

[60 & 61 VICT.]

Pier and Harbour Orders
Confirmation (No. 4) Act, 1897.

[Ch. cxlix.]



CHAPTER cxlix.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Annan Clacton and Whiting Bay. A.D. 1897.
[6th August 1897.]

WHEREAS a Provisional Order made by the Board of Trade under the General Pier and Harbour Act 1861 is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act and set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The several Orders as amended and set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and force. Confirmation of Orders in schedule.

2. The undertakers mentioned in the said Orders shall not under the powers of this Act or of the said Orders purchase or acquire in any city borough or other urban district or in any parish or part of a parish not being within an urban district in England or in any district in Scotland within the meaning of the Public Health (Scotland) Act 1867 as the case may be ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. Special provision as to houses of labouring class.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for

[Ch. cxlix.] *Pier and Harbour Orders* [60 & 61 VICT.]
Confirmation (No. 4) Act, 1897.

A.D. 1897. wages hawkers costermongers persons not working for wages but
— working at some trade or handicraft without employing others
except members of their own family and persons other than
domestic servants whose income does not exceed an average of
thirty shillings a week and the families of any of such persons who
may be residing with them.

Short title. 3. This Act may be cited as the Pier and Harbour Orders
Confirmation (No. 4) Act 1897.

THE SCHEDULE OF ORDERS.

1. ANNAN—Constitution of harbour authority.
2. CLACTON—Extension and improvement of pier.
3. WHITING BAY—Construction and maintenance of pier.

ANNAN.

A.D. 1897.

Order for incorporating the Trustees of the Harbour of Annan in the county of Dumfries and vesting the harbour in them and for the improvement maintenance and regulation of the harbour.

Annan.

Interpretation and Incorporation of Enactments.

1. In this Order unless excluded by the subject or context—

Interpretation.

“The harbour” means and includes the existing harbour of Annan as situate in the River Annan below the point at which that river is crossed by the bridge carrying the Glasgow and South Western Railway over the river at Annan and in the Mill Lead or Race connected therewith.

“Works” means and includes the works by this Order authorised.

“Trustees” means the Trustees incorporated by this Order.

2. The Commissioners Clauses Act 1847 (except the following Sections 6 7 17 20 24 25 and 84) is hereby (in so far as not inconsistent with this Order) incorporated with this Order and shall as far as the circumstances will admit apply to the Trustees collectively and severally.

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

With reference to Section 39 the prescribed number (constituting a quorum) of the Trustees shall be four.

With reference to Section 40 it shall not be obligatory on the Trustees to hold monthly meetings but they may hold meetings at any time and within any place as they may consider necessary and shall hold at least two meetings in every year and the chairman shall be bound to convene a meeting at any time on the requisition of three Trustees.

With reference to Section 90 it shall not be obligatory on the Trustees to cause the statements and accounts therein mentioned to be printed and notwithstanding anything in the said incorporated Act contained the same person may be both clerk and treasurer to the Trustees.

The Harbour Authority.

3. This Order shall be carried into execution by a body of Trustees not exceeding twelve in number to be qualified and elected as in this Order provided.

Harbour Trustees.

4. The Trustees shall be the Undertakers for carrying this Order into execution.

Undertakers.

5. The Trustees and their successors are hereby incorporated by the name of the Trustees of Annan Harbour and by that name shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued and to purchase take lease hold and dispose of land and other property for the purposes and subject to the provisions and restrictions of this Order.

Incorporation of Trustees.

A.D. 1897.

Annan.
First Trustees.

6.—(1) The first Trustees shall be the following persons (namely):—

Arthur H. Johnstone Douglas as agent for William Dalziel Mackenzie of Newbie Adam Hiddleston as Provost of the Royal Burgh of Annan William Underwood Benjamin Nicholson and John Smith Millar as owners of warehouses in that burgh Thomas Anderson John Nicholson John Murray Robert Robinson Gilbert Tweedie and William John Cuthbertson as representing the existing Annan Harbour Trustees.

(2) The first Trustees shall come into office at the expiration of fourteen days from the date of the Act confirming this Order and shall go out of office on the fifteenth day of November following.

Appointment
of Trustees.

7. The appointment succession and election of Trustees shall be regulated as follows:—

(1) The owners of warehouses situate in the royal burgh of Annan and along the Mill Lead or Race southwards from the cotton mill in Port Street shall assemble in the town hall at Annan or at some other convenient place selected by them on the second Tuesday in November one thousand eight hundred and ninety-seven and on the second Tuesday in November in every third following year and elect three persons being owners of such warehouses to act as Trustees for the period of three years commencing on the fifteenth day of November and thence ensuing.

(2) The provost of the royal burgh of Annan for the time being shall be ex-officio a Trustee.

(3) The provost magistrates and town council of the royal burgh of Annan shall at their ordinary monthly meeting in November one thousand eight hundred and ninety-seven and at the like meeting in November in every third following year nominate three persons to act as Trustees for the period of three years commencing on the fifteenth day of November and thence ensuing such persons being respectively persons or members of firms who have paid not less than five pounds of harbour rates during the preceding twelve months.

(4) William Dalziel Mackenzie of Newbie and his successors in the estate of Newbie may nominate two trustees Provided always that in the event of the said estate being divided or sold in lots such right shall be transferred to and be exerciseable by the proprietor for the time being of the lands of Hillend on the east bank of the River Annan and by the proprietor for the time being of the lands of Waterfoot on the west bank of the said river who may respectively nominate one Trustee.

(5) John Nicholson Thomas Anderson and William John Cuthbertson shall during their respective lives or until they resign or become incapable or incompetent to act be Trustees.

Provided that the provisions of section nineteen of the Commissioners Clauses Act 1847 shall not apply to any vacancy which may occur in the office of any ex-officio commissioner.

Trustees may
resign.

8. Any trustee may resign office at any time upon giving not less than three weeks' notice in writing of his resignation to the Trustees or their clerk.

Occasional
vacancies
among
Trustees.

9. In case of a vacancy in the office of Trustee by reason of failure to make a valid election or of any Trustee refusing to accept office or dying or resigning or becoming incapable or incompetent to act or ceasing to be a Trustee from any cause other than going out of office in the regular course the other Trustees

[60 & 61 VICT.] *Pier and Harbour Orders* [Ch. cxlix.]
Confirmation (No. 4) Act, 1897.

shall as soon as may be thereafter at a special meeting of the Trustees elect a person to fill any such vacancy and the Trustee so elected shall continue in office for the same period as the person whose vacancy he fills would in ordinary course have continued in office and shall go out of office at the same time but shall be eligible for re-election. In case of any equality of votes at any such election the chairman for the time being of the Trustees shall have a second or casting vote.

A.D. 1897.

Annan.

10. Notwithstanding any vacancy or vacancies in the office of Trustee the Trustees 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 Trustees they shall continue competent to act until their successors are elected and come into office.

Acts of the Trustees not to be invalidated by reason of vacancies.

Works and Powers.

11. From and after the expiration of fourteen days from the passing of the Act confirming this Order all the estate and interest of the town council of Annan in the harbour (exclusive of the Burgh Quay) shall be and the same is hereby transferred to and vested in the Trustees and together with any quays piers wharves warehouses sheds and other property which the Trustees may from time to time acquire or take on lease may be lawfully held maintained and used by the Trustees for the purposes of this Order.

Transfer of existing harbour.

12. The Lands Clauses Acts except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking are hereby incorporated with this Order.

Incorporation of Lands Clauses Acts.

13. For the purposes of the works authorised by this Order the Trustees may by agreement purchase enter on take and use all or such parts of the land shown on the plan deposited with reference to this Order and may acquire by agreement any easement over or interest in or right of using such land as they may think requisite for the purposes of this Order.

Power to take lands by agreement.

14. The Trustees may in addition to the lands vested in or authorised to be taken by them under this Order purchase by agreement and hold for extraordinary purposes any land not exceeding in the whole three acres but this section or anything herein contained shall not exempt the Trustees from any proceedings on account of any nuisance caused or permitted by them on any land acquired by them under this section.

