



## CHAPTER cxxxi.

An Act for the incorporation of Commissioners for A.D. 1897.  
Stromness Harbour and the transfer to them of the  
Harbour Undertaking of the Stromness Harbour  
Commissioners for empowering them to construct new  
Works and for other purposes. [15th July 1897.]

**W**HEREAS by the Orkney Piers and Harbours Act 1872 (herein-  
after referred to as "the Act of 1872") it was provided that  
Stromness Harbour should be placed under the control of a special  
board of commissioners in the Act of 1872 called the Stromness  
harbour commissioners (herein-after called "the existing commis-  
sioners") and that such commissioners should subject to the  
provisions of the Act of 1872 have exclusive jurisdiction control  
and management of Stromness Harbour and the sole right of  
regulating levying and applying rates leviable at the piers and  
landing places within the same as far as such piers and landing  
places should have been adopted acquired or constructed by the  
Stromness Harbour Commissioners :

And whereas the existing commissioners have constructed or  
acquired extended and improved several piers landing places and  
other works within or adjacent to Stromness Harbour and have  
borrowed for such purposes sums amounting in all to eight thousand  
five hundred pounds :

And whereas since the passing of the Act of 1872 the fishing  
and in particular the herring fishing and the general traffic of the  
harbour have greatly increased and a large number of fishing boats  
steamships and other vessels resort to and use the harbour :

And whereas in consequence of the development of traffic  
it has become necessary to provide additional facilities for its  
conduct for the accommodation of shipping and the prosecution  
of the fishing industry and to make further provision for  
regulating the traffic in the harbour and for the carriage of

A.D. 1897. — fish goods curing materials and other articles between the piers belonging to the existing commissioners and the curing stations and the public roads within and adjacent to the burgh of Stromness :

And whereas it is expedient that the harbour and the powers duties rights authorities and jurisdictions of the existing commissioners should be transferred to and vested in the Commissioners incorporated by this Act :

And whereas it is expedient that the rates and dues payable in respect of the harbour and piers and landing places within the same should be revised :

And whereas it is expedient to confer on the Commissioners the other powers in this Act mentioned :

And whereas plans and sections showing the lines situation and levels of the works authorised by this Act and also a book of reference thereto containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of lands and property required or which may be taken for the purposes or under the powers of this Act were duly deposited with the sheriff clerk of the county of Orkney at Kirkwall and are herein-after respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it 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 :—

Short title.

1. This Act may be cited as the Stromness Harbour Act 1897.

Incorporation of general Acts.

2. The following Acts (except where expressly varied by and in so far as not inconsistent with this Act) are incorporated with and form part of this Act (that is to say):—

The Lands Clauses Acts ;

The Commissioners Clauses Act 1847 except the sections with respect to the election and rotation of the Commissioners and with respect to the mortgages to be executed by the Commissioners and except sections 57 66 84 92 94 and 95 ;

The Harbours Docks and Piers Clauses Act 1847 except the sections with respect to lifeboats and keeping a tide and weather gauge unless and until otherwise required by the Board of Trade and except sections 25 and 26.

3. In this Act unless there be something in the subject or context repugnant to such construction—

A.D. 1897.

“ The Act of 1872 ” means the Orkney Piers and Harbours Act 1872 ;

Interpretation.

“ The Commissioners ” means the Stromness Harbour Commissioners by this Act constituted and incorporated ;

“ The existing commissioners ” means the commissioners constituted and incorporated by the Act of 1872 ;

“ The harbour ” means and includes the Outer and Inner Holms and harbour of Stromness with the sea within the limits of the burgh of barony of Stromness as such limits are described in the charter of erection of the said burgh of barony granted by His Majesty King George the Third registered and sealed at Edinburgh the twenty-first day of March one thousand eight hundred and seventeen being the whole of the Harbour north of a line drawn from the south end of the Outer Holm at low-water mark to the east point of the Ness at low-water mark and includes all works adopted acquired or constructed by the existing commissioners or to be acquired or constructed under this Act.

4. There shall be a body of Commissioners constituted as by this Act provided for the purpose of carrying this Act into execution and they and their successors shall be a body corporate under the name or style of “ The Stromness Harbour Commissioners ” with perpetual succession and a common seal and shall have power to sue and be sued and to purchase take hold lease and dispose of lands and other property and have all the other powers and privileges of a body corporate.

Incorporation of Commissioners.

5. The Commissioners shall be nine in number and shall be constituted as follows :—

Constitution of Commissioners.

Three Commissioners to be appointed from their own number by the commissioners of the burgh of Stromness ;

Three Commissioners to be appointed from their own number by shippers residing within the burgh of Stromness paying pier dues of not less than one pound per annum ;

Three Commissioners to be appointed from their own number by owners of ships and decked boats of the capacity of not less than ten tons and ship agents residing within the burgh of Stromness.

6. The following provisions with reference to the appointment of Commissioners shall have effect :—

Appointment of Commissioners.

(1) The Commissioners to be appointed by the commissioners of the burgh of Stromness shall be appointed at the first meeting of such burgh commissioners held after the first Tuesday of

A.D. 1897.

November in each year and shall hold office until the corresponding meeting in the following year :

(2) The Commissioners to be appointed by shippers and owners of ships and decked boats and by ship agents respectively shall be appointed as follows :—

(A) A meeting of shippers residing within the burgh of Stromness paying pier dues of not less than one pound per annum shall be held within the harbour office at Stromness on the ninth day of November one thousand eight hundred and ninety-seven at twelve o'clock noon and shall be presided over by the clerk to the existing commissioners or in his absence by a chairman to be selected at the meeting. The meeting shall elect three Commissioners from the shippers residing within the burgh of Stromness competent to attend and take part in the election ;

(B) A meeting of owners of ships and decked boats of the capacity of not less than ten tons and of ship agents residing within the burgh of Stromness shall be held within the harbour office at Stromness on the twelfth day of November one thousand eight hundred and ninety-seven at twelve o'clock noon and shall be presided over by the clerk to the existing commissioners or in his absence by a chairman to be selected at the meeting. The meeting shall elect three Commissioners from the owners of ships and decked boats and ship agents residing within the burgh of Stromness competent to attend and take part in the election ;

(C) At the said meetings nominations may be made and seconded by persons present. If not more than the number of Commissioners to be elected shall be nominated and seconded the chairman shall declare the persons nominated duly elected. If more than the number of persons to be elected shall be nominated and seconded the chairman shall take a vote by show of hands or by calling the roll or in such other manner as the chairman shall determine. All questions arising at any such meetings or in connexion with the election shall be decided by the chairman summarily. In the event of an equality of votes the chairman shall have a casting vote ;

(D) The chairman of each meeting shall make a report stating the persons elected at such meetings and a report so made shall be conclusive of the election and shall not be liable to be questioned by any person whatsoever :

(3) Of the three Commissioners to be appointed by shippers one shall retire on the second Tuesday of November in each year and a successor shall be appointed in manner herein-after provided : A.D. 1897.  
—

(4) Of the three Commissioners appointed by owners of ships and decked boats and by ship agents one shall retire on the second Tuesday of November in each year and a successor shall be appointed in manner herein-after provided :

(5) Retiring Commissioners shall be eligible for re-appointment or re-election. The Commissioner who has been longest in office without re-election shall retire and in the event of equality in this respect the Commissioner to retire shall be determined by lot :

(6) The elections of Commissioners to represent the shippers and the owners of ships and decked boats and ship agents after the first election shall be held at such places within the burgh of Stromness as may be appointed by the Commissioners and notice of the day place and hour shall be given by the Commissioners by advertisement or by public notice in such manner as the Commissioners may direct at least seven clear days before the election :

(7) Nominations signed by two persons qualified to vote shall (after the first election) be lodged with the clerk to the Commissioners at least two clear days before the election :

(8) At each meeting for the election of Commissioners after the first the chairman of the Commissioners or the clerk to the Commissioners or a Commissioner to be nominated for the purpose by the Commissioners shall preside. The election may be by show of hands or by calling the roll or in such manner as the chairman of the meeting shall determine and all questions arising at such meeting or in connexion with the election shall be summarily decided by such chairman. In the event of an equality of votes the chairman of the meeting shall have a casting vote :

(9) The chairman of each meeting shall report to the Commissioners the persons elected at such meetings and a report so made shall be conclusive of the election and shall not be liable to be questioned by any person whatsoever.

