



ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

Cap. clxix.

An Act for constructing and maintaining a Pier at
Weston-super-Mare in the County of *Somerset*.

[17th July 1862.]

WHEREAS the making of a Pier, Approach Road, Breakwater, and Works connected therewith at *Weston-super-Mare*, for the Recreation of the Inhabitants and Visitors of that Town, and for the embarking of Passengers and other useful Purposes, would be of great public Advantage: And whereas the Persons herein-after named, and others, are willing, at their own Expense, to carry such Undertaking into execution; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same,

1. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Harbours, Docks, and Piers Clauses Act, 1847," except the Sections of the last-mentioned Act "with respect to Life Boats," and "with respect to keeping a Tide and Weather Gauge," shall be incorporated with and form Part of this Act.

8 & 9 Vict.
cc. 16. & 18.,
10 & 11 Vict.
c. 27., and
23 & 24 Vict.
c. 106. in-
corporated.

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2. This

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- Short Title. 2. This Act may be cited for all Purposes as "The *Weston-super-Mare* Pier Act, 1862."
- Incorporation of Company. 3. *John Hugh Wadham, Pigott Smyth Pigott, Robert Landemann Jones, Wyndham Lewis Williams, John Morris*, and all other Persons and Corporations who have already subscribed or who shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Pier, Approach Road, and Breakwater, and Works herein-after described, with all proper Approaches, Roads, Embankments, Works, and Conveniences connected therewith, subject to the Provisions of this Act and the Acts incorporated herewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Weston-super-Mare* Pier Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said incorporated Acts contained.
- Capital. 4. The Capital of the Company shall be Eight thousand five hundred Pounds.
- Shares. 5. The Number of Shares into which the Capital shall be divided shall be One thousand seven hundred, and the Amount of each Share shall be Ten Pounds.
- Calls. 6. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and Three Months at the least shall intervene between successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in One Year on each Share.
- Power to borrow on Mortgage. 7. It shall be lawful for the Company from Time to Time to borrow on Mortgage of their Undertaking any Sums of Money not exceeding in the whole the Sum of Two thousand Pounds, but no Part thereof shall be borrowed until the whole of the said Capital of Eight thousand five hundred Pounds is subscribed for, and One Half thereof is paid up, and the Company shall have proved to the Justice who is to certify, under the 40th Section of the "*Companies Clauses Consolidation Act, 1845*," that the whole of the Capital has been subscribed for *bonâ fide*, and is held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.
- Application of Monies. 8. All and every Part of the Money raised under this Act, whether by Shares or by borrowing, shall be applied only for the Purposes authorized by this Act.
9. It

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9. It shall be lawful for the Mortgagees of the Company to enforce Payment of the Arrears of Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver shall not be less than Five hundred Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

10. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* and *August*, or in such other Months as shall be from Time to Time determined by an Extraordinary General Meeting of the Company.

First and other Meetings.

11. The Number of Directors shall not be more than Six or less than Four, and the Qualification of a Director shall be the Possession in his own Right of not less than One hundred Shares in the Undertaking.

Number and Qualification of Directors.

12. *John Hugh Wadham, Pigott Smyth Pigott, Robert Landemann Jones, and Wyndham Lewis Williams* shall be the First Directors of the Company.

First Directors.

13. The Quorum of a Meeting of Directors shall be Three.

Quorum.

14. The Directors appointed by this Act, or such of them as shall not die or resign, or become disqualified or be removed, shall continue in Office until the First Ordinary General Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office the Directors appointed by this Act, or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Election of Directors at First General Meeting.

15. At the First Ordinary General Meeting to be held in every Year after the First General Meeting the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions of "The Companies Clauses Consolidation Act, 1845," contained, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845."

Subsequent Election of Directors.

16. Whereas Plans and Sections of the said intended Pier, Approach Roads, Breakwater, and Works showing the Lines, Levels, and Situation thereof, and also a Book of Reference to the Plans containing the Names of the reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass or be made, or which may be required

Pier, Approach Roads, and Breakwater to be made according to deposited Plans.

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required to be taken for the Purposes of the Undertaking, were in the Month of *November* One thousand eight hundred and sixty-one deposited for public Inspection with the Clerk of the Peace for the County of *Somerset*: Therefore, subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to make and maintain the Pier, Approach Roads, and Breakwater Works herein-after described in the Lines and the Situations and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Section and so deposited as aforesaid, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Description
of Works.