Lands for extraordinary purposes.

15. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit but subject to the provisions of those Acts and of this Order grant to the Trustees any easement right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) required for the purposes of this Order in over or affecting any lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges respectively.

Power to take easements by agreement.

16. The limits within which the Trustees shall have authority and within which the powers of the harbour master may be exercised and which shall be deemed the limits to which this Order extends shall comprise—

Limits of harbour.

(1) As regards the power to levy rates the harbour and any quays piers wharves warehouses sheds cranes and other plant machinery and apparatus

A.D. 1897.

Annan.

connected therewith which may from time to time be acquired or leased by the Trustees for the purposes of this Order ;

(2) As regards all other matters the harbour and the River Annan between the said Glasgow and South Western Railway bridge and a line drawn across the river in a true east by south direction from the lighthouse situate on Barnkirk Hill at the mouth of the River Annan for a distance of four hundred and fifty yards and thence true north to high-water mark ; which last-mentioned limits are in this Order termed "the limits of this Order."

Power to
execute works.

17. Subject to the provisions of this Order and subject also to such alterations (if any) in the plan and sections deposited with reference to this Order as the Board of Trade require before the completion of the works in order to prevent injury to navigation the Trustees shall on the land and in the lines and situations and according to the levels shown on the deposited plan and sections and within the limits of deviation shown on the plan make and maintain the works authorised by this Order.

Description
of works.

18. The works authorised by this Order comprise the following (that is to say)—

Widening deepening dredging and otherwise improving the waterway of the harbour the Mill Lead or Race and the entrance channels and waterways and the bed and foreshore thereof as shown on the deposited plan or as may be sanctioned by the Board of Trade.

For the pro-
tection of
Mr. Nicholson.

19. The works by this Order authorised shall unless otherwise agreed between the Trustees and the said Benjamin Nicholson be executed in so far as they affect the Mill Lead or Race in accordance with the plan dated the twenty-fourth day of February one thousand eight hundred and ninety-seven and signed by the said William John Cuthbertson on behalf of the Trustees and by the said Benjamin Nicholson and deposited with the Board of Trade.

Consent to
works below
high-water
mark.

20. Works authorised by this Order below high-water mark shall not be commenced without the consent in writing of the Board of Trade having been first obtained and shall be executed in manner directed by the Board of Trade.

Powers of
deviation.

21. The Trustees with the consent in writing of the Board of Trade may in executing the works reduce enlarge or alter the same and deviate laterally from the lines of such works delineated on the deposited plan to any extent not exceeding the limits of deviation marked on that plan and may with the like consent deviate vertically to any extent.

Trustees to
maintain
works &c.

22. The Trustees shall maintain the harbour and any additions or improvements to be made thereto and any quays piers wharves sheds and other property which may be acquired or leased by them for the purposes of this Order and may add to extend and improve the same.

Power to
acquire or
lease quays &c.

23. The Trustees may also acquire construct and maintain or take on lease all quays piers wharves sheds houses warehouses offices weighing-machines cranes and other works buildings and conveniences which may be found necessary or desirable in connection with the harbour and works for the accommodation of vessels and traffic landed at or embarked from the same and the convenient working thereof.

24. The Trustees shall if required by the said William Dalziel Mackenzie as soon as conveniently may be after the passing of the Act confirming this Order acquire the quay known as the Newbie Quay belonging or reputed to belong to him on such terms as shall failing agreement be fixed by an arbiter to be nominated unless otherwise agreed on the application of either party by the Board of Trade.

A.D. 1897.

*Annan.*As to purchase
of quay from
W. D. Mac-
kenzie.

25. Every person who wilfully obstructs the Trustees or any person acting under their authority in setting out the lines of the works or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the works or any part thereof or who defaces or destroys the works or any part thereof shall for any such offence be liable to a penalty not exceeding five pounds.

Penalty for
obstructing
works.

26. The Trustees may within the limits of this Order raise remove and if necessary destroy any wreck or other obstruction and also any floating timber which impedes the navigation of the harbour and the expense of removing any such wreck or obstruction or floating timber shall be paid by the owner of the same to the Trustees and the Trustees may detain such wreck or floating timber for securing such expenses and on non-payment of such expenses on demand may sell the same and out of the proceeds of such sale may pay such expenses rendering the overplus if any to the owner on demand.

Owners liable
for costs of
removal of
wrecks.

27. The Trustees may build purchase contract for lease hire or otherwise provide and maintain use let or sell any steam tugs engines diving bells lighters ballast lighters moorings dredgers tools plant machinery or steam or such other vessels and power or things as they may think necessary for effectuating any of the purposes of this Order and the accommodation of vessels frequenting the harbour and they may demand receive and recover for them or the use thereof such sums as may be agreed upon or as they may consider reasonable and may also license such number of steam tugs or other power belonging to any person for such period and on such terms and conditions as they may think fit.

Power to
Trustees to
purchase or
hire machinery
tugs &c. and
to let or sell
the same.

28. For the purposes of this Order the Trustees shall be a local authority within the meaning of the Merchant Shipping Act 1894 and Acts amending the same and all the powers conferred by those Acts on local authorities shall be vested in the Trustees for the purposes of this Order.

Trustees to be
local authority.

29. All sand mud and materials dredged up or removed within the limits of this Order shall be the property of the Trustees who may sell or otherwise dispose of the same or remove or deposit the same within those limits and may supply ballast to or remove ballast from any vessel within the harbour or permit such supply to be obtained or such removal to be effected by the master or owner provided that no sand mud or other material shall be laid down or deposited in any place below high-water mark without the consent of the Board of Trade having been first obtained.

As to materials
dredged.

30.—(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order are not substantially commenced the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

Powers to cease
in certain
events.

A.D. 1897.

Annan.

(2.) If the works authorised by this Order after having been substantially commenced are virtually suspended for twelve consecutive months the powers by this Order given for executing such works or otherwise in relation thereto shall cease except as to so much of such works as are then completed unless such powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

(3.) In either of the above cases 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 months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Rates.

Power to levy rates.

31. Subject and according to the provisions of this Order and after the completion of the widening deepening and dredging of the Mill Lead or Race as to which a certificate from the Board of Trade shall be conclusive evidence and so long as the harbour within the limits for rates is maintained by the Trustees in fit and proper condition as to which a certificate from the Board of Trade that they are so maintained shall within five years from the date of the certificate be conclusive evidence the Trustees may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 for the use of the harbour within such limits demand and recover any sums not exceeding the rates specified in the schedule hereto.

Existing rates to cease when new rates are leviable.

32. When and so soon as the Trustees are entitled to demand and receive the rates specified in the schedule to this Order all other rates or charges shall cease to be demanded or received in respect of the harbour but without prejudice to the right of the Trustees to recover any money due at the time of transfer and all exemptions from payment of rates or charges shall cease to be operative.

Power to lease undertaking.

33. The Trustees may lease the rates authorised by this Order for any period not exceeding seven years to take effect on possession and for such rent and consideration and on such terms as they may think fit and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering rates as the Trustees have or might exercise under the Harbours Docks and Piers Clauses Act 1847 and this Order and shall be subject to all the provisions as to accounts and otherwise to which the Trustees are subject under this Order.

Power to charge for use of quays &c.

34. The Trustees may demand and receive for the use of any quays piers wharves sheds warehouses buildings machines works or conveniences acquired leased or provided by them or in respect of any services rendered by them for which rates are not specially fixed by the schedule hereto such sums as the Trustees think reasonable but so that no preference be in any case given.

Rates for steam tugs or other power.

