



CHAPTER cxix.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Broadford, Clevedon, Cromer, Curran, Hopeman, Mill Point, St. Ives, and Southbourne. A.D. 1888.

[24th July 1888.]

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

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

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

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

2. The Commissioners and undertakers respectively mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, without the consent of the Local Government Board in England, of the Secretary for Scotland in Scotland, or of the Local Government Board for Ireland in Ireland, as the case may be, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district in England, or in Scotland in any district within the meaning of the Public Health (Scotland) Act, Special pro-
vision as to
houses of
labouring
class.

A.D. 1888. 1867, or in Ireland in any urban sanitary district as defined by the Public Health (Ireland) Act, 1878, as the case may be, ten or more houses which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

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

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 1.) Act, 1888.

THE SCHEDULE OF ORDERS.

1. BROADFORD.—Constitution of harbour authority, and improvement of harbour.
2. CLEVEDON.—Addition to existing pier.
3. CROMER.—Construction of pier.
4. CURRAN.—Increase of rates leviabie under former Order.
5. HOPEMAN.—Construction of harbour works, and amendment of former Order.
6. MILL POINT.—Construction of pier.
7. ST. IVES.—Amendment of former Order.
8. SOUTHBOURNE.—Amendment of former Order.

BROADFORD.

A.D. 1888.

Broadford.

Order for the construction and maintenance of a pier and other works, and the regulation of the harbour at Broadford, in the Island of Skye, and county of Inverness.

1. There shall be a body of Trustees (in this Order called "the Trustees") nominated or elected as by this Order provided, for carrying this Order into execution, which Trustees and their successors are hereby, for the purposes of this Order, incorporated by the name of "The Broadford Harbour Trustees," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to sue and be sued and to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions of this Order.

Incorporation
of Trustees.

2. The several words and expressions to which by the Acts incorporated with this Order meanings are assigned, have in this Order the same respective meanings, unless excluded by the subject or context; and in this Order, unless excluded by the subject or context:—

Interpretation
of terms.

"The proprietor" means the Right Honourable Ronald Archibald Bosville-Macdonald, Baron Macdonald, owner of the lands and estate of Macdonald, Strathwordell, and others, in the Island of Skye, and county of Inverness, and also includes his successor in the said lands and estate, whether male or female, for the time being, and also the heirs or successors of the proprietor for the time being, and also includes the tutor, curator, guardian, or other party or parties legally acting for the proprietor for the time being, in case of the proprietor being incapacitated from exercising the powers conferred on him by this Order by reason of minority or otherwise, as the case may be or require;

"The fishermen" means persons resident for the time being in or within five miles of the harbour, who are fishermen paying harbour rates, and are engaged or employed in the fishery in and out of the harbour;

"The existing harbour" means and includes the present harbour of Broadford, and the piers, buildings, works, lands, and conveniences connected therewith, and all such property, rights, and right (if any) to levy harbour rates and dues, and all such powers and privileges (if any) connected therewith as are vested in the proprietor;

"The harbour" means and includes the port and harbour of Broadford within the limits defined by this Order.

3. The body of Trustees shall consist of:—

(a.) Three members to be nominated by the proprietor, one of whom may be the proprietor himself; and

(b.) Two members to be elected by the fishermen.

Constitution
of Trustees.

The first Trustees shall be the following five persons, who shall hold office until the first nomination and election of Trustees by rotation under this Order

First Trustees.

Several pages omitted.

A.D. 1888.

Cromer.

	s. d.
For every vessel of the burden of 100 tons and under 150 tons register, per ton register - - - - -	0 10
For every vessel of the burden of 150 tons register and upwards, per ton register - - - - -	1 0
For every barge or lighter for each trip, per ton - - - - -	0 3

IV.—RATES ON PERSONS USING THE LIFT.

For every person who shall use the lift, for each and every time, any sum not exceeding - - - - -	0 2
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V.—RATES FOR SUPPLYING WATER.

Fresh water on Pier, per 100 gallons, not exceeding - - - - -	1 6
Sea water, per 3 gallons, not exceeding - - - - -	0 2

CURRAN (LARNE).

*Curran
(Larne).*

Order for amending the Curran Pier and Harbour Order, 1871.

Short title.

1. This Order may be cited as the Curran Pier (Larne Harbour) Order 1888 and this Order and the Curran Pier and Harbour Order 1871 (in this Order called the Order of 1871) so far as not repealed and as amended and varied by this Order shall be read and construed together as one Order and the Order of 1871 and this Order may for all purposes be cited together as the Curran Pier and Harbour Orders 1871 and 1888.

Schedule of rates to Order of 1871 repealed.

2. On and after the first day of September 1888 the schedule to the Order of 1871 shall be and the same is hereby cancelled and repealed but nevertheless the Undertakers shall be entitled to recover all moneys which shall have become due and payable to them under such schedule.

New rates.

3. On and after the first day of September 1888 the Undertakers may subject and according to the provisions of this Order and the Order of 1871 for the use of the harbour and of the pier and works authorised by the Order of 1871 and in respect of the vessels goods fish persons animals and things described in the schedule to this Order demand recover and receive any sums not exceeding the several rates specified in the schedule to this Order.

Annual account to be sent to Board of Trade.