17. The Pier and Approach Roads and Breakwater authorized to be constructed comprise the following Works:

A Pier, Jetty, or Landing Place in the Parish or Township of *Weston-super-Mare* in the County of *Somerset*, commencing at or near a certain Point Forty Yards or thereabouts in a Northernly Direction from the North Wall of the Garden belonging to or occupied with *Anchor Head* House, and thence extending into the Foreshore of the *Bristol Channel* in a Westernly or North-westernly Direction towards *Berne Island*, and terminating at a Distance of One hundred and fifty Yards or thereabouts from the Commencement of the said Pier, Jetty, or Landing Place:

An Approach Road or Roadway commencing at a Point at or near *Anchor Head* House, and passing thence to the Commencement of the said Pier, and thence continuing in a Northernly and North-easternly Direction, and terminating by a Junction with the public Road leading from *Weston-super-Mare* to *Kewstoke* at a Point distant One hundred and sixty Yards or thereabouts South-west of the *Weston* Turnpike Gate House of the *Kewstoke* Road, and also another Approach Road to the proposed Pier, Jetty, or Landing Place, commencing by a Junction with the before-mentioned public Road at or near a certain Point distant Two hundred and eighty Yards or thereabouts, measured along the said public Road, in a South-westernly and Southernly Direction from the said *Weston* Turnpike Gate House of the *Kewstoke* Road, and thence running in a Westernly Direction, and terminating at the Point before described as the Commencement of the said Pier, Jetty, or Landing Place, with all Jetties, Esplanades, Landing Places, Toll Gates or Houses, and other Works, as may be deemed necessary or convenient:

A Breakwater commencing at the South-east End of *Berne Island*, and thence extending into the Foreshore of the *Bristol Channel* in a South-easternly Direction, and terminating at a Distance of One hundred and seventy Yards or thereabouts from the Commencement of the said Breakwater, the whole of which said Pier, Jetty,

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Jetty, or Landing Place, Approach Roads, and Breakwater, will be situated in or pass through or into the Parish and Township of *Weston-super-Mare* in the County of *Somerset*.

18. It shall be lawful for the Company, and their Agents, Servants, and Workmen, from Time to Time and at all Times from and after the passing of this Act, to bring, place, lay, work, and use any Timber, Stone, Bricks, Lime, or other Materials for making or building or for repairing and maintaining the said Pier, Approach Roads, Breakwater, or Works, or any of them, or for executing any other of the Purposes of this Act, in, upon, through, and over any Lands, not being Garden or Pleasure Ground, within Fifty Yards of either Side of the said Pier and Approach Roads respectively, doing as little Damage and causing as slight Obstruction as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands; and in case of Dispute about the Amount of such Damage and Satisfaction, the same shall be settled by any Two or more Justices of the Peace for the County of *Somerset*, and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly.

Power to deposit Materials on Land within 100 Yards of Pier, Approach Roads, and Breakwater, on making Satisfaction to Owners.

As to settling Disputes.

19. It shall be lawful for the Company, and their Agents, Servants, and Workmen, to enter upon any Lands upon or through which the said Pier, Approach Roads, or Works are intended to be made or to pass, and also upon any adjoining Lands or Grounds, to examine and survey the same, and to ascertain and set out such Parts thereof as may be thought necessary or convenient for carrying into execution the Purposes of this Act, and also from Time to Time to construct and make all necessary Walls, Arches, Culverts, Ditches, Drains, and Fences, and to do and perform all other Matters and Things which shall be necessary or proper for the making, completing, amending, and maintaining the said Pier, Approach Road, and Works, doing as little Damage as may be, and making full Satisfaction in manner herein-after directed to the respective Owners and Occupiers of all Lands which shall be taken, used, prejudiced, or damaged in the Execution of the Powers hereby granted.

Power to set out the Pier, Approach Roads, &c.

20. In making the said Pier, Roads, Breakwater, and other Works by this Act authorized the Company shall have Power to deviate from the Line delineated on the Plan deposited as aforesaid, provided that no such Deviation shall extend to a greater Distance than the Limits of Deviation delineated on the said Plan, nor to a greater Extent than Fifty Yards from the Centre Line delineated upon the said Plan, nor shall such Deviation extend into the Lands of any Person whose Name is not mentioned in the said Book of Reference without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission

Company empowered to deviate from Plans to a certain Extent.

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preceeded from Mistake shall have been certified in manner provided for in Cases of unintentional Errors in the said Book of Reference.

Power to deviate from Levels described on Section.