7. Any Commissioner may resign office at any time on giving not less than three weeks notice in writing to the Commissioners or their clerk. Commis-  
sioners may  
resign.

8. In case of a vacancy in the office of Commissioner by reason of failure to make a valid election or of any Commissioner refusing Procedure  
in filling  
vacancies.

A.D. 1897. — to accept office or dying or resigning or becoming incapable or incompetent to act or ceasing to be a Commissioner from any other cause than going out of office in the regular course the remaining Commissioners shall as soon as may be thereafter at a special meeting of the Commissioners called for the purpose elect a qualified person to fill any such vacancy and the Commissioner so elected shall continue in office for the same period as the person whose vacancy he fills would in the ordinary course have continued in office and shall go out of office at the same time but shall be eligible for re-election. In the case of an equality of votes at any such election the chairman for the time being of the Commissioners shall have a second or casting vote.

Proceedings  
of the Com-  
missioners  
not to be  
invalid.

9. Notwithstanding any vacancy or vacancies in the office of Commissioner the Commissioners for the time being shall be competent to act and all their proceedings shall be as legal and valid as if no vacancy existed and on the expiration of the term of office of any of the Commissioners they shall continue competent to act until their successors are elected and come into office but no Commissioner shall vote in favour of himself at an election of a Commissioner.

Quorum of the  
Commissioners.

10. A quorum of the Commissioners shall be five.

Meetings of  
the Com-  
missioners.

11. Meetings of the Commissioners shall be held in such place and at such times as the Commissioners may appoint. A general meeting shall be held in each year at such time and at such place within the burgh of Stromness as may be fixed by the Commissioners and failing any resolution to the contrary such annual general meeting shall be held on the third Thursday of April at eight o'clock p.m. within the harbour office at Stromness.

Special  
meetings on  
requisition.

12. The clerk of the Commissioners on requisition being made to him in writing stating the object of the intended meeting and signed by the chairman or two of the Commissioners shall cause special meetings to be called within forty-eight hours and to be held within four days after such requisition.

Transfer of  
undertaking.

13. On and from the sixteenth day of November one thousand eight hundred and ninety-seven (in this Act called "the date of transfer") the Commissioners shall come into office and on and from that date the harbour undertaking and the property powers and jurisdictions of the existing commissioners in relation thereto shall be transferred to and vested in the Commissioners subject to the debts claims contracts and liabilities affecting the same as then existing which debts claims contracts and liabilities shall be enforceable against the Commissioners and the provisions of the

Act of 1872 so far as applicable to the existing commissioners shall upon and from the date of transfer be and are hereby repealed. A.D. 1897.

14. No action suit or other proceeding civil or criminal in relation to the harbour to which at the date of transfer the existing commissioners were parties shall abate determine or be prejudicially affected by reason of the transfer of the harbour to the Commissioners but may be continued by or against the Commissioners as the case may be as fully and effectually as the same might have been continued by or against the existing commissioners. Actions not to abate.

15. All contracts deeds instruments purchases or sales relating to the harbour made or entered into by the existing commissioners before the date of transfer shall be effectual to all intents in favour of or against the Commissioners on and after such date. Contracts &c. preserved.

16. The existing mortgage or other debt of the existing commissioners and the interest thereon shall on and after the date of transfer continue to be charged on the rates authorised by this Act in the same manner in all respects as they are now charged on the rates authorised by the Act of 1872. Mortgage or other debt to continue charged on harbour undertaking.

17. All persons who immediately before the date of transfer owed any money to the existing commissioners or to any person on their behalf with respect to the harbour or any matters relating thereto shall pay the same with all interest (if any) due or accruing upon the same to the Commissioners and all debts and moneys which immediately before the date of transfer were due or recoverable from the existing commissioners or for the payment of which the existing commissioners were or but for this Act would be liable shall be paid with all interest (if any) due or accruing upon the same by or be recoverable from the Commissioners. As to payment of debts owing before date of transfer.

18. All documents books and writings which would have been receivable in evidence in respect of any matter relating to the harbour for or against the existing commissioners shall after the date of transfer be admitted as evidence in respect of the same or the like matter for or against the Commissioners. Books &c. to be evidence.

19. The officers and servants of the existing commissioners appointed under the Act of 1872 or employed in the execution thereof in relation to the harbour shall hold their offices during the terms of their appointments or until they resign or be removed and shall be subject to the provisions of this Act in the same manner as if they had been appointed under this Act and all bonds or securities granted for their conduct and intromissions shall be and remain valid and may be enforced by the Commissioners to the same extent and effect as such bonds or securities might have been Officers to be continued.

A.D. 1897. — enforced by the existing commissioners if this Act had not been passed.

Power to  
execute  
works.

**20.** Subject to the provisions of this Act the Commissioners may after the date of transfer make and maintain on the lines and according to the levels shown on the deposited plans and sections the works herein-after described and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for those purposes.

Description  
of works.

The works herein-before referred to and authorised by this Act are—

- (1) A new quay commencing at a point on the north side of the existing commissioners' pier fifty-seven yards or thereabouts measured in a westerly direction from the north-east corner thereof and proceeding thence in a northerly direction for a distance of forty-five yards or thereabouts and there terminating at a point on the south side of the Warehouse Pier twenty-nine yards or thereabouts measured in a westerly direction from the south-east corner thereof:
- (2) An extension of the Warehouse Pier commencing at its east-most extremity and thence extending in an easterly direction for a distance of fifty yards or thereabouts and there terminating in the bed of Stromness Harbour:
- (3) A new quay commencing at a point on the north side of the Warehouse Pier twenty-seven yards or thereabouts measured in a westerly direction from the north-east corner thereof and proceeding thence in a northerly direction for a distance of thirty-seven yards or thereabouts and there terminating at a point on the south side of Murray's Pier thirteen yards or thereabouts measured in a westerly direction from the south-east corner thereof:
- (4) A roadway and quay commencing at the south-east corner of Murray's Pier and proceeding thence in an easterly direction for a distance of thirteen yards or thereabouts thence in a northerly direction for a distance of four hundred and ten yards or thereabouts and thence in a westerly direction for a distance of thirteen yards or thereabouts and there terminating at the south-east corner of Baikie's Quay:
- (5) The reclamation raising and making up of the ground or foreshore between the last-mentioned work and high-water mark:
- (6) A slipway projecting seven yards or thereabouts eastwards from the Work No. 4 commencing in the bed of Stromness Harbour at a point three hundred and sixty yards or thereabouts measured in a northerly direction from Murray's Pier

