

TEIGNMOUTH HARBOUR.

Teignmouth.

Provisional Order for the Management and Improvement of the Harbour of Teignmouth, in the County of Devon.

1. This Order may be cited as the Teignmouth Harbour Order, Short title.
1924.
2. This Order shall come into operation upon the day when the Commencement.
Act confirming this Order is passed, and that day is in this Order referred to as "the commencement of this Order."
3. (1) In this Order unless the context otherwise requires:— Interpretation.
 - "The Harbours Clauses Act, 1847," means the Harbours, Docks and Piers Clauses Act, 1847.
 - "The Act of 1853" means the Teignmouth Harbour Act, 1853.
 - "The Commissioners" means the Teignmouth Harbour Commissioners incorporated by this Order.
 - "The Commissioners of 1853" means the Commissioners for carrying the Act of 1853 into execution.
 - "The Clerk" means the Clerk to the Commissioners or (if the case so requires) to the Commissioners of 1853.
 - "The Harbour" means the Harbour of Teignmouth including the works, plant and conveniences connected therewith or (as the case may be) any part thereof within the limits prescribed in this Order.
 - "The Harbour Undertaking" means and includes the Harbour and the Harbour undertaking transferred to and all rights conferred on and all property vested in the Commissioners by and under this Order for the purposes thereof.
 - "The Harbour revenue" means and includes the rates, tolls, dues, rents and other moneys and receipts which may be taken and received by way of income from or in respect of the harbour undertaking.
 - "Ballast" includes stone, gravel, sand, clay, earth, soil and other materials and substances used as ballast.
 - "Rubbish" includes ballast wreck, ashes, filth, and other waste materials and substances.
- (2) In the application to this Order of the Harbours Clauses Act, 1847, the expressions "Packet Boat or Post Office Packet" and "Post Office Bag of Letters," used in that Act shall mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act, 1908, and a mail bag as defined by the same Act.

Provided that nothing in the Harbours Clauses Act, 1847, or in this Order shall exempt from rates, duties, regulation or control, any such vessel as aforesaid if she also conveys passengers or goods for hire.

4. (1) For all the purposes of the Harbours Clauses Act, 1847, this Order shall be deemed to be the Special Act, but the following Sections 6 to 11 and 16 to 19 and 25 and 26 and 84 and 85 shall not be incorporated with this Order. Incorporation of Acts.

(2) The following enactments shall be incorporated with this Order:—

(a) The Commissioners Clauses Act, 1847 (in so far as applicable and as the case may require not being inconsistent with this Order) except Sections 6 and 7 and 17 to 32 and 36 and 40 and 42 and 43 and 54 and 84 and 90 to 92 and 95; provided that notwithstanding anything contained in Section 66 the same person may be both Clerk and Treasurer.

(b) The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry on lands by the promoters of the undertaking) and for this purpose this Order shall be deemed to be the Special Act.

5. (1) The persons to be appointed or elected as Commissioners under this Order, not exceeding twenty in number, are hereby constituted as a body of Commissioners which shall have power to act as soon as five persons have duly made and signed their declarations as Commissioners and thereupon shall be the undertakers for carrying this Order into execution. The Commissioners constituted and incorporated.

(2) Such Commissioners and their successors are hereby for the purpose of this Order incorporated by the name of the Teignmouth Harbour Commissioners and by that name shall be a body corporate with perpetual succession and a common seal with power to purchase, take hold and dispose of land and other property for the purposes of this Order.

(3) The first meeting of the Commissioners shall be held at some convenient place at Teignmouth within three months next after the commencement of this Order.

(4) An annual meeting of the Commissioners shall be held on the third Wednesday in the month of September in every year thereafter at such place as the Commissioners may from time to time appoint, and the Commissioners shall also hold meetings for the transaction of general business from time to time at such places and times and at such intervals as they may from time to time appoint.

(5) Proceedings of the Commissioners shall not be invalidated or be illegal by reason of any vacancy in their body or of the non-appointment or non-election of, or any defect in the appointment or election of, a Commissioner.

6. At the expiration of two months from the commencement of this Order or on the day when the Commissioners become the Undertakers for carrying this Order into execution, whichever may be the later date, the following provisions shall have effect:— Repeal of the Act of 1853 and transfer of property, etc.

(1) The Act of 1853 shall be and thereafter is hereby repealed, but subject to the powers and provisions of this Order.

(2) Notwithstanding the repeal of the Act of 1853 all estates, plant, works, expectancies, claims and property whatsoever of or to which the Commissioners of 1853 are in any way possessed or entitled shall be and thereafter are hereby transferred to and vested in the Commissioners absolutely according to the tenure, nature, or quality thereof respectively, but subject and without prejudice to any charges, incumbrances or claims which affect the Commissioners of 1853 or their property.

(3) Notwithstanding the repeal of the Act of 1853 all deeds, bonds, contracts, agreements, actions, suits and proceedings shall to all intents and purposes continue in force and have effect whether for or against the Commissioners in like manner as for or against the Commissioners of 1853 and the Commissioners shall be substituted in the place of the Commissioners of 1853 and their name may where necessary be used in substitution accordingly; and all debts, liabilities and moneys which are due to or from or recoverable by or from the Commissioners of 1853 in relation to or in connection with the Harbour shall be due to or from and recoverable by or from the Commissioners.

(4) Notwithstanding the repeal of the Act of 1853—

- (a) The Commissioners and their officers and servants shall be entitled for the purposes of this Order to the benefit of the provisions of any enactment other than the Act of 1853 in force at the commencement of this Order in favour of or relating to the Commissioners of 1853 or their officers and servants; and
- (b) Every officer and servant appointed by virtue of or acting under that Act shall hold and enjoy his office and employment with the salary and emoluments thereunto annexed and be deemed an officer and servant of the Commissioners until he be removed from such office and employment and he shall have the like power and authority for the purposes of this Order and be subject to the like power of removal, rules, regulations, pains and penalties in all respects whatsoever as if he had been appointed under this Order.
- (c) All maps, plans, books, accounts, documents and writings kept or made and receivable in evidence under the Act of 1853 shall be admitted as evidence, and may together with any registers be used for the purposes of this Order as if that Act were not repealed.

7. The Commissioners shall be appointed or be elected as hereinafter provided :—

As to appointment and election of Commissioners.

The Appointed Commissioners shall not exceed 12 in number, to be qualified by virtue of property or of nomination or of appointment as follows :—

- (1) The Minister of Transport may appoint two persons to be Commissioners.
- (2) The Owner for the time being of the Stover Canal or his nominee shall be one Commissioner.
- (3) The Owner for the time being of the Hackney Canal or his nominee shall be one Commissioner.
- (4) The lord for the time being of the Manor of West Teignmouth or his nominee shall be one Commissioner.

TEIGNMOUTH HARBOUR.

(5) The lord for the time being of the Manor of East Teignmouth or his nominee shall be one Commissioner.

(6) The Urban District Council of Newton Abbot may, subject to and in accordance with the provisions of this Order, elect and appoint two persons to be Commissioners.

