

A.D. 1870. III.—RATES FOR THE USE OF CRANES, WEIGHING MACHINES, AND SHEDS.
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1st.—Rates of Craneage.

All goods not exceeding a ton	s.	d.
Exceeding 1 ton and not exceeding 2 tons	0	4
" 2 " " 3 "	0	6
" 3 " " 4 "	0	8
" 4 " " 5 "	0	10
" 5 " " 6 "	1	0

2nd.—Weighing Machines.

For goods weighed, for each ton or part of a ton any sum not exceeding
0 6

3rd.—Shed Dues.

For each ton of goods of 40 cubic feet or for each ton of 20 owt. which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3d., and a further sum of 1½d. per ton for each day during which such goods shall remain after the first 24 hours.

For any portmanteau, trunk, parcel, or other article of passenger's luggage, for each day or part of a day per package, 0 1

IV.—RATES ON PASSENGERS AND PROMENADERS.

For every passenger without luggage and having a return ticket who shall land from and re-embark on board the same steam or other vessel or boat within any 24 hours, any sum not exceeding 0 2

For every other passenger, or other person, who shall land from or embark on board of any steam or other vessel or boat, including luggage, any sum not exceeding 0 2

For every person who shall use the piers or jetty, or any part thereof, for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding 0 5

For every Bath or sedan chair taken on the piers or jetty, for each and every time any sum not exceeding 0 4

For every perambulator 0 2

For any hackney carriage standing for hire, per day 0 6

Penryn.

PENRYN.

Order for the maintenance and regulation of the Harbour of Penryn in the County of Cornwall.

1.—The mayor, aldermen, and burgesses of the borough of Penryn in the county of Cornwall, commonly called the Corporation of Penryn, and in this Order referred to as the corporation, acting by the council of the corporation, shall be the undertakers of the works authorized by this Order.

Constitution of harbour authority.

2.—The limits within which the corporation shall have authority (and which shall be deemed the limits to which this Order extends,) shall include all that part of the Penryn River lying to the north-west of an imaginary line drawn from Boyer's Cellars to Sely's Creek, commonly called Sailor's Creek, in the parish of Mylor and county of Cornwall, being the line forming the north-western boundary of the municipal borough of Falmouth.

Penryn
Limits of
Order.

3.—The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of land otherwise than by agreement, are hereby incorporated with this Order.

Lands Clauses
Act incorpo-
rated.

4.—The works by this Order authorized, and which may be executed and maintained by the corporation, comprise the deepening of the harbour, the improving of the harbour and quays, the laying down buoys and moorings, and the erecting or placing of other appliances or conveniences, for the use of the vessels frequenting the harbour.

Works autho-
rized.

5.—No works for deepening or improving the harbour under this Order shall be commenced without the assent of the Board of Trade having been first obtained.

Assent of
Board of Trade
to works.

6.—The corporation may demand and receive on any and every vessel anchoring or mooring within the limits of this Order, or lying alongside any wharves or quays within the limits of this Order, any sum not exceeding the rate of one penny per ton register of such vessel; and if the same shall remain in the harbour more than two months continuously, then for every month or part of a month during which the same shall so remain after the first two months a further sum not exceeding the rate of one halfpenny per ton register of such vessel; Provided that all vessels forced by stress of weather to seek shelter in the harbour, and not breaking bulk while making use thereof, shall be exempt from rates leviable under this Order; provided also, that the rates leviable under this Order shall not be demanded or received in respect of the same vessel more than four times in any one year ending on the 31st day of December, nor shall any such rates be demanded or received in respect of the vessels of officers of customs.

Power to levy
tolls.

7.—The corporation may from time to time borrow and re-borrow at interest such money as may be required for the purposes of the works by this Order authorized, not exceeding in the whole the sum of 2,000*l.*, on the security of the rates by this Order authorized to be levied.

Power to
borrow.

8.—Every part of the money borrowed under this Order shall be applied only for the purposes of this Order.

Application of
money bor-
rowed.

9.—The corporation shall apply all rates and other income received under this Order for the purposes and in the order following, and not otherwise:

Application of
tolls.

1. In paying the expenses connected with the preparation and making of this Order.

2. In paying the salary of the harbour-master, and the expenses of maintaining in proper condition all buoys, moorings, appliances, and other

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conveniences belonging to the harbour, and paying all other current annual expenses incurred by the corporation in relation to the harbour.

3. In paying year by year the interest on money borrowed under this Order.

4. In paying the cost of the works authorized by this Order.

5. In creating a sinking fund, in manner and so far as circumstances will admit, in the proportion specified in the Commissioners Clauses Act, 1847.

Rates to be revised from time to time.