A.D. 1897.

and thence extending in a northerly direction for a distance of forty-seven yards or thereabouts and terminating in the bed of Stromness Harbour at a point forty-seven yards or thereabouts from the point of commencement :

- (7) A road or access commencing at the termination of the Work No. 4 and proceeding thence in a northerly direction for a distance of one hundred and two yards or thereabouts thence in a north-westerly direction for a distance of sixty-five yards or thereabouts and terminating at the south side of the old road leading to Kirkwall at a point sixty yards or thereabouts measured in a south-westerly direction from the north corner of the sawmill occupied by Samuel Baikie junior :
- (8) The reclamation raising and making up of the ground or foreshore between the last-mentioned work and high-water mark :
- (9) An embankment commencing at the point described as the termination of Work No. 6 and proceeding thence in a north-easterly direction for a distance of two hundred and thirty-four yards or thereabouts thence in a northerly direction for a distance of seventy-five yards or thereabouts and terminating at the eastern end of the footbridge over the Mill Burn :
- (10) The reclamation raising and making up of the ground or foreshore between the last-mentioned embankment and high-water mark being the work described on the deposited plans as Work No. 11 :

Together with all necessary breakwaters booms shipping places landing places wharves warehouses storehouses fish curing stations sheds custom houses lighthouses beacons slipways jetties dolphins floats stages staiths drops cranes railways sidings tramways and other works machinery and conveniences for the efficient working of the harbour :

The said works will be situate wholly within the parish of Stromness and county of Orkney and the tidal waters and sea adjacent thereto :

Provided that the Commissioners shall not expend in the execution of the above-mentioned works numbered 1 2 3 4 5 6 7 8 9 and 10 any sum or sums exceeding twenty thousand pounds.

21. The Commissioners may on any lands to be acquired by them under this Act stop up permanently all roads accesses passages slipways and rights of way shown on the deposited plans and they may improve and make new and suitable accesses and passages to the existing piers and the intended works and in so far as may be necessary they may from time to time temporarily shut

Diversion of roads &c.

A.D. 1897. — up or alter divert raise lower or cross all roads streets watercourses bridges sewers drains water or gas pipes telegraph telephone and other works of whatsoever kind and remove all walls fences or other obstructions and if necessary they may shut up wholly or partially any part of the harbour or works during the execution of the intended works :

Provided always that the Commissioners shall do as little damage as may be and that they shall provide substitutes for any sewers drains water or gas pipes so interfered with by them and make compensation to all parties injuriously affected by the exercise of the powers in this section contained :

The Commissioners shall not alter divert or in any way interfere with any telegraph telephone or other works belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 :

None of the works authorised by this section shall be constructed below high-water mark without the consent in writing of the Board of Trade having been first obtained.

Penalty for  
injuring  
works.

**22.** Every person who wilfully obstructs any person acting under the authority of the Commissioners or who injures pulls up or removes any buoys beacons poles posts moorings or other conveniences shall for every such offence be liable on conviction to a penalty not exceeding ten pounds and shall in addition be liable to repay to the Commissioners any expenses incurred by them in making good such damage.

Limits of  
deviation.

**23.** Subject to the provisions of this Act the Commissioners may in the execution of the works hereby authorised deviate laterally from the lines of such works within the limits of lateral deviation marked on the deposited plans and they may deviate vertically from the said works as shown on the deposited sections to any extent not exceeding five feet :

Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent of the Board of Trade having been first obtained.

Alteration  
of plans.

**24.** The Commissioners in carrying out the purposes of this Act within the limits aforesaid may make any alterations on the works shown upon the deposited plans within the harbour and they may construct any other subsidiary works which to them may from time to time appear expedient :

Provided always that they shall before adopting and carrying into execution any such alterations submit plans and sections thereof to the Board of Trade and no such alterations or works shall be adopted or executed by the Commissioners unless approved by the Board of Trade in writing.

**25.** The Commissioners may with the approval of the Board of Trade enter into and carry into effect agreements or arrangements with any of the proprietors of lands abutting on the ground or foreshore within the limits of deviation shown upon the deposited plans for the reclaiming raising and making up of the ground or foreshore ex adverso of their respective properties and may on such conditions and for such consideration as they think fit convey to such proprietors such rights and interests as the Commissioners may acquire in such ground or foreshore.

A.D. 1897.

Power to enter into agreements as to reclaiming lands &c.

**26.** The Commissioners may with the consent of the Board of Trade purchase or otherwise acquire by agreement with the proprietors thereof or lease any private pier slip landing place or other property within or abutting upon or adjacent or near to the harbour and extend alter or improve the same and on and from the date of purchase or lease thereof the Commissioners may demand recover and receive in respect thereof the rates by this Act authorised.

Power to purchase private piers &c.

**27.** The powers of the Commissioners for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

**28.** The Commissioners may purchase by agreement and hold for the purposes of this Act any land not exceeding in the whole ten acres but nothing in this Act contained shall exempt the Commissioners from any indictment or other proceeding on account of any nuisance caused or permitted by them on any land acquired by them under this section.

Power to purchase land by agreement.

**29.** The Commissioners may dredge deepen scour and improve the harbour and all channels waterways and anchorages therein and may construct and maintain all such breakwaters lights buoys moorings posts and other works and conveniences as they shall think necessary for the improvement of the harbour or for the safety and convenience of vessels resorting thereto.

Power to dredge &c.

**30.** The Commissioners may on any land or other property belonging to or leased by them erect warehouses shops stores fish-curing stations or other buildings or premises and sell or let (for any period not exceeding ten years) or otherwise dispose of the same Provided that any warehouses shops stores fish-curing stations or other buildings or premises erected on land held on lease by the Commissioners shall be of a temporary character only The Commissioners may also erect or otherwise provide and maintain a fish market and allocate stalls or spaces therein and charge such reasonable rents or dues therefor as they may think proper.

Power to erect warehouses &c.

A.D. 1897.

Commis-  
sioners may  
provide  
tugs &c. and  
charge for  
same.

**31.** The Commissioners may purchase acquire provide or hire such tugboats dredgers lighters and other craft as they think requisite for the purposes of this Act or for the use and accommodation of vessels frequenting the harbour and roads and may demand and receive reasonable rents rates and charges for or in respect of the use or letting of the same.

Power to  
levy rates.

**32.** After the date of transfer the schedule to the Act of 1872 in so far as it applies to the harbour shall be cancelled and repealed but nevertheless the Commissioners shall be entitled to recover all moneys which shall have become due and payable to them under such schedule and in lieu of such schedule and in substitution therefor the Commissioners may subject and according to the provisions of this Act demand receive and recover the several rates in the First Schedule to this Act mentioned :

Provided always that the Commissioners shall not levy more than one-half of the rates specified in the first part of the First Schedule to this Act until a certificate has been obtained from the Board of Trade that sufficient dredging or other works have been carried out in the harbour to justify the full rates being charged.

Power to  
compound  
for rates.

**33.** The Commissioners may agree with the master or owner of any vessel using the harbour or works or conveniences of the Commissioners for the purposes of business or pleasure for a payment of a fixed sum payable in advance as a composition by the year or other shorter or longer period for all or any of the rates payable by or in respect of such vessel Provided always that if the Commissioners at any time make any such agreement by way of composition as aforesaid the masters or owners of all other vessels of the same description using the harbour and works and conveniences of the Commissioners in like manner and under similar circumstances may compound for the rates payable by them respectively upon the like terms as shall be contained in such agreement and the Commissioners shall accept such composition accordingly to the intent that such composition may not be made with partiality or in favour of any particular person.

