



CHAP. clviii.

An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Falmouth, Irvine, Kinsale, Mousehole, St. Leonards-on-Sea, and Ventnor. [9th August 1870.]

A.D. 1870.

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:

Preamble.
24 & 25 Vict.
c. 45.

And whereas the Board of Trade have made certain provisional orders under the said Act relating to Falmouth, Irvine, Kinsale, Mousehole, St. Leonards-on-Sea, and Ventnor:

And whereas the said Falmouth and Kinsale orders have been amended by Parliament, and those orders as so amended and the several other orders as made by the Board of Trade are set out in the schedule to this Act:

And whereas it is expedient that the said orders 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 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. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1870 (No. 2.)

Short title.

A.D. 1870.

The SCHEDULE OF ORDERS.

1. FALMOUTH.—Maintenance and regulation of harbour.
2. IRVINE.—Amendment of former Order.
3. KINSALE.—Regulation of harbour.
4. MOUSEHOLE.—Amendment of former Order.
5. ST. LEONARDS-ON-SEA.—Construction of pier.
6. VENTNOR.—Construction of pier.

Falmouth.

FALMOUTH.

*Order for the maintenance and regulation of the Harbour of Falmouth,
in the County of Cornwall.*Incorporation
of Commis-
sioners.

1.—There shall be a body of Commissioners for carrying this Order into execution, not exceeding sixteen in number, which Commissioners and their successors are hereby, for the purposes of this Order, incorporated by the name of “the Falmouth Harbour Commissioners,” and by that name shall be a body corporate, with perpetual succession and a common seal, and are in this Order called “the Commissioners.”

Appointment
of the several
Commissioners.

2.—The appointment of the Commissioners shall be regulated as follows, that is to say:—

1. The Board of Trade may, if they think fit, appoint one person to be Commissioner under this Order, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of such Commissioner, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties.
2. The Lord High Admiral, or the Lords Commissioners for executing the office of Lord High Admiral, may, if they think fit, appoint one person to be Commissioner under this Order; and whenever a vacancy is caused by death, resignation, or otherwise, in the office of such Commissioner under this Order, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties.
3. The Corporation of Trinity House Deptford Strond may, if they think fit, appoint one person to be a Commissioner under this Order; and whenever a vacancy is caused by death, resignation, or otherwise, in the office of such Commissioner, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties.
4. The Mayor, Aldermen, and Burgesses of the borough of Falmouth, acting by the Town Council of the borough, shall, as soon as may be, appoint four persons to be Commissioners under this Order; and whenever a vacancy is caused by death, resignation, or otherwise, in the office of either of those four Commissioners, shall appoint another person to fill the vacancy, and so toties quoties.

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5. The Falmouth Docks Company, acting by their directors, shall, as soon as may be, appoint one person to be Commissioner under this Order; and whenever a vacancy is caused by death, resignation, or otherwise, in the office of such Commissioner, shall appoint another person to fill the vacancy, and so toties quoties.
6. The Local Board for the parish of Falmouth shall, as soon as may be, appoint four persons to be Commissioners under this Order; and whenever a vacancy is caused by death, resignation, or otherwise, in the office of either of those four Commissioners, shall appoint another person to fill the vacancy, and so toties quoties.
7. The Right Honorable John Earl of Kimberley, his heirs and assigns, lords of the manor of Arwenack, shall, as soon as may be, appoint one person to be Commissioner under this Order; and whenever a vacancy is caused by death, resignation, or otherwise, in the office of such Commissioner, shall appoint another person to fill the vacancy, and so toties quoties.
8. The owners of such ships, registered at the port of Falmouth aforesaid, as may not be exempt from payment of tolls, rates, and duties as herein-after mentioned, shall, as soon as may be, appoint three persons to be Commissioners under this Order; and whenever a vacancy is caused by death, resignation, or otherwise, in the office of either of such three Commissioners, shall appoint another person to fill the vacancy, and so toties quoties.

3.—The appointment of any Commissioner under this Order may at any time be determined by the authority, body, or person in whom, in case of the death or resignation of such Commissioner, the appointment of another Commissioner in his place is vested, and each such appointment shall be operative for three years, and no longer, but at the end of the term of three years an outgoing Commissioner shall be eligible for re-appointment.

Determination
of appointment
of Commis-
sioners.

4.—With respect to the election of Commissioners by the registered ship-owners of the port of Falmouth, the following provisions shall take effect:—

Provisions as to
the election of
Commissioners
by shipowners.

1. The first meeting of the owners of ships, registered at Falmouth for the election of Commissioners shall be held at the Town Hall of the borough of Falmouth, within one calendar month after the commencement of this Order, at a time to be advertised by Mr. William James Genn, ten days at least, or in his default by a person appointed for the purpose by the Board of Trade five days at least before the day of meeting, by handbills posted in the borough and parish of Falmouth.
2. Annual meetings of the registered shipowners of the port of Falmouth for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the limits defined by this Order as the Commissioners shall from time to time appoint, on such day within ten days next before the first day of October in the year one thousand eight hundred and seventy-one, and in each subsequent year, as the said Commissioners shall annually appoint, the place and time of meeting being advertised by the clerk of the Commissioners five days at least before the day of meeting, by handbills posted in the borough and parish of Falmouth.

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3. Such only of the registered shipowners of the port of Falmouth as are registered at the commencement of this Order shall be entitled to attend the said first meeting, and to take part and vote in the election of Commissioners thereat.
4. Such only of the said registered shipowners as are registered on or before the thirty-first day of December next preceding each annual meeting shall be entitled to attend the said annual meetings, and take part and vote in the election of Commissioners thereat respectively.
5. At the first and every such annual meeting a list of the names of the registered shipowners of the port of Falmouth, up to and inclusive of the then last thirty-first day of December, certified under the hand of the collector or other principal officer of Customs of the port, shall be sufficient evidence of the persons named therein being registered shipowners of Falmouth, and as such entitled to attend the meeting and take part and vote in the election thereat. The said collector or principal officer shall supply a copy of such list on the occasion of the said first meeting to the said Mr. William James Genn, or such person to be appointed as aforesaid, and of each such annual meeting to the clerk of the Commissioners, who shall respectively cause a sufficient number of copies thereof to be printed, and shall supply a copy thereof to every person requiring the same, on payment of the sum of sixpence for every one hundred words of such copy; and copies of such list shall be fixed by the said Mr. William James Genn, or such person as aforesaid, and the said clerk of the Commissioners respectively, on the outer door of the Town Hall of the borough of Falmouth, two days at least before the day appointed for the first and each such annual meeting.
6. At the first and each such annual election each of the aforesaid registered shipowners shall be entitled to one vote, and no more, for each Commissioner then to be elected.
7. The election of Commissioners at the first and each such annual meeting shall be made by the majority of registered shipowners of the port of Falmouth present at the meeting.
8. Such one of the Commissioners elected by the registered shipowners of Falmouth at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be eligible for re-election; such one of them as is named second on the list shall go out of office at the third meeting, but shall be eligible for re-election. Such one of them as is named third on the list shall go out of office at the fourth annual meeting, but shall be eligible for re-election.
9. Each Commissioner elected by the said registered shipowners at the annual meeting shall go out of office at the third meeting after his election, but shall be eligible for re-election.

Incorporation
of parts of "The
Commissioners
Clauses Act,
1847."

5.—"The Commissioners Clauses Act, 1847," (except sections six and seven, and sections seventeen to thirty-five, both inclusive, and except so far as the other sections thereof are inconsistent with this Order,) is hereby incorporated with this Order, and the same Act shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally;

but with reference to section thirty-nine thereof the prescribed number (constituting a quorum) of the Commissioners shall be three.

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6.—The Commissioners shall be deemed fully constituted and have power to act under this Order as soon as five persons have been appointed Commissioners; and any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the non-appointment of or any informality in the appointment of a Commissioner.

Falmouth.
Commence-
ment of powers.