10.—The corporation shall from time to time revise the rates receivable under this Order, so that the income of the corporation under this Order may always be, as far as practicable, sufficient and not more than sufficient to meet the expenditure directed or authorized by this Order.

Accounts to be sent to Board of Trade.

11.—The corporation shall in every year send to the Board of Trade their printed statement and account within seven days after the same shall have been first open for inspection.

Corporation may provide dredges, engines, &c.

12.—The corporation may for the purposes of the harbour, or any of them, from time to time purchase, provide, lease or hire such dredges, engines, tugs, vessels, lighters, tools, plant or other materials, as they think fit, and may from time to time demand and receive such sums for the use of the same as they think fit, or may sell or dispose of the same; and the money thereby realized shall be applied to carrying into effect the works authorized by this Order or some of them.

Accommodation for vessels of the Royal Navy.

13.—It shall be the duty of the corporation and their harbour-master to provide forthwith suitable accommodation for any of Her Majesty's ships entering the harbour, and, if necessary for that purpose, to remove any other vessels from any part of the harbour; and the corporation or their harbour-master shall at any time, on the requisition of the Lord High Admiral or the Lords Commissioners for executing the office of Lord High Admiral, or of the Commissioners appointed by such Lord High Admiral, or by the Commissioners for executing his office, or of the Commander-in-chief at Devonport, or the officer in command of any of Her Majesty's ships being of the rank of captain, cause such portion of the harbour as may be required to be cleared of all vessels so as to enable vessels of the Royal Navy to anchor there; and the corporation or their harbour-master shall, on such requisition, make due provision for the anchorage of such last-mentioned vessels.

Part 5 of 24 & 25 Vict. c. 47. to apply.

14.—Part 5 of "Harbours and Passing Tolls, &c. Act, 1861," shall apply to this Order.

Pilots to be under direction of harbour master.

15.—All pilots acting within the limits of this Order shall, as regards the berthing and mooring of vessels, be subject to and shall obey the directions of the corporation or their harbour-master; but any pilot who shall misconduct himself shall be amenable only to, and punishable only by, the pilotage authority of the port of Penryn, which authority is by this Order required to act accordingly on any complaint preferred to that authority by the corporation or their harbour-master.

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

Penryn.
Meters and weighers. *See 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82.*

17.—The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 6 to 11 inclusive, sections 16 to 19 inclusive, sections 25 and 26, sections 37 to 42 inclusive, and section 45, and notwithstanding anything in that Act contained, byelaws made under that Act and this Order shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Parts of Harbours, Docks, &c. Act not incorporated.

18.—Nothing in this Order contained shall prejudice or affect the powers conferred on the Admiralty under section 9 of "The Harbours Transfer Act, 1862," but such powers may be exercised in like manner as if this Order had not been made.

Reservation of Admiralty authority under 25 & 26 Vict. c. 69, s. 9.

19.—Officers of customs in the execution of their duty shall at all times have free ingress, passage, and egress to, through, and out of the harbour, wharves, and quays of the corporation, by land, and with their vessels, and otherwise, without payment.

Customs officers.

20.—Her Majesty's justices of the peace acting in and for the said borough of Penryn shall have and exercise jurisdiction in all matters and things arising within the limits of this Order.

Justices of Penryn to have jurisdiction.

21.—Nothing in this Order shall prejudice or affect any property, rights, powers, or privileges of the Ecclesiastical Commissioners for England or of the Right Honourable Charles Henry Rolle Baron Clinton, his heirs, successors, or assigns, or other the person or persons claiming through or under the Right Honourable Charles Rudolph Baron Clinton, deceased, in respect of any land, soil, shores, foreshores, or hereditaments in or to which the same persons respectively are legally interested or entitled.

Saving of rights of Ecclesiastical Commissioners and Baron Clinton.

22.—Nothing in this Order shall authorize the corporation to do anything to impair the evidence of the title of the Ecclesiastical Commissioners for England as reversioners to the dues and other premises demised to the corporation by Henry late Lord Bishop of Exeter, by a certain lease dated eleventh December one thousand eight hundred and thirty-seven, and the books of account to be kept by the corporation under the forty-ninth section of the "Harbours, Docks, and Piers Clauses Act, 1847," shall at all reasonable times be open to the inspection of the said Commissioners or of their agents without fee or reward; and the said Commissioners, or their agents may take copies of or extracts from the said books without paying anything for the same; any clerk or other person having the custody of the said books who shall not on any reasonable demand of the said Commissioners, or of their agents, permit them to inspect the said books, or to take such copies or extracts as aforesaid, shall be liable to a penalty of five pounds for every such offence.

Corporation to preserve the evidence of the title of the Ecclesiastical Commissioners.

23.—This Order may be cited as "The Penryn Harbour Order, 1870."

Short title.