Revision of  
rates tolls  
and charges.

**34.** The Commissioners shall from time to time revise the tolls rates and charges received by them under this Act so that the income of the Commissioners may always be as far as practicable sufficient and not more than sufficient for the purposes of this Act And if at any time and from time to time the clear annual income derived from the harbour and works on the average of the then three last preceding years after payment of all expenses interest and outgoings shall exceed the amount sufficient to answer the purposes of this Act

the Board of Trade may if in their discretion they think fit reduce the rates tolls and charges specified in the First Schedule to this Act to such amounts as will be sufficient to provide the income required for the purposes of this Act but with power to the Board of Trade at any time to raise such rates tolls and charges or any of them again to not exceeding the amounts specified in the First Schedule to this Act. A.D. 1897.

**35.** The Commissioners may appoint and license a sufficient number of persons to be meters and weighers at and within the harbour. Meters and weighers may be appointed.

**36.—(1)** The Commissioners shall not under the powers by this Act granted purchase or acquire ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until— Restrictions on displacing persons of labouring class.

(A) They shall have obtained the approval of the Secretary for Scotland to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Secretary for Scotland shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(B) They shall have given security to the satisfaction of the Secretary for Scotland for the carrying out of the scheme.

(2) The approval of the Secretary for Scotland to any scheme under this section may be given either absolutely or conditionally and after the Secretary for Scotland has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Secretary for Scotland may dispense with the last-mentioned requirement subject to such conditions (if any) as he may see fit.

A.D. 1897.

(4) Any provisions of any scheme under this section or any conditions subject to which the Secretary for Scotland may have approved of any scheme or of any modifications of any scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by an order of the Court of Session to be obtained by the Secretary for Scotland.

(5) If the Commissioners acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the Court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Commissioners may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase section 90 of the Public Health (Scotland) Act 1867 shall be incorporated with this Act and shall apply to the purchase of lands by the Commissioners for the purposes of any scheme under this section in the same manner in all respects as if the scheme were one of the purposes of that Act.

(7) The Commissioners may on any lands belonging to them or purchased or acquired under this section or under any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the purposes of the Commissioners :

Provided that all lands on which any buildings have been erected or provided by the Commissioners in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated solely for the purpose of dwellings and every conveyance or lease of such lands and buildings by the Commissioners shall contain proper covenants to secure during such period of twenty-five years the exclusive use of the buildings on such lands for the purpose of such dwellings and shall be endorsed with notice of this enactment :

Provided also that the Secretary for Scotland may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as he may see fit. A.D. 1897.

(8) The Secretary for Scotland may direct any inquiries to be held which he may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and he and any person appointed by him to hold an inquiry shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them respectively under the Public Health (Scotland) Act 1867 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act.

(9) The Commissioners shall pay to the Secretary for Scotland a sum to be fixed by him in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the person appointed to hold any such inquiry and a sum to be fixed by the Secretary for Scotland not exceeding three guineas a day for the services of the person so appointed.

(10) 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 such persons who may be residing with them.

**37.** Byelaws made by the Commissioners under the provisions of the Harbours Docks and Piers Clauses Act 1847 incorporated with this Act shall not come into operation until the same have been allowed and confirmed by the Board of Trade which allowance and confirmation shall be sufficient for all purposes. Byelaws.

**38.—**(1) The Commissioners may from time to time borrow at interest for the purposes of this Act to which capital is properly applicable including the payment of the costs of this Act such sum or sums of money as they think fit not exceeding thirty thousand pounds and in order to secure the moneys so borrowed they may mortgage all or any of their rates tolls and revenues. Power to borrow.

(2) The Commissioners shall not borrow more than eighteen thousand five hundred pounds (including the existing debt of eight thousand five hundred pounds) without the approval of the Board of Trade.

A.D. 1897.

(3) Money borrowed under this section shall be applied only to the purposes for which it is authorised to be borrowed.

(4) Money borrowed under this section shall be repaid within fifty years from the borrowing of the same.

(5) The Board of Trade may direct any inquiries to be held that they may deem necessary in relation to their approval of the sum or sums of money to be borrowed and the Commissioners shall pay to the Board of Trade any expenses incurred by them in relation to any inquiries held under this section.

Re-borrow-  
ing.

39. If having borrowed any money under the provisions of this Act the Commissioners pay off the same or any part thereof otherwise than by instalments or by means of a sinking fund they may re-borrow the same and so from time to time Provided that all money so re-borrowed shall be repaid within the period prescribed for the repayment of the money in lieu of which such re-borrowing has been made.

Sinking  
fund.

40. The Commissioners shall pay off all moneys borrowed by them under the powers of this Act either by equal annual instalments of principal or of principal and interest or by equal annual contributions to a sinking fund appropriated for that purpose and with the accumulations thereof (if any) from time to time applied for that purpose.

Application  
of sinking  
fund.

41. The Commissioners may from time to time apply the whole or any part of the sinking fund in or towards the discharge of the principal moneys for the discharge of which such fund shall have been established Provided that they pay in each year into the sinking fund and accumulate until the whole of the principal moneys in respect of which it shall have been accumulated shall have been discharged a sum equivalent to the interest of the principal moneys so paid off or discharged Provided also that whenever and so long as the yearly income arising from any sinking fund shall be equal to the annual interest of the principal moneys then outstanding and to be paid off by means of such fund the Commissioners may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums by this Act required to be paid thereto.

Sinking fund  
how to be  
invested.

42. All sums paid into any sinking fund created by the Commissioners under the powers of this Act shall be as soon as may be invested in any manner in which trustees are or may be authorised to invest trust moneys or on any mortgage bond debenture debenture stock corporation stock or other security other than securities transferable by delivery authorised by or under any Act of Parliament passed or to be passed.

**43.** The mortgagees of the Commissioners may enforce payment of arrears of interest or principal or principal and interest by the appointment of a judicial factor and in order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than three thousand pounds in the whole.

A.D. 1897,  
Appointment  
of a judicial  
factor.

**44.** The clerk to the Commissioners 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 Act 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 thereon has been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the clerk shall be liable to a penalty not exceeding twenty pounds. If it appear to the Board of Trade by such return or otherwise that the Commissioners have failed to pay any instalment or set apart the sum required by this Act 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 Act the Board of Trade may if they think fit and after hearing the Commissioners if desiring to be heard 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 pronounced on a summary application presented for that purpose.

Annual  
return to be  
made to  
Board of  
Trade.

**45.** A lender of money to the Commissioners under this Act shall not be bound to inquire respecting the observance by them of any of the provisions of this Act or be bound to see to the application or be answerable for any loss non-application or mis-application of the money lent or any part thereof.

Protection  
for lenders  
from  
inquiry.

**46.** On or before the first day of June in each year commencing with the year one thousand eight hundred and ninety-eight the Commissioners shall cause the accounts of their receipts payments

Accounts.

A.D. 1897.

credits and liabilities for the year ending on the thirty-first day of March then last past to be printed and shall forward annually a printed copy thereof to the Board of Trade and furnish a printed copy to all persons applying for the same during the usual office hours on payment of a reasonable sum not exceeding one shilling Provided that the accounts made up to the thirty-first day of March one thousand eight hundred and ninety-eight shall comprise the period between that date and the date of transfer.

Audit of  
accounts.