7.—The Commissioners shall be the undertakers of the works authorised by this Order.

Undertakers.

8.—The limits within which the Commissioners shall have authority (which, except for the purpose of the rates to be levied under this Order, shall be deemed the limits to which this Order extends,) shall include so much of the harbour of Falmouth as lies within the limits of the municipal borough of Falmouth, and is not within the limits defined by the thirty-ninth section of the Falmouth Docks Act, 1859, or by the sixty-fifth section of the Falmouth Docks Act, 1864, as the limits of the jurisdiction of the Falmouth Docks Company.

Limits of har-
bour under
jurisdiction of
the Commis-
sioners.

9.—The works authorised by this Order, and which may be executed and maintained by the Commissioners, comprise the dredging of the harbour and otherwise improving the same, and the laying down buoys and moorings, and providing other appliances and conveniences for the use of vessels frequenting the harbour.

Works autho-
rised.

10.—No works for dredging 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.

11.—The Commissioners shall, in accordance with the provisions of sections seventy-nine and eighty of the Harbours, Docks, and Piers Clauses Act, 1847, nominate such number of persons as they may deem necessary to be special constables within the limits of this Order, and from and after the commencement of this Order all the rights and obligations of the corporation of the municipal borough of Falmouth with regard to the appointment and control of police in or over the harbour of Falmouth shall cease and determine.

Commissioners
to appoint
police.

12.—Clauses one to twenty inclusive, thirty to thirty-three inclusive, and clause sixty-nine of the Towns Police Clauses Act, 1847, are hereby incorporated with this Order.

Incorporation
of parts of
Towns Police
Clauses Act,
1847.

13.—The Commissioners may demand and receive on any, and every, vessel anchoring or mooring within or lying alongside any wharf or quay within so much of the limits of this Order as lies within an imaginary straight line drawn from Zoze Point to Pendennis Point, any 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 twice in any one year ending on the thirty-first day of December, nor shall any such rates be demanded or received in respect of the vessels of officers of Customs, nor in respect of any vessel anchoring in the harbour of Falmouth on her voyage to or from Penryn, St. Mawes, or the port of Truro: Provided also, that no rates shall be levied under this Order within the limits defined by the thirty-ninth section of the

Power to levy
tolls.

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Falmouth.
Power to borrow.

Falmouth Docks Act, 1859, or by the sixty-fifth section of the Falmouth Docks Act, 1864, as the limits of the jurisdiction of the Falmouth Docks Company.

14.—The Commissioners may from time to time borrow and re-borrow, at interest, such money as may be required for the purposes of this Order, not exceeding in the whole the sum of five thousand pounds, on the security of the rates by this Order authorised to be levied.

Application of borrowed money.

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

Application of tolls.

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

1. In paying the costs of, and connected with, or incidental to, the preparation and making of this Order, and the expenses of the corporation of Falmouth to an amount not exceeding one hundred and fifty pounds:
2. In paying the salaries of the harbour-master and harbour police, the expenses of watching, maintaining, and improving the harbour, and of providing and maintaining in proper condition all buoys, moorings, appliances, and other conveniences belonging to the harbour, and paying all other current expenses of the Commissioners:
3. In paying year by year the interest on money borrowed under this Order:
4. In creating a sinking fund, in manner, and, so far as circumstances will admit, in the proportion, specified in the Commissioners Clauses Act, 1847.

Commissioners may provide dredges, &c.

17.—The Commissioners 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 realised shall be applied for the purposes of this Order or some of them.

Commissioners may take over buoys, &c. from Trinity House.

18.—The Commissioners may at any time, by agreement with the corporation of Trinity House Deptford Strond, take over all buoys, moorings, and other appliances within the harbour now belonging to or under the control of that corporation, and shall thenceforth maintain and have the control of the same buoys, moorings, and other appliances, subject and according to the terms of such agreement.

Provision for anchorage for vessels of Royal Navy.

19.—It shall be the duty of the Commissioners and their harbour-master to provide forthwith suitable accommodation for any of Her Majesty's ships entering Falmouth Harbour, and, if necessary, for that purpose to remove any other vessels from any part of the harbour; and the Commissioners 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, including so much of Carrick Roads and Cross Roads as lies between two imaginary straight lines drawn due east (true) respectively from Trefusis Point, and from Pencarrow or Mylor Point to the eastern shore of the harbour, to be cleared of all vessels so as to enable vessels of the Royal Navy to anchor there, and the Commissioners or

their harbour-master shall, on such requisition, make due provision for the anchorage of such last-mentioned vessels.

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Falmouth.

20.—All pilots acting within so much of the limits of this Order as lies inside of a line drawn from Zoze Point on the east to the Blockhouse at Pendennis Castle on the west, shall, as regards the berthing and mooring of vessels, be subject to and shall obey the directions of the Commissioners 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 Falmouth, which authority is by this Order required to act accordingly on any complaint preferred to that authority by the Commissioners or their harbour-master.

Pilots to be within certain limits subject to harbour-master.

21.—Part V. of the “Harbours and Passing Tolls, &c. Act, 1861,” shall apply to this Order.

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

22.—The Commissioners shall have the appointment of meters and weighers within the limits of this Order.

Meters and weighers.

23.—Nothing in this Order contained shall prejudice or affect the rights or jurisdiction of the Corporation of Trinity House Deptford Strond in respect of the Falmouth Harbour Light, the Black Rock Beacon, or any other lights, or any buoys or beacons, or any other matter of which they have the management and control.

Saving rights of Trinity House.

24.—The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections six to eleven inclusive, sections sixteen to nineteen inclusive, and sections twenty-five and twenty-six, 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.

25.—Nothing in this Order contained shall prejudice or affect any property, rights, powers, or privileges of the Right Honorable John Earl of Kimberley, his heirs, successors, or assigns, or of the Right Honorable Charles Henry Rolle Baron Clinton, his heirs, successors, or assigns, or other the person or persons claiming title through or under the Right Honorable Charles Rudolph Baron Clinton, deceased, or of the Corporation of Falmouth, if any, or of the Redruth and Chasewater Railway Company, their successors or assigns, in respect of any land, soil, shores, foreshores, or existing harbour dues or Black Rock tolls, or hereditaments in or to which the same persons, corporation, and company respectively may be interested or entitled.

Saving rights of the Earl of Kimberley, Lord Clinton, and the Redruth Railway Company.

26.—Nothing in this Order contained shall prejudice or affect the powers conferred on the Admiralty under section nine 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.

27.—This Order shall not be taken as a surrender of any right, estate, or interest of the Crown to or in any tolls or dues in respect of any vessels entering or anchoring within such harbour, or any other right, estate, or interest of the Crown.

Saving rights of Crown.

28.—This Order may be cited as “The Falmouth Harbour Order, 1870.”

Short title.

A.D. 1870.

Irvine.

IRVINE.

Order for amending "The Irvine Harbour Improvement Order, 1867."

Short title.

1. This Order shall be construed with the Irvine Harbour Improvement Order, 1867, (in this Order called the Order of 1867,) as one Order, and may be cited as the Irvine Harbour Order, 1870; and the Order of 1867 and this Order may be cited together as the Irvine Harbour Orders, 1867 and 1870.

Incorporation of Lands and Commissioners Clauses Acts.

2. "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, and the clauses of "The Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the Commissioners, so far as the same are not inconsistent with the provisions of the Order of 1867 and this Order, and with the exception of section eighty-four of the last-mentioned Act, are hereby incorporated with this Order; and the word "Commissioners" in the said clauses of the last-mentioned Act as incorporated with this Order shall mean the Irvine Harbour Trustees.

Power to take lands by agreement.

3. For the purposes of the works authorised by this Order, the trustees may from time to time, by agreement, enter on, take, and use such lands in, and around, the harbour as may be required for the said works, not exceeding in the whole three acres.

Power to execute works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plan as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the trustees may, on the lands vested in or purchased or acquired by them under the Order of 1867 or this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections, make and maintain the works shown on the deposited plan and sections and herein-after described.