35. The Trustees may fix such rates as appear to them reasonable for or in respect of the use of such steam tugs or other power maintained used and let or licensed by them and such rates shall be paid by the owner agent master consignee or other person having charge of the vessel obtaining the assistance of such steam tug or other power to the Trustees or to their

[60 & 61 VICT.] *Pier and Harbour Orders* [Ch. cxlix.]
Confirmation (No. 4) Act, 1897.

lessee or to the person with whom they may contract or to the owner of such steam tug or other power if licensed by the Trustees as the case may be and such rates shall be due and payable whether such steam tug or other power shall be actually employed or not provided the assistance thereof shall have been required and shall in consequence of a requisition have been tendered by the master or other person having the command of such steam tug or other power.

A.D. 1897.

Annan.

36. The Trustees may confer vary or extinguish exemptions from and enter into compositions with any person or persons corporation or company with respect to the payment of any rates authorised to be taken by this Order but so that no preference be in any case given to any person and that anything done under this section shall not prejudice the other provisions of this Order.

Power to compound for rates.

37. The Trustees shall revise the rates receivable by them under this Order so that the income of the Trustees under this Order may always be so far as practicable sufficient and not more than sufficient for the purposes of this Order and if at any time the clear annual income derived from the harbour and any quays piers wharves warehouses sheds and other property acquired or leased by them on the average of the then three last preceding years after payment of all expenses and outgoings shall exceed the amount sufficient to answer the purposes of this Order the Board of Trade may if in their discretion they think fit reduce such rates to such sums as will be sufficient to provide the amount aforesaid with power to the Board of Trade at any time to raise them again to not exceeding the sums specified in the schedule to this Order.

Revision of rates.

38. The harbour master may prevent the removal or sailing out of the harbour of any vessel or boat in respect of which any rates shall have been payable until evidence shall have been produced to him of the payment of such rates to the collector Any person disobeying the harbour master's orders in carrying out the powers hereby conferred shall be liable to a penalty not exceeding ten pounds.

Harbour master may prevent sailing of vessels.

39. 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.

40. The Secretary for Scotland or any person or persons deputed by him and officers of the Board of Trade and of the Fishery Board for Scotland being in the execution of their duty shall at all times have free ingress passage and egress on into along through up to and out of the harbour quays piers wharves and works by land and with their vessels and otherwise without payment.

Exemption of certain officers from rates.

41. 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 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 quays piers wharves and works without payment.

Exemption of lifeboat crews.

A.D. 1897.

[Ch. cxlix.]

Pier and Harbour Orders
Confirmation (No. 4) Act, 1897.

[60 & 61 VICT.]

Annan.

Partial incorporation of Harbours and Passing Tolls Act.
24 & 25 Vict.
c. 47.

Power to borrow money.

Application of money borrowed.

For appointment of a judicial factor.

Application of revenue.

Sinking fund.

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

Finance.

43. The Trustees may borrow at interest on the credit of the rates leviable by them any sum or sums of money not exceeding in the whole the sum of three thousand pounds and they may at any time re-borrow any money borrowed under this Order and discharged.

44. The Trustees shall apply all moneys borrowed by them under this Order in defraying the costs of and incidental to preparing and obtaining this Order the repayment of money borrowed by the existing Annan Harbour Trustees and outstanding when this Order comes into operation the purchase of harbour rights and in defraying the costs of the works and conveniences and purposes authorised by this Order to which capital is properly applicable and not otherwise.

45.—(1.) The mortgagees of the Trustees may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor.

(2.) 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 hundred pounds in the whole.

(3.) In sections eighty-six and eighty-seven of the Commissioners Clauses Act 1847 incorporated with this Order the expression "receiver" shall mean judicial factor.

46. The rates and all sums in the nature of income received by the Trustees shall be applied by them in manner and order following and not otherwise:—

(1.) In paying the expenses of the maintenance management and regulation of the harbour and of any quay pier wharf warehouse shed or other property acquired or leased by the Trustees the interest of money borrowed by the existing Annan Harbour Trustees any rents or feu duties payable in respect of any quay pier wharf warehouse shed or other property acquired or leased by the Trustees and in defraying the other annual expenses of the Trustees properly incurred in relation to the harbour including the cost of borrowing money under this Order.

(2.) In paying the interest of money borrowed under the authority and for the purposes of this Order.

(3.) In forming a sinking fund for payment of principal moneys borrowed under this Order.

(4.) In or towards any addition to or extension of the existing works and in further improving the harbour and works for the time being or in providing a reserve fund not exceeding five hundred pounds for such purpose.

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

A.D. 1897.

48. The Trustees within one month after sending to the sheriff clerk the copy of their annual account in abstract (which account shall be made up to the end of the day on the fifteenth day of October in each year) shall send a copy of the same to the Board of Trade and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account. If the Trustees refuse or neglect to comply with this provision they shall for every such refusal and neglect be liable to a penalty not exceeding twenty pounds.

Annan.
 Annual account to be sent to the Board of Trade.
 25 & 26 Vict. c. 19.

49.—(1.) The Board of Trade unless they see special reason to the contrary shall appoint a person to be permanent auditor to examine and audit the accounts of the Trustees and shall fix the payments to be made to him for salary and for expenses (if any) and the amount of such salary and expenses (if any) shall be paid by the Trustees out of the rates or other income received by them under this Order.

Audit of accounts.

(2.) The Board of Trade may at any time revoke the appointment of any person as auditor and thereupon unless they see special reason to the contrary shall appoint another person as auditor.

(3.) The Trustees shall on demand by the auditor produce to him all books accounts deeds papers writings and other documents or information in their possession or power and afford him all reasonable facilities for conducting the examination and audit.

(4.) If the Trustees refuse or neglect to comply with any of the provisions of this section they shall be liable to a penalty not exceeding twenty pounds for every month during which they refuse or neglect so to comply.

Life-saving Apparatus.

50. Sections 16 to 19 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Trustees shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the harbour and build on such site a house or 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 month during which they omit to provide such accommodation after being required to do so by the Board of Trade.

Portions of Harbours Clauses Act excepted.

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

Bye-laws.

52. The Trustees may make and alter bye-laws for all or any of the purposes of this Order and in particular for the purpose of levying the rates payable under this Order and for the regulation and control of vessels and boats using the harbour and works and for the regulation and control of the persons goods and

Power to make byelaws.

A.D. 1897.
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Annan.

traffic and for the supply of ballast or water to vessels and boats using the harbour and works grounds or property of the Trustees but such bye-laws shall not come into operation until they have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes and a copy of such bye-laws purporting to be signed by any secretary or assistant secretary to the Board of Trade shall be *primâ facie* evidence of the existence and due making of the said bye-laws.

Lights.

As to
temporary
lights on works.

53. 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 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 month during which they omit so to apply or refuse or neglect to obey any direction so given.

As to lights
after comple-
tion of works.

54. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Trustees shall at the outer extremity of the 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 be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to lighting and the Trustees shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to observe any such direction.

As to buoys
and lights in
case of decay
of works.

55. In case of injury to or destruction or decay of the harbour or works or any parts 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 be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be taken and the Trustees shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any such direction given in reference to the means to be taken.

Miscellaneous.

Recovery of
penalties.

56. All penalties under this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 and for all the purposes of that Act this Order shall be deemed the special Act.

Saving rights
under Crown
Lands Act
1866.

57. 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.

[60 & 61 VICT.] *Pier and Harbour Orders* [Ch. cxlix.]
Confirmation (No. 4) Act, 1897.

58. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order prejudice or affect any property interests 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. A.D. 1897.
Annan.
Saving rights
of Crown.
59. Nothing contained in this Order 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 twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty. Saving rights
of the Crown
under Crown
Lands Act
1866.
60. The Trustees shall make compensation to the proprietor for the time being of the said estate of Newbie for any damage or injury which may be sustained by such proprietor in respect of any right of salmon fishing in the River Annan ex adverso of the said estate or other riparian interest attaching to the barony of Newbie through the exercise of the powers of this Order and in case the amount of such compensation shall not be agreed upon the same shall be settled by an arbiter who unless otherwise agreed on shall on the application of the Trustees or such proprietor after seven days' notice in writing to the other of them be named by the sheriff of the county of Dumfries and the costs of and incident to the reference shall be borne as the arbiter may direct. For the pro-
tection of the
Newbie Estate.
61. All the costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Trustees. Costs of
Order.
62. This Order may be cited as the Annan Harbour Order 1897. Short title.