47. There shall be appointed annually commencing with the year one thousand eight hundred and ninety-eight by the Commissioners on or before the first day of May two persons (not being Commissioners) in this Act called the auditors whose duty it shall be to inspect and examine the accounts for the year ending the thirty-first day of March next before their appointment and in case the auditors shall find the same to be correct they shall certify the same in writing to the Commissioners and in case the auditors shall find the same or any part thereof not to be correct they shall have power to make all such inquiries as under the circumstances may be necessary and expedient and shall make to the Commissioners a special report in writing of the facts connected therewith and the Commissioners shall be at liberty to pay to each of the auditors a sum not exceeding ten pounds as a remuneration for such auditing.

Application  
of revenue.

48. The Commissioners shall apply all their rates tolls and revenue for the purposes and in the order following and not otherwise (that is to say) :—

Firstly in paying the salaries of the clerk harbour-master and other officers of the Commissioners office rent and other establishment expenses and the expenses of watching lighting maintaining and dredging the harbour and providing and maintaining in proper condition all tugs lighters dredgers buoys moorings and other conveniences and in repairing and maintaining all harbour works ;

Secondly in paying year by year the interest on the money borrowed by them ;

Thirdly in providing the instalments or annual payments to a sinking fund for the repayment of borrowed money ;

Fourthly in the improvement of the harbour and carrying the purposes of this Act into execution.

Form of  
bond.

49. Every bond and assignation in security granted by the Commissioners shall be by deed duly stamped in which the consideration shall be truly stated and all such bonds and assignations in security shall be subscribed by two of the Commissioners and by their clerk and be sealed with the seal of the Commissioners

and such bonds and assignments may be according to the form in the Second Schedule to this Act or to the like effect. A.D. 1897.

**50.** The Commissioners may borrow on cash credit from any bank or banking company any sum or sums on the security of the rates or of the property of the Commissioners provided that the sums borrowed under this section and the section of this Act whereof the marginal note is "Power to borrow" shall not together amount at any time to more than thirty thousand pounds. Commissioners may borrow on cash credit.

**51.** A register of all bonds and assignments in security granted over the rates by this Act authorised shall be kept by the clerk to the Commissioners in which shall be entered the number date and amount of all such bonds and assignments in security and the names of the parties thereto. Register of mortgages.

**52.** All bonds and assignments in security over the rates granted by the existing Commissioners by virtue of the Act of 1872 shall during the subsistence of any debt under such bonds and assignments in security have priority over any bonds and assignments in security to be granted under the powers of this Act All bonds and assignments in security granted by the Commissioners under this Act over the rates by this Act authorised shall as regards such rates rank *pari passu* unless otherwise agreed at the time of granting the same. Ranking of securities.

**53.** 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 be exempt from rates leviable under this Act. Certain fishing vessels under stress of weather exempt from rates.

**54.** Officers of the Board of Trade Inland Revenue Fishery Board for Scotland and Commissioners of Northern Lighthouses in the execution of their duty shall at all times have free ingress passage and egress to or along through and from the harbour by land and with their vessels and otherwise without payment. Officers of Board of Trade &c. exempt from rates.

**55.** 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 through and from the harbour without payment. Lifeboat crew exempt from rates.

A.D. 1897.

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

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

Survey of works by Board of Trade.

**57.** If at any time the Board of Trade deem it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Commissioners on in over through or across tidal lands or tidal water or of the intended site of any such work the Commissioners shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Commissioners to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Commissioners.

Abatement of work abandoned or decayed.

**58.** If a work constructed by the Commissioners under the powers of this Act on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the same or any part of it and restore the site thereof to its former condition at the expense of the Commissioners and the amount of such expense shall be a debt due from the Commissioners to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Commissioners.

Permanent lights.

**59.** The Commissioners shall at the outer extremities of the works authorised by this Act exhibit and keep burning from sunset to sunrise such lights (if any) as the Commissioners of Northern Lighthouses may from time to time direct. If the Commissioners fail to comply in any respect with the provisions of this section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Lights on works during construction.

**60.** The Commissioners shall on or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time require or approve. If the Commissioners fail to comply in any respect with the provisions of this section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Where day for any proceeding falls on

**61.** Where by this Act any proceeding or act is directed or allowed to be taken or done on a certain day then if that day

happens to be Sunday or a day appointed for a public fast humiliation or thanksgiving the proceeding or act shall be considered as taken or done in due time if it is taken or done on the next day afterwards not being one of the days herein-before specified.

A.D. 1897.

Sunday &c.  
proceeding  
to be taken  
on next day.

**62.** Nothing contained in this Act shall be deemed to exempt the harbour or the Commissioners from the provisions of the Merchant Shipping Act 1894 or of any general Act relating to merchant shipping harbours or docks or to dues on shipping or on goods carried in vessels now in force or which shall be passed during the present or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the rates authorised by this Act.

Nothing to  
exempt  
harbour or  
Commis-  
sioners from  
provisions of  
Merchant  
Shipping  
Act.

**63.** Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections 21 and 22 of the Crown Lands Act 1866 and belonging to or exerciseable by or on behalf of Her Majesty Her heirs or successors.

Saving of  
Crown  
rights.

**64.** In case of injury to or destruction or decay of the piers or works or any part thereof the Commissioners shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those commissioners for directions as to the means to be taken and the Commissioners shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Provision  
against  
danger to  
navigation.

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

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

A.D. 1897. — at the costs and charges of the Commissioners and the amount of such costs and charges shall be a debt due from the Commissioners to the Crown and shall be recoverable accordingly with costs.

Saving  
rights of the  
Crown in the  
foreshore.

**66.** Save as in this Act otherwise provided nothing contained in this Act shall authorise the Commissioners to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's Most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Expenses of  
Act.

**67.** All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commissioners from and out of the moneys raised and received by them under the authority of this Act.

SCHEDULES referred to in the foregoing Act.

A.D. 1897.

THE FIRST SCHEDULE.

I.—HARBOUR RATES PAYABLE IN RESPECT OF ALL VESSELS OR DECKED BOATS ENTERING THE HARBOUR NOT SPECIALLY EXEMPTED.

	£	s.	d.
For all vessels &c. to and from any port in Great Britain or Ireland per register ton	0	0	1½
For all vessels &c. to or from places not in Great Britain or Ireland per register ton	0	0	3
For vessels &c. entering the harbour for safety or wind-bound and not breaking bulk or taking in goods (stores for their own use excepted) per register ton	0	0	1
In the event of any vessel remaining in the harbour more than 30 days the above rates shall be payable for each thirty days or part thereof after the first thirty days such vessel shall remain in the harbour.			
For vessels or decked boats engaged in the prosecution of the herring fishery for each time of entering the harbour	0	1	0
Or as a composition for any of the following fishing seasons payable in advance:—			
For the season from—			
1st May to 1st August	1	0	0
1st August to 1st January	0	10	0
1st January to 1st May	0	10	0
For vessels or decked boats engaged in the white fishery for each time of entering the harbour—			
Not exceeding the burden of 30 tons	0	1	0
Exceeding the burden of 30 tons per register ton	0	0	1
Or as a composition for such boats engaged in the white fishery for each year payable in advance:—			
On such boats manned by six or more hands	0	15	0
On such boats manned by less than six hands	0	7	6
The above compositions shall not apply to steam trawlers or steam liners of a gross tonnage of more than 30 tons.			
All rates on vessels where not otherwise provided to be paid before leaving the harbour.			
In all cases the Commissioners to have the option of charging rates either on the nett registered tonnage or on one-third of the gross tonnage.			
Vessels belonging to the Commissioners of Northern Lighthouses shall be exempt from the above-mentioned rates.			