Description of works.

5. The works authorised by this Order comprise the following:—

- (1.) A quay or wharf on the south side of the harbour, commencing at the east end of the wharf called the West Wharf, and terminating at the west end of the wharf called the New Wharf; and
- (2.) A quay or wharf on the south side of the harbour, commencing at the east end of the said New Wharf, and terminating at or near the north-east corner of the Ballast Dock.

Further powers as to works.

6. The trustees may also from time to time make, erect, and maintain all embankments, piers, jetties, piles, loading berths, landing places, rails, tramways, roads, approaches, and other works and conveniences in and connected with the harbour and the quays or wharfs before described.

Quays and wharfs to form part of harbour.

7. The quays and wharfs and other works by this Order authorised shall form part of the harbour, and of the undertaking of the trustees, for all purposes whatsoever.

8. The time limited by "The General Pier and Harbour Act, 1861, Amendment Act," for the completion of the breakwaters on the north and south sides of the river Irvine authorised by the Order of 1867, and works connected therewith, shall be extended to seven years after the passing of the Act confirming this Order: Provided that the limitation of time specified in "The General Pier and Harbour Act, 1861, Amendment Act," for the completion of works, shall not apply to the works authorised by clause eighteen of the Order of 1867, and that the powers conferred by the said clause may be exercised by the trustees from time to time as they think fit.

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*Irvine.*Extension of
time for com-
pletion of
works autho-
rised by Order
of 1867.

9. In addition to the money authorised to be borrowed by the Order of 1867, the trustees may from time to time borrow such money as may be required for the purposes of the works authorised by the Order of 1867 and this Order, not exceeding in the whole the sum of ten thousand pounds, on the security of the harbour and existing works, and of the works authorised by the Order of 1867 and this Order, and of the lands and property connected therewith respectively, and of the rates authorised by the Order of 1867, and any other property of the trustees; and all provisions contained in the Order of 1867 with respect to borrowing by the trustees, and the money borrowed by the trustees under that Order, shall apply to borrowing and the money borrowed under this Order.

Borrowing
powers.

10. And whereas the magistrates and council of the burgh of Irvine have agreed to postpone their security for the sum of ten thousand pounds advanced by them to the trustees under the Order of 1867: Therefore all mortgages or assignations in security which may be granted by the trustees for money borrowed under the authority of this Order shall, during the continuance of such mortgages or assignations in security, have priority over any mortgages or assignations in security, or other securities granted by the trustees to the said magistrates and council under the authority of the Order of 1867, for the said sum of ten thousand pounds; and the interest accruing on money borrowed under the authority of this Order shall be paid, by the trustees, year by year out of the money received by them from the rates authorised by the Order of 1867, and the other income coming into their hands, as therein specified, in priority to the interest accruing year by year on the said sum of ten thousand pounds, and the principal moneys borrowed under the authority of this Order shall be repaid by the trustees in priority to the said sum of ten thousand pounds; and the said magistrates and council are hereby authorised to postpone the payment of the said sum of ten thousand pounds, and the interest thereon, as herein provided.

Mortgages
under this
Order to have
priority over
security to the
burgh of
Irvine.

11. Nothing in this Order contained shall prejudice any security given for money borrowed under the Local Act, seventh George the Fourth, chapter one hundred and seven, and remaining due at the time of the passing of the Act confirming this Order; and every security so given shall have priority over securities given for money borrowed under this Order.

Saving clause.

12. Every part of the money borrowed by the trustees under the authority of this Order shall be applied only for the purposes authorised by the Order of 1867 and this Order.

Application
of borrowed
money.

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*Orders Confirmation Act, 1870 (No. 2.)**Irvine.*

Exception of parts of Harbours Clauses Act.

13. Sections sixteen, seventeen, eighteen, nineteen, twenty-five, and twenty-six of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order.

Construction of Order of 1867.

14. Clause twelve of the Order of 1867 shall be read and construed as if the word "Order" were inserted therein instead of the word "Act" before the word "authorized," and the said word "Act" shall be deemed to be expunged therefrom.

Powers to cease in certain events.

15. In the following cases, (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or,

(2.) If such works after having been commenced should be virtually suspended for twelve consecutive calendar months;

the powers by this Order given for executing such works or otherwise in relation thereto shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights under Crown Lands Act, 1866.

16. 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 assent of the Board of Trade having been first obtained.

Kinsale.

KINSALE.

Order for the Maintenance and Regulation of the Harbour of Kinsale, in the County of Cork.

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution, which Commissioners and their successors are hereby, for the purposes of this Order, incorporated by the name of "The Kinsale Harbour Commissioners," and by that name shall be a body corporate, with perpetual succession and a common seal, and are in this Order called "the Commissioners."

Appointment of the several Commissioners.

2. The Commissioners shall consist of the following persons; that is to say,

1. Nine persons to be appointed by a majority of the Town Commissioners for the borough of Kinsale present at a meeting of such Commissioners duly convened, and held, in accordance with the Acts regulating the proceedings of such Town Commissioners.

2. The chairman for the time being of the Town Commissioners for the borough of Kinsale, and the chairman for the time being of the Town Commissioners for the borough of Bandon in the county of Cork:

3. The persons for the time being returned to serve in Parliament as members for the boroughs of Kinsale and Bandon respectively : A.D. 1870.
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Kinsale.
4. Six persons to be appointed by a majority of the Town Commissioners for the borough of Bandon present at a meeting of such Commissioners duly convened, and held, in accordance with the Acts regulating the proceedings of such Town Commissioners.
3. The appointment of any Commissioner under this Order by the Kinsale Town Commissioners or the Bandon Town Commissioners, as the case may be, may at any time be determined by them, in the same manner in which an appointment of a Commissioner is authorised to be made by them respectively, and each such appointment shall be operative for three years, and no longer, but at the end of the term of three years an outgoing Commissioner under this Order shall be eligible for re-appointment. Determination of appointment of Commissioners.
4. "The Commissioners Clauses Act, 1847," (except sections six and seven, and sections seventeen to thirty-five, both inclusive, and except so far as the other sections thereof are inconsistent with this Order,) is hereby incorporated with this Order, and the same Act shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally; but with reference to section thirty-nine thereof the prescribed number (constituting a quorum) of the Commissioners shall be seven. Incorporation of parts of "The Commissioners Clauses Act, 1847."
5. Any proceeding of the Commissioners shall not be invalidated or be illegal by reason of a vacancy in the appointment or the non-appointment of, or any informality in the appointment of, a Commissioner. Proceedings not to be invalidated.
6. The Commissioners shall be the undertakers of the works authorised by this Order. Undertakers.
7. From and after the 1st day of September 1870, all the estate, right, and interest, and all the powers of the Town Commissioners of Kinsale in and over the harbour of Kinsale, and in and over the property, rights, and privileges connected therewith, and the benefit of, and right to sue in respect of, all contracts by such Town Commissioners in relation to the harbour, shall be and are hereby vested in the Commissioners, subject to any debts, rights, or obligations affecting same, and the said harbour shall be managed, regulated, and improved by the Commissioners under and subject to the provisions of this Order. Harbour vested in the Commissioners.
8. The limits within which the Commissioners shall have authority (which shall be deemed the limits to which this Order extends) shall include so much of the Bandon river and the tidal creeks thereof as lies between Inishannon Bridge on the north, and on the south an imaginary line drawn from extreme low water of Hangman's Point due west across the mouth of the river to the eastern extreme of the townland of Ballynadooly. Limits of harbour under jurisdiction of the Commissioners.
9. The works authorised by this Order, and which may be executed and maintained by the Commissioners, comprise the dredging and deepening of the harbour of Kinsale, and river of Bandon, within the limits of this Order, and otherwise improving the same, and the laying down buoys and moorings, and providing other appliances and conveniences for the use of vessels frequenting the harbour and river. Works authorised.

A.D. 1870.