(7) The Rural District Council of Newton Abbot may, subject to and in accordance with the provisions of this Order, elect and appoint two persons to be Commissioners.

(8) The Urban District Council of Teignmouth may, subject to and in accordance with this Order, elect and appoint two persons to be Commissioners.

If at any time there are two or more persons who together are the lord of any one of the said manors or the owner of any one of the said canals, then one of them or their nominee (who may be one of themselves) instead of themselves, shall be a Commissioner in respect of such manor or canal.

If at any time the lord of any one of the said manors or the owner of any one of the said canals is a Company or partnership, then the nominee of such Company or partnership shall be qualified to be a Commissioner as aforesaid instead of such Company or partnership.

If in any case there is more than one nominee the Commissioners shall in the absence of agreement decide which nominee shall be a Commissioner.

The Elected Commissioners shall not exceed eight in number, to be qualified by virtue of election as follows:—

(9) Any person, partnership or Company, who or which has in the three years next preceding the 1st day of July, 1924, or the 1st day of July in any subsequent third year paid to the average amount of Five Pounds per annum or upwards any of the rates or dues specified in Schedule "B" to the Act of 1853 or in Schedule "B" to this Order (in this Order referred to as "Harbour Ratepayers") may, subject to and in accordance with this Order, vote for the election of six Commissioners: Provided that for the purposes of this sub-section the party appearing on the bills of lading in the case of exports as consignor and in the case of imports as consignee, shall be deemed the party paying such rates and dues.

(10) Any person, partnership or Company who or which has within twelve months next preceding the 1st day of July, 1924, or the 1st day of July in any subsequent third year been registered as part owner or sole owner of any ship or vessel belonging to the Port of Teignmouth (the register of which ship or vessel is kept at the Custom House of the said Port) and has become liable to and has paid dues at the Harbour of Teignmouth (in this Order referred to as "Registered Shipowners") may, subject to and in accordance with this Order, vote for the election of two Commissioners.

Provided that if the Register of the Registered Shipowners to be kept as provided in this Section shows that on the 30th day of June, 1924, or the 30th day of June in any subsequent third year there were less than five ship-owners registered as therein provided, then and in such any case the Registered Shipowners shall not elect more than one Commissioner.

(11) The Harbour Ratepayers shall be entitled to votes according to the following scale (that is to say) : every person, partnership or Company appearing by the register of Harbour Ratepayers to be a harbour ratepayer and who or which in the preceding three years ending with the 30th day of June, 1924, or the 30th day of June in any subsequent third year, has paid any such rates and dues to the average amount of five pounds per annum or upwards, but less than twenty pounds, one vote; to the average amount of twenty pounds per annum or upwards but less than fifty pounds, two votes; and to the average amount of fifty pounds per annum or upwards, three votes; but no person, partnership or Company shall have more than three votes.

(12) The Registered Ship-owners shall be entitled to votes according to the following scale (that is to say) : every person, partnership or Company appearing by the register of the Registered Ship-owners to be a Registered Ship-owner, whether as part owner or sole owner to the amount or aggregate amount of fifteen registered tons or upwards, but less than three hundred tons, one vote; to the amount or aggregate amount of three hundred registered tons or upwards, but less than five hundred tons, two votes; and to the amount or aggregate amount of five hundred registered tons or upwards, three votes; but no person, partnership or Company shall have more than three votes.

(13) As from the commencement of this Order the Clerk shall, subject to the provisions of this Order, prepare and keep a register of the Harbour Ratepayers who within twelve months beginning with the first day of July, 1921, and in every subsequent year and ending with the 30th day of June in the next year shall have paid any of the rates and dues specified in the Schedule "B" to the Act of 1853, or Schedule "B" to this Order and shall from time to time insert therein the names and addresses of all persons, partnerships and Companies entitled to be included in such registers respectively, together with the particulars of the amounts from time to time paid to the Commissioners by each such person, partnership and Company for rates or dues in respect to which they are or may be entitled to vote. Provided that for the purposes of this sub-section the party appearing on the bills of lading in the case of exports as consignor, and in the case of imports as consignee, shall be deemed the party paying such rates and dues.

(14) As from the commencement of this Order the Clerk shall subject to this Order prepare and keep a register of the Registered Ship-owners and shall from time to time insert therein the names and addresses of all persons, partnerships and Companies who have been registered in the books of the Custom House at Teignmouth as the owners or part owners at any time during the year ending on the 30th day of June then next preceding of any ships or vessels with the names and registered tonnage of such ships and vessels respectively.

(15) The registers shall be kept at the office of the Clerk and each register shall be certified in writing by the Clerk as containing to the best of his knowledge and belief correct particulars in accordance with the provisions of this Order, and shall thereupon be sufficient and conclusive evidence to all intents and purposes of the same being registers according to this

Order and of all the provisions hereof in any way relating to the qualification of Harbour Ratepayers or Registered Ship-owners having been duly complied with.

(16) Every such register shall be in force until the completion of the then next register, and the persons, partnerships and Companies whose names appear on the register for the time being in force shall subject to this Order be the persons, partnerships and Companies entitled to vote for the purposes of the election of Commissioners, and shall at every such election be respectively entitled to the number of votes to which such register shall show them to be entitled in accordance with this Order.

8. (1) The Commissioners appointed or elected under Sub-sections (6), (7), (8), (9) and (10) of Section 7 shall be resident within eight miles of the town of Newton Abbot. Qualification of and
tenure of office by
Commissioners, etc

(2) The Commissioners appointed under the first five sub-sections of Section 7 shall hold office respectively for life or as the case may be until they may resign or their appointments be determined as hereinafter provided.

(3) Subject to the provisions contained in Sections 8 and 9 as to the term of office of the first appointed and elected Commissioners, the Commissioners appointed or elected under Sub-sections (6), (7), (8), (9) and (10) of Section 7 shall hold office for a period of three years from the date of their appointment or election, and retiring members shall be eligible for re-appointment or re-election.

(4) The appointment of an appointed Commissioner may at any time be determined by the body, person or authority by whom he may have been appointed, and notice of such determination shall be given in writing by the body, person or authority making the same and be delivered to the Commissioners; and an entry of every such determination shall be made in the minutes of the proceedings of the Commissioners.

Provided that if any such person, lord of manor or owner of canal, is an infant, or an idiot, lunatic or *non compos mentis*, his guardian or the committee of his estate may act in his stead in making the nomination and revocation respectively; and whenever any such person is beyond the seas, he may by his steward or agent (if any in England) make the nomination or revocation.

(5) Whenever a vacancy arises by death, resignation or otherwise in the office of an appointed Commissioner, the body, person or authority by whom such Commissioner was appointed shall appoint another person to fill the vacancy.

(6) Whenever a vacancy arises by death, resignation or otherwise in the office of an elected Commissioner, the Harbour Ratepayers or Registered Shipowners, as the case may be, shall elect another person to fill the vacancy in the manner hereinafter provided, but each Commissioner so elected shall hold office so long only as the person in whose place he is appointed would have been entitled to continue in office.