A.D. 1897. II.—PIER RATES PAYABLE IN RESPECT OF ALL VESSELS OR DECKED BOATS USING ANY OF THE PIERS QUAYS OR WORKS BELONGING TO THE COMMISSIONERS.

	£	s.	d.
For every vessel loading cargo for an over sea port per register ton	0	0	6
For every vessel discharging cargo from an over sea port per register ton	0	0	6
For every vessel loading cargo for any port in the United Kingdom per register ton	0	0	3
For every vessel discharging cargo from any port in the United Kingdom per register ton	0	0	3
For every vessel light or in ballast or for every vessel using any of the piers quays or works without discharging or loading per register ton	0	0	1½
In the event of any such vessel remaining in the harbour more than a fortnight the above rate shall be payable for each fortnight or part thereof after the first fortnight.			
For every boat or undecked or unregistered vessel using any of the piers quays or works loading cargo	0	2	0
For every boat or undecked or unregistered vessel using any of the piers quays or works discharging cargo	0	2	0
For every vessel including yachts or pleasure vessels coaling per register ton	0	0	3
For every vessel or decked boat engaged in the prosecution of the herring fishery using any of the piers quays or works	0	1	0
In the event of any such vessel &c. remaining more than twenty-four hours at any of the piers quays or works the above rate shall be payable for each twenty-four hours or part thereof after the first twenty-four hours Or as a composition for any of the following fishing seasons payable in advance :—			
For the season from—			
1st May to 1st August	1	0	0
1st August to 1st January	0	10	0
1st January to 1st May	0	10	0
For every vessel or decked boat engaged in the white fishery using any of the piers quays or works :—			
Not exceeding the burden of thirty tons	0	1	0
Exceeding the burden of thirty tons per register ton	0	0	1
In the event of any such vessel &c. remaining more than twenty-four hours at any of the piers quays or works the above rates shall be payable for each twenty-four hours or part thereof after			

£ s. d. A.D. 1897.

the first twenty-four hours. Or as a composition for such boats engaged in the white fishery for each year payable in advance:—

On such boats manned by six or more hands - - 0 15 0

On such boats manned by less than six hands - - 0 7 6

The above compositions shall not apply to steam trawlers or steam liners of a gross tonnage of more than 30 tons.

All rates on vessels where not otherwise provided to be paid before leaving the harbour.

In all cases the Commissioners to have the option of charging rates either on the nett registered tonnage or on one-third of the gross tonnage.

Vessels belonging to the Commissioners of Northern Lighthouses shall be exempt from the above-mentioned rates.

### III.—RATES ON ANIMALS AND GOODS SHIPPED TRANSHIPPED OR UNSHIPED AT ANY OF THE PIERS QUAYS OR WORKS BELONGING TO THE COMMISSIONERS.

Articles of Export or Import.	Weight or Measure.	Rates.
<b>A.</b>		
Ale and beer - - - - -	per 56 gallons - - -	s. d. 0 4
" " bottled - - - - -	per cwt. - - - - -	0 2
Alum - - - - -	per cwt. - - - - -	0 1 $\frac{3}{4}$
Anchors - - - - -	per ton - - - - -	5 0
Ashes - - - - -	per ton - - - - -	2 0
Asphalte and bitumen - - -	per ton - - - - -	1 3
Aerated water all kinds - -	per ton - - - - -	1 8
<b>B.</b>		
Bacon or hams - - - - -	per ton - - - - -	1 4
Ballast - - - - -	per ton - - - - -	0 1
Barilla - - - - -	per ton - - - - -	1 6
Bark oak - - - - -	per ton - - - - -	1 6
Barrels empty herring - - -	each - - - - -	0 0 $\frac{1}{2}$
Baskets under 12 inches diameter -	per dozen - - - - -	0 6
" above " " - - - - -	per dozen - - - - -	1 0
Basket rods - - - - -	per cwt. - - - - -	0 2
Beef or pork (fresh or salt) - -	per ton - - - - -	1 4
Beer black or spruce - - - -	per 3 gallons - - -	0 0 $\frac{1}{2}$
Billiard table - - - - -	per cwt. - - - - -	0 2
Biscuits - - - - -	per ton - - - - -	2 0
Blacking - - - - -	per cwt. - - - - -	0 6
Bleaching salts - - - - -	per cwt. - - - - -	0 2 $\frac{1}{4}$
Blubber - - - - -	per 252 gallons - -	3 0
Boats - - - - -	each - - - - -	1 0
Bones (crushed or uncrushed) - -	per ton - - - - -	1 0
Books and stationery - - - - -	per cwt. - - - - -	0 4
Bottles - - - - -	per cwt. - - - - -	0 4
" (broken) - - - - -	per ton - - - - -	0 6
Boxwood - - - - -	per cwt. - - - - -	0 1 $\frac{3}{4}$
Bran - - - - -	per ton - - - - -	1 0

A.D. 1897.

Articles of Export or Import.	Weight or Measure.	Rates.
		s. d.
Brass - - - - -	per ton - -	2 0
Bricks - - - - -	per 1,000 - -	0 10
Brimstone - - - - -	per ton - -	1 8
Bristles - - - - -	per cwt. - -	0 9
Brooms (common) - - - - -	per dozen - -	0 2
Bulrushes - - - - -	per cwt. - -	0 8
Butter - - - - -	per cwt. - -	0 2
Boxes (empty) - - - - -	each - -	0 1
C.		
Candles - - - - -	per ton - -	2 0
Canvas - - - - -	per cwt. - -	0 2
Carpets rugs and upholstery articles - - - - -	per ton - -	2 6
Cane reeds - - - - -	per cwt. - -	0 3
Carboys (empty) - - - - -	each - -	0 1
Carriages with springs under 5 cwt. - - - - -	each - -	2 0
"    "    5 cwt. and under 7½ cwt. - - - - -	each - -	4 0
"    "    7½ cwt. and under 10 cwt. - - - - -	each - -	5 0
"    "    10 cwt. and above - - - - -	each - -	7 6
Carrots - - - - -	per ton - -	1 0
Carts - - - - -	each - -	0 6
Casks boxes sacks and kits empty except returned empties as provided for in the notes to this schedule - - - - -	each - -	0 1
Cattle - - - - -	each - -	1 0
Calves - - - - -	each - -	0 4
Horses - - - - -	each - -	1 0
Ponies under 12 hands - - - - -	each - -	0 6
Asses or mules - - - - -	each - -	0 6
Pigs - - - - -	each - -	0 4
Sheep and lambs - - - - -	each - -	0 3
Small cattle - - - - -	each - -	0 6
Cement - - - - -	per ton - -	1 6
Chalk - - - - -	per ton - -	1 6
Cheese - - - - -	per ton - -	2 6
Chimney tops - - - - -	each - -	0 1
Chocolate - - - - -	per cwt. - -	1 0
Cider - - - - -	per 3 gallons - -	0 0½
Cinders and charcoal - - - - -	per ton - -	0 9
Clay viz. :—china or stone - - - - -	per ton - -	1 0
Clay pipes - - - - -	per ton - -	1 0
Clocks - - - - -	each - -	1 0
Clothing haberdashery silk mercery &c. not otherwise enumerated - - - - -	per ton - -	3 0
Coals - - - - -	per ton - -	0 6
Bunker coals - - - - -	per ton - -	0 2
Cocoa - - - - -	per cwt. - -	1 0
Cocoa nuts - - - - -	per 100 - -	0 4
Coffee - - - - -	per cwt. - -	0 3
Coke - - - - -	per ton - -	0 6
Confections of all kinds - - - - -	per cwt. - -	0 2
Copper - - - - -	per ton - -	3 0
"    old - - - - -	per ton - -	2 0
"    ore - - - - -	per ton - -	1 0
Copperas - - - - -	per cwt. - -	0 1½

[60 & 61 VICT.] *Stromness Harbour Act, 1897.* [Ch. cxxxi.]