*Orders Confirmation Act, 1870 (No. 2.)**Kinsale.*Assent of
Board of
Trade to
works.

10. No works for dredging or improving the harbour or river under this Order shall be commenced without the assent of the Board of Trade having been first obtained.

Power to levy
tolls.

11. On and after the first day of September, one thousand eight hundred and seventy, the Commissioners may demand and receive in respect of the vessels, goods, and things described in the schedule hereto, any sums not exceeding the rates in that schedule specified, and thenceforth all other rates, tolls, or dues leviable in respect of the harbour shall cease to be levied.

Exemption of
certain fishing
vessels.

12. 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 said harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Customs
officers.

13. Officers of customs being in the execution of their duty shall at all times have free ingress, passage, and egress on, into, along, through, and out of, the harbour by land and with their vessels without payment.

Application of
tolls.

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

1. In paying the costs of and connected with, or incidental to, the preparation and making of this Order :
2. In paying the salary of the harbour-master, and of any servants or other persons employed by them, the expenses of maintaining, managing, and regulating the harbour, and of providing and maintaining in proper condition all buoys, moorings, appliances, and other conveniences belonging to the harbour, and paying all other current expenses of the Commissioners :
3. In paying the cost of executing works authorised by this Order.

Commissioners
may provide
dredges, &c.

15. The Commissioners 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 realised shall be applied for the purposes of this Order or some of them.

Meters and
weighers.

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

Parts of Har-
bours, Docks,
&c. Act not
incorporated.

17. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections six to eleven inclusive, sections sixteen to nineteen inclusive, and sections twenty-five and twenty-six.

Short title.

18. This Order may be cited as "The Kinsale Harbour Order, 1870."

The SCHEDULE to which the foregoing Order refers.

A.D. 1870.

Kinsale.

I.—RATES ON VESSELS USING OR ENTERING THE PORT AND HARBOUR OF KINSALE.

| | s. | d. |
|---|----|----|
| On all coasting vessels and steamers entering the harbour, windbound, or to discharge, or to load, cargo, of 10 tons registered, or upwards, per registered ton | 0 | 1 |
| On all foreign-going ships anchoring in the harbour, per registered ton | 0 | 1 |
| On all foreign-going ships entering the harbour to discharge or load cargo, per registered ton | 0 | 1½ |
| For every fishing hooker and sailing fishing vessel, whether partly or wholly decked, belonging to the harbour, or entering and using the harbour for the purpose of the fishery, payable in advance, annually the sum of | 5 | 0 |

II.—RATES ON GOODS SHIPPED OR UNSHIPED, RECEIVED OR DELIVERED WITHIN THE PORT AND HARBOUR OF KINSALE.

| | s. | d. |
|--|----|----|
| Bricks and tiles, per ton | 0 | 1½ |
| Cattle—bulls, cows, oxen, and horses, each | 0 | 1 |
| Cattle—calves, pigs, sheep, and lambs, each | 0 | 0½ |
| Clover, turnips, and other seeds, not being corn, per sack | 0 | 1½ |
| Coals, per ton | 0 | 0¾ |
| Deals, per 120 | 1 | 0 |
| Flour, per ton | 0 | 1½ |
| Malt and grain, per ton | 0 | 1½ |
| Gunpowder, per barrel | 0 | 0½ |
| Iron, per ton | 0 | 1½ |
| Ice, per ton | 0 | 1 |
| Lead, per ton | 0 | 1½ |
| Guano, and all other artificial manure, per ton | 0 | 6 |
| Meal, per ton | 0 | 1½ |
| Potatoes, per ton | 0 | 1 |
| Salt, per ton | 0 | 1 |
| Slates, per ton | 0 | 1½ |
| Timber of all kinds, per load of 50 feet | 0 | 2 |

All other goods not particularly enumerated above.

| | | |
|------------------------------|---|---|
| Light goods, per barrel bulk | 0 | 1 |
| Heavy goods, per ton | 0 | 2 |

In charging the rates on all 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 proportionate part of the respective rate shall be charged.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a barrel bulk.

A.D. 1870.

III.—RATES FOR BALLAST.

Kinsale.

All vessels not belonging to the port for any quantity taken on board, s. d.
to pay, per ton - - - - - 0 2

Mousehole.

MOUSEHOLE.

*Order for amending The Mousehole Harbour Improvement Order,
1868.*

Short title.

1. This Order shall be construed with the Mousehole Harbour Improvement Order, 1868, (in this Order called the Order of 1868,) as one Order, and may be cited as the Mousehole Harbour Order, 1870, and the Order of 1868 and this Order may be cited together as the Mousehole Harbour Orders, 1868 and 1870.

Further borrowing powers.

2. The Commissioners may, for the purposes of their undertaking, from time to time borrow, in addition to the total sum of four thousand and five hundred pounds authorised by the Order of 1868, such sums as they shall think fit, not exceeding in the whole the sum of two thousand and five hundred pounds, on the security of the harbour, and land, works, and property connected therewith, and of the land, property, and works already or hereafter to be purchased and acquired and executed by them under the authority of the Order of 1868, and of the rates authorised by the Order of 1868 and this Order, and any other property of the Commissioners; and all provisions contained in the Order of 1868 with respect to borrowing, and the money borrowed under that Order, shall apply to borrowing, and the money borrowed under this Order.

Application of rates and income.

3. Clause 23 of the Order of 1868 shall be, and is hereby, repealed, and the Commissioners shall primarily apply all money received by them from the rates specified in the Schedule hereto, and all other income coming into their hands in respect of the works authorised by the Order of 1868, or from land or property connected therewith, to the repayment, in manner directed by this Order, of the moneys borrowed under this Order and the Order of 1868 and of the interest accruing upon the same.

Further borrowing powers.

4. The Commissioners shall secure the repayment of moneys borrowed under the Order of 1868 or this Order by equal annual instalments, each instalment to be not less than one fiftieth part of the principal money secured, with interest on the amount from time to time remaining unpaid, or by way of annuity applicable in discharge of principal and interest, and payable for any term of years not exceeding 50 years from the date of the borrowing, or by a sum or sums payable at such time or times as the lenders may agree, but so that the whole sum borrowed shall be repaid within fifty years from the date of borrowing.

Alteration of rates.

5. On and after the first day of September 1870, the Schedule to this Order shall be substituted in place of the Schedule to the Order of 1868, and the Schedule to the Order of 1868 shall be deemed cancelled, and the Order of 1868 and this Order shall be construed accordingly.

The SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS AND BOATS USING THE HARBOUR.

| | £ | s. | d. |
|---|---|----|----|
| Drift boats employed on the mackerel fishery, by the year : | | | |
| If under 28 feet keel - - - - - | 0 | 15 | 0 |
| If 28 feet keel and under 36 feet keel - - - - - | 3 | 0 | 0 |
| If 36 " " 42 " " - - - - - | 3 | 5 | 0 |
| If 42 " " and upwards - - - - - | 3 | 10 | 0 |
| Drift boats employed on the herring or pilchard fishery, and not in the mackerel fishery, and so that a boat which shall pay as a mackerel boat shall not be liable to pay again, although also employed in the herring or pilchard fishery, by the year : | | | |
| If under 28 feet keel - - - - - | 0 | 15 | 0 |
| If 28 feet keel and under 36 feet keel - - - - - | 2 | 13 | 6 |
| If 36 " " 42 " " - - - - - | 2 | 18 | 6 |
| If 42 " " and upwards - - - - - | 3 | 3 | 6 |
| For any of the above drivers, not compounding by the year, for each occasion of entering the harbour, or landing any fish, nets, goods, wares, or merchandise there, whether entering it or not, without distinction as to size - - - - - | 0 | 2 | 6 |
| For any of the above drivers not compounding, and lying in the harbour for upwards of fourteen days, unless compelled to do so by stress of weather, so long as they shall be there, per day - - - - - | 0 | 0 | 8½ |
| For all ships or vessels, or boats of any description, ordinarily propelled otherwise than by oars, not being drivers, for every occasion of entering the harbour, or landing any fish, nets, goods, wares, or merchandise there, whether entering it or not, per ton - - - - - | 0 | 0 | 2 |
| For all ships or vessels, or boats of any description, ordinarily propelled otherwise than by oars, not being drivers, which shall be in the harbour for upwards of six weeks, in addition to the foregoing twopence per ton, per ton per week - - - - - | 0 | 0 | 0½ |
| For all sean boats, including the folyer, (if any,) and cock-boat, and whether with them or without them, by the year - - - - - | 1 | 0 | 0 |
| Or if not compounding, then for each occasion on which the sean boat shall enter the harbour, or whether entering or not, shall land fish, nets, goods, wares, or merchandise there - - - - - | 0 | 1 | 6 |
| Gigs and other rowing boats, by the year, per oar - - - - - | 0 | 1 | 0 |
| Gigs and other rowing boats not compounding, on each occasion of entering the harbour - - - - - | 0 | 0 | 6 |