The SCHEDULE to which the foregoing Order refers.

TABLE I.—Rates on vessels and boats entering or using the harbour for any purpose whatsoever and for shipping unshipping or transshipping goods therein :

	£	s.	d.
For every vessel on the registered tonnage - - per ton	0	0	2
For boats (other than fishing boats) - - - each	0	0	6
On all cargoes that may be shipped unshipped or transshipped - - - per ton	0	0	2
On all cargoes shipped or unshipped at any warehouses situate above the "Burgh Quay" - - per ton	0	0	1

TABLE II.—Fishing boats :

For all fishing boats anchoring within the limits for rates - - - per annum each	0	1	0
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NOTE.—The period for the annual composition shall be from the fifteenth November yearly All compositions at whatever time paid shall expire on the fifteenth November in each year and shall be paid in advance.

A.D. 1897.

CLACTON-ON-SEA.

*Clacton-on-
Sea.**Order for authorising an extension and improvement of the pier
at Clacton-on-Sea in the County of Essex.**Enactments incorporated.*Construction of
Order.

1.—(1.) The unrepealed provisions of the Thorpe and Great Clacton Railway Act 1866 the warrant of the Board of Trade dated the fifth day of April one thousand eight hundred and seventy-two issued under the Railway Companies Act 1867 the Clacton-on-Sea Pier Order 1875 and the Clacton-on-Sea Pier Order 1889 (all of which are in this Order called “the existing enactments”) shall be read with this Order and all the powers provisions reservations and restrictions of the existing enactments shall be deemed incorporated in this Order and shall apply to the works authorised by this Order in like manner as if such powers provisions reservations and restrictions had been inserted in this Order and so far as necessary made applicable to the works and rates authorised by this Order.

(2.) Provided that from and after the passing of the Act confirming this Order Section 30 of the Clacton-on-Sea Pier Order 1889 shall be and the same is hereby repealed.

*Works and Powers.*Incorporation
of Acts.

2. The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) and the Companies Clauses Acts 1845 to 1889 (except Part IV. of the Companies Clauses Act 1863) are incorporated with this Order and for the purposes of such incorporation the term “special Act” in the said Acts shall mean this Order.

Power to take
lands by
agreement.

3. For the purposes of the existing enactments and this Order the Clacton-on-Sea Pier Company in this Order called the Company may by agreement enter on take and use all or any part of the lands shown on the plans deposited for the purposes of this Order which the Company think requisite for the purposes of the existing enactments and this Order.

Lands for
extraordinary
purposes.

4. The Company may purchase and take for extraordinary purposes and in addition to the other lands acquired by them under the existing enactments and this Order any lands not exceeding in the whole three acres but this section shall not exempt the Company from any proceedings for nuisance created or permitted by them on land acquired by them under this section.

Power to
execute works.

5. Subject to the provisions of this Order and subject also to such alterations (if any) in the plan and section deposited with reference to this Order as the Board of Trade require before the completion of the works in order to prevent injury to navigation the Company may in the lines and according to the levels shown on the deposited plan and section (so far as the same are shown thereon) and within the limits of deviation shown on that plan make and maintain the works authorised by this Order.

[60 & 61 VICT.] *Pier and Harbour Orders* [Ch. cxlix.]
Confirmation (No. 4) Act, 1897.

6. The works authorised by this Order comprise the following :—	A.D. 1897.
(1.) A widening and improvement of the existing pier of the Company on both sides thereof between the commencement and the termination thereof.	Clacton-on-Sea.
(2.) An extension of the existing pier commencing at a point on the outer face thereof ten yards from the termination of the centre line of the pier measured in a west-south-westerly direction extending thence in a straight line for a distance of two hundred yards in an east-south-easterly direction and there terminating.	Description of works.
All which said works will be situate in the parish of Great Clacton in the county of Essex and on the foreshore and bed of the sea adjoining that parish.	
The widening and improvement and extension of the pier hereinbefore described shall be constructed of open work.	
7. Every person who wilfully obstructs the Company or any person acting under their authority in any manner whatsoever or who removes any poles or stakes driven into the ground for the purpose of setting out the lines of any works or defaces destroys or injures any works or any property of the Company shall for every such offence be liable to a penalty not exceeding five pounds.	Penalty for obstructing or injuring property.
8. The Company with the consent in writing of the Board of Trade may in constructing the works authorised by this Order alter and deviate the same to any extent laterally within the limits of deviation and vertically not exceeding ten feet.	Power to deviate.
9. Subject to the provisions of this Order the Company may maintain alter extend and improve the pier and works constructed under the powers of the existing enactments and the works by this Order authorised (all of which are in this Order included in the expression "the pier") and in connection therewith may construct erect maintain alter and improve landing-places landing-stages slips wharves waiting-rooms sheds toll-houses gates embankments sewers drains watercourses roads approaches works and conveniences and may lay down and maintain rails and tramways on or along the pier and may construct provide lay down and maintain mooring posts buoys and other appliances and works for the use of vessels frequenting the pier.	Improvement of pier and accommodation works.
10. Any works under this Order below high water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing and shall be erected in manner required by the Board of Trade.	Assent of Board of Trade to works.
11. A line of tramway constructed under the powers of this Order shall not be used for the public conveyance of passengers unless and until the same has been inspected and certified by the Board of Trade to be fit for such traffic.	Assent of Board of Trade to user of Tramways.
12. The carriages used on the tramways may be moved by animal power or with the consent of the Board of Trade and subject to such regulations as may be made by that Board by electric power steam power or any mechanical or other motive power and the Company may erect construct lay down and maintain upon the pier and upon lands for the time being belonging to the Company generating stations dynamos conductors posts works and conveniences for the generation supply or use of electrical energy and may generate supply and use such energy for purposes in connection with the pier but nothing in	Motive power.

A.D. 1897.

*Clacton-on-Sea.*Use of
electricity.Construction
and mainten-
ance of
buildings.Restriction on
mooring
vessels to
landing-stages.Power to pre-
vent use of
pier for cattle
or merchan-
dise.New works to
be part of pier
undertaking.Powers to
cease in certain
events.

this section shall exempt the Company from any proceeding for nuisance in respect of the works by this section authorised.

13. The Company may use electrical energy generated under the powers of this Order for lighting the pier or for any other purposes in connection with the pier.

14. The Company may erect acquire or take on lease and maintain such offices depôts stables and other buildings as they may deem requisite for the purposes of their undertaking and may construct erect and maintain upon the pier pavilions assembly rooms saloons bazaars reading rooms refreshment rooms swimming and other baths lavatories and other buildings and conveniences and may furnish stock and equip the same and may make such charges for the use thereof or for admission thereto as they may think fit and may let the same by the year or on lease for such period not exceeding seven years from the date of the lease and upon such terms and conditions as they think fit.

15. No vessel or boat except steamboats and pleasure boats embarking and disembarking passengers and their luggage shall be allowed to be moored alongside the pier or landing-stages belonging to the Company without the consent of the Company or their officer duly authorised in that behalf.

16. Nothing in the existing enactments or this Order shall entitle any person with any vessel or boat to ship or unship at the pier or landing-stages belonging to the Company any sheep cattle or merchandise or anything which in the opinion of the Company might in any way interfere with the use of the pier and landing-stages for recreation or for the embarking or landing of passengers and their luggage.

17. Subject to the provisions of this Order the works by this Order authorised shall for the purpose of collection of rates and for all other purposes be deemed to be part of the undertaking of the Company as if the same had been authorised by the existing enactments.

18.—(1) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order are not substantially commenced the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2) If the works authorised by this Order after having been substantially commenced are virtually suspended for twelve consecutive months the powers by this Order given for executing the works or otherwise in relation thereto shall cease except as to so much of the works as is then completed unless those powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

(3) In either of the above cases 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 months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Rates.