9. With respect to the appointment of Commissioners by the Newton Abbot Urban District Council, Newton Abbot Rural District Council, and Teignmouth Urban District Council, and each of them, the following provisions shall have effect :—

Mode of
appointment of
Commissioners by
Newton Abbot
U.D.C., Newton
Abbot R.D.C. and
Teignmouth U.D.C.

(1) As to the appointment of first Commissioners :—

(a) The Clerk shall by notice in writing require the Clerk of each of the Councils to cause each such Council at a meeting of such Council held within two months next after the commencement of this Order to appoint two Commissioners and within seven days after such meeting the Clerk of the Council shall report to the Clerk the names of the persons appointed by the Council.

(b) The persons appointed are to take office as soon as may be and are to go out of office at the end of the third Thursday in September, 1927.

(2) As to the appointment of Commissioners subsequent to the first :—

(a) The meeting for their appointment is to be held in the month of and not later than the third Thursday in September, 1927, and so in every subsequent third year.

(b) The persons appointed are to take office on the Friday following the third Thursday in September, 1927, and in every third subsequent year, and are to go out of office at the end of the day before the Friday on which their successors are to take office.

(3) As to the appointment of Commissioners by any Council to fill casual vacancies : The Clerk shall notify the Clerk of such Council whenever a vacancy is caused in the office of any Commissioner appointed by such Council, and the Council shall at their next practicable meeting appoint another person to fill the vacancy.

(4) Within seven days after every meeting at which any Commissioner is appointed, the Clerk of the Council shall report to the Clerk the name of the person appointed.

10. With respect to the election of Commissioners by the Harbour Ratepayers and by the Registered Shipowners, the following provisions shall have effect :—

Mode of election of Commissioners by the Harbour Ratepayers and Registered Shipowners.

(1) A Company shall have the same powers of voting as an individual and shall vote by its Secretary or other duly appointed nominee.

(2) In every case of several persons in partnership being Harbour Ratepayers or being Registered as Shipowners (whether as part owners or sole owners), then the member of the firm agreed upon by the members of the firm in writing, or, failing this, the member whose name stands first in the firm shall alone be entitled to exercise on behalf of the firm the right of voting at the election of Commissioners by Harbour Ratepayers and by Registered Shipowners.

(3) As to the election of the first Commissioners :—

(a) The meetings for their election are to be held at the Town Hall in the Town of Teignmouth within two months after the commencement of this Order.

(b) The persons elected are to take office as soon as may be and are to go out of office at the end of the third Thursday in September, 1927.

TEIGNMOUTH HARBOUR.

(4) As to the election of Commissioners subsequent to the first:—

(a) The meetings for their election are to be held at a convenient place to be appointed by the Commissioners in the month of and not later than the third Thursday in September, 1927, and so in every subsequent third year.

(b) The persons elected are to take office on the Friday following the third Thursday in September, 1927, and in every third subsequent year, and are to go out of office at the end of the day before the Friday on which their successors are to take office.

(5) As to the election of the first and subsequent Commissioners:—

(a) The Clerk is to give notice of the day and place of meeting by affixing the same on the door of the office of the Commissioners and in any other convenient manner four days at least and not more than ten before the day of the meeting.

(b) Any elector may attend the meeting and vote.

(c) The registers of the Commissioners shall as hereinbefore provided be evidence as to what persons are duly qualified electors.

(d) Any elector may at the meeting propose any person resident as hereinbefore provided as a candidate, and if the number of persons proposed do not exceed the number of Commissioners to be elected, the Chairman of the meeting is to declare them elected without taking a vote.

(e) The Commissioners to be from time to time elected shall be elected by a majority of the votes of the persons present and entitled to vote at the meeting for the election, such votes to be given in such manner as may be directed by the Chairman, but a proxy is not to be in any case admitted: Provided that in every case of an equality of votes the Chairman of the meeting shall, when requisite to decide the election, have an additional or casting vote.

(f) At every meeting a person appointed by the meeting shall preside as Chairman, and the person so presiding shall receive the votes of the electors and shall act in all other respects as chairman of the meeting, and the only business to be transacted or discussed at any such meeting shall be the election by the meeting of the persons to be elected Commissioners thereat.

(g) The Chairman of the meeting is, within seven days after the meeting, to report to the Clerk in writing the names of the persons elected.

11. All reasonable expenses properly incurred of or incidental to an election of Commissioners under this Order are to be paid by the Commissioners out of the dues or other income of the Commissioners. Expenses of election.

12. This Order shall be put in force within the present limits of the Harbour of Teignmouth, which limits extend from the boundary stone marked T.H.B. on the beach in the parish of Teignmouth and the ecclesiastical parish of East Teignmouth about one hundred Limits of Harbour.

yards east of the lighthouse to the boundary stone at the foot of the Ness in the parish of Saint Nicholas, also marked T.H.B., and comprise all places between those points so far as the tide flows, and the River Teign, and all places within the navigation of the River Teign, as high as the first lock of the Stover Canal; the aforesaid limits being indicated by the red line marked on the map or plan signed by the Minister of Transport whereof one copy having been deposited at the Offices of the Ministry of Transport, another copy shall be deposited at the Offices of the Board of Trade, another copy with the Clerk of the Urban District Council of Teignmouth, another copy with the Clerk of the Urban District Council of Newton Abbot, another copy with the Clerk of the Rural District Council of Newton Abbot, and another copy at the Offices of the Commissioners. Provided that in case of any discrepancy between the limits delineated on the said map or plan and the limits described in this section the said map or plan shall be deemed to be correct and shall prevail.

13. (1) The Commissioners may deepen, dredge, scour and excavate any portion of the harbour and of the foreshore and the bar at the mouth of the harbour and bed of the sea to the extent necessary to secure a sufficient waterway and approach to the harbour for vessels using the same, but so that the Commissioners in the exercise of such power shall not endanger or affect the works or property of the Great Western Railway Company. Power to dredge.

(2) All sand, mud and other materials dredged up or removed for the purposes and to the extent aforesaid shall be the property of the Commissioners, and they may sell or otherwise dispose of or remove or deposit the same as they think fit. Provided that no sand, mud or other material shall be laid down or deposited in any place below high water mark without the consent in writing of the Board of Trade having been first obtained.

(3) All money arising from any sale or other disposition of sand, mud and other materials under this section after payment of the expenses connected therewith shall be applied in the same manner as the harbour revenue under this Order is to be applied.

(4) Nothing herein contained shall be deemed to authorise in relation to any foreshore or bed of the sea vested in the Crown within the limits of this Order the removal or sale of any sand, mud or other materials by the Commissioners or their licensees otherwise than to the extent hereinbefore mentioned.

(5) The powers conferred by this section shall not be exercised so as in any way to interfere with, damage or affect the railways, works or property of the Great Western Railway Company.