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II.—RATES ON FISH AND GOODS SHIPPED OR UNSHIPED, OR
TRANSHIPPED, WITHIN THE LIMITS OF THE HARBOUR.Mousehole.

| | s. | d. |
|---|----|-----------------|
| Anchors, per cwt. | 0 | 1 |
| Ballast, per ton | 0 | 6 |
| Bones, per ton | 1 | 6 |
| Bone dust, per quarter | 0 | 2 |
| Bricks, per 1,000 | 1 | 0 |
| Coals, per ton | 0 | 3 |
| Cordage, per cwt. | 0 | 2 |
| Corn and seeds, per quarter | 0 | 3 |
| Cork, per cwt. | 0 | 2 |
| Earthenware, (in casks, hampers, or boxes,) per foot | 0 | 0 $\frac{1}{4}$ |
| Fish: | | |
| Herrings, per basket or pad of 240 | 0 | 1 |
| Mackerel, per pad of 120 | 0 | 1 |
| Pilchards, fresh, whether for salting or consumption, per 120 | 0 | 0 $\frac{1}{4}$ |
| Pilchards, salt, per hogshead | 0 | 3 |
| Other fish, per cwt. | 0 | 2 |
| Ditto, per basket or pad | 0 | 1 |
| Flax, per ton | 3 | 0 |
| Flour and meal, per sack | 0 | 2 |
| Ditto, per barrel | 0 | 1 $\frac{1}{2}$ |
| Fruit, per bushel or sieve | 0 | 1 |
| Granite, per ton of 14 cubic feet | 0 | 9 |
| Groceries (not enumerated), per cwt. | 0 | 3 |
| Guano, per ton | 1 | 0 |
| Hardware, per ton | 2 | 6 |
| Hemp, per ton | 3 | 0 |
| Leather, tanned and dressed, per cwt. | 0 | 3 |
| Lime, per 28 bushels | 1 | 0 |
| Limestone, per ton | 0 | 3 |
| Machinery, per ton | 2 | 0 |
| Manure (not enumerated), per ton | 0 | 6 |
| Masts and spars, 10 inches in diameter and upwards, each | 0 | 6 |
| " " under 10 inches | 0 | 3 |
| Net, per 5 cubic feet | 0 | 2 |
| Oil-cake, per ton | 1 | 0 |
| Oranges and lemons, per box | 0 | 2 |
| Paint, per cwt. | 0 | 2 |
| Pitch and tar, per barrel | 0 | 3 |
| Potatoes, per cwt. | 0 | 1 |
| Sails, per cwt. | 0 | 2 |
| Salt, per cwt. | 0 | 0 $\frac{1}{4}$ |
| Sand, per ton | 0 | 4 |

| | s. | d. | A.D. 1870. |
|---|----|----|------------|
| Skins, calf, goat, sheep, lamb, or dog, per dozen | - | 0 | 6 |
| Slates, per 1,000 | - | 0 | 6 |
| Stones, per ton of 16 cubic feet | - | 0 | 10 |
| Steel, per ton | - | 3 | 0 |
| Sugar, per cwt. | - | 0 | 1 |
| Tallow, soap, and candles, per cwt. | - | 0 | 1½ |
| Tea, per chest | - | 1 | 0 |
| Tiles, per 1,000 | - | 1 | 6 |
| Timber, per load | - | 0 | 6 |
| Tobacco, per cwt. | - | 0 | 3 |
| Turnips, per ton | - | 0 | 6 |
| Vegetables (not enumerated), per cwt. | - | 0 | 4 |
| Vinegar, per hogshead | - | 0 | 6 |
| Vitriol, per carboy | - | 0 | 6 |
| Light goods, per cube foot | - | 0 | 1 |
| Heavy goods, per ton | - | 2 | 0 |

A.D. 1870.

Mousehole.

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 is to be charged.

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

1. *Rate of Cranage.*

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

2. *Weighing Machines.*

For goods weighed, for every ton or part of a ton

- 0 3

3. *Shed Dues.*

For every ton of goods of 40 cubic feet, for every ton of goods of 20 cwt. which remains in the warehouse or sheds or other works of the company for not longer than forty-eight hours

- 0 3

And per ton for each day during which the goods remain after first forty-eight hours

- 0 2

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Mousehole.

| | s. | d. |
|---|----|----|
| For any portmanteau, trunk, parcel, or other article of passengers' luggage, for every day or part of a day | 0 | 2 |

4. *Rates on Passengers and others using the Pier.*

| | | |
|---|---|---|
| For every Bath or sedan chair taken on the pier, for every time | 0 | 1 |
| For every perambulator taken on the pier, for every time | 0 | 1 |

5. *Rates on Passengers' Luggage landed or embarked or transhipped within the Harbour.*

For every trunk, portmanteau, box, parcel, or other package within the description of luggage :

| | | |
|---|---|---|
| Exceeding 112 lbs. and not exceeding 140 lbs. | 0 | 3 |
| „ 140 „ „ „ 196 „ | 0 | 4 |
| „ 196 „ „ „ 2 cwt. | 0 | 6 |
| And for every cwt. exceeding 2 cwt. | 0 | 3 |
| And for every 20 lbs. weight in addition | 0 | 1 |

St. Leonards-on-Sea.

ST. LEONARDS-ON-SEA.

Order for the Construction, Maintenance, and Regulation of a Pier at St. Leonards-on-Sea in the County of Sussex.

Incorporation of Company.

1. The following persons, namely, John Clay, Francis Hayman Fowler, and John Starkey, and all other persons and corporations subscribing to the undertaking authorised by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a company for the purpose of making, maintaining, and regulating the pier and works authorised by this Order, and for those purposes shall be and are hereby incorporated by the name of "The St. Leonards-on-Sea Pier Company," and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

Undertakers.

2. The St. Leonards-on-Sea Pier Company, in this Order called the company, shall be the undertakers of the works authorised by this Order.

Incorporation of Clauses Act.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, are hereby incorporated with this Order; and the words "special Act" in such Acts mentioned shall apply to and include this Order.

Capital.

4. The capital of the company shall be fifteen thousand pounds, in one thousand five hundred shares of ten pounds each.

Shares not to be issued until one fifth paid up.

5. The company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth part of the amount of such share has been paid up in respect thereof.

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St. Leonards-
on-Sea.
Calls.

6. No call shall exceed two pounds ten shillings a share, or be made payable within three months of a previous call.

7. The company, with the sanction of at least three fifths in value of the votes of the shareholders present, in person or by proxy, at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one third part of the capital, dividend at a rate not exceeding five pounds per centum per annum in priority to the dividend on the other shares of the capital.

Power to
create prefer-
ence shares.

8. The company from time to time may borrow on mortgage, at interest, any sum or sums of money not exceeding in the whole three thousand seven hundred and fifty pounds, but no money shall be so borrowed until the whole of the capital of fifteen thousand pounds is subscribed for, and one half thereof is paid up, and the company satisfy the justice who certifies under section 40 of The Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of the capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by registered holders thereof legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Borrowing on
mortgage.

9. The mortgagees of the company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages by the appointment of a receiver, and the amount to authorise a requisition for a receiver is five hundred pounds.

Receiver.

10. The company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him, but this provision shall not prevent the company paying to any shareholder interest on money advanced by him beyond the amount of calls actually made in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

No interest or
dividend on
calls.

11. The company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money not to
be used for
deposit under
Standing
Orders.

12. Every part of the money so raised shall be applied only for the purposes authorised by this Order.

Money to be
applied for
purposes of
Order.

13. The first general meeting of the company shall be held within six months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine.

First general
meeting.

14. The number of directors shall not be more than five or less than three.

Number of
directors.

15. The quorum of a meeting of directors shall be three when the number of directors is five, and two when the number of directors is three.

Quorum of
directors.

16. John Clay, Francis Hayman Fowler, John Starkey, and two other duly qualified persons to be chosen by them, or a majority of them, shall be the first directors of the company, and shall continue in office till the first general

First directors.

A.D. 1870.

St. Leonards-on-Sea.
Qualification.

meeting of the company, when they shall retire from office, and directors shall be elected by the meeting, the retiring directors being eligible.

17. The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of shares in the capital of the company to the aggregate nominal amount of at least one hundred pounds.

Remuneration.

18. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors as they determine.

Power to take lands by agreement.

19. 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 the proposed pier and works and the conveniences connected therewith.

Incorporation of Lands Clauses Act.

20. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

21. Subject to the provisions of this Order, and subject also to such alterations, if any, in the amended deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the company may, on the lands taken by them under this Order, and in the lines and according to the levels shown on the amended deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and works authorised by this Order.

Description of works authorised.

22. The works authorised by this Order comprise the following:—

A pier at St. Leonards-on-Sea in the county of Sussex, with a landing place, and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and for other purposes, commencing on the Parade at a point eighty-one yards or thereabouts east of the Baths, and extending seawards six hundred and five feet, or thereabouts.

Power to take rates according to Schedule to this Order.

23. The company may for the use of the pier and works demand and receive in respect of the vessels, goods, persons, and things described in the Schedule hereto, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

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

Company may contract with persons for the use of pier.

25. The company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms, and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period

limited for its use. If any person act in any way in contravention of this provision, 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, to 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 this Order shall be deemed the special Act.

A.D. 1870.
—
*St. Leonards-
on-Sea.*

26. Officers of customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from, the pier by land, and with their vessels and otherwise, without payment.

Custom House
officers exempt
from rates.

27. The company shall not purchase for extraordinary purposes lands exceeding in extent in the whole three acres.

Lands for
extraordinary
purposes.

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

Meters and
weighers.

29. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, and twenty-one to twenty-three, all inclusive.

Parts of
Harbours, &c.
Act, 1847,
excepted.

30. The company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating 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, &c.

31. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorised by this Order.

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

32. 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.

Restriction on
use of pier.

33. The pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon, requiring the cognizance of any justices of the peace, be deemed and taken to be within or as forming part of the borough of Hastings, and within the jurisdiction of the justices of that borough.

Pier to be
deemed within
borough of
Hastings.

34. All the costs, charges, and expenses of and preparatory and incident to the obtaining of this Order, and otherwise in relation thereto, shall be paid by the company.

Costs of Order.

35. The company shall, at the outer extremity of the pier and works authorised by this Order, exhibit from sunset to sunrise such light (if any) as shall from time to time be directed by the Corporation of Trinity House Deptford Strond.

Light to be
exhibited.

36. Part IV. of The Companies Act, 1862, as to the winding up of companies and associations under that Act, shall be incorporated with this Order, and shall apply to the company in like manner as if it had been a company registered under that Act with the liability of its members limited to the amount (if any) unpaid on the shares respectively held by them.

Part IV. of
Companies
Act, 1862,
incorporated.

A.D. 1870.

St. Leonards-
on-Sea.Powers to cease
in certain
events.

37. In the following cases (that is to say):—

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,—

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

Saving rights
under Crown
Lands Act,
1866.

38. 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 assent of the Board of Trade having been first obtained.

Short title.

39. This Order may be cited as "The St. Leonards-on-Sea Pier Order, 1870."

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE PIER.

| | | <i>s.</i> | <i>d.</i> |
|--|---|-----------|-----------|
| For every vessel under the burden of 15 tons, per ton | - | 0 | 4 |
| For every vessel of the burden of 15 tons and under 50 tons, per ton | - | 0 | 6 |
| For every vessel of the burden of 50 tons and under 100 tons, per ton | - | 0 | 8 |
| For every vessel of the burden of 100 tons and under 150 tons, per ton | - | 0 | 10 |
| For every vessel of the burden of 150 tons and upwards, per ton | - | 1 | 0 |
| All lighters, for each trip, per ton | - | 0 | 2 |
| All boats entirely open, landing or taking on board goods, each | - | 0 | 6 |

II.—RATES OF GOODS SHIPPED OR UNSHIPED AT THE PIER.

| | | | |
|-------------------------------------|---|---|---|
| Ale, beer, and porter, per hogshead | - | 0 | 6 |
| Ale (bottled), per barrel | - | 0 | 4 |
| Ditto, per dozen bottles | - | 0 | 1 |
| Anchors, per cwt. | - | 0 | 9 |
| Anchor stock, per foot run | - | 0 | 2 |
| Bark, per ton | - | 2 | 0 |
| Bedding, per bundle | - | 0 | 3 |
| Beef or pork, per cwt. | - | 0 | 3 |
| Ditto, per barrel | - | 0 | 6 |
| Biscuit or bread, per cwt. | - | 0 | 3 |
| Blubber, per ton of 252 gallons | - | 3 | 0 |
| Bones and bone dust, per ton | - | 1 | 6 |
| Bottles, per gross | - | 0 | 9 |

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| | s. | d. | A.D. 1870. |
|--|----|----|--------------------------|
| Bricks, per 1,000 | 1 | 6 | St. Leonards- on-Sea. |
| Butter and lard, per barrel | 0 | 6 | |
| Ditto, per firkin | 0 | 3 | |
| Cables, iron or hempen, per ton | 3 | 0 | |
| Canvas, per bolt | 0 | 1 | |
| Casks (empty) not being returned packages, per puncheon | 0 | 3 | |
| Other casks in proportion. | | | |
| Cattle : | | | |
| Bulls, cows, and oxen, each | 3 | 0 | |
| Calves, each | 1 | 0 | |
| Horses, each | 4 | 0 | |
| Pigs, each | 0 | 6 | |
| Sheep, each | 1 | 0 | |
| Chalk, per ton | 1 | 0 | |
| Cheese, per cwt. | 0 | 4 | |
| Chimney pots, each | 0 | 3 | |
| Clay, per ton | 1 | 0 | |
| Cloth, haberdashery, &c., per package not exceeding cwt. | 0 | 6 | |
| Carriages : | | | |
| Chaises and other four-wheeled carriages, each | 7 | 6 | |
| Gigs, carts, and other two-wheeled carriages, each | 5 | 0 | |
| Hand-carts and perambulators, each | 1 | 0 | |
| Coals, per ton | 1 | 0 | |
| Copper, per ton | 3 | 0 | |
| Cordage, per cwt. | 0 | 3 | |
| Cork, per cwt. | 0 | 6 | |
| Crystal, per box or package | 0 | 6 | |
| Dogs, each | 0 | 6 | |
| Drugs (in casks, hampers, or boxes), per foot | 0 | 2 | |
| Earthenware (in casks, hampers, or boxes), per foot | 0 | 2 | |
| Earthenware (in crates), per foot | 0 | 1 | |
| Eggs, per box | 0 | 3 | |
| Fish (dried and salted), per cwt. | 0 | 3 | |
| Ditto, fresh (not enumerated), per cwt. | 0 | 2 | |
| Flax, per ton | 2 | 0 | |
| Flour and meal, per sack | 0 | 4 | |
| Ditto, per barrel | 0 | 3 | |
| Fruit, per bushel or sieve | 0 | 4 | |
| Furniture (household), per 5 cubic feet | 0 | 4 | |
| Glass, per large crate | 1 | 6 | |
| Ditto, per small crate or case | 1 | 0 | |
| Ditto, per box | 0 | 6 | |
| Grains and seeds, per quarter | 0 | 6 | |
| Groceries (not enumerated) | 0 | 6 | |
| Guano, per ton | 1 | 6 | |
| Gunpowder, per barrel or keg | 0 | 6 | |
| Hams, bacon, or tongues, per cwt. | 0 | 4 | |