21. In constructing the said Pier, Approach Road, Breakwater, and other Works the Company may deviate from the Levels of the same as referred to in the Datum Line described on the Section deposited as aforesaid, provided that the Extent of any such Deviation shall not exceed Five Feet.

Working Plans to be submitted to the Admiralty before commencing.

22. Previously to commencing the Pier, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Pier and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Pier and Works shall be constructed only in accordance with such Approval.

Admiralty may order local Survey, at Expense of Company.

23. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of the said Pier and Breakwater or any Works of the Company in or affecting any tidal Water or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Admiralty may order Removal of Works affecting tidal Waters, if suffered to fall into Decay, at Expense of Company.

24. If the said Pier or Breakwater, or any Work to be constructed by the Company in any tidal Water, or if any Portion of such Pier or Work which affects any such Water or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Powers for compulsory Purchases limited.

25. The Powers for the compulsory Purchase of Land shall not be exercised by the Company after the Expiration of Two Years from the passing of this Act; and the said Pier, Approach Road, Breakwater, and

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and Works shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers given by this Act to the Company for executing the same shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Period for
Completion
of Works.

26. The Company may cause to be erected and set up a Toll House and Toll Gate at or upon the said Pier, and from Time to Time may remove the said Toll House and Toll Gate, and erect and set up another Toll House and Toll Gate in lieu thereof, and may from Time to Time erect, provide, and maintain such Toll House and Toll Gate and other Conveniences adjoining to the same.

Company
may erect
Toll Gates,
&c.

27. Every Person who shall land from or embark in any Boat or Vessel at or from the said Pier, and every Person who shall be on or otherwise use the said Pier, or shall lade or unlade thereat any of the Goods, Articles, Animals, or Things mentioned in the Schedule (A.) to this Act annexed, shall pay to the Company such Sum or Sums of Money as the Company shall appoint, not exceeding in any Case the Rate or Rates mentioned in the said Schedule: Provided always, that every Officer of Customs, and every Person employed in the Coastguard Service or in any Service relating to the Customs, and every Policeman going on, to, or using or passing over the said Pier in the Discharge of his official Duty, shall not be liable to pay to the said Company any Sums whatever, and that every such Officer or Person shall have free Access to the said Pier at all Times for the Purpose of discharging his official Duty.

Tolls to be
taken by the
Company for
Goods, &c.
as in Sched.
(A.)

28. There shall be paid to the Company by the Owner or other Person having the Control of any Vessel made fast to or remaining at the said Pier or Breakwater, under the Circumstances mentioned in Schedule (B.) to this Act annexed, any Sum or Sums of Money not exceeding the Rate or Rates mentioned in the Schedule (B.) to this Act annexed.

Tolls on
Vessels
remaining
at Pier
longer than
necessary,
as in Sched.
(B.)

29. It shall be lawful for the Company to demand and take, for the Use of any Crane or Weighing Machine erected by the Company, of and from the Owner or Person having the Charge of anything loaded or unloaded, weighed or measured, by means of the same, such reasonable Rates and Tolls as the Company shall from Time to Time appoint.

Company
may take
Toll for
Use of
Cranes and
Weighing
Machines.

30. The Company may grant to Foot Passengers Pass or Return Tickets for passing on or over the said Pier on such Terms and for a Period not exceeding One Year as may be agreed upon, provided that in granting such Tickets no Preference shall be given to any particular Person.

The Com-
pany may
contract
with Persons
for the Use
of the Pier.

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Pass Tickets
and Return
Tickets not
to be trans-
ferable.

31. The Pass Tickets and Return Tickets from Time to Time granted by the Company shall not be transferable, and shall not be used by or available to any Person except the Party who has paid for the same, nor shall any Pass or Return Ticket be used by the Party who may have paid for the same after the Period limited by such Ticket for the Use thereof; and any Party acting in any way contrary to or contravening these Provisions, or using or attempting to use any false or counterfeit Ticket, shall be liable to a Penalty not exceeding Twenty Shillings for each Offence, to be recovered as other Penalties under this Act are directed to be recovered.

Exemptions
from Tolls.

32. Nothing in this Act shall authorize the Company to demand or take any Rate or Toll in respect of any Person *bonâ fide* engaged in launching any Vessel for the Purpose of going to the Assistance of any Vessel in Distress, or in respect of the landing of any Person from any Vessel in Distress, nor in respect of any single Parcel carried by any Passenger who shall land at or embark from the Pier.