A.D. 1897.

Articles of Export or Import.	Weight or Measure.	Rates.
		<i>s. d.</i>
Colours - - - - -	per cwt. - - -	0 1 $\frac{3}{4}$
Cordage - - - - -	per ton - - -	2 6
„ old not in use - - - - -	per ton - - -	1 0
Cork wood and corks - - - - -	per ton - - -	3 4
Corn and meal viz. :—		
Barley and bigg - - - - -	} per ton - - -	1 4
Bere and meal - - - - -		
Beans - - - - -		
Indian corn - - - - -		
Indian meal - - - - -		
Malt - - - - -		
Oats - - - - -		
Oatmeal - - - - -		
Peas - - - - -	} per ton - - -	5 0
Rye - - - - -		
Wheat - - - - -		
Cotton wool &c. - - - - -	per ton - - -	2 6
Crystal - - - - -	per ton - - -	2 0
Cutch - - - - -	per ton - - -	
D.		
Dogs - - - - -	each - - -	0 6
Drugs - - - - -	per cwt. - - -	0 4
Dung - - - - -	per ton - - -	0 4
E.		
Earthenware - - - - -	per ton - - -	2 6
Eggs - - - - -	per ton - - -	2 6
Emery and emery stones - - - - -	per cwt. - - -	0 3
F.		
Feathers - - - - -	per ton - - -	10 0
Felt - - - - -	per ton - - -	2 6
Fish dried - - - - -	} per ton - - -	1 8
„ pickled or salt - - - - -		
„ fresh haddock cod ling and fish not enumerated - - - - -		
„ large fresh cod ling and skate in the discretion of the Commissioners - - - - -	per score - - -	0 4
„ offal - - - - -	per ton - - -	0 6
Flax - - - - -	per cwt. - - -	0 2
Flour - - - - -	per ton - - -	1 6
Flower roots - - - - -	per cwt. - - -	0 2
Flint stones - - - - -	per ton - - -	0 6
Fruit viz. :—		
Apples pears and berries - - - - -	per cwt. - - -	0 3
Plums cherries and grapes - - - - -	per cwt. - - -	0 4
Melons - - - - -	per cwt. - - -	0 2
Peaches - - - - -	per 100 - - -	0 2
All not enumerated - - - - -	per 10% value - - -	0 10

A.D. 1897.

Articles of Export or Import.	Weight or Measure.	Rates.
		s. d.
Furniture household	per 10 <i>l.</i> value	1 0
Furriers' waste	per ton	0 4
<b>G</b>		
Game viz. :—		
Hares	each	0 2
Rabbits	each	0 1
All others	each	0 2
Ginger	per cwt.	0 3
„ preserved	per cwt.	0 6
Glass of all descriptions	per cwt.	0 2
Glue	per cwt.	0 4
Grates stoves &c.	per ton	3 6
Grease	per ton	2 6
Groceries all kinds not enumerated	per cwt.	0 3
Gunpowder	per cwt.	0 3
Guano	per ton	1 0
<b>H.</b>		
Hair all kinds	baken per cwt.	0 4½
	plasterer's per ton	2 0
Hardware	per cwt.	0 2
Hats	per dozen	0 5
Hay	per ton	1 0
Heading	per 1,000	0 2
Hemp	per ton	1 4
Herrings imported	per 37½ gallons	0 4
„ exported	per 26½ gallons	0 3
Hides raw	per cwt.	0 2
Honey	per cwt.	0 3
Hoops of wood	per 1,000	0 5
Hops	per cwt.	0 6
Horns slugs and tips	per 1,000	1 8
Husbandry implements	per ton	1 4
<b>I.</b>		
Iron viz. :—		
Bar plate bolt and rod	per ton	2 0
Forged made work and hoops	per ton	3 4
Old	per ton	1 3
Old and broken goods	per ton	0 6
Cast-iron goods	per ton	2 6
Wire	per cwt.	0 2
Pig	per ton	1 0
<b>K.</b>		
Kelp	per ton	1 0
Kiln pavement	per 30 feet	0 4

[60 & 61 Vict.] *Strömness Harbour Act, 1897.* [Ch. cxxxi.]

A.D. 1897.

Articles of Export or Import.	Weight or Measure.	Rates.	
L.			
Lard	per ton	2	0
Lead	per ton	2	0
„ black	per ton	2	0
„ ore	per ton	2	0
„ red and white	per ton	2	0
„ shot	per ton	3	0
„ sugar of	per cwt.	0	2
Leather tanned and dressed	per cwt.	0	3
Lemons	per cwt.	0	4
Lignum vitæ	per ton	3	0
Lime	per ton	0	6
Loam	per ton	0	4
M.			
Machinery	per cwt.	0	2
Manures manufactured and not otherwise enumerated	per ton	1	4
Mats and basses	per dozen	0	1
Mill waste	per ton	2	0
Molasses	per ton	2	0
Mussels	per ton	0	6
N.			
Nuts all kinds (except cocoa)	per cwt.	0	3
O.			
Oakum	per ton	3	0
Ochre	per cwt.	0	1½
Oil all kinds	per ton	2	0
Oilcake	per ton	1	0
Onions	per cwt.	0	3
Oranges	per cwt.	0	4
Oysters	per cwt.	0	3
P.			
Peats	per ton	0	3
Paper	per cwt.	0	2
Passengers entering or leaving harbour baggage of	per cwt.	0	2
Pewter	per ton	2	0
„ old	per ton	1	8
Pianoforte	per 10l. value	1	0
Pictures under two feet square	each	0	6
„ two feet and under four feet	each	1	0
„ four feet and upwards	each	2	0

A.D. 1897.