4. The Undertakers within one month after sending to the clerk of the peace the copy of their annual account in abstract (which shall be made up at the end of the day on the 25th day of March in each year) shall send a copy of the same to the Board of Trade and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

A.D. 1888.

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

Curran
(Larne).
Certain fishing vessels under stress of weather exempt from rates.

6. Officers of the Board of Trade and of the Customs being in the execution of their duty shall at all times have free ingress passage and egress to or along and from the pier and works by land and with their vessels and otherwise without payment.

Custom-house officers exempt from rates.

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

Lifeboat crew exempt from toll.

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

Life-saving apparatus may be attached to the pier.

9. The Undertakers may from time to time license such number of pleasure boats and such number of persons to let the same for such period and on such terms and conditions as they think fit.

Undertakers may license pleasure boats.

10. The harbour master may prevent the removal or sailing out of the harbour of any vessel or boat in respect of which any rates shall have been payable until evidence shall have been produced to him of the payment of such rates to the collector and until the master or owner of such vessel or boat shall have given in an account of his cargo.

Harbour master may prevent sailing of vessels.

11. Sections 16 17 18 and 19 and 25 and 26 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Undertakers shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the harbour and build on such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Portions of Harbours Clauses Act excepted.

12. In case of injury to or destruction or decay of the pier or works or any part thereof the Undertakers shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Commissioners of Irish Lights and shall

Provision against danger to navigation.

A.D. 1888. apply to the said Commissioners for directions as to the means to be taken and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Curran
(Larne).

Costs of Order. 13. All the costs charges and expenses of or incident to the preparation and obtaining of this Order or otherwise incurred in relation thereto shall be paid by the Undertakers.

The SCHEDULE to which the foregoing Order refers.

I. RATES ON VESSELS USING THE HARBOUR.

	<i>s.</i>	<i>d.</i>
On every vessel to or from foreign ports or places - - per ton	0	6
On all other vessels discharging cargo - - - per ton	0	4
On every vessel arriving light to load cargo or in ballast - per ton	0	3
On every passenger steamer or pleasure boat not discharging or loading cargo - - - - - per ton	0	3
On every steam tug - - - - - per ton	0	1

Tug boats for or with vessels which have paid or are about to pay harbour dues are exempt from tonnage rates.

In the case of steam vessels or steam boats the net register tonnage upon which the rates are to be levied under this Order shall in no case be deemed for rating purposes to be less than the following (that is to say)—

In the case of steam tugs 18 per cent. of the gross register tonnage of such tugs.

In the case of other steam vessels or steam boats 40 per cent. of the gross register tonnage of such steam vessels or steam boats.

In all cases the fraction of a ton shall be charged as a ton.

Any vessel discharging or loading only part cargo to be allowed a reduction of tonnage rates.

Launches and lighters - - - - -	each	5	0
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II.—RATES FOR HARBOUR MOORINGS.

	<i>s.</i>	<i>d.</i>
Ships or barques - - - - -	7	6
Brigs - - - - -	5	0
Schooners - - - - -	2	6
Smacks - - - - -	1	6
Steamers - - - - -	<i>2s. 6d. to 7 6 according to tonnage.</i>	

Any vessel using the moorings for a longer time than one week to pay half rates for every additional week or portion of a week.

III.—RATES FOR BALLAST.

	<i>s.</i>	<i>d.</i>
Every vessel requiring ballast to make application in writing to the harbour master for same.		
Ballast supplied free on board - - - - -	1	6
per ton		
Any vessel taking ballast from any person except the harbour master will be considered as taking cargo and charged accordingly.		

*Curran
(Larne).*

IV.—RATES FOR WEIGHING MACHINES AND STORAGE.

For all goods - - - - -	0	1
per ton or part of a ton		

V.—SHEDS DUES OR STORAGE.

For each ton of 20 cwt. of goods contained within a space not exceeding 40 cubic feet which shall remain in the sheds or on the pier or quays for a longer time than forty-eight hours - - - - - 0 3

And the further sum of 1½*d.* for every twenty-four hours during which such goods shall remain after the first forty-eight hours.

VI.—FOR TRAMWAY.

	<i>s.</i>	<i>d.</i>
For all goods conveyed over any part of the tramrails	0	1
per ton		
For every animal - - - - -	0	1

VII.—FOR PASSENGERS.

For every passenger landing or embarking at the harbour - - - - -	0	1
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VIII.—SCHEDULE OF RATES TO BE LEVIED ON GOODS AND MERCHANDISE AT THE HARBOUR PIER QUAYS AND LANDING PLACES.

Chargeable on gross weight (including packages).

	<i>s.</i>	<i>d.</i>
Aerated waters - - - - -	0	0¼
per cwt.		
Alabaster - - - - -	0	2
per ton		
Ale or beer - - - - -	0	0½
per cwt.		
Alum cake - - - - -	0	2
per ton		
Anchors - - - - -	0	4
per ton		
Animals wild - - - - -	1	0
each		
Apples or pears - - - - -	0	4
per ton		
Artificial manures - - - - -	0	2
per ton		
Ashes pot or pearl - - - - -	0	3
per ton		
Asphalt - - - - -	0	2
per ton		
Asses - - - - -	0	1
each		
Bacon - - - - -	0	0¼
per cwt.		
Bags or sacks - - - - -	0	0¾
per cwt.		

Several pages omitted.