harbour and the works authorised by this Order 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, and for all matters of civil and criminal jurisdiction be deemed and taken to be within and as forming part of the borough of Poole in the county of Dorset, and within the jurisdiction of any justice acting within and for the said borough. Harbour and works to be deemed within the borough of Poole.

35. The clauses of the Railways Clauses Consolidation Act, 1845, with respect to the recovery of damages not specially provided for and of penalties, and to the determination of any other matter referred to justices, shall be incorporated with this Order and the Act of 1756, and such clauses shall apply to the existing harbour as well as the works authorised by this Order and to the Trustees respectively, and shall be construed as if this Order and the Act of 1756 together constituted a special Act within the meaning of those clauses, and as if the word "Trustees" had been inserted therein instead of the word "Company." Railways Clauses Consolidation Act, 1845, as to damages and penalties incorporated.

36. 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 the directions so given shall satisfy and be in lieu of every other statutory requirement as to lights during the construction of the works, 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 observe any direction of the Board of Trade as to lights during the construction of the works. Temporary lights on works.

37. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Trustees shall, at the outer extremity of the harbour and works, or the completed portions thereof, or in such other place or places as may be required, 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 Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Trustees shall be liable to a penalty As to lights after completion of works.

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Poole.

Provision
against danger
to navigation.

not exceeding ten pounds for every calendar month during which they omit so to apply or to obey any direction given.

38. In case of injury to or destruction or decay of the quays or works of the Trustees or any part thereof, the Trustees shall lay down such buoys, exhibit such lights, or take such other means for preventing, as 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 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.

Powers to
cease in certain
cases.

39. 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.

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

Saving rights
of the Crown.

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

Costs.

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

The SCHEDULE to which the foregoing Order refers.

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Poole.

I.—RATES ON GOODS SHIPPED, UNSHIPPED, OR
TRANSMITTED.

(1.) For every ton of goods (except timber, clay, or exported bricks) of any sort or kind whatsoever, imported or exported, shipped or unshipped, laden or unladen, in, on, or out of any ship or vessel within the entrance of the little channel leading to the town of Poole, or within the limits of the harbour of Poole eastward of the buoy called the south-west buoy, off the bulwarks of Ham Quay, the sum of fourpence.

(2.) For every ton of timber of any sort or kind whatsoever imported or exported, shipped or unshipped, laden or unladen, in, on, or out of any ship or vessel within the entrance of the little channel leading to the town of Poole, or within the limits of the harbour of Poole eastward of the buoy called the south-west buoy, off the bulwarks of Ham Quay, the sum of fivepence.

(3.) In the case of vessels loaded or partly loaded within the entrance of the little channel within the Stakes Buoys with clay either from the quays or from barges or lighters the rate of one penny per ton shall be paid by the shippers of the clay for the use and occupation of the space in the said channel.

(4.) For every ton of bricks exported, shipped, or laden in any ship or vessel within the entrance of the little channel leading to the town of Poole, or within the limits of the harbour of Poole eastward of the buoy called the south-west buoy, off the bulwarks of Ham Quay, the sum of three halfpence.

Provided that none of the goods in this schedule above mentioned shall be liable to pay any of the rates leviable in respect of such goods more than once where such goods are shipped or unshipped to or from any ship or vessel in, to, or out of any barge or lighter without being landed.

Provided also that none of the rates above mentioned shall be paid in respect of any goods, wares, or merchandize imported or exported, shipped or unshipped, laden or unladen, at any place outside the limits of the harbour of Poole, although the vessel in which such goods, wares, or merchandize are brought or conveyed, in going to or coming from such place, may enter and pass through the limits of the harbour of Poole without loading or unloading any such goods, wares, or merchandize, but nothing in this proviso contained shall operate to exempt any such vessel from boomage rates.

II.—BOOMAGE RATE ON VESSELS.

For all decked vessels entering, anchoring, mooring, or lying to within the limits of the harbour of Poole the sum of twopence per registered ton.

III.—BALLAST RATES.

For every ton of ballast shipped or unshipped in, to, or out of any ship or vessel, or taken from any quay or wharf within the entrance of the little channel within Poole Stakes, leading to the town of Poole, the sum of sixpence.

[Ch. clix.] *Pier and Harbour Order Confirmation* [54 & 55 VICT.]
(No. 3) Act, 1891.

A.D. 1891.
Poole. Provided that any ship or vessel throwing out or unshipping their ballast at any quay or wharf within the mouth of the little channel within Poole Stakes, leading to the town of Poole, in order to careen, shall only pay for throwing out or unshipping the said ballast the sum of sixpence per ton, and no duty shall be paid for reshipping the same.

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