Tolls to
be paid to
Collector.

33. All Rates, Tolls, and Sums of Money payable under the Provisions of this Act shall be paid to the Collector or Person appointed by the Company in such Manner as the Company shall appoint.

Power to
stop any
Person
refusing to
pay Toll.

34. If any Person subject to the Payment of the Toll hereby made payable shall, after Demand made thereof by any Collector appointed to receive the same, neglect or refuse to pay the same, it shall be lawful for such Collector, by himself or taking such Assistance as he shall think necessary, to stop and prevent the Passage of the Person so neglecting or refusing until full Payment thereof; and if any Person shall fraudulently or forcibly pass over the said Pier, or through any or either of the said Toll Gates, without having paid the said Toll, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to
vary the
Toll.

35. It shall be lawful for the Company from Time to Time, at any General or Special General Meeting to be held in pursuance of this Act, to lessen or reduce the Tolls hereby granted for such Time as they shall think proper, and to raise again the Tolls so lessened or reduced or any Part thereof, so that the same do never exceed the Tolls herein-before granted; and the Tolls so lessened or reduced or raised again shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted is authorized or directed to be collected, recovered, and applied.

For pre-
venting Toll
Collectors

36. The Toll Collector shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the
Front

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Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted in Black Letters on a Board with a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Toll Collector shall not place such Board, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the Company made in pursuance thereof, or shall refuse to tell his Christian or Surname to any Person who shall demand the same on having paid the said Toll, or shall in answer to such Demand give a false Name, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger from passing through the said Toll Gate, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence as the Justice or Justices before whom the Complaint shall be heard shall adjudge.

from taking undue Tolls, or misbehaving.

37. If any Person shall evade or endeavour to evade the Payment of the said Toll, or shall forge, counterfeit, or alter, or receive from or deliver to any other Person or Persons, any Note or Ticket with Intent to evade or to enable or assist any other Person or Persons to evade the Payment of the said Tolls, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

Penalty on evading Toll.

38. When and so often as any Collector or Receiver of the Toll shall die, or neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for the Directors or Lessee of the Tolls, as the Case may be, to discharge such Collector or Receiver so neglecting or refusing to perform or becoming incapable of performing his Duty, or absconding or absenting himself, and to nominate and appoint some other fit and proper Person to be a Collector or Receiver of the said Tolls in the Stead of such Collector or Receiver who shall so die or be discharged; and such Person so nominated and appointed shall be vested with the like Power and Authority, and be answerable and accountable in like Manner in all respects, as the Collector or Receiver who shall so die or be discharged would have been; and if any Collector or Receiver of the said Tolls who shall be discharged from his Office by virtue of this Act, or the Wife or Widow or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person who may have the Possession of any Toll House or Building, or any Appurtenances thereto, to be erected, set up, or used by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Five Days next after Demand thereof made by Notice in Writing signed by the Secretary of

Directors may remove Collectors, and appoint others.

If discharged Collectors refuse to deliver up Toll House, any Justice may grant Warrant, and Constables enter and remove them.

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the said Company or by such Lessee for that Purpose, given to such Collector or Receiver or any Person or Persons, or left at such Toll House, Building, or Premises, then and in every of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the County of *Somerset*, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may be necessary, to enter into such Toll House or other Buildings or Premises in the Daytime, and to remove the Persons who shall be found therein, together with their Goods, out of the same, and put the said Company or Lessee, or such new appointed Collector or Receiver, or such other Person as they or he shall appoint as aforesaid, into the Possession thereof.

For preventing Nuisances on the Pier, Road, and Works.

39. If any Person shall wilfully injure, destroy, or otherwise damage any Part of the said Pier, Approach Road, and Breakwater, or the Approaches thereto, or shall wilfully obstruct the Passage thereof, or if any Person shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Pier, Breakwater, and Works, or any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Barge-owners to be answerable for Damage done by their Servants.

40. If any Person, having the Care of any Boat, Barge, or other Vessel, shall wilfully or carelessly cause, permit, or suffer any Damage or Injury to be done to the said Pier, Breakwater, or Works by any such Boat, Barge, or other Vessel, then and in every such Case the Owner or Owners of every such Boat, Barge, or other Vessel shall be answerable and liable to make Satisfaction to the Company for all such Damage or Injury.

Damages and Charges, in case of Dispute, to be settled by Justices.

41. In all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or any Dispute respecting the same, shall be ascertained and determined by One or more Justice or Justices of the Peace for the County of *Somerset*.