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St. Leonards-
on-Sea.

| | s. | d. |
|--|----|----|
| Hardware, per ton | 2 | 6 |
| Hares and rabbits, per dozen | 0 | 4 |
| Hay, per ton | 1 | 6 |
| Ditto, per truss | 0 | 2 |
| Hemp, per ton | 2 | 0 |
| Herrings (fresh), per 1,000 | 0 | 3 |
| Ditto (cured), per barrel | 0 | 3 |
| Hides: | | |
| Ox, cow, or horse (wet or dry), each | 0 | 2 |
| Iron: | | |
| Bar, bolt, rod, and shots, per ton | 1 | 6 |
| Pig and old, per ton | 1 | 0 |
| Manufactured, per ton | 2 | 6 |
| Pots, each | 0 | 1 |
| Kelp, per ton | 2 | 0 |
| Lead, per ton | 2 | 6 |
| Leather, tanned and dressed, per cwt. | 0 | 3 |
| Lime, per 28 bushels | 1 | 4 |
| Limestone, per ton | 1 | 0 |
| Machinery, per ton | 2 | 6 |
| Manure (not enumerated), per ton | 1 | 0 |
| Masts and spars, 10 inches in diameter and upwards, each | 4 | 6 |
| Ditto, under 10 inches | 3 | 0 |
| Meat (fresh), per cwt. | 0 | 6 |
| Milk, per gallon | 0 | 0½ |
| Musical instruments, per cube foot | 0 | 1 |
| Nets, per 5 cube feet | 0 | 4 |
| Oakum, per cwt. | 0 | 2 |
| Oils, per ton | 2 | 0 |
| Oilcake, per ton | 2 | 0 |
| Oranges and lemons, per box | 0 | 6 |
| Ores, per ton | 1 | 0 |
| Oysters, per bushel | 0 | 3 |
| Paint, per cwt. | 0 | 4 |
| Pitch and tar, per barrel | 0 | 6 |
| Potatoes, per cwt. | 0 | 2 |
| Poultry and game, per dozen | 0 | 4 |
| Rags and old rope, per ton | 2 | 0 |
| Sails, per cwt. | 0 | 6 |
| Salt, per cwt. | 0 | 1 |
| Sand, per ton | 1 | 0 |
| Shrimp baskets, each | 0 | 2 |
| Skins: | | |
| Calf, goat, sheep, lamb, or dog, per dozen | 0 | 6 |
| Slates, per ton of 24 cubic feet | 2 | 0 |
| Spirits (Foreign and British), per hogshead | 1 | 0 |
| Ditto, ditto, per gallon | 0 | 1 |
| Stones, per ton of 16 cubic feet | 1 | 6 |

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St. Leonards-
on-Sea.

| | s. | d. |
|---|----|----|
| Steel, per ton | 3 | 0 |
| Sugar, per cwt. | 0 | 3 |
| Tallow, soap, and candles, per cwt. | 0 | 3 |
| Tea, per chest | 1 | 0 |
| Tiles, per 1,000 | 1 | 6 |
| Tin and zinc, per ton | 3 | 0 |
| Tobacco, per cwt. | 0 | 6 |
| Turbot, per score | 0 | 3 |
| Turnips, per ton | 0 | 6 |
| Turpentine and varnish, per barrel | 0 | 6 |
| Turtle, each | 2 | 6 |
| Vegetables (not enumerated), per cwt. | 0 | 4 |
| Vinegar, per hogshead | 0 | 6 |
| Vitriol, per carboy | 1 | 0 |
| Water, per cask | 0 | 3 |
| Wine, per hogshead | 1 | 0 |
| Ditto (bottled), per dozen bottles | 0 | 2 |
| Wood: | | |
| Fir, pine, and other descriptions not enumerated, per load of 50 feet | 1 | 6 |
| Oak or wainscot, per load of 50 feet | 2 | 0 |
| Firewood, per 216 cubic feet fathom | 1 | 6 |
| Laths and lathwood, per fathom of 216 cubic feet | 2 | 6 |
| Handspikes, per 120 | 3 | 0 |
| Oars, per 120 | 5 | 0 |
| Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120 | 5 | 0 |
| Ditto, 2½ inches in diameter and under, per 120 | 4 | 0 |
| Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120 | 9 | 0 |
| Ditto, above 4 and under 6 inches in diameter, per 120 | 14 | 0 |
| Spokes of wheels not exceeding 2 feet in length, per 120 | 2 | 0 |
| Ditto, exceeding 2 feet in length, per 120 | 3 | 0 |
| Treenails, per 1,000 | 2 | 6 |
| Wedges, per 1,000 | 2 | 6 |
| Pipe staves, and others in proportion, per 120 | 2 | 6 |
| Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton | 2 | 0 |
| Wool, per cwt. | 0 | 4 |
| Yarn, per cwt. | 0 | 2 |

All other Goods not particularly enumerated above.

| | | |
|----------------------------|---|---|
| Light goods, per cube foot | 0 | 1 |
| Heavy goods, per ton | 2 | 0 |

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 portion of the respective rates shall be charged.

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St. Leonards-
on-Sea.

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

1st.—Rates of Cranage.

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

2nd.—Weighing Machine.

| | | |
|--|---|---|
| For goods weighed, for each ton or part of a ton | 0 | 2 |
|--|---|---|

3rd.—Shed Dues.

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

| | | |
|---|---|---|
| For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package | 0 | 2 |
|---|---|---|

IV.—RATES FOR SUPPLYING WATER ON PIER.

| | | |
|--------------------------|----|---|
| Water, per 1,000 gallons | 10 | 0 |
|--------------------------|----|---|

V.—RATES ON PASSENGERS AND PROMENADERS USING THE PIER.

| | | |
|---|----|---|
| For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding | 0 | 6 |
| For every person who shall use the pier 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 | 3 |
| For every Bath or sedan chair taken on the pier, for each and every time not exceeding | 0 | 6 |
| For every perambulator | 0 | 2 |
| For every master of any vessel, boat, or wherry, being an inhabitant of the parish of St. Leonards-on-Sea, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding | 20 | 0 |

VI.—RATES ON PASSENGERS' LUGGAGE.

| | s. | d. | A.D. 1870. |
|--|----|----|------------|
| For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. | - | - | 0 2 |
| Over 28 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 cwt. | - | - | 0 8 |
| And for every cwt. beyond | - | - | 0 4 |
| And for every 20 lbs. weight in addition | - | - | 0 1 |

St. Leonards-on-Sea.

VENTNOR.

Ventnor.

Order for the Construction, Maintenance, and Regulation of a Pier, Sea Wall, Embankment, and Esplanade, at Ventnor in the Isle of Wight.

1.—The following persons, namely, John Burt, Fletcher Moor, Henry William May, and all other persons and corporations subscribing to the undertaking authorised by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a company for the purpose of making, maintaining, and regulating the pier, sea wall, embankment, esplanade, and works authorised by this Order, and for those purposes shall be and are hereby incorporated by the name of "The Ventnor Pier and Esplanade Company," and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

Incorporation of Company.

2.—The Ventnor Pier and Esplanade Company, in this Order called "the Company," shall be the undertakers of the works authorised by this Order.

Undertakers.