A.D. 1897.

19. When in addition to the certificate to be given under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 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 for the due construction of the works authorised by this Order have been given the Company may subject and according to the provisions of this Order levy demand recover and receive for the use of the works to be constructed under this Order the same rates and charges as if such works had been authorised by the existing enactments and had been constructed under the powers given by those enactments.

*Clacton-on-Sea.*Power to
levy rates.
10 & 11 Vict.
c. 27.

20. The payment of rates or charges payable under the existing enactments or this Order for the use of the pier shall not entitle any person paying the same to the use of the buildings and erections thereon or any of them or any part or parts thereof unless the Company otherwise determine.

Tolls not to
confer right to
use buildings.

21. The Company may demand and receive such rates and charges or other consideration as they think reasonable for the use of any buildings and conveniences belonging to them and for which rates or charges are not otherwise specified or authorised in the existing enactments.

Power to
demand rates
&c. for use of
buildings &c.

22. When and so soon as it shall be certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade and paid by the Company that the works authorised by this Order have been so far completed as to afford accommodation for persons walking on the pier or for the landing and embarking or shipping of passengers animals or goods by means of such works the Company may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 and although the whole of the works authorised by this Order have not then been completed demand recover and receive the rates and charges which they are by the existing enactments or this Order authorised to demand and take for the use of the works authorised by this Order.

Rates may be
levied though
works not
completed.

23. The Company may on any occasion which they may deem special but not exceeding twelve days in any one year close their pier against the public and may on such occasions charge such special rates of admission not exceeding one shilling for each person as the Company may think fit. Provided that on all such occasions the Company shall reserve a sufficient passage along the pier for persons landing or embarking at the pier such reserved passage to be open for use by such persons at the ordinary rates and without payment of any special rates so long only as they use the pier as a passage and do not remain thereon.

Power to close
pier on special
occasions &c.*Finance.*

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

Power to raise
additional
capital.

Clacton-on-Sea.

Power to borrow.

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

Life-saving apparatus.

Parts of Harbours &c. Act 1847 excepted.

Life-buoy to be kept.

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

27. The Company shall at all times keep on the outer extremity of the pier a life-buoy and line in good order and fit for use.

Miscellaneous.

For protection of the Postmaster General.

28. In the event of the tramways being worked by electricity or in the event of electrical energy being used for lighting the pier or for any other purposes in connexion with the pier the following provisions shall have effect :—

- (1.) The Company shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. If any question arises as to whether the Company have constructed their electric lines or other works or work their undertaking in contravention of this sub-section such question shall be determined by arbitration and the Company shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.
- (2.) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Company of their electric lines and works or by the working of the undertaking of the Company the Company shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection.
- (3.)—(a.) Before any electric line is laid down or any act or work for working the tramways by electricity or for using electricity for the other purposes aforesaid is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Company or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Company and their agents shall conform with such reasonable requirements (either general or special) as may be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(b.) Any difference which arises between the Postmaster-General and the Company or their agents with respect to any requirements so made shall be determined by arbitration.

A.D. 1897.
—
Clacton-on-Sea.

(4.) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues.

(5.) Provided that nothing in this section shall subject the Company or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice.

(6.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work.

(7.) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Order as if the Company were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section.

41 & 42 Vict.
c. 76.

(8.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882.

45 & 46 Vict.
c. 56.

(9.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Company or their agents were a company within the meaning of that Act.

31 & 32 Vict.
c. 119.

(10.) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Company by indictment action or otherwise in relation to any of the matters aforesaid.

29. The following provisions shall apply to the use of electric power under this Order unless such power is entirely contained in and carried along with the carriages.

Special
provisions as
to use of
electric power.

(1.) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance.

(2.) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as no

A.D. 1897.

Clacton-on-
Sea.

injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus.

- (3.) The Company shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by regulations to be made by the Board of Trade (in this section referred to as "the Board of Trade regulations") and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking.
- (4.) At the expiration of two years from the passing of the Act confirming this Order the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents.
- (5.) If any difference arises between the Company and any other party with respect to anything in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be.
- (6.) The electric power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return.
- (7.) The expression "Company" in this section shall include any person owning working or running carriages over any tramway of the Company.

Recovery of
penalties.

30. All penalties under the existing enactments or this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 for all the purposes of which Act the existing enactments and this Order shall be deemed the special Act.

Saving rights
under Crown
Lands Act
1866.

31. This Order shall not be taken as a consent to the surrender of any rights interests powers authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act 1866 nor shall any works under this Order be commenced within limits affected by any such rights interests powers

authorities or privileges without the consent of the Board of Trade having been first obtained. A.D. 1897.

32. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order prejudice or affect any property 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. *Clacton-on-Sea.* Saving the rights of the Crown.

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

34. This Order may be cited as the Clacton-on-Sea Pier Order 1897. Short title.

WHITING BAY.

Order for the construction maintenance and regulation of a Pier and Works at Whiting Bay in the Parish of Kilbride Island of Arran and County of Bute.

Whiting Bay.

The Undertakers.

1. The Trustees under the Trust Disposition and Settlement of the late William Alexander Louis Stephen Duke of Hamilton Brandon and Chatelherault K.T. their assignees and successors shall be the Undertakers for carrying this Order into execution and are in this Order referred to as the Undertakers. Undertakers.

Works and Powers.

2. The limits within which the Undertakers shall have authority and within which the powers of the piermaster may be exercised and which shall be deemed the limits to which this Order extends shall comprise the pier and works authorised by this Order and the existing landing stage on the south of the pier (herein-after included in the term "the piers") together with the whole area below the line of high-water mark lying within a distance of five hundred feet from any part of the pier and works. Limits of Order.

3. Subject to the provisions of this Order and subject also to such alterations if any in the plan and sections deposited with reference to this Order as the Board of Trade require before the completion of the works in order to prevent injury to navigation the Undertakers may on the lands belonging to them or which may be acquired by them for the purposes of this Order and in the lines and situations and according to the levels shown on the said plan and sections so far as the same are shown thereon and within the limits of deviation shown on the said plan make and maintain the pier and approach road and works authorised by this Order. Power to construct works.

4. The works authorised by this Order include :—

An approach road commencing at a point on the side of the public road leading from Whiting Bay to Lamash about seventy-five yards northward from the north-western corner of the waiting room at the existing landing place at Whiting Bay and extending in an east-south-easterly direction to a point near high-water mark of ordinary spring tides about twenty-six yards from the said point of commencement;

A pier commencing at the termination of the said road and extending in continuation thereof and in the same direction for about two hundred and

Description of works.

A.D. 1897.

*Whiting
Bay.*

fifty-nine yards together with a jetty extending in continuation of the pier in a south south-westerly direction for about thirty yards which pier will be open work throughout and will be situate in the Parish of Kilbride in the Island of Arran and County of Bute.

Power to deviate.

5. In constructing the works authorised by this Order the Undertakers may with the consent in writing of the Board of Trade first obtained deviate the same laterally to any extent within the limits of deviation marked on the deposited plan and vertically to any extent not exceeding ten feet.

Penalty for obstructing works.

6. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works by this Order authorised or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works or defaces or destroys the said works or any part thereof shall for every such offence be liable to a penalty not exceeding five pounds.

Power to construct warehouses and other buildings and to maintain and improve pier.

7. Subject to the provisions of this Order the Undertakers may construct and maintain all warehouses offices sheds weighing machines cranes and other works buildings and conveniences which may be found necessary in connection with the piers for the accommodation of vessels and traffic landed at or embarked from the same and they may also lay down and maintain rails tramways sidings and turntables on and along the piers and other works and the lands connected therewith and they may dredge scour deepen widen enlarge alter improve and maintain the entrance channels and approaches to the piers and works and conveniences connected therewith Provided that no line of tramway constructed under the powers of this Order shall be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

Disposal of dredging.

8. All sand mud and other materials dredged up or removed within the limits of this Order shall become and be the property of the Undertakers who may sell or otherwise dispose of the same or remove and lay down the same within those limits and afterwards again take up and remove and sell or otherwise dispose of the same and all money arising therefrom after payment of the expenses connected therewith shall be applied as rates received under this Order are applicable Provided that sand mud stone or other material shall not be laid down or deposited in any place below high-water mark without the consent of the Board of Trade being first obtained.

Consent of Board of Trade to works.

9. Any works authorised by this Order below high-water mark shall not be commenced without the consent in writing of the Board of Trade having been first obtained and shall be executed only in manner approved by the Board of Trade.

Power to undertakers to purchase or hire dredgers &c.

10. The Undertakers may for the purposes of the works authorised by this Order provide purchase lease or hire such steam or other dredgers engines tugs lighters and other vessels diving bells ballast lighters rubbish lighters tools plant or other materials and machinery as they think fit and may demand and receive such sums for the use of the same as they may think fit and may sell or dispose of the same and the money thereby realised shall be applied towards carrying into effect the purposes of this Order or any of them.

11. The Undertakers may with the consent of the Board of Trade first obtained in writing sell the piers and works and the rights and powers of the Undertakers under this Order in connexion therewith or may lease the rates authorised by this Order for any period not exceeding seven years and on such terms and conditions as they think fit and the purchaser or lessee shall have and may exercise the same powers of levying and recovering rates as the Undertakers have or might exercise under the Harbours Docks and Piers Clauses Act 1847 and this Order and shall be subject to all and the same provisions as to accounts and otherwise to which the Undertakers are made subject by this Order.

A.D. 1897.

Whiting Bay.

Power to lease rates.

12. Within the limits of this Order the Undertakers shall be a local authority within the meaning of the Merchant Shipping Act 1894 and shall have all the powers conferred by that Act on local authorities.

Undertakers to be local authority.

13. No vessel shall anchor within the limits of this Order without the consent of the Undertakers or their pier master.

Vessels not to anchor within certain limits.

14. No vessel except whilst embarking or disembarking goods or passengers shall be moored alongside the piers without the consent of the Undertakers or their pier master.

Vessels not to moor alongside piers without consent.

15. The pier master may prevent the removal or sailing from the limits of this Order of any vessel in respect of which vessel or the goods imported or exported therein any rates shall have been payable until evidence shall have been produced to him of the payment of such rates to the collector and in the case of a vessel with a take or cargo of fish until the master of such vessel shall have given in an account of his take or cargo of fish as required by this Order.

Pier master may prevent sailing of vessels.

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

Meters and weighers.

17.—(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order are not substantially commenced the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

Powers to cease in certain events.

(2.) If the works authorised by this Order after having been substantially commenced are virtually suspended for twelve consecutive months the powers by this Order given for executing such works or otherwise in relation thereto shall cease except as to so much of the works as are then completed unless such powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the date of the Act confirming this Order.

(3.) In either of the above cases 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 months shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Rates.

18. When in addition to the certificate to be granted under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 a certificate has been obtained from the Board of Trade that all consents and approvals on the part

Power to levy rates.
10 & 11 Vict.
c. 27.

A.D. 1897.

*Whiting
Bay.*

of the Board of Trade required under this Order or otherwise necessary to the due construction of the works authorised by this Order have been given the Undertakers may subject and according to the provisions of this Order demand recover and receive in respect of vessels persons animals fish goods matters and things described in the schedule to this Order any sums not exceeding the several rates specified in the same schedule but no rates are to be levied for the use of the existing landing stage on the south of the pier authorised by this Order except those specified in Part V. of the Schedule which may be levied for the use of the said landing stage by the Undertakers so long as they maintain that landing stage in proper repair but not otherwise. A certificate from the Board of Trade that the landing stage is so maintained shall be conclusive evidence of the fact at any time within three years from the date of such certificate.

Rates may be
levied though
works not
completed.

19. When and so soon as it shall be at any time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade and paid by the Undertakers that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers and goods by means of such works the Undertakers may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 and although the whole of the works authorised by this Order shall not then have been completed demand and recover such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall in the opinion of the Board of Trade be commensurate to the increased accommodation afforded.

Powers to vary
exemptions
from rates
and to enter
into composi-
tions &c.

20. The Undertakers may confer vary or extinguish exemptions from and enter into composition with any person with respect to the payment of rates authorised by this Order but so that no preference be in any case given to any person and that anything done under this section shall not prejudice the other provisions of this Order.

Pass tickets for
use of pier.

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

Rates for
ballast.

22. The Undertakers may take such rates as they think proper for the supply and removal of ballast for the accommodation of vessels.

Rates for
warehouses &c.

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

Board of Trade
may reduce
rates.

24. If at any time the clear annual income derived from the piers and works on the average of the then three last preceding years after payment of all

expenses and outgoings other than principal or interest in respect of money borrowed shall exceed interest at the rate of ten per centum per annum on the entire sum appearing to the Board of Trade to have been expended by the Undertakers in executing works authorised by this Order the Board of Trade may if in their discretion they think fit reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum and the rates shall thereupon be reduced accordingly but with power to the Board of Trade at any time to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

A.D. 1897.

Whiting Bay.

25. The master or owner of every vessel liable to rates shall on arrival within the limits of this Order forthwith report the same to the collector of rates and in the case of every fishing boat shall furnish to the collector a true and accurate statement of his take of fish and the name of every person obtaining delivery thereof and if he fail to do so he shall be liable to a penalty not exceeding ten pounds.

Master of vessel to report arrival &c.

26. 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 piers or works and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Certain fishing vessels under stress of weather exempt from rates.

27. The Secretary for Scotland or any person deputed by him and officers of the Board of Trade and of the Fishery Board for Scotland being in the execution of their duty shall at all times have free ingress passage and egress to in through out of and from the piers and works by land and with their vessels and otherwise without payment.

Exemption of certain officers from rates.

28. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to or along and on and from the piers and works without payment.

Lifeboat crew exempt from tolls.

Finance.

29. The Undertakers may borrow and reborrow at interest such money as may be required for the purposes of this Order not exceeding in the whole the sum of six thousand pounds on the security of the rates authorised by this Order or they may accept and take from any bank or banking company credit for any amount not exceeding in the whole the said sum of six thousand pounds on a cash account to be opened and kept in the name of the Undertakers according to the usage of bankers in Scotland but so that the whole sum owing by the Undertakers on such cash account and for other money borrowed and for the time being unpaid shall not exceed in the whole the sum of six thousand pounds exclusive of interest and the Undertakers may grant bonds

Power to borrow money.

A.D. 1897.

Whiting Bay.

and assignations of the rates in security of the repayment of the sum or sums so borrowed or of the amount of such credit or of the sums advanced on such cash account with interest thereon respectively and such bonds and assignations and any transfers thereof may be in forms contained in Schedules (B) and (C) annexed to the Burgh Harbours (Scotland) Act 1853 or to the like effect and shall be recorded in the Division of the General Register of Sasines at Edinburgh applicable to the County of Bute.

Application of
money
borrowed.

30. All money borrowed under this Order shall be applied only for purposes for which capital money may properly be applied and not otherwise.

For appoint-
ment of a
judicial factor.

31.—(1.) The mortgagees of the Undertakers may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor.

(2.) 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 five hundred pounds in the whole.

(3.) Sections eighty-six and eighty-seven of the Commissioners Clauses Act 1847 shall be incorporated with this Order and in such sections the expression "Commissioners" shall mean the Undertakers and the expression "receiver" shall mean judicial factor.

Application of
rates received.

32. The rates received under this Order shall be applicable for the purposes and in the order following and not otherwise :—

- (1) In paying the costs of and connected with the preparation and making of this Order ;
- (2) In paying the expense of the maintenance and repair of the pier and works authorised by this Order and of the said existing landing stage (so long as such landing stage is maintained by the Undertakers) and of the management and regulation of the traffic within the limits of this Order ;
- (3) In payment year by year of the interest accruing on money borrowed under this Order ;
- (4) The surplus revenue (if any) derived under this Order after providing for the purposes aforesaid shall belong to the Undertakers for their own use as such Trustees as aforesaid.

Annual
account to
be sent to
Board of
Trade.
25 & 26 Vict.
c. 19.

33. The Undertakers within one month after sending to the sheriff clerk the copy of their annual account in abstract (which account shall be made up to the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

*Life-saving Apparatus.*Portions of
Harbours
Clauses Act
excepted.

34. Sections sixteen to nineteen of the Harbours Docks, and Piers Clauses Act 1847 shall not be incorporated with this Order but the Undertakers shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the pier and build on

such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding ten pounds for every month during which they omit to provide such accommodation after having been required to do so by the Board of Trade.

A.D. 1897.

Whiting Bay.

35. 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 without payment attach or cause to be attached to any part of the piers 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 piers.

Life-saving apparatus may be attached to piers.

36. The Undertakers shall at all times keep at the outer extremity of the pier authorised by this Order a lifebuoy and line in good order and fit and ready for use.

Lifebuoy to be kept.

Byelaws.

37. The Undertakers may in addition to the power to make byelaws under the Harbours Docks and Piers Clauses Act 1847 make byelaws for the regulation and control of vessels within the limits of this Order and for the regulation and control of the fishermen and others and goods and traffic frequenting or resorting to or employed disembarked loaded or unloaded at the piers or works or within the limits of this Order and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaw but such byelaws shall not come into operation until the same shall have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

Power to make byelaws.

Lights.

38. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited and shall in all respects obey any direction given upon such application or afterwards given as to lights by the Board of Trade during the construction of the works and compliance with the directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works and the Undertakers shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to observe any direction so given.

As to lights during the construction of works.

39. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall at the outer extremity of the piers and works or the completed portion thereof exhibit from sunset to sunrise such light or lights (if any) as shall be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to lighting and the Undertakers shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to observe any direction given.

As to lights after completion of works.

40. In case of injury to or destruction or decay of the piers or works or any part thereof the Undertakers 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 be directed by the Commissioners of Northern Lighthouses and shall

As to buoys and lights in case of decay of works.

A.D. 1897. apply to those Commissioners for directions as to the means to be taken and the Undertakers shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to observe any such direction.

Whiting Bay.

Miscellaneous.

Recovery of penalties.

41. All penalties under this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 and for all the purposes of that Act this Order shall be deemed the Special Act.

Saving rights under Crown Lands Act 1866.

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

Saving rights of Crown under Crown Lands Act.

43. Nothing contained in this Order or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exercisable on behalf of Her Majesty.

Costs of Order.

44. All costs charges and expenses of and incident to the preparing and obtaining this Order and otherwise incurred in reference thereto shall be paid by the Undertakers.

Short title.

45. This Order may be cited as the Whiting Bay Pier Order 1897.

The SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS.

(1) *Tonnage Rates on Vessels other than Fishing Vessels exclusive of their Cargoes.*

	£	s.	d.
All vessels entering within the limits of this Order to load or unload			
under fifty tons per registered ton	-	-	-
	0	0	4
All vessels of fifty tons and under one hundred tons per registered			
ton	-	-	-
	0	0	6
All vessels of one hundred tons and upwards per registered ton	-	0	0
			7
Steam vessels same rates as sailing vessels.			

[60. & 61 VICT.] *Pier and Harbour Orders* [Ch. cxlix.]
Confirmation (No. 4) Act, 1897.

(2) *Rates on Fishing Vessels exclusive of their Cargoes.*

	£	s.	d.
Every vessel on each occasion of loading or discharging herrings within the limits of this Order - - - - -	0	2	6
Or in full of rates per annum payable in advance - - - - -	1	0	0
Every vessel on each occasion of loading or discharging white fish within such limits - - - - -	0	1	0
Or in full of rates per annum payable in advance - - - - -	0	7	6

A.D. 1897.

Whiting Bay.

II.—RATES ON GOODS SHIPPED UNSHIPPED OR TRANSHIPPED WITHIN THE
LIMITS OF THIS ORDER.

	£	s.	d.
Ale beer and porter per 54 gallons - - - - -	0	0	4
Ale beer and porter per 18 gallons - - - - -	0	0	2
Ale bottled per dozen bottles - - - - -	0	0	1
Anchors per cwt. - - - - -	0	0	9
Anchor stock per cwt. - - - - -	0	0	9
Bark per ton - - - - -	0	2	0
Bedding per cwt. - - - - -	0	1	0
Biscuit or bread per cwt. - - - - -	0	0	3
Blubber per 252 gallons - - - - -	0	3	0
Bones and bone dust per ton - - - - -	0	1	6
Bottles per crate not exceeding 2 cwt. - - - - -	0	0	2
„ „ over 2 cwt. - - - - -	0	0	4
Bricks per ton - - - - -	0	0	8
Butter and lard for smearing or other smearing grease per 3 cwt. - - - - -	0	0	6
Butter eating salt or fresh per 56 lbs. - - - - -	0	0	2
Cables iron or hempen per ton - - - - -	0	3	0
Canvas per 36 yards - - - - -	0	0	1
Carriages—			
Chaises and other four wheeled carriages each - - - - -	0	1	6
Gigs and other two wheeled carriages each - - - - -	0	1	0
Carts each - - - - -	0	0	6
Hand-carts and perambulators each - - - - -	0	0	3
Casks (empty) each - - - - -	0	0	1
Cattle—			
Bulls each - - - - -	0	0	4
Cows and oxen each - - - - -	0	0	3
Horses ponies and foals each - - - - -	0	1	6
Sheep and lambs per score - - - - -	0	0	6
For any smaller number than half a score each - - - - -	0	0	0½
Goats each - - - - -	0	0	1
Pigs each - - - - -	0	0	3
Other animals (live) not particularly enumerated each - - - - -	0	1	0
Cement per cwt. - - - - -	0	0	1
„ per ton - - - - -	0	1	0
Chalk per ton - - - - -	0	1	0
Cheese each - - - - -	0	0	0½
Chimney pots each - - - - -	0	0	3

A.D. 1897.

Whiting
Bay.

	£	s.	d.
Cinders and charcoal per ton	0	0	6
Clay per ton	0	1	0
Cloth haberdashery &c. per package not exceeding 1 cwt.	0	0	1
Coals per ton	0	1	0
Copper per ton	0	3	0
Cordage per cwt.	0	0	3
Cork per cwt.	0	0	6
Crystal crockery &c. per crate not exceeding 2 cwt.	0	0	2
" " " over 2 cwt.	0	0	4
Clams per 37½ gallons	0	1	0
Crabs per dozen	0	0	2
Dogs each when not the property of those in charge of cattle or sheep being shipped unshipped or transhipped	0	0	2
Drugs (in casks hampers or boxes) per cubic foot	0	0	2
Earthenware (in casks hampers or boxes) per cubic foot	0	0	2
" " per crate not exceeding 2 cwt.	0	0	2
" " exceeding 2 cwt.	0	0	4
Eggs per 12 dozen	0	0	2
Empties each	0	0	1
Firkin and jar each	0	0	1
Fish (dried or salted) per cwt.	0	0	1½
" (fresh)—			
Boxes containing not more than 2 cwt. each	0	0	3
Boxes containing not more than 1 cwt. each	0	0	1½
Cod ling skate turbot and halibut per score	0	0	1
Salmon grilse sea trout or bull trout each	0	0	1
" " " " per cwt.	0	1	0
Flax per ton	0	3	4
Flour and meal per 280 lbs.	0	0	2
" " per ton	0	1	0
Fruit of all kinds per cwt.	0	0	6
Furniture (household) per 5 cubic feet	0	0	4
Game of all kinds per score	0	3	0
Glass per crate not exceeding 2 cwt.	0	0	2
" " over 2 cwt.	0	0	4
Grains including barley beans Indian corn malt oats peas rye seeds of all kinds and feeding stuffs per 280 lbs.	0	0	2
Grains including barley beans Indian corn malt oats peas rye seeds of all kinds and feeding stuffs per ton	0	1	0
Groceries not enumerated per cwt.	0	0	1
Guano per cwt.	0	0	2
Gunpowder per 100 lbs.	0	0	6
Haddocks (smoked) per 300 fish	0	0	4
Hams bacon or tongues per cwt.	0	0	4
Hardware per ton	0	2	6
Hay and straw per ton	0	1	0
" per cwt.	0	0	2
Hemp per ton	0	3	0
Herrings per 26½ gallons	0	0	2

[60 & 61 VICT.]

Pier and Harbour Orders
Confirmation (No. 4) Act, 1897.

[Ch. cxlix.]

	£	s.	d.	A.D. 1897.
Hides—				<i>Whiting Bay.</i>
Ox cow or horse (wet or dry) each	0	0	2	
Hoops of wood all of the size of puncheon hoops and under per 1,200	0	0	9	
All above per 1,200	0	1	0	
Iron hoops per cwt.	0	0	2	
Iron—				
Bar bolt rod and sheet per ton	0	0	8	
Pig and old per ton	0	0	8	
Manufactured per ton	0	0	8	
Pots each	0	0	1	
Grates stoves and other ironmongery per cwt.	0	0	2	
Kelp per ton	0	1	0	
Lead per ton	0	0	8	
Leather tanned and dressed per cwt.	0	0	6	
Lime per ton	0	1	0	
„ per cwt.	0	0	1	
Limestone per ton	0	1	0	
Lobsters per dozen	0	0	2	
Machinery per ton	0	2	6	
Manure (not enumerated) per ton	0	1	0	
„ „ per cwt.	0	0	1	
Masts and spars 10 inches in diameter and upwards each	0	2	6	
Meat fresh per cwt.	0	0	6	
„ salted or otherwise preserved per cwt.	0	0	9	
Milk per gallon	0	0	0 $\frac{1}{2}$	
Musical instruments per cubic foot	0	0	1	
Nets per 5 cubic feet	0	0	4	
Oakum per cwt.	0	0	2	
Oils per 42 gallons	0	0	4	
Oil cake per ton	0	1	0	
Ores per ton	0	1	0	
Oysters per hundred	0	0	3	
Paint per cwt.	0	0	4	
Peats per ton	0	1	0	
Piano cottage each	0	0	6	
„ large or grand each	0	1	0	
Pitch per cwt.	0	0	4	
Potatoes per cwt.	0	0	1	
„ in bulk per ton	0	1	0	
Poultry per dozen	0	0	6	
Any smaller number than a dozen each	0	0	1	
Rags and old rope per cwt.	0	0	1	
Rabbits per dozen	0	0	4	
Sails per cwt.	0	0	6	
Salt per ton	0	1	0	
Sand per ton	0	0	8	
Shell fish other than those herein particularly specified per cwt.	0	0	2	
Shrimps per cwt.	0	1	0	

A.D. 1897.

Whiting
Bay.

	£	s.	d.
Skins—			
Calf goat sheep lamb or dog per score	-	0	0 3
Slates per 24 cubic feet	-	0	1 0
Snuff per cwt.	-	0	0 6
Spirits per 63 gallons	-	0	1 0
„ per 36 gallons	-	0	0 6
„ per gallon	-	0	0 1
Sprats or garvies per 37½ gallons	-	0	0 4
Stones asphalte pipes or other building or heavy material per 16 cubic feet	-	0	0 8
Steel per ton	-	0	3 0
Sugar per cwt.	-	0	0 3
Tallow soap and candles per cwt.	-	0	0 1
Tar per cwt.	-	0	0 2
Tea per 84 lbs.	-	0	1 0
Tiles per ton	-	0	0 8
Tin and zinc per ton	-	0	0 8
Tobacco per cwt.	-	0	0 6
Turnips per ton	-	0	0 6
„ per cwt.	-	0	0 1
Turpentine and varnish per 36 gallons	-	0	0 6
Turtle each	-	0	2 6
Vegetables not enumerated per cwt.	-	0	0 1
Vinegar per 54 gallons	-	0	0 6
Vitriol per 10 gallons	-	0	1 0
Wine in bottles per dozen	-	0	0 2
„ per 10 gallons	-	0	0 2
„ per 30 gallons	-	0	0 6
Wood—			
Fir pine and other descriptions not enumerated per 50 cubic feet	-	0	1 6
Oak or wainscot per 50 cubic feet	-	0	2 0
Firewood per 216 cubic feet	-	0	1 6
Laths and lathwood per 216 cubic feet	-	0	2 6
Handspikes per 120	-	0	3 0
Oars per 120	-	0	5 0
Spars under 22 feet in length above 2½ and under 4 inches in diameter per 120	-	0	5 0
Spars 2½ inches in diameter and under per 120	-	0	4 0
„ 22 feet in length and upwards and not exceeding 4 inches in diameter per 120	-	0	9 0
Spars above 4 and under 6 inches in diameter per 120	-	0	14 0
Spokes of wheels not exceeding 2 feet in length per 120	-	0	2 0
„ exceeding 2 feet in length per 120	-	0	3 0
Trenails per 1000	-	0	2 6
Wedges per 1000	-	0	2 6
Pipe staves and others in proportion per 120	-	0	2 6
Herring barrel staves per 1000 superficial feet	-	0	1 2
Lignum vitæ fustic logwood mahogany and rosewood per ton	-	0	2 0
Wool per 240 lbs.	-	0	0 3

[60 & 61 VICT.]

Pier and Harbour Orders
Confirmation (No. 4) Act, 1897.

[Ch. cxlix.]

	£	s.	d.	A.D. 1857.
Yarn				
Lint per cwt. - - - - -	-	0	0	2
Cotton per cwt. - - - - -	-	0	0	2
Tow per cwt. - - - - -	-	0	0	1½
Hemp per cwt. - - - - -	-	0	0	1½
Worsted per cwt. - - - - -	-	0	0	4
All other goods not particularly enumerated above—				
Light goods per cubic foot - - - - -	-	0	0	1
Heavy goods per ton - - - - -	-	0	0	8

Whiting
Bay.

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

In weighing and measuring packages to be included.

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

1.—*Rates of Cranage.*

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

2.—*Rates for Weighing Machines.*

For goods weighed for each ton or part of a ton - - - - -	-	0	0	2
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3.—*Rates for Sheds.*

For each ton or forty cubic feet of goods which shall remain in the sheds or on the pier or other works for a longer time than forty-eight hours the sum of 1s. and the sum of 6d. per ton or forty cubic feet for each day during which such goods shall remain after first forty-eight hours.

For any portmanteau trunk parcel or other article of passengers' luggage for each day or part of a day after first twenty-four hours per package - - - - -

- 0 0 2

IV.—RATES FOR SUPPLYING WATER.

Water per 100 gallons - - - - -	-	0	0	6
„ minimum charge for trading vessels - - - - -	-	0	1	0
„ „ „ fishing boats - - - - -	-	0	0	6

[Ch. cxlix.] *Pier and Harbour Orders* [60 & 61 Vict.]
Confirmation (No. 4) Act, 1897.

A.D. 1897.
Whiting
Bay.

V.—RATES ON PASSENGERS AND PASSENGERS' LUGGAGE LANDED FROM OR
 EMBARKED IN ANY VESSEL WITHIN THE LIMITS OF THE ORDER.

	£	s.	d.
For every person above twelve years of age landing from or embarking in any vessel - - - - -	0	0	2
For every person under twelve years of age with parent guardian master or servant - - - - -	0	0	1
Children in arms free.			
Servants going for or with luggage not to be charged but the luggage to be paid for as below.			
Passengers' luggage each article unless carried by themselves -	0	0	1

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