

**CHAPTER cvi.**

An Act to alter the constitution of and method of election to the Ipswich Dock Commission to confer further powers on the Commissioners to authorise them to construct works and acquire lands to raise additional money and to create stock and for other purposes. A.D. 1913.

[15th August 1913.]

**W**HEREAS by the Ipswich Dock Act 1852 (in this Act called "the Act of 1852") the Acts relating to the port of Ipswich were consolidated and amended and the Ipswich Dock Commissioners were constituted and incorporated and the dock and works constructed under the Acts therein recited were vested in the existing Commissioners and they were empowered to make the works by that Act authorised and otherwise to carry the provisions of that Act into execution:

And whereas by the Ipswich Dock Act 1877 (in this Act called "the Act of 1877") the existing Commissioners were authorised to construct certain works in connection with the dock including a new entrance lock and were authorised to make and maintain certain tramways for the purposes of and in connection with the dock undertaking of the existing Commissioners:

And whereas by the Ipswich Dock Act 1898 (in this Act called "the Act of 1898") the existing Commissioners were authorised to construct additional works in connection with their dock including a quay on the south-west side of the said dock and were authorised to construct tramways in connection with their dock and with the tramways authorised by the Act of 1877:

And whereas by the Ipswich Dock Act 1904 (in this Act called "the Act of 1904") the existing Commissioners were authorised to construct other works in connection with their dock and an additional tramway and tramroad in connection

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And whereas under the Acts referred to and recited in the Act of 1852 a navigable dock or basin with entrance lock and embankments was made upon part of the River Orwell and a new cut or channel was constructed with roadways on each side thereof and the waters of the River Gipping and the flow of the tide of the River Orwell were turned and diverted into and through the said new cut and it is expedient that the Commissioners should be authorised to construct the additional works described in this Act and to acquire additional lands :

And whereas it is expedient that the constitution of the existing Commissioners should be altered and that provisions with respect to the appointment and election of Commissioners should be made as provided by this Act :

And whereas it is expedient that powers for borrowing further moneys should be conferred upon the Commissioners and that they be authorised to raise any money which they may be authorised to borrow by the creation and issue of stock :

And whereas it is expedient that other provisions should be made as set forth in this Act :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and the lands which may be acquired under the powers of this Act and a book of reference thereto containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands have been deposited with the clerk of the peace for the county of East Suffolk and are in this Act respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

## PART I.

### PRELIMINARY.

1. This Act may be cited as the Ipswich Dock Act 1913 and this Act and the former Acts may be cited as the Ipswich Dock Acts 1852 to 1913.



2. This Act is divided into Parts as follows :—

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Part I.—Preliminary.

Division of  
Act into  
Parts.

Part II.—Constitution Qualification and Election of Commissioners.

Part III.—Works.

Part IV.—Lands.

Part V.—Financial.

Part VI.—Consolidated Fund and Stock.

Part VII.—Miscellaneous.

3. The following enactments (as far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act) shall be incorporated with this Act (that is to say) :—

Incorporation of Acts.

(1) The provisions of the Commissioners Clauses Act 1847 with respect to the mortgages to be executed by the Commissioners (except section 84) :

(2) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and with respect to the recovery of damages not specially provided for and of penalties and to the determination of any other matter referred to justices the sections of that Act being construed as if the expression “the Commissioners” had been inserted therein instead of the expression “the company” and