Light to be exhibited on Pier and Breakwater.

42. During the Construction of the said Pier, Breakwater, and Works connected therewith the Company, if required by the Master, Wardens, and Assistants of the Corporation of *Trinity House of Deptford Strond*, shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, in such Place and Position and under such Regulations as shall be approved by the said Master, Wardens, and Assistants, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and for ever after Completion of the said Pier the said Company, if required in manner aforesaid, shall cause to be

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be hung out or exhibited every Night, from Sunset to Sunrise, upon or near to the Termination of the said Pier, in such Place and Position and under such Regulation as shall be approved by the said Master, Wardens, and Assistants, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Light shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used, as the said Master, Wardens, and Assistants shall by Writing under the Hand of their Secretary approve of and require; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay to the Master, Wardens, and Assistants for every such Neglect the Sum of Ten Pounds; but nothing in this Act contained shall be deemed or construed to prevent the said Master, Wardens, and Assistants, by any Writing under the Hand of their Secretary for the Time being, to order and direct that such Light as aforesaid shall be discontinued or suppressed, either altogether or for such Term or Period as they shall from Time to Time deem expedient, and the same shall from and after such Direction as aforesaid be discontinued or suppressed accordingly.

43. It shall be lawful for the Company from Time to Time to lease the Tolls arising by virtue of this Act, and all or any of the Toll Houses or Weighing Machines, and the Conveniences and Appurtenances thereunto belonging, either altogether or separately, and either by Public Auction or Private Contract, and under such Terms and Conditions, and at such Rates, not exceeding the maximum Rates granted by this Act, as the Company shall think proper, for any Period the Company may deem expedient, not exceeding Two Years: Provided also, that the Directors of the Company shall not exercise the aforesaid Power of letting without the Sanction or Authority of Three Fifths of the Shareholders of the said Company present, in Person or by Proxy, at an Extraordinary Meeting of such Shareholders convened for that Purpose.

Power to lease the Tolls and Rates.

44. During the Continuance of any such Lease the Lessee or reputed Lessee named therein, and also all Persons appointed by him or them to collect the Tolls and Rates so let, shall be deemed Collectors of Tolls and Rates so let, and they shall have the same Powers to collect and recover the Tolls, Rates, and Sums of Money so let, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they had been appointed for that Purpose by the Company.

Lessees to be deemed Collectors.

45. It shall be lawful for the Board of Trade, if in the Opinion of the said Board the further Continuance of such Lease would be injurious to the Public, to determine the said Lease at the Expiration of Three Years after the Commencement thereof, upon giving Twelve Months previous

Board of Trade may determine Lease at the End of Three Years.

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previous Notice to that Effect to the Company and to their Lessees respectively, or at the Expiration of any such Three Years at any subsequent Time, upon giving the like Notice.

Lease to contain Provision for Re-entry, if Lessees become unable to carry on the Traffic.

46. Any Lease to be made of the said Pier, Works, and Undertaking, or of any Part thereof, shall contain a Power of Re-entry to the Company, in the event of the Lessees becoming unable, by reason of any Execution, legal Process, Intestacy, Bankruptcy, Insolvency, or any personal Disability or Incapacity whatsoever of the said Lessees to carry on and continue the Management of the said Pier and Works in an effectual and proper Manner, and upon the occurring of any such Events as aforesaid it shall be the Duty of the Company to re-enter upon and to carry on and continue the Management of the said Pier and Works, in like Manner, and with the same Powers, and subject to the same Obligations, Liabilities, Penalties, and Restrictions, as if no Lease thereof had been made; and the said Lease shall not contain any Covenant for the Renewal thereof upon the Expiration of the Term or sooner Determination of such Lease: Provided always, that no such Re-entry shall in any Manner prejudice any Right or Claim which the Company may have against the Lessees on account of any Breach or Non-observance of any of the Covenants contained in such Lease.

Lease of Undertaking not to affect Third Parties.

47. No Lease of the Pier, Works, or Undertaking, or any Part thereof, shall take away, alter, or in anywise affect any of the Duties, Obligations, Restrictions, or Liabilities to which the Company, but for the making of such Lease, might by any Law or Statute be subject, but all Persons and Corporations, other than the Lessees thereof, shall have the same Rights, Privileges, Powers, and Remedies against the Company, after the making of and notwithstanding such Lease, as they might have had if such Lease had not been made.

Power of re-letting Tolls.

48. Upon such Re-entry being made it shall be lawful for the Company to determine the Lease (if any) previously subsisting, and the same shall accordingly be utterly void, except as to the Remedies of the Lessors for Payment of the Rent due, or for unperformed or broken Obligations or Conditions on the Lessee's Part, all of which Remedies shall remain in force; and in every such Case, either during such Proceedings or on the Determination thereof, the Company may again let the Tolls and Rates to any other Person, or cause them to be collected, in the same Manner as if no such Lease had been made in relation thereto.

Company to be subject to a Revision of Rates at the

49. The Company shall be subject to the Provisions of any General Act which may be passed relating to or affecting Piers; and after the Expiration of Twenty-one Years from the passing of this Act the Company

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pany shall be subject to Revision and Alteration, under the Authority of Parliament, of the Rates and Duties by this Act authorized to be taken. Expiration of Twenty-one Years.

50. And whereas Her Majesty is or claims to be seised in right of Her Crown to the Land to the Seaward of High-water Mark at ordinary Spring Tides on which it is proposed to make the said Pier, Breakwater, and Works: Be it therefore enacted, That nothing whatsoever contained in this Act shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors. Saving Rights of the Crown.

51. The Costs, Charges, and Expenses of obtaining and passing this Act, or preliminary or incidental thereto, shall be paid by the Company. Expenses of Act.

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SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

	£	s.	d.
For every Person who shall land on or embark at the Pier, for every Time not exceeding	0	0	4
For every other Person who shall use the Pier, for every Time not exceeding	0	0	2
For every 4-wheeled Carriage, being landed or embarked from the said Pier, Landing Places, or other Works, not exceeding	0	2	6
For every 2-wheeled Carriage, not exceeding	0	1	6
For every Master of any Vessel, Boat, or Wherry using the said Pier and other Works for the Purpose only of going to or returning from his own Vessel, Boat, or Wherry, such annual Sum as the Directors shall appoint, not exceeding per Annum	1	0	0
For every Quarter of Wheat, Oats, Rye, Barley, Malt, Beans, Peas, Tares, Mustard Seed, Canary, and Seeds of every Denomination, if landed or loaded from the Pier, not exceeding	0	0	2
Anchors, per Cwt.	0	0	1
Ashes of all Sorts, per Ton	0	1	0
Alum, per Cwt.	0	0	1
Anchovies, per Barrel	0	0	1
Ale, Porter, Cyder, or Perry, per Barrel	0	0	2
Anchor Stock, per Foot Run	0	0	2
Apples and Pears, per Sack of 3 Bushels	0	0	3
Beer, per Butt	0	0	6
" per Hogshead	0	0	4
" per Half Hogshead or smaller Cask	0	0	2
Bran or Pollard, per 8 Bushels	0	0	2
Beer (Table), per 9 Gallons	0	0	1½
Beef or Pork, contained in any Cask, per Tierce	0	0	3
Barrel Boards or Staves, per Thousand	0	1	6
Butt Staves, per Hundred	0	2	0
All other Staves in proportion.			
Battens, Petersburg, per Hundred	0	1	0
Boards or Battens, close, per Hundred	0	0	9
Billiard Table	0	5	0
Bedstead, Mahogany	0	0	4½
" every other	0	0	3

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	£	s.	d.
Bricks, Barers, and Tiles, per Thousand	0	0	8
Barilla, per Ton	0	1	4
„ per Scion	0	0	6
Bolt of Canvass, No. 1, 2, 3,	0	0	2
„ every other	0	0	1½
Butt, Pipe, or Puncheon, entire or in Staves, each	0	0	3
Bottles, empty, per Dozen	0	0	0½
Bale—every Box, Truss, Trunk, Case, Chest, Bundle, or Parcel containing Goods not enumerated in Schedule, per Cubic Foot	0	0	1½
per Cwt.	0	0	3
Basket, Maund, or Swill containing Goods not enumerated in Schedule	0	0	6
smaller, each	0	0	4½
empty, per Dozen	0	0	2
Butter, per Firkin	0	0	1
Butter or Cheese, per Tub	0	0	1
Biscuit, per Cwt.	0	0	2
Beans and Peas, per Quarter	0	0	2
Brooms, Hairs and Mops, per Dozen	0	0	1
Beast, each	0	0	4
Bacon, per Cwt.	0	0	1
Beef, per Tierce	0	0	3
Bedding, Seaman's, each	0	0	1
Currants or Raisins, per Cwt.	0	0	1½
Coffee, per Cwt.	0	0	2
Copper or Brass, wrought or unwrought, per Cwt.	0	0	2
Chalk Stones, rough or hewn, per Ton	0	0	3
Cordage, per Cwt.	0	0	2
Codfish, per Cwt.	0	0	1½
Canary or other fancy Birds	0	0	2
Clover Seed, per Sack	0	0	3
Calf Skins, per Dozen	0	0	6
Colours, per Firkin	0	0	1½
Carboys, each	0	0	3
Coals, Culm, Splint, Coke, or Cinders, per Ton	0	0	2
Chest of Drawers, double	0	0	6
Chest of Drawers, single	0	0	3
Chairs, per Dozen	0	0	6
Chairs, Mahogany, each	0	0	1
Chimney Pots, each	0	0	1
Cabbages, per Dozen	0	0	0½
Carrots, per Hundred	0	0	0½
Dogs, each	0	0	6
Earthenware, per large Crate	0	0	4
Earthenware, per small Crate	0	0	2
Fish, per Ton, salted	0	1	0
Fruit, per Cwt.	0	0	1
Flour, per Sack	0	0	2
Faggots, per Hundred	0	0	3
Firewood, per Cord	0	0	2

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	£	s.	d.
Feathers, per Cwt.	0	0	4
Foxes, each	0	2	0
Fowls, and every other Sort of Poultry, per Head	0	0	1
Flint Stones, per Bag	0	0	0½
Glassware, per large Crate	0	0	4
Glassware, per small Crate	0	0	3
Glassware, Window, per Crate	0	0	4
Grindstones, each	0	0	2
Grate or Range, large	0	0	6
Grate or Range, small	0	0	3
Gunpowder, per Cwt.	0	0	1
Garden Stuff, per Bushel or Sieve	0	0	1
Hay, per Ton	0	1	0
Hops, per Bag	0	0	8
Hops, per Pocket	0	0	4
Hams, Bacon, or Tongues, per Cwt.	0	0	1
Herrings, per Barrel	0	0	2
Hogsheads, packed with Goods not enumerated in the Schedule	0	0	8
Hoops, per Bundle	0	0	1
Hurdles, per Hundred	0	1	6
Harpsichord	0	1	6
Harps, each	0	0	9
Hemp, per Cwt.	0	0	1
Horses, each	0	0	8
Hares, Rabbits, Pheasants, and all other Game, per Head	0	0	1
Hides, raw or tanned	0	0	1
Hogs, per Score	0	3	0
Iron, per Cwt.	0	0	1
Iron, per Ton	0	0	6
Iron Pots, each	0	0	1
Kelp, per Ton	0	8	0
Laths, per Dozen Bundles	0	0	2
Lathwood, Six Feet, per Fathom	0	0	4
Lathwood, Five Feet, per Fathom	0	0	3
Lead, per Cwt.	0	0	1
Lead, per Ton	0	1	0
Lime, per Ton	0	0	3
Leather, per Cwt.	0	0	1
Leeks, per Dozen Bundles	0	0	3
Lumber, and every other Article not specified in this Table, per			
Foot Cube	0	0	0½
Lumber, Dosses, per Cwt.	0	0	1
Meal or Middlings, per Cwt.	0	0	1
Mackerel, per Ped or Basket	0	0	2
Masts, Ten Inches in Diameter or upwards, each	0	1	6
Masts, under Ten Inches, each	0	1	0
Millstones, per Cwt.	0	0	0½
Molasses, per Cwt.	0	0	0½
Mustard, per Firkin	0	0	1
Marble, per Ton	0	1	0

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	£	s.	d.
Nuts, per Bag	0	0	2
Nails, per Cwt.	0	0	1
Oil Cakes, per Thousand	0	0	1
Oranges and Lemons, per Chest	0	0	2
Oranges and Lemons, per Half Chest	0	0	0½
Oil, Train or Fish, per Cwt., and so in proportion for any greater or smaller Quantity	0	0	1
Oysters, per Bushel	0	0	1
Oysters, per Firkin or small Barrel	0	0	1
Ovens, each	0	0	4
Ordnance Pieces of Brass or Iron, per Ton	0	0	6
Onions, per Bushel	0	0	0½
Oatmeal, per Sack	0	0	1
Oil, per Cwt.	0	0	1
Poultry, per Basket	0	0	2
Potatoes, per Ton	0	0	3
Plums, per Box	0	0	1
Pale Cleft, per Thousand	0	0	6
Posts and Rails, per Load of 50 Cubic Feet	0	0	6
Pewter, wrought, per Cwt.	0	0	1
Pewter, old, per Cwt.	0	0	1
Pianofortes, each	0	0	6
Pitch and Tar, per Barrel	0	0	2
Parcels, none to be charged less than	0	0	2
Straw, per Ton	0	0	6
Sugar, Loaf, per Cwt.	0	0	1
Sugar, Raw, per Cwt.	0	0	1
Salt, per Cwt.	0	0	1
Spars, per Score	0	0	4
Solder, per Cwt.	0	0	1
Sofas, each	0	0	6
Stone, per Ton	0	0	6
Stone, Paving, per Ton	0	0	6
Slate, per Ton containing 24 Cube Feet	0	0	6
Stove, Register	0	0	4
Stove, other	0	0	3
Sedan or Bath Chairs, each	0	0	6
Salmon, per Kit	0	0	1
Skins, Goat, Dog, Calf, Sheep, or Lamb, per Dozen	0	1	0
Soap, per Cwt.	0	0	1
Starch, per Cwt.	0	0	1
Staves, Pipe, per Hundred	0	0	2
Staves, Hogshead, per Hundred	0	0	2
Staves, Barrel, per Hundred	0	0	1
Staves, Ends, per Hundred	0	0	1
Shot, per Bag	0	0	1
Salt Fish, per Cwt.	0	0	1
Sheep, Lambs, Pigs, or Hogs, per Score	0	2	0
Shrimp Baskets, each	0	0	1
Swills or Baskets, per Dozen	0	0	6

[Local.]

27. Q

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	£	s.	d.
Tallow, Soap, or Candles, per Cwt.	-	-	1
Tea, per Quarter Chest	-	0	2
And so in proportion for any greater or less Quantity than a Half Chest.			
Treacle, per Cwt.	-	0	1
Tables, Dining, per Set	-	1	6
Tables, other Dining Tables, each	-	0	6
Tables, Card or Pembroke, each	-	0	4
Tables, every other, each	-	0	4
Tombstones, each	-	3	0
Turtles, each	-	1	0
Tobacco and Snuff, per Cwt.	-	0	1
Tallow, per Cwt.	-	0	1½
Turbot, per Score	-	0	3
Trunk, Portmanteau, or Bundle, each	-	0	2
Vats packed with Goods not enumerated in the Schedule, each, per Foot Cube	-	0	0½
Ditto ditto, per Cwt.	-	0	3
Violins or Bass Viols, and other Musical Instruments, each	-	0	2
Vinegar, per Hogshead	-	0	4
Wool, per Ton	-	1	0
Wood of every Description, per 50 Cubic Feet	-	0	8
Wine (not British), Sweet Oil, or Spirits, for every Gallon contained in any Butt, Pipe, Puncheon, or Piece, or any Cask whatsoever	-	0	0½
Wine or Vinegar (British), per Gallon	-	0	0½
Yarn or Cotton, per Ton	-	2	0
All Goods not enumerated in this Table to pay at the Rate of One Penny per Cwt.			

SCHEDULE (B.)

Tolls on Vessels and Boats.

	£	s.	d.
For any Time any Vessel or Boat shall make fast to or remain at or under the said Pier or Breakwater beyond the Period necessary for taking in or discharging the Cargo of such Vessel or Boat, or for any Time any Vessel or Boat shall make fast to or remain at the said Pier without taking in or discharging any Cargo, not exceeding One Hour, per Ton	-	0	0½
Exceeding One Hour and not exceeding Two Hours, per Ton	-	0	1
Exceeding Two Hours and not exceeding Three	-	0	1½
Exceeding Three Hours and not exceeding Four	-	0	2
Exceeding Four Hours and not exceeding Five	-	0	2½
Exceeding Five Hours and not exceeding Six	-	0	3
Exceeding Six Hours and not exceeding Twelve	-	0	4
And for any further Time such Vessel shall remain, a further Sum at and after the Rate of Fourpence per Ton for every Twelve Hours.			

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And every other Vessel, for any Time it shall remain, not exceeding Twenty-four Hours, the Sum of One Shilling per Ton.

And for any further Time, after the Rate of One Shilling per Ton for every Twenty-four Hours.

Nothing in this Schedule contained shall prevent the Removal of any Vessel or Boat by the Pier Master under the Authority of this Act.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1862.