3.—"The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," except so much as relates to the purchase or taking of lands otherwise than by agreement, and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall respectively be incorporated with this Order, and the words "Special Act" in such Acts mentioned shall apply to and include this Order.

Incorporation of Clauses Acts.

4.—The capital of the Company shall be thirty-five thousand pounds in seven thousand shares of five pounds each.

Capital.

5.—The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum, not being less than one-fifth part of the amount of such share, has been paid in respect thereof.

Shares not to be issued until one-fifth part paid up.

6.—No call shall exceed one pound a share, or be made payable within three months of a previous call.

Calls.

7.—The Company, with the sanction of at least three fifths in value of the votes of the shareholders present, in person or by proxy, at a general meeting

Power to create preference shares.

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Ventnor.

specially convened for that purpose, may attach to all or any of the then un-issued shares, not exceeding one-third part of the capital, dividend at a rate not exceeding five pounds per centum per annum, in priority to the dividend on the other shares of the capital.

Borrowing on mortgage.

8.—The Company may, from time to time, borrow and take up on mortgage or by way of debentures, at interest, any sums not exceeding in the whole eleven thousand six hundred pounds; but no moneys shall be so borrowed until the whole of the capital of thirty-five thousand pounds is subscribed for, and one half thereof is paid up, and the Company satisfy the justice who certifies under section forty of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by registered holders thereof legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

9.—The mortgagees or debenture holders of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages by the appointment of a receiver, and the amount to authorise a requisition for a receiver is one thousand pounds.

No interest or dividend on calls.

10.—The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder interest on any money advanced by him beyond the amount of calls actually made in conformity with "The Companies Clauses Consolidation Act, 1845."

Money not to be used for deposit under Standing Orders, &c.

11.—The Company shall not, out of any money so raised, pay or deposit any money required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied for purposes of Order.

12.—Every part of the money so raised shall be applied only for the purposes authorised by this Order.

First general meeting.

13.—The first general meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine.

Number of directors.

14.—The number of directors shall be not more than six nor less than three.

Quorum of directors.

15.—The quorum of a meeting of directors shall be three, and when the number of directors is reduced to three the quorum shall be two.

First directors.

16.—John Burt, Fletcher Moor, and Henry William May, with such other shareholders (if any) as they may add to their number, shall be the first directors; and the first directors shall continue in office until the first general meeting of the Company, when they shall retire from office, and directors shall be elected by the meeting, the retiring directors being eligible for re-election.

Qualification.

17.—The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding, in his own right, of at least ten shares in the capital of the Company.

18.—The remuneration of the directors shall, from time to time, be fixed by a general meeting, and shall be divided among the directors as they determine.

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Ventnor.
Remuneration.

19.—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 the proposed pier, sea wall, embankment, esplanade, and works, and the conveniences connected therewith.

Power to take
lands by agree-
ment.

20.—The Company may purchase and hold, for extraordinary purposes, any land not exceeding in the whole five acres.

Lands for
extraordinary
purposes.

21.—Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, 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 those plans, make and maintain the pier, sea wall, embankment, esplanade, and works authorised by this Order.

Power to make
works.

22.—The works authorised by this Order comprise the following:

Description of
works autho-
rised.

1. A pier, with all necessary works, approaches, buildings, and conveniences in connexion therewith, for the embarking and landing of passengers, cattle, goods, and merchandise, and for other purposes, commencing in the parish of Ventnor, in the Isle of Wight, at or near the point where the public road from Mill Street runs into the esplanade, and extending in a southerly direction across the foreshore and into the sea for about 700 feet.

2. A sea wall or embankment and esplanade, with all necessary works in connexion therewith, extending from the commencement of the pier eastward, along the shore between high and low water mark, for a distance of about 640 yards.

23.—The Company may, for the use of the pier and works connected therewith, demand and take in respect of the vessels, persons, and goods in the Schedule to this Order specified, any sums not exceeding the rates in that Schedule specified.

Power to
take rates in
Schedule.

24.—The Company may erect upon the pier or approaches, toll-houses, waiting, refreshment, and other rooms, and may lease such houses and rooms, and may also lease the tolls, rates, and duties authorised to be taken by this Order, upon such terms and conditions, and for such period (not exceeding seven years), as they think fit.

Lease of
refreshment
rooms and
tolls, &c.

25.—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 coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Certain fishing
vessels under
stress of wea-
ther exempt
from rates.

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Ventnor.
Pass tickets for
use of pier.

26.—The Company may grant to passengers, promenaders, and other persons, pass tickets for the use of the pier 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, and shall not be used by any person other than the person to or for whom it is granted, or 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, recoverable and applicable as penalties are recoverable and applicable under “The Harbours, Docks, and Piers Clauses Act, 1847,” for all the purposes of which Act this Order shall be deemed the Special Act.

Exemption of
custom house
officers from
rates.

27.—Officers of customs, in the execution of their duty, shall at all times have free egress, passage, and ingress from, to, and over, the pier and works by land, and with their vessels, without payment.

Steam engines,
diving bells,
lighters, &c.

28.—The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper, for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Meters and
weighers.

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

Light to be
exhibited.

30.—The Company shall, at the outer extremity of the pier and works authorised by this Order, exhibit from sunset to sunrise such light (if any) as shall from time to time be directed by the Corporation of Trinity House Deptford Strond.

Restriction on
use of pier.

31.—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.

Parts of
Harbours, &c.
Act excepted.

32.—Sections sixteen to nineteen inclusive of “The Harbours, Docks, and Piers Clauses Act, 1847,” shall not be incorporated with this Order.

Part IV. of
Companies
Act, 1862,
incorporated.

33.—Part IV. of the Companies Act, 1862, as to the winding up of companies and associations under that Act, shall be incorporated with this Order, and shall apply to the Company in like manner as if it had been a Company registered under that Act, with the liability of its members limited to the amount (if any) unpaid on the shares respectively held by them.

Powers to cease
in certain
events.

34.—In the following cases (that is to say):—

- (1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

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Ventnor.

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,—
the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

35.—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 assent of the Board of Trade having been first obtained.

Saving rights under “Crown Lands Act, 1866.”

36.—This Order may be cited as “The Ventnor Pier and Esplanade Order, 1870.”

Short title.

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE PIER.

| | s. | d. |
|--|----|----|
| For every vessel under the burden of 15 tons, per ton | 0 | 4 |
| For every vessel of the burden of 15 tons and under 50 tons, per ton | 0 | 6 |
| For every vessel of the burden of 50 tons and under 100 tons, per ton | 0 | 8 |
| For every vessel of the burden of 100 tons and under 150 tons, per ton | 0 | 10 |
| For every vessel of the burden of 150 tons and upwards, per ton | 1 | 0 |
| All lighters, for each trip, per ton | 0 | 6 |
| All boats entirely open, landing or taking on board goods, each | 0 | 6 |

II.—RATES FOR GOODS SHIPPED OR UNSHIPED AT THE PIER.

| | | |
|----------------------------|---|---|
| Light goods, per cube foot | 0 | 1 |
| Heavy goods, per ton | 2 | 0 |

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 portion of the respective rates shall be charged.

III.—RATES FOR USE ON WEIGHING MACHINES.

| | | |
|--|---|---|
| For goods weighed, for each ton or part of a ton | 0 | 2 |
|--|---|---|

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IV.—RATES ON PASSENGERS AND PROMENADERS USING THE PIER.

| | s. | d. |
|---|----|----|
| For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding - - - | 0 | 4 |
| For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - - - | 0 | 2 |
| For every Bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - - | 0 | 6 |
| For every perambulator taken on the pier, for each time any sum not exceeding - - - - - | 0 | 2 |
| For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Ventnor, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - - | 20 | 0 |

V.—RATES ON PASSENGERS' LUGGAGE.

| | | |
|--|---|---|
| For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - - | 0 | 2 |
| Over 28 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 cwt. - - - | 0 | 8 |
| And for every cwt. beyond - - - - - | 0 | 4 |
| And for every 20 lbs. weight in addition - - - | 0 | 1 |