14. The Commissioners may from time to time purchase, take on lease, provide, or hire such dredgers, engines, vessels, lighters, tools, plant or other materials as they think fit, and may from time to time let the same on hire subject to such terms and conditions and demand and receive such sums for the use of the same as they think fit, or may sell and dispose of the same, and the money realised by any such sale or disposition shall be applied for carrying into effect any of the purposes of this Order to which capital is properly applicable. Provided that the Commissioners shall not be entitled to provide or let on hire any boats to be used as Ferry Boats, between Teignmouth and Shaldon which may compete or interfere with the Ferry belonging to the Teignmouth and Shaldon Bridge Company or the Teignmouth and Shaldon Bridge.

Commissioners may provide dredgers, engines, etc.

15. The Commissioners may from time to time build, purchase, contract for or hire, and may maintain, use and let tugs, hoppers, barges or other power for the use and accommodation of vessels frequenting the harbour, and may also from time to time license such number of tugs, hoppers, barges, or other power (not including pleasure boats which the Teignmouth Urban District Council have power to license under Section 94 of the Public Health Acts Amendment Act, 1907, and pleasure boats used for private purposes) belonging to any person for such period and on such terms and conditions as the Commissioners may think fit, but such powers shall not be so used as to interfere or compete with the Bridge or Ferry of the Teignmouth and Shaldon Bridge Company.

Commissioners may provide and license steam tugs, etc.

16. The Commissioners may construct and may maintain and improve all necessary or existing embankments, walls, stairs, landing-places, approaches, roads, jetties, piers, wharves, warehouses, sheds, cranes, buoys, lights, lighthouses, tow-paths, bridges, and other works and conveniences in connection with the harbour or the approaches thereto. Provided that the works and conveniences authorised by this section shall not interfere with or prejudice the rights, powers or privileges of the Teignmouth and Shaldon Bridge Company as owners of the said Ferry or of the Teignmouth and Shaldon Bridge. Any electric light and power or other apparatus constructed and maintained under this Order shall be so constructed, used and maintained as to prevent any interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General.

Works authorised.

17. The Commissioners shall not under the powers of this Order construct on, over or under the shore of the sea, or of any creek, bay, arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and re-flows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any work owned by the Commissioners may have been constructed below high water mark of ordinary spring tides the Commissioners shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced, altered, extended, or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Commissioners and the amount of such costs and charges shall be a debt due from the Commissioners to the Crown and shall be recoverable as a Crown debt or summarily.

Works below high water mark not to be constructed without consent of Board of Trade.

18. If at any time the Board of Trade deem it expedient to order a survey and examination of a work owned or constructed by the Commissioners on, in, over, through or across tidal lands or a tidal water or of the intended site of any such work, the Commissioners shall defray the expense of the survey and examination, and the amount thereof shall be a debt due from the Commissioners to the Crown and be recoverable as a Crown debt or summarily.

Survey of Works by Board of Trade.

19. If a work owned or constructed by the Commissioners on, in, over, through or across tidal lands or a tidal water is abandoned or suffered to fall into decay and becomes an obstruction or danger to

Abatement of work abandoned or decayed.

navigation, the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Commissioners, and the amount of such expense shall be a debt due from the Commissioners to the Crown, and be recoverable as a Crown debt or summarily.

20. (i) The Commissioners may demand and receive in respect of vessels anchoring or mooring within the limits of this Order or entering, leaving or otherwise using the harbour, and in respect of all goods and merchandise discharged from or shipped on all vessels entering or leaving the harbour, dues or rates not exceeding those specified in the Schedules (A) and (B) to this Order. Provided that the Commissioners shall not have power to demand dues under Schedule (A) in respect of pleasure boats which the Teignmouth Urban District Council have power to license under Section 94 of the Public Health Acts Amendment Act, 1907, nor on pleasure boats used for private purposes, but shall have power to charge for the use by any such boats of the buoys, moorings or appliances of the Commissioners. Power to levy dues.

Provided also that the Commissioners shall not have power to charge dues or rates under Schedule (A) in respect of Ferry Boats belonging to the Teignmouth and Shaldon Bridge Company or under Schedule (B) in respect of goods or merchandise carried in the Ferry Boats of the Teignmouth and Shaldon Bridge Company to and from Teignmouth and Shaldon.

(ii) The Harbour Master may prevent the removal or sailing from within the limits of this Order of any vessel in respect of which or of the goods imported or exported therein any rates, dues or charges are payable until evidence has been produced to him of the payment of those rates, dues or charges to the Collector.

21. The Commissioners may from time to time with the consent of the Minister of Transport lease the dues authorised by this Order for any period not exceeding seven years from the date of the lease to take effect in possession at the best rent to be reasonably obtained without fine, and on such other terms and conditions as they shall think fit, and the lessee shall have and may exercise during the continuance of his lease the same power of levying and recovering dues as the Commissioners have or might exercise under the Harbours Clauses Act, 1847, and this Order, and shall be subject to all the same provisions as to accounts and otherwise to which the Commissioners are made subject by this Order. Power to lease dues

22. (1) If at any time it is represented in writing to the Minister of Transport— Revision of dues or rates.

(a) By any chamber of commerce or shipping or any representative body of traders or any person who is in the opinion of the Minister of Transport a proper person for the purpose; or

(b) By the Commissioners—

That under the circumstances then existing all or any of the dues or rates authorised by or in pursuance of this Order in respect of the undertaking should be revised the said Minister may if he thinks fit after inquiry in pursuance of any such representation make an Order revising all or any of such dues or rates as aforesaid and may fix the date as from which such Order shall take effect and thenceforth such Order shall be observed until the same expires or is revoked or

modified by a further Order of the said Minister made in pursuance of this section : Provided that the revised maximum dues or rates as authorised by any such Order shall not be less than the dues or rates authorised by the Act of 1853 or be more than the statutory maximum dues or rates authorised by this Order.

(2) No application shall be made under this section for a general revision of dues or rates for the time being authorised under this Order within twelve months after the date of an Order made by the Minister of Transport for a general revision thereof and no application shall be made for a revision of any particular dues or rates within twelve months after the date of an Order made by the said Minister for a general revision or of any previous application for a revision of the particular dues or rates in question.

(3) The provisions of Part 1 of the Board of Trade Arbitrations, etc., Act, 1874, shall apply for the purposes of this section as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in Section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or one of the Secretaries of the Board."

(4) An application made to the Minister of Transport under this Section shall be accompanied by such information and particulars certified in such manner as the said Minister may require, and the said Minister and any person duly authorised pursuant to Section 2 of the Board of Trade Arbitrations, etc., Act, 1874, as applied by this Section to hold an Inquiry for the purposes of this Section may call for such documents and accounts as he shall think fit, and such person may hear such witnesses as he shall think fit, and shall have power to take evidence on oath, and for that purpose any such person may administer oaths.

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

Certain fishing vessels under stress of weather exempt from dues.

24. 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 of saving life, also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage and egress to, along and from the premises and works of the Commissioners without payment.

Lifeboat crews to be exempt from dues.

25. (1) Without prejudice to any existing right of His Majesty nothing in this Order shall be deemed to authorise any tolls to be demanded or taken under this Order from any person when on duty in the service of the Crown or from any police officer acting in the execution of his duty. The expression "The Crown" includes any Government Department.