Articles of Export or Import.	Weight or Measure.	Rates.
		s. d.
Pigs' heads - - - - -	per cwt. - - -	0 0 $\frac{1}{2}$
Pipes drain under three inches diameter -	per 1,000 - - -	0 6
" " above " " - - -	per 1,000 - - -	0 9
" collars - - - - -	per 1,000 - - -	0 3
" spigot and faucet clay glazed - - -	per ton - - -	1 0
NOTE.—Drain tiles and mugs one-third less.		
Pipes tobacco - - - - -	per cwt. - - -	0 4
Pitch - - - - -	per cwt. - - -	0 2
Plaster of Paris - - - - -	per ton - - -	2 8
Plants nursery and garden all kinds -	per cwt. - - -	0 4
Porter - - - - -	per gallon - - -	0 0 $\frac{1}{4}$
" bottled - - - - -	per cwt. - - -	0 6
Potatoes - - - - -	per ton - - -	1 0
Poultry all kinds - - - - -	each - - -	0 1
Provisions preserved all kinds - - -	per cwt. - - -	0 2
Pumice stones - - - - -	per cwt. - - -	0 3
R.		
Rags - - - - -	per ton - - -	2 0
Rice - - - - -	per cwt. - - -	0 2
Resin - - - - -	per ton - - -	2 6
S.		
Saddlery all kinds - - - - -	per cwt. - - -	0 3
Salt in bulk - - - - -	per ton - - -	0 9
" rock - - - - -	per ton - - -	0 9
" saltpetre and Glauber salt - - -	per ton - - -	3 4
" in harrel including dues of barrel -	per ton - - -	1 4
Salmon - - - - -	per cwt. - - -	0 6
Seed viz. :—		
Rape and flax - - - - -	per cwt. - - -	0 1
Clover - - - - -	per cwt. - - -	0 3
Rye grass - - - - -	per ton - - -	3 4
Shoes of all kinds - - - - -	per ton - - -	3 0
Sheepskins with wool - - - - -	per cwt. - - -	0 3
" pelts - - - - -	per cwt. - - -	0 2
Slates large - - - - -	per 1,000 - - -	1 4
" sizeable - - - - -	per 1,000 - - -	0 10
" small - - - - -	per 1,000 - - -	0 6
Snuff - - - - -	per cwt. - - -	0 6
Soap - - - - -	per ton - - -	2 0
Soda - - - - -	per ton - - -	1 6
Spades or shovels - - - - -	per dozen - - -	0 1
Spirits of all kinds - - - - -	per 56 gallons - - -	1 0
Starch - - - - -	per cwt. - - -	0 3
Steel - - - - -	per ton - - -	3 0
Straw - - - - -	per ton - - -	1 0
Stones viz. :—		
Freestone building - - - - -	per ton - - -	0 5
Polished granite - - - - -	per ton - - -	2 6
Causeway granite - - - - -	per ton - - -	0 3
Kerb pavement and building - - -	per ton - - -	0 5

A.D. 1897

Articles of Export or Import.	Weight or Measure.	Rates.	
		s.	d.
Stones viz.—(cont.)			
Rubble and chips	per ton	0	2
Rigging stones	per 100 running feet	1	6
Flagstones	per ton	0	9
Gravestones	each	3	0
Marble	per ton	3	0
Scythe stones	per cwt.	0	2
Grindstones	each	0	4
Millstones	each	0	6
All other descriptions except flint	per ton	1	0
Stucco	per ton	1	8
Sugar all kinds	per ton	1	4
Stoneware all kinds	per cwt.	0	2
T.			
Tallow	per ton	2	0
Tanners' waste	per ton	1	1
Tar coal	per 39 gallons	0	2
„ Archangel	per 26½ gallons	0	2
Tea	per cwt.	0	6
Tiles roofing	per 1,000	1	0
Tin of all kinds	per ton	2	0
„ plates	per ton	2	0
Tobacco in leaf	per cwt.	0	2½
„ manufactured	per 100 lbs.	0	4½
„ stalks	per cwt.	0	3
Tongues smoked	per dozen	0	1½
„ pickled	per cwt.	0	4
Toys	per cwt.	0	3
Tree nails	per 1,000	1	6
Turnery	per 10l. value	0	10
Turnips	per ton	0	6
Twine	per cwt.	0	3
Tow all kinds	per ton	1	6
V.			
Vases or sculptured marble	per cwt.	0	3
Vinegar	per 56 gallons	1	0
Vitriol	per gallon	0	0½
Varnish	per cwt.	0	2
Veneers all kinds	per cwt.	0	4
Vegetables	per ton	0	6
W.			
Whalebone or whale fins	per ton	3	4
Wheels coach carriage or cart	per pair	0	9
Whitening	per ton	0	10
Willow reeds	per cwt.	0	2
Wine	per gallon	0	0½
„ bottled	per cwt.	0	6

A.D. 1897.

Articles of Export or Import.	Weight or Measure.	Rates.	
		s.	d.
Wood :—			
Herring barrel billets - - - - -	per ton - - -	1	0
" " staves - - - - -	per 1,000 superficial feet.	1	0
All other kinds not enumerated - - -	per 1 <i>l.</i> value - -	0	4
Wool - - - - -	per ton - - -	3	4
Y			
Yarn viz. :—			
Lint and cotton - - - - -	per ton - - -	4	6
Hemp - - - - -	per ton - - -	3	6
Worsted - - - - -	per ton - - -	4	6
Z.			
Zinc - - - - -	per ton - - -	2	0

All goods or articles not enumerated in the above table of rates 2*d.* per cwt.

Passengers entering or leaving the harbour 2*d.* each.

All rates on goods to be shipped to be paid before shipment and all rates on goods to be unshipped to be paid before removal.

#### EXEMPTIONS &C. FROM RATES.

1. All empty boxes barrels sacks and packages returned to the original shipper within three months from date of import are exempted from rates.
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 rates on landing and may be re-shipped in the same or another vessel upon her departure outwards without paying rates again.
3. The personal luggage of each passenger landing from any vessel within the harbour not exceeding two hundredweight in weight shall be exempted from rates.
4. 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 re-loaded.
5. 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 proportionately and the minimum charge for a single package shall be one penny

IV.—RATES FOR THE USE OF SHEDS CRANES WEIGHING MACHINES A.D. 1897.  
WARPS &C.

1. *Sheds.*

For each ton of goods which shall remain in any shed or on any quay or pier for a period not exceeding 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.

2. *Cranes.*

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

3. *Weighing Machines.*

For potatoes salt and coals each ton or part of a ton - - -	0	4
Goods in quantities of 20 tons and upwards of same cargo per ton - - -	0	3
Other goods per ton or part of a ton - - -	0	6

4. *Warps or Planks.*

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

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

5. *Water Money.*

For each 12 gallons or part thereof supplied - - -	0	1½
--	---	----

6. *Harbour Lights.*

For every fishing boat under 30 tons payable in advance per season - - -	2	6
For every fishing boat 30 tons or above payable in advance per season - - -	5	0
For all other boats each - - -	0	6
For every ship under 100 tons register each - - -	2	0
For every ship 100 tons register or above each - - -	2	6

But rates for lights shall only be demanded and received when they have been provided to the satisfaction of the Board of Trade and so long thereafter as a light or lights are duly exhibited during the proper hours.

A.D. 1897.

THE SECOND SCHEDULE.

FORM OF BOND AND ASSIGNATION IN SECURITY.

No. By virtue of the Stromness Harbour Act 1897 we the Stromness Harbour Commissioners in consideration of the sum of (*state the sum in words*) instantly advanced and paid to us for the purposes of the said Act by *A.B.* do hereby bind us to pay to the said *A.B.* his executors or assignees the said sum of (*state the principal sum and the term of payment*) and also the interest thereof at the rate of (*state the rate of interest*) per centum per annum from the date hereof till payment payable half-yearly on the (*state the terms of payment*) and we do hereby assign to the said *A.B.* and his foresaids the rates authorised or arising under the said Act and the other revenues of us the said Commissioners in security to the said *A.B.* and his foresaids of the said principal sum and interest thereof and until payment thereof And we consent to the registration hereof for preservation and execution In witness whereof these presents are by authority of the said Commissioners sealed with their seal and subscribed by *C.D.* and *E.F.* two of the said Commissioners and by *G.H.* the Clerk to the said Commissioners. (*Insert date of execution.*)

Printed by EYRE and SPOTTISWOODE, .

FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from  
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or  
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and  
90, WEST NILE STREET, GLASGOW; or  
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN