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<b>RECORDS OFFICE</b>	
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### CHAPTER cxxviii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Dawlish Bude and Sandown. A.D. 1903.

[11th August 1903.]

**W**HEREAS 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

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 borough or other urban district or in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied. Special provisions as to houses of labouring class.

[Price 1s. 6d.]

A.D. 1903. on the said fifteenth day of December but have been or shall be  
— subsequently so occupied.

If any undertakers acquire or appropriate any house or houses under the powers of this Act or of the said Orders in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

For the purposes of this section the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them and the expression "house" means any house or part of a house occupied as a separate dwelling.

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 2) Act 1903.

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### The SCHEDULE OF ORDERS.

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DAWLISH—Construction of pier.

BUDE—Amendment of Act of 1901.

SANDOWN—Amendment of former Orders.

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SCHEDULE.

A.D. 1903.

DAWLISH PIER.*Provisional Order for the construction maintenance and regulation  
of a Pier at Dawlish in the County of Devon.**Dawlish.**Preliminary.*

- 1.—(1) This Order may be cited as the Dawlish Pier Order 1903. Short title and interpretation.  
 (2) This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as the commencement of this Order.  
 (3) In this Order unless the context otherwise requires—  
     The expression “the Company” means the Dawlish Promenade and Landing Pier Company Limited.
2. The Company shall be the Undertakers for carrying this Order into execution. Undertakers.

*Acquisition of Land.*

3. 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 incorporated with this Order and for the purposes of that incorporation the term “Special Act” in the said Act shall mean this Order. Incorporation of Lands Clauses Acts.
4. For the purposes of the works authorised by this Order the Company may from time to time by agreement enter on take and use all or such parts of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of those works or any easement or right over or affecting those lands. Power to take lands by agreement.
5. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting such 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 as aforesaid respectively. Power to take easements &c. by agreement.
6. The Company may purchase and hold for extraordinary purposes any land not exceeding in extent in the whole one acre but nothing in this section shall exempt the Company from any proceedings for nuisance caused or permitted by them on land taken by them under the power conferred by this section. Lands for extraordinary purposes.

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*Dawlish.*  
Limits of  
Order.

*Limits Works and Management.*

7.—(1) The limits within which the Company shall have authority and within which the powers of the pier master may be exercised shall comprise the pier and works authorised by this Order and an area below high-water lying within one hundred yards from any part of those works which limits are in this Order termed "the limits of this Order" but the authority given by this Order shall not extend so as to enable the Company to prevent boatmen from launching their boats from the beach and landing on the beach.

(2) The limits within which the power to levy rates may be exercised shall comprise the pier and works authorised by this Order.

Power to make  
works.

8. Subject to the provisions of this Order and subject also to such alterations (if any) in the deposited plans and sections as the Board of Trade may require before the completion of the works the Company may on the lands and in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon) and within the limits of deviation shown on the plans make and maintain the works authorised by this Order.

Description of  
works.

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

A pier jetty or landing stage and approaches thereto commencing at a point on the south-east side of the railway viaduct at a point fifty yards (or thereabouts) south-west of the railway station and extending in a south-easterly direction for a distance of three hundred and sixteen yards (or thereabouts) and there terminating beyond low-water mark.

The works will be situated in the parish of Dawlish East and Urban District of Dawlish in the county of Devon or on the foreshore or in the sea and bed thereof and adjacent thereto.

The pier will be constructed as an open work for the whole of its length.

For protection  
of Great Wes-  
tern Railway  
Company.

10. For the protection of the Great Western Railway Company (in this section called "the Great Western Company") the following provisions shall unless otherwise agreed have effect (that is to say)—

(1) The Company shall not enter upon or interfere with the railway lands or works of the Great Western Company or execute any works whatever under or affecting the same until the Company shall have delivered to the Great Western Company plans and drawings of such intended works and those plans and drawings shall have been approved in writing by the principal engineer of the Great Western Company or in the event of his failure for fourteen days after the delivery of the plans and drawings to approve the same until the same shall have been approved by an engineer to be appointed on the application of the Company by the Board of Trade and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the said engineer of the Grea

Western Company or in case of difference of an engineer to be appointed as herein-after provided : A.D. 1903.

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- (2) The Company shall bear and on demand pay to the Great Western Company the reasonable expenses of the employment by them during the construction of any works adjacent to the railway works and lands of the Great Western Company of a sufficient number of inspectors signalmen or watchmen to be appointed by them for watching their railway and works and the conduct of the traffic thereon rendered necessary by and with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Company with reference thereto or otherwise :
- (3) Notwithstanding anything in this Order contained the Company shall from time to time be responsible for and make good to the Great Western Company all losses costs damages and expenses which may be occasioned to them or any of their works or property or to the traffic on their railways or to any company or persons using the same or otherwise by the execution or by reason of the failure of any of the intended works or of any act default or omission of the Company or of any persons in their employ or of their contractors or otherwise and which by the exercise by the Company or their servants or contractors of due care and the taking by them of all proper precautions might have been avoided and the Company shall effectually indemnify and hold harmless the Great Western Company from all claims and demands upon or against them by reason of such execution or failure and of any such act default or omission :
- (4) The Company shall at their sole expense and to the reasonable satisfaction in all respects of the engineer of the Great Western Company at all times maintain the works to be constructed over on and adjacent to the works or lands of the Great Western Company in substantial repair and good order and condition and so that the same shall not be or become a danger to or menace the safety of the works or lands of the Great Western Company and if and whenever the Company fail so to do after one month's notice from the Great Western Company or in case of urgency the Great Western Company may make and do in and upon as well the lands of the Company as their own lands all such works and things as may be requisite in that behalf for ensuring such repair for the safety of the works or lands of the Great Western Company and the sum from time to time certified by the engineer of the Great Western Company to be the amount of the expenditure reasonably incurred in that behalf shall be repaid to them by the Company :
- (5) With respect to any lands of the Great Western Company which the Company are by this Order authorised to purchase take use enter

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upon or interfere with the Company shall not purchase or take any greater or other estate or interest in any such lands than an easement or right of using such lands in perpetuity for the purposes for which but for this enactment the Company might purchase and take the same and the provisions of this Order shall be construed and apply accordingly :

(6) The Company shall pay to the Great Western Company by way of purchase or compensation for the rights and easements to be acquired under the provisions of this Order such an amount as may be agreed upon or in the event of difference as may be determined by arbitration under the provisions of the Lands Clauses Acts relating to the purchase of lands otherwise than by agreement :

(7) If any dispute shall arise between the Great Western Company and the Company respecting the matters and provisions aforesaid or any of them such dispute shall be settled by an engineer to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President of the Institution of Civil Engineers.

Powers of deviation.

11. The Company in constructing the works authorised by this Order may with the consent in writing of the Board of Trade 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 vertically may with the like consent deviate to any extent.

Penalties for obstructing works.

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

Consent of Board of Trade to works below high-water mark.

13. 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 accordance with such consent.

Powers to cease in certain events.

14.—(1) If within two years from the commencement of this Order the works authorised by this Order are not substantially commenced the powers given by this Order for executing those works or otherwise in relation thereto shall cease unless the time for commencement is 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 given by this Order for executing those works or otherwise in relation thereto shall cease except as to so much of those 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 commencement of 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 that certificate.

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15. The Company may construct and provide all proper landing stages landing places steps slopes gas and electric lighting apparatus lamps lamp posts tramways roads footpaths sheds toll houses toll gates or bars turnstiles cranes hydraulic lifts buoys moorings mooring posts sea walls groins breakwaters pilings terraces sewers drains and other works and conveniences connected with the pier and works Provided that no line of rails or 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 Provided also that any electric lighting apparatus constructed and provided under this Order shall be so constructed used and worked as to prevent any interference with telegraphic communication by means of any telegraph line of the Postmaster-General or with telephonic communication by means of any apparatus of the National Telephone Company Limited.

Power to provide landing stages &amp;c.

16.—(1) The Company may within the limits of this Order deepen dredge scour and excavate any portion of the foreshore and bed of the sea to the extent necessary to secure a sufficient waterway and approach to the said pier jetty or landing stage for vessels using the same.

Power to dredge.

(2) All sand mud and materials dredged up under the powers contained in the preceding subsection shall be the property of the Company who may from time to time sell or otherwise dispose of the same or remove or deposit the same within the limits of this Order Provided that no sand mud or other material shall be laid down or deposited in any place below high-water mark without the consent in writing of the Board of Trade having been first obtained.

17. The Company may erect construct and furnish upon the pier pavilions or assembly rooms concert rooms aquaria shops saloons and bazaars and reading refreshment and other rooms baths lavatories and other conveniences and may make such reasonable charges for the use thereof or for admission thereto as they may from time to time think fit.

Power to erect pavilions &amp;c.

18. The Company may provide such steam engines steam vessels tugs including engines diving bells ballast lighters rubbish lighters moorings dredging machines and other machinery vessels and things as they think necessary for effecting any of the purposes of this Order and may demand and receive such sums for the use of the same as they think reasonable.

Steam engines diving bells lighters &amp;c.

19. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Meters and weighers.

20. A vessel or boat shall not be moored or anchor alongside the pier or within the limits of this Order without the consent of the Company or their Pier Master.

Vessels not to anchor within limits without consent.

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*Pier and Harbour Orders  
Confirmation (No. 2) Act, 1903.*

[3 EDW. 7.]

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Vessels not to break bulk within limits without consent.

Power to make byelaws.

21. A vessel or boat shall not break bulk within the limits of this Order without the consent of the Company or their Pier Master.

22.—(1) The Company may make byelaws for the regulation and control of persons using the pier and of the traffic on and at the pier but those byelaws shall not come into operation until they have received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

(2) The byelaws may provide for imposing and recovering a penalty not exceeding forty shillings in the event of the breach or non-observance of any of the byelaws.

(3) Sections 84 and 85 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

*Rates.*

Power to levy rates.

23. 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 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 Company may subject and according to the provisions of this Order demand recover and receive for the use of the pier and in respect of the persons and things described in the schedule to this Order any sums not exceeding the several rates specified in that schedule.

Supply of and charge for water.

24. If and so long as the Company shall make and maintain such provisions and appliances as may be necessary for furnishing to vessels resorting to the pier a supply of pure and wholesome water the Company shall be entitled to make and recover such reasonable charges as they may think fit not exceeding the rates specified for that purpose in the schedule to this Order for pure and wholesome water supplied by the Company.

Rates may be levied though works not completed.

25. If it is at any time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade but to be paid by the Company 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 those 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 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.

Power to sell or lease undertaking or rates.

26.—(1) The Company may lease for any term not exceeding seven years the rates and other charges authorised to be taken by this Order or may let for hire or lease for any term not exceeding seven years any pavilions rooms shops bazaars baths or buildings on the pier separately from any other part of the works authorised by this Order to any company body or person



upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit.

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(2) Where the rates or other charges are leased under this section the lessee during the continuance of his lease and to the extent provided in such lease shall have and may exercise all or any of the powers conferred upon the Company by this Order (including powers of levying and recovering tolls rates and dues) as the Company have or might exercise under the Harbours Docks and Piers Clauses Act 1847 or this Order and shall be subject to the same provisions as to accounts and otherwise as the Company are subject to under this Order.

27. The Company may confer vary or extinguish exemptions from and enter into compositions with any person with respect to the payment of any rates or charges authorised by this Order and may confirm vary or extinguish by agreement all other rights and privileges 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 confer exemptions from rates and to enter into compositions &c.

28.—(1) The Company may grant to passengers and promenaders or others for the use of the pier (either exclusively or not of any building or room for the time being thereon) pass tickets or family tickets at such rates on such terms and for such periods not exceeding one year as may be agreed on or may issue books containing any number of tickets at a reduced rate but so that no preference be given to any person.

Company may grant pass tickets.

(2) A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted and no pass ticket or family ticket shall be used otherwise than in accordance with the terms and conditions upon and subject to which the same is issued and any such pass ticket or family ticket shall not be used by any person after the period limited for its use.

(3) There shall be printed on every pass ticket and family ticket the terms and conditions upon and subject to which the same is issued.

(4) If any person act in any way in contravention of the foregoing provisions of subsection 2 of this section or use or attempt to use any false or counterfeit ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings.

29. If at any time and from time to time the clear annual income derived from the pier and works on the average of the then three last preceding years after payment of all expenses and outgoings other than payments for interest or principal in respect of money borrowed shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing the works authorised by this Order the Board of Trade may if in their discretion they think fit reduce the rates leviable under this Order or any of them 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

Board of Trade may reduce rates.

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[3 EDW. 7.]

A.D. 1903. at any time and from time to time to raise them again to sums not exceeding  
*Dawlish.* the amounts specified in the schedule to this Order.

Annual account  
to be sent to  
Board of  
Trade.

30.—(1) The Company within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the thirty-first 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.

(2) If the Company refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding ten pounds.

Certain fishing  
vessels under  
stress of  
weather  
exempt from  
rates.

31. Fishing vessels belonging to countries with which for the time being treaties exist exempting from dues and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall when forced by stress of weather to make use of the pier and works and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Lifeboat crew  
exempt from  
tolls.

32. 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 along and from the pier and works.

Partial incorpora-  
tion of Har-  
bours and  
Passing Tolls &c.  
Act 1861.

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

Restriction on  
use of pier.

34. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorised by this Order any sheep cattle or merchandise or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier for recreation or for the embarking or landing of passengers and their luggage and personal effects.

Power to close  
pier on special  
occasions.

35.—(1) The Company may on any special occasions but not exceeding twelve days in any one year or for more than two days consecutively close the pier against the public and may if they think fit on such occasions admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Company may from time to time think fit.

(2) On all such occasions the Company shall reserve a sufficient passage along the pier from the landing steps to the shore for any persons landing or embarking at the pier such reserved passage to be open for use by such persons at the ordinary charge and without payment of any special rates so long only as they use the pier as a passage and do not remain upon it.

(3) The special rate charged under this section for the use of the pier shall be in lieu of and not in addition to the rates specified in the schedule to

this Order and any person paying the special rate shall not be liable to pay any further or other rate or sum for the day for which the special rate is charged. A.D. 1903.  
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(4) The Company shall give notice of its intention to close the pier under this section by exhibiting the notice conspicuously at the entrance to the pier at least two days before the day on which the pier is to be closed.

*Finance.*

36.—(1) Subject to the regulations of the Company for the time being the Company may borrow and re-borrow on mortgage or otherwise at interest on the security of the rates and charges authorised by this Order such sum as may be required for the purposes of this Order not exceeding in the whole one-third of the amount of the capital of the Company expended for the purposes of this Order and may assign those rates and charges as security for the repayment of any sums so borrowed with interest thereon. Power to borrow.

(2) The Company shall apply all money borrowed by them under this Order in defraying the cost of the works by this Order authorised or for other purposes by this Order authorised to which capital is properly applicable and not otherwise.

37. Any person advancing money to the Company shall not be bound to require any further or other evidence of the power of the Company to borrow the money advanced by such person than such as is afforded— Protection of lenders.

(a) by a certificate signed by two of the directors and countersigned by the secretary of the Company that the Company are not exceeding the powers of borrowing conferred on them by the regulations of the Company for the time being and this Order; and

(b) by an inspection of the register of mortgages by the Companies Acts 1862 to 1900 required to be kept by the Company.

38.—(1) The mortgagees in respect of money borrowed under this Order may enforce payment of arrears of interest or principal or principal and interest due on their securities by the appointment of a receiver. Appointment of receiver.

(2) In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one-tenth of the sum for the time being due on account of money borrowed under this Order.

(3) Sections 53 and 54 of the Companies Clauses Consolidation Act 1845 are incorporated with this Order and in those sections as so incorporated any reference to the Special Act shall be construed as a reference to this Order.

39. The revenue received from the rates and charges authorised by this Order shall be applied for the purposes and in the order following and not otherwise— Application of revenue

(a) In paying the expense properly chargeable to revenue of the maintenance repair and management of the pier and of carrying into effect any powers given by this Order for the management and regulation of the traffic within the limits of this Order;

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*Confirmation (No. 2) Act, 1903.*

[3 EDW. 7

A.D. 1903.  
*Dawlish.*

- (b) In payment year by year of the interest on money borrowed under this Order;
- (c) The surplus (if any) after providing for the purposes aforesaid shall belong to the Company for their own use.

*Life-Saving Apparatus.*

Portions of  
Harbours  
Clauses Act  
excepted.

40. Sections 16 to 19 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Company shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the pier and build on such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding ten pounds for every month during which they omit to provide such accommodation after being required to do so by the Board of Trade.

Life-saving  
apparatus may  
be attached to  
pier.

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

Life buoy.

42. The Company shall at all times keep at convenient places on the pier and in obedience to any requirements which may from time to time be made by the Board of Trade lifebuoys and lifelines in good order and fit and ready for use.

*Lights.*

Temporary  
lights on works.

43. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights to be exhibited and other means to be taken for preventing danger to navigation and shall in all respects obey any direction given upon such application or afterwards from time to time given as to the like matters 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 Company shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any directions so given.

As to lights  
after comple-  
tion of works.

44. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Company shall at the outer extremity of the pier and works or the completed portions thereof and 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) and shall take such other steps for preventing danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that

Corporation for directions as to lighting and the Company shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to obey any such direction.

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 Dawlish.

45. In case of injury to or destruction or decay of the pier or works of the Company or any part thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing (as far as may be) danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for directions as to the means to be taken and the Company shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to obey any such direction.

Provision<sup>s</sup>  
 against danger  
 to navigation.

*Miscellaneous.*

46. 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.

Recovery of  
 penalties.

47. Nothing herein contained shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any lands hereditaments subjects or rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent such Commissioners and such Board are hereby respectively authorised to give) neither shall anything herein contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the King's Majesty.

Saving rights  
 of Crown.

48. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Extension of  
 10 & 11 Vict.  
 c. 27. (ss. 28  
 and 99) to all  
 Government  
 departments.

49. The pier and works authorised by this Order shall for all purposes be deemed and taken to be within the parish of East Dawlish and Urban District of Dawlish in the county of Devon.

Pier to be  
 deemed within  
 parish of East  
 Dawlish and  
 urban district  
 of Dawlish.

50. All the 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.

A.D. 1903.

*Dawlish.*

The SCHEDULE referred to in the foregoing Order.

I.—RATES ON PERSONS USING THE PIER.

	s.	d.
For every master or member of the crew of any vessel boat or wherry using the pier for the purpose of going to or returning from his own vessel boat or wherry an annual sum not exceeding ...	10	0
Or if annual sum is not paid then for each time ...	0	1
For every other person using the pier for the purpose of landing from or embarking on board of any ship vessel or boat of any kind whatever for each time any sum not exceeding ...	0	4
Save as above and save as herein-after mentioned for every person using the pier for each time any sum not exceeding ...	0	2
For every person using the pier between the hours of 6 p.m. and 10 p.m. on any day on which a concert or other public entertainment is held in any pavilion building or room for the time being on the pier for at least one-and-a-half hours between the said hours of 6 p.m. and 10 p.m. any sum not exceeding ...	0	6
Provided that any person who having already paid twopence for the use of the pier remains thereon after 6 p.m. on any day on which any such concert or entertainment is held shall have credit for the sum of twopence so paid and shall be liable to pay fourpence only in addition thereto.		
For every bath or sedan chair (including the person in charge) taken on the pier for each time any sum not exceeding ...	0	4
For every perambulator (excluding the person in charge) taken on the pier for each time any sum not exceeding ...	0	1

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

For every trunk portmanteau box parcel or other package within the description of luggage and not borne by the passenger—			
Not exceeding 28 lbs. in weight ...	0	2	
Over 28 lbs. and not exceeding 56 lbs. ...	0	3	
Over 56 lbs. and not exceeding 84 lbs. ...	0	4	
Over 84 lbs. and not exceeding 112 lbs. ...	0	5	
Over 112 lbs. and not exceeding 140 lbs. ...	0	6	
Over 140 lbs. and not exceeding 196 lbs. ...	0	7	
Over 196 lbs. and not exceeding 2 cwts. ...	0	8	
And for every 20 lbs. weight in addition or part thereof ...	0	1	