Exempting Officers of the Crown from toll.

(2) If any person wilfully and with intent to defraud claims or takes the benefit of any such exemption as aforesaid without being entitled thereto he shall for every offence be liable on summary conviction to a fine not exceeding Ten Pounds.

26. The Commissioners may from time to time confer, vary or extinguish exemptions from and compound with any person with respect to the payment of dues, rates or charges authorised by this Order, but so that no preference be in any case given to any person over any other person under the like circumstances, and that anything done under this Section shall not prejudice the other provisions of this Order.

Powers to vary exemptions from dues and to enter into compositions.

27. (1) The Commissioners may (so far as the rates specified in the Schedules to this Order do not extend) demand and recover such reasonable rates or other consideration as they may determine for the use of any tugs, warehouses, sheds, buildings, yards, weighing machines, mooring posts, cranes, buoys, works and conveniences belonging to or provided by the Commissioners or in respect of any services rendered by them in connection with the harbour or under this Order.

Rates for Warehouses, etc.

(2) The Commissioners may from time to time fix such reasonable rates and charges as they may determine for or in respect of the use of tugs, hoppers, barges, or other power maintained, used and let or licensed by the Commissioners, and such rates or charges shall be paid by the owner, agent, master, consignee or other person having charge of the vessel obtaining assistance of such tug, hopper, barge or other power to the Commissioners or to the person with whom the Commissioners contract, or to the owner of such tug, hopper, barge or other power, if licensed by the Commissioners as the case may be, and such rates and charges shall be due and payable whether such tug, hopper, barge or other power shall be actually employed or not provided the assistance thereof shall have been required, and shall in consequence of a requisition have been tendered by the Commissioners or by the Master or other person having command of such tug, hopper, barge or other power.

Charges for use of steam tugs, etc.

28. The Commissioners may from time to time borrow, at interest not exceeding Six Pounds per centum per annum or such higher rate (if any) as the Minister of Transport may from time to time allow, on mortgage and on the security of the harbour revenue for any purposes of the harbour undertaking :—

Power to borrow.

(a) A sum not exceeding together with any sums previously borrowed by them or the Commissioners under the Act of 1853 and not repaid, £15,000.

(b) With the consent of the Minister of Transport such further sum or sums as may from time to time be required.

A mortgage may be according to the Form in the Schedule (C) to this Order annexed, so far as that form is applicable, or to the like effect.

The Commissioners shall not be bound to see to the execution of any Trust whatsoever express, implied or constructive to which a mortgage may be subject, and the receipt of the party in whose name a Mortgage stands in the Register of Mortgages, or if it stands in the names of more persons than one, the receipt of any one of the persons named in the register shall be a sufficient discharge to the Commissioners for any interest or other sum payable in respect of such mortgage notwithstanding any trusts to which such mortgage is then subject, and whether or not the Commissioners have had notice of such trusts, and the Commissioners shall not be bound to see to the application of any money paid upon any such receipt.

29. All moneys borrowed by the Commissioners under the section of this Order of which the marginal note is "Power to borrow," shall be repaid within the respective periods following :—

Period for repayment.

(a) As to money borrowed within the limits of paragraph (a) of the said section, if borrowed before the commencement of this Order, within 30 years from such commencement, or, if not so borrowed, within 30 years from the date of borrowing.

(b) As to money borrowed with the consent of the Minister under paragraph (b) of the said section within such period or periods as the Minister of Transport may prescribe.

30. All money already borrowed, or borrowed by the Commissioners under this Order, and repaid otherwise than by instalments or by means of a sinking fund, may be from time to time re-borrowed by the Commissioners, but so that the sum shall be repaid within the respective periods limited by this Order.

Re-borrowing.

31. Any money borrowed under this Order shall be applied only in payment of the cost of works authorised by this Order or for any other purposes of this Order to which capital is properly applicable.

Application of money borrowed.

32. The Commissioners may, if they think fit, for the purpose of forming and maintaining a contingency fund not exceeding at any time the sum of £3,000 to meet any extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the works, appropriate and set apart subject to the provisions of this Order as to application of revenue any amount which they think fit in any year out of the revenue received under this Order and shall deposit any such amount in some joint stock bank to be increased by accumulation in the way of compound interest or otherwise or shall invest the same in securities upon which trust moneys may be invested (other than securities of the Commissioners) until required for any of the purposes aforesaid.

Contingency Fund.

33. The harbour revenue shall be applied for the purposes and in the order following and not otherwise :—

Application of Harbour Revenue.

(1) In paying the costs, charges and expenses of or incidental to preparing and obtaining this Order.

(2) In paying or contributing jointly with any person, persons or corporation to the expense of the maintenance, repair, management and regulation of the harbour and the works connected therewith and the approaches thereto.

(3) In paying year by year the interest accruing on money already borrowed, or borrowed under this Order.

(4) In payment of the instalments as they become due in discharge of any money so borrowed and repayable by instalments and in forming a sinking fund for payment of principal moneys already borrowed, or borrowed under this Order.

(5) In making such payments (if any) as the Commissioners think fit into a contingency fund established under the provisions of this Order.

The surplus (if any) after providing for the purposes aforesaid shall be applied for the general purposes of the Harbour undertaking.

34. (1) In addition to the powers of making bye-laws contained in the Harbours Clauses Act, 1847, the Commissioners may, subject to the provisions of this Order, from time to time make, vary or repeal such bye-laws to take effect only within the limits to which this Order extends as they shall think fit for all or any of the following purposes, that is to say :—

Additional
bye-laws.

(i) For regulating the removal and disposal within the harbour of all rubbish and of all ballast brought by the vessels entering the harbour and for regulating the supply of ballast to vessels in the harbour.

(ii) For regulating and fixing the speed of vessels and boats (other than the Ferry Boats belonging to the Teignmouth and Shaldon Bridge Company, whilst plying between Teignmouth and Shaldon), within the limits of the Harbour.

Provided that due notice of the intention of the Commissioners to make such bye-laws shall be notified to the Secretary of the Great Western Railway Company.

(2) The bye-laws which may from time to time be made by the Commissioners under this section or Section 83 of the Harbours Clauses Act, 1847, may provide for imposing a penalty not exceeding £5 for the breach or non-observance of any of the bye-laws, and no such bye-law shall come into operation until it has received the allowance and confirmation of the Minister of Transport, which allowance and confirmation shall be sufficient for all purposes.

(3) All bye-laws, rules, regulations, orders and notices made and given under the authority and according to the provisions of the Act of 1853 and which are in force at the commencement of this Order, shall continue in full force and effect until the same shall be re-enacted, repealed, altered or varied under the authority of this Order; and such bye-laws, rules, regulations and orders and all penalties and forfeitures, thereby respectively imposed, may and shall be enforced, recovered and applied in the same manner in all respects as the same respectively might be enforced, recovered and applied in case the same respectively were made and imposed under the authority of this Order.

35. Subject to the provisions of this Order and without prejudice to the provisions of the section of this Order of which the marginal note is "Crown rights," any person other than a grantee from the Crown who at any time digs, carries away or removes any sand, gravel, shingle, rock, soil or other material from the foreshore or bed of the harbour or deposits the same thereon without first having obtained the licence in writing of the Commissioners, or who, having obtained such licence, so digs, carries away, removes or deposits any sand, gravel, shingle, rock, soil, or other material or does so at any place or in any quantity or manner other than the place, quantity or manner permitted by such licence, shall for every such offence be liable to a penalty not exceeding twenty pounds.

Sand, etc., not to
be removed from or
deposited in
Harbour without
licence.

36. The Commissioners may appoint officers for securing the observance of the bye-laws and regulations made by the Commissioners under this Order in respect of the harbour, and may from time to time procure such officers to be sworn as constables for that purpose, but no such officers shall act as constables until so sworn in and unless in uniform or provided with a warrant.

Appointment of
officers to enforce
bye-laws and
regulations.

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

Life-saving apparatus may be attached to Harbour

38. The Commissioners shall, at or near the works below high water mark during the whole time of the constructing, altering or extending the same, exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any), and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve.

Lights on works during construction

If the Commissioners fail to comply in any respect with the provisions of this Section, they shall for each day in which they so fail be liable to a penalty not exceeding Twenty Pounds.

39. The Commissioners shall at the outer extremity of their works below high water exhibit and keep burning from sunset to sunrise such lights (if any), and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House, Deptford Strond, shall from time to time direct.

Permanent lights on works.

If the Commissioners fail to comply in any respect with the provisions of the present section, they shall for each day in which they so fail be liable to a penalty not exceeding Twenty Pounds.

40. In the case of injury to or destruction or decay of the works below high water or any part thereof, the Commissioners 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 Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to the means to be taken, and the Commissioners shall be liable to a penalty not exceeding £10 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.

Provision against danger to navigation.

41. (1) The Minister of Transport shall, unless he may see special reason to the contrary, appoint a person to be permanent Auditor to examine and audit the accounts of the Commissioners, and shall fix the payments to be made to him for salary and for expenses (if any), and the amount of the salary and expenses (if any) shall be paid by the Commissioners out of the dues or rates or other income received by them under this Order.

Auditor

(2) The Minister of Transport may at any time revoke the appointment of any person as Auditor, and thereupon shall unless he may see special reason to the contrary appoint another person as Auditor.

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

(4) If the Commissioners refuse or neglect to comply with any of the provisions of this section they shall be liable to a penalty not exceeding £20 for every month during which they neglect or refuse so to comply.

42. (1) The Commissioners shall within two months after the date to which their annual accounts and balance sheets are made up send a copy of the same to the Ministry of Transport, and the 16th section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include the Commissioners and any and all of such accounts.

Annual Accounts to be sent to Ministry of Transport.

(2) The Commissioners shall as from the expiration of that period be liable to a penalty not exceeding £20 for every week or part of a week during which they refuse or neglect to comply with this section.

(3) The accounts shall be made up to the end of the thirty-first day of March in each year.

(4) In addition to the account lodged with the Clerk of the Peace in accordance with Section 50 of the Harbours Clauses Act, 1847, the Commissioners shall also lodge with him a full and detailed statement showing the capital expenditure made by the Commissioners during the year covered by the said account.

43. It shall be lawful for the Commissioners to pay to the Lords Commissioners of the Treasury, or to the Commissioners of His Majesty's Customs, such sum or sums of money, out of the rates and dues hereby made payable, as the Commissioners in the execution of this Order shall deem advisable and think right, towards repaying the salary and expenses of any additional officer or officers who may be appointed by the said Commissioners of the Treasury or Customs in consequence of the said harbour having been established as a supernumerary port with bonding privileges.

Power to remunerate certain Officers.

44. The harbour or any part thereof shall not be subject to the control, direction, survey, or order of any Commissioners of Sewers, or other body or persons having the care or management of any sewers or drains, or to any law or statute relating to sewers or drains. But so that nothing in this section contained shall prejudice or affect the rights of the Urban District Council of Teignmouth to maintain and control their existing sewers laid and discharging within the limits of the Harbour.

Harbour not to be subject to any law relating to Sewers.

45. Nothing in this Order affects prejudicially any estate, right, power, privilege, or exemption of the Crown, and in particular nothing herein contained authorises the Commissioners to take, use or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay or estuary or any land, hereditaments, subjects or rights of whatsoever description, belonging to His Majesty in right of His Crown, and under the management of the Commissioners of Woods or of the Board of Trade respectively, without the consent in writing of the Commissioners of Woods or the Board of Trade, as the case may be, on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown rights.

46. Nothing in this Order affects prejudicially any estate, right, power, privilege or exemption of the Duke of Cornwall for the time being.

Saving rights of
Duchy of Cornwall.

47. Except within the Harbour of Teignmouth as limited by this Order nothing therein contained shall take away, lessen, alter or prejudice any of the jurisdictions, franchises, rights, powers or privileges of the Corporation of Exeter.

Saving rights of
Corporation of
Exeter.

48. Except as is by this Order expressly provided, no power under this Order shall be exercised so as in any manner to defeat, lessen or interfere with any right, jurisdiction, usage or property of the lord of any manor, nor the owner of any land adjoining the harbour and lying above highwater mark, without the previous consent in writing of such lord or owner.

For protection of
Lords of Manors
and Land Owners.

49. Except as is by this Order expressly provided, nothing therein contained shall take away, lessen, alter or affect any right, jurisdiction, usage, power or privilege belonging to the respective lords of the several manors of West Teignmouth, and Ringmore, and East Teignmouth, and Kenton, and Wolborough, and Kingsteignton, and Bishopsteignton, and Combe-in-Teignhead, and Netherton, nor any of them.

Saving rights of
Lords of Manors.

50. Except as is by this Order expressly provided, nothing therein contained shall take away, lessen, alter or prejudice any of the estates, rights, interest, powers or privileges of the owners of the Stover Canal and the Hackney Canal.

Saving rights of
Owners of Stover
Canal.

51. Except as is by this Order expressly provided, nothing therein contained shall take away, lessen, alter or prejudice any of the estates, property rights, interests, powers or privileges of the Teignmouth and Shaldon Bridge Company.

Saving rights of
Teignmouth and
Shaldon Bridge
Company.

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

Costs of Order.

SCHEDULE (A).

RATES AND DUES ACCORDING TO NET REGISTERED TONNAGE.

	£	s.	d.
For every sailing ship, barge, lighter, or other sailing vessel, for every time it comes into the Harbour of Teignmouth, per net registered ton			2
For every motor ship, barge, lighter or other motor vessel, for every time it comes into the Harbour of Teignmouth, per net registered ton			2
For every steamship, barge, lighter or other steam vessel, for every time it comes into the Harbour of Teignmouth, per net registered ton			3
Every vessel remaining at the Harbour more than six months, one-third more of the above rate and dues; so remaining one year, double the above due; and the above rate for every six months it shall so remain beyond the year.			

SCHEDULE (B).

RATES IN RESPECT OF ANIMALS AND GOODS SHIPPED, UNSHIPED-
OR TRANSHIPPED IN THE HARBOUR.

	s.	d.		s.	d.
Aerated Waters, per ton	1	0	Bread, per ton	3	4
Agricultural Implements, per ton	1	0	Bricks, common, per 1,000	1	0
Alum, per ton	1	8	Bricks, fireclay and bath, per		
Ammonia, per ton	1	4	1,000	1	0
Anchors, iron or steel, per ton	1	8	Brimstone, per ton	1	8
Animals, live:			Brooms, per gross	1	8
Asses, each		8	Brooms and Brush Handles, per		
Bulls, each		4	ton	1	0
Calves, each		2	Brushes, per ton	1	0
Cows, each		4	Bulrushes, per ton	1	0
Dogs, each		2	Burnt Ore, per ton		6
Goats, each		2	Butter, per ton	1	8
Horses, each		8	Calcium Chloride, per ton	1	8
Lambs, per score	1	8	Candles, per ton	1	8
Mules, each		8	Canvas, per ton	1	0
Pigs, each		2	Carbide of Calcium, per ton	1	8
Sheep, per score	3	4	Carpets, per ton	1	8
Not otherwise specified,			Carriages:—		
each	1	0	Four wheels, each	2	0
Aniseed, per ton	1	0	Two wheels, each	1	0
Apples, per ton	1	8	Carrots, per ton		6
Arrowroot, per ton	3	4	Carts, each	1	0
Ashes, per ton	1	8	Castings, iron or steel, per ton	1	0
Asphalt, per ton	3	4	Cement, per ton	1	6
Bacon, per ton	1	8	Chaff, per ton	1	0
Ballast, per ton		1	Chains, iron or steel, per ton	1	0
Bark, per ton		1	Chalk, per ton		4
Barrels, empty, each		1	Charcoal, per ton		3
Barrows, each	0	2	Cheese, per ton	1	8
Bars, iron or steel, per ton	1	0	Chemicals not otherwise speci-		
Basic Slag, per ton		6	fied, per ton	1	8
Baskets, over 12 ins. diameter,			Chimney Pots, clay, per ton	1	8
per doz.	4		Chimney Pots or Tops, metal,		
Baskets, under 12 ins. diameter,			per ton	1	8
per doz.	3		China Stone, per ton		4
Beer in casks, per ton	1	0	Chinaware, per ton	1	8
Beer, bottled, per ton	1	0	Chocolate, per ton	3	4
Bicycles, each		6	Cider, per ton		9
Biscuits, per ton	3	4	Cigarettes, per ton	1	8
Bleaching Powder, per ton	1	0	Cigars, per ton	1	8
Blubber, per ton		5	Cinders, per ton	1	8
Boats, each	3	0	Clay, per ton		4
Bolts, iron or steel, per ton	1	8	Cloth, per ton		4
Bone, ash, per ton	1	0	Coal, per ton		4
Bones for manure, per ton	1	8	Cochineal, per ton	3	4
Books, per ton	3	4	Cocoa, per ton	3	4
Boots and Shoes, per ton	3	4	Coffee, per ton	3	4
Bottles, per gross	1	0	Coke, per ton		4
Bottles, broken, per ton		6	Confectionery, per ton	3	4
Boxes, empty, per ton			Copper, per ton	3	4
Brass, per ton	3	4	Copperas, per ton	1	8
			Coprolites, per ton		9

	s.	d.		s.	d.
Cordage, per ton	2	0	Hats, per ton	3	4
Cork, per ton	1	8	Hay, per ton	1	0
Corkwood, per ton	1	8	Hearthstones, per ton	10	
Corn Meal, etc.:—			Hemp, per ton	1	0
Barley, per ton	1	8	Hides and Skins, per ton	1	8
Beans, per ton	1	8	Honey, per ton	2	0
Bran, per ton	1	8	Hoops, wooden, per ton	1	8
Flour, per ton	1	8	Hoops, iron or steel, per ton	1	8
Maize (Indian Corn), per ton	1	8	Hops, per ton	3	4
Malt, per ton	1	8	Horns, per ton	1	8
Oats, per ton	1	8	Ice, per ton	4	
Oatmeal, per ton	1	8	Indigo, per ton	3	4
Peas, per ton	1	8	Jute, per ton	1	0
Rye, per ton	1	8	Kainit, per ton	6	
Tares, per ton	1	8	Kelp, per ton	1	8
Wheat, per ton	1	8	Lard, per ton	3	4
Cotton, Manufactured, per ton ...	3	4	Lead, black, red, white, per ton	1	8
Cotton, Raw, per ton	1	8	Lead, sheet, per ton	1	8
Cotton Wool, per ton	1	8	Leather, per ton	1	8
Culm, per ton	4		Lemons, per ton	1	8
Doors, wooden, per ton	3	4	Lignite, per ton	6	
Drugs, per ton	3	4	Lime, per ton	3	
Dye Stuffs, not otherwise speci-			Limestone, per ton	1	
fied, per ton	1	8	Linseed, per ton	1	8
Earthenware, per ton	1	8	Lint, per ton	1	8
Eggs, per ton	2	0	Loam, per ton	4	
Emery, per ton	3	4	Machines and Machinery, not		
Esparto Grass, per ton	1	0	otherwise specified, per ton ...	1	0
Essences and Extracts not other-			Manure:—		
wise specified, per ton	3	4	Chemical, not otherwise		
Feathers, per ton	6	8	specified, per ton	1	8
Felt, per ton	1	6	Street, per ton	1	0
Fish, Cured or Salted, per ton ...	1	0	Marble, per ton	1	0
Flax, per ton	1	4	Masts and Spars, wooden—		
Fruit, fresh, not otherwise			Not exceeding 16ft. in		
specified, per ton	3	4	length, each	1	0
Fruit, dried, per ton	2	0	Above 16ft. in length, each	2	0
Furniture, household, per ton ...	3	4	Mats, per ton	3	4
Game, per ton	3	4	Meal. See Corn.		
Ginger, per ton	2	6	Meat:—		
Ginger, preserved, per ton	3	4	Fresh, per ton	3	4
Glass, broken, per ton	6		Salted, per ton	1	8
Glass, window, per ton	1	8	Milk, per ton	3	4
Glassware, per ton	3	4	Millinery, per ton	3	4
Glue, per ton	3	4	Mill Stones, per ton	10	
Granite, per ton	2		Mineral Waters, per ton	1	0
Grates, per ton	1	0	Mirrors, per ton	3	4
Gravestones, per ton	6		Molasses, per ton	10	
Grease, per ton	1	8	Moss Litter, per ton	4	
Grindstones, per ton	10		Motor Cars, each	10	0
Groceries, not otherwise specified,			Motor Cycles, each	1	6
per ton	3	4	Musical Instruments per ton	£1	0
Guano, per ton	1	8	Nails, iron or steel, per ton ...	1	8
Gunpowder, per ton	1	8	Nitrate of Soda, per ton	1	8
Gypsum, per ton	1	8	Nuts, iron or steel, per ton ...	1	0
Haberdashery, per ton	3	4	Nuts, not otherwise specified, per		
Hams, per ton	1	8	ton	1	0
Hair, per ton	1	8	Oakum, per ton	1	0
Hardware, per ton	1	8	Ochre, per ton	10	

	s.	d.		s.	d.
Oil:—			Slates, common, per ton	...	6
Fish, per ton	...	1 8	Slates, writing, per ton	...	1 0
Fuel, per ton	...	1 8	Soap, per ton	...	1 8
Mineral, per ton	...	1 8	Soda, per ton	...	1 4
Vegetable, per ton	...	1 8	Soot, per ton	...	6
Oilcake, per ton	...	1 8	Spades, per ton	...	1 8
Onions, per ton	...	1 8	Spirits. See Wines.		
Oranges, per ton	...	1 8	Spirits of Turpentine, per ton	...	2 0
Ore:—			Starch, per ton	...	1 8
Copper, per ton	...	6	Stationery, per ton	...	3 4
Iron, per ton	...	6	Staves prepared for Casks, per ton	...	2 0
Lead, per ton	...	6	Steel, not otherwise specified, per ton	...	1 8
Manganese, per ton	...	6	Stone, not otherwise specified, per ton	...	6
Sulphur, per ton	...	6	Stoneware, per ton	...	2
Paints and Colours, not otherwise specified, per ton	...	2 0	Stoves, per ton	...	3 4
Paper, per ton	...	1 8	Straw, per ton	...	6
Patent Fuel, per ton	...	4	Stucco, per ton	...	1 6
Paving Stones, per ton	...	6	Sugar, per ton	...	1 8
Peats, per ton	...	4	Superphosphate, per ton	...	1 8
Perry, per ton	...	9	Tallow, per ton	...	1 0
Pewter, per ton	...	1 8	Tanning Requisites not otherwise specified, per ton	...	1 8
Pig Iron, per ton	...	1 0	Tar, per ton	...	6
Pipe Clay, per ton	...	4	Tea, per ton	...	6 8
Pipes, drain, per ton	...	6	Tiles, roofing, per ton	...	1 0
Pipes, iron or steel, per ton	...	1 0	Tin, per ton	...	2 0
Piping, lead, per ton	...	1 8	Tinplate, per ton	...	2 0
Pitch, per ton	...	6	Tobacco Leaf, per ton	...	3 4
Plaster of Paris, per ton	...	1 8	Tobacco, manufactured, per ton	...	3 4
Plates, iron or steel, per ton	...	1 0	Tow, per ton	...	1 0
Potatoes, per ton	...	6	Toys, per ton	...	1 8
Preserves, fish, fruit, meat and provisions, per ton	...	3 4	Treenails, per 1,000	...	4
Pyrites, per ton	...	6	Turrips, per ton	...	6
Rabbits, dead, per dozen	...	2	Turpentine, per ton	...	2 0
Rags, per ton	...	4	Twine, per ton	...	2 0
Rails, iron or steel, per ton	...	1 0	Varnish, per ton	...	2 0
Rice, per ton	...	1 8	Vegetables, not otherwise specified, per ton	...	1 8
Ropes, new, per ton	...	1 8	Vinegar, per ton	...	1 8
Ropes, old, per ton	...	10	Vitriol, per ton	...	3 4
Rods, iron and steel, per ton	...	1 8	Wedges, wood, per 1,000	...	4
Resin, per ton	...	6	Whalebone, per ton	...	2 0
Rubber, per ton	...	3 4	Wheels, carriage or cart, per pair	...	3
Saddlery, per ton	...	3 4	Whitening, per ton	...	10
Sails, per ton	...	1 0	Wines and Spirits, per ton	...	3 4
Salt, per ton	...	0 6	Wire, iron or steel, per ton	...	3 4
Saltpetre, per ton	...	1 8	Wood:—		
Sand, per ton	...	4	Battens, per ton	...	2 0
Scrap Iron or Steel, per ton	...	4	Deals and Deal-ends, per ton	...	2 0
Screws, iron or steel, per ton	...	1 0	Fir, per ton	...	2 0
Scythes, per ton	...	1 0	Firewood, per ton	...	2 0
Scythe Stones, per ton	...	1 0	Fustic, per ton	...	2 0
Seeds, agricultural and vegetable, not otherwise specified, per ton	...	1 8	Greenheart, per ton	...	2 0
Sewing Machines, each	...	6	Laths, per ton	...	2 0
Sheets, iron or steel, per ton	...	1 8	Lathwood, per ton	...	2 0
Shot Lead, per ton	...	1 8			
Shovels, per ton	...	1 8			
Shumac, per ton	...	3 4			

TEIGNMOUTH HARBOUR.

23

Wood—contd.		s.	d.			s.	d.
Lignum Vitæ, per ton	...	3	4	Wood pulp, per ton	...	...	6
Logwood, per ton	...	3	4	Wool, per ton	...	...	2 0
Mahogany, per ton	...	3	4	Worsted, per ton	...	...	2 0
Oak, per ton	...	3	4	Yarn Cotton, per ton	...	...	2 0
Pine, per ton	...	2	0	Yeast, per ton	...	...	3 4
Pitprops, per ton	...	2	0	Zinc, per ton	...	...	3 4
Rosewood, per ton	...	3	4				
Sleepers, per ton	...	2	0				

For all articles not specified in this Schedule sums may be charged equal to the rates payable in respect of goods specified therein which are as nearly as may be of like nature, package and quantity.

NOTES WITH REFERENCE TO THE FOREGOING SCHEDULE.

1. All returned empties are exempted from payment of rates.
2. All goods landed and re-shipped on board the same or any other vessel shall be liable to one rate only, provided that the goods were consigned in the first instance from the original forwarding point through to the destination to which they are re-shipped and no change of ownership of the goods has in the meantime taken place.
3. In charging the rates on goods the gross weight or measurement of all goods shall be taken. (Fractional parts of any weight measure number or value shall be charged proportionately, and the minimum charge for a single package shall be one penny).

SCHEDULE (C).

FORM OF MORTGAGE.

The Teignmouth Harbour Commissioners

Mortgage No..... £.....

By virtue of the "Teignmouth Harbour Order, 1924," we, the "Teignmouth Harbour Commissioners," in consideration of paid to us for the purposes of the Teignmouth Harbour Order by A.B.

of (*or otherwise as the case may be*), do assign unto the said A.B. or unto C.D., of the Nominee of the said A.B., his Executors, Administrators and Assigns, the Teignmouth Harbour Fund, and all the Rates, Dues, and other Monies from time to time to be paid to the credit of that Fund, to hold unto the said A.B.

or C.D. his Executors, Administrators and Assigns until the sum of with Interest for the same at the yearly rate of in the Hundred be satisfied [the principal sum to be repaid at the end of years from the date hereof (*if any period be agreed upon for that purpose.*)]

Dated this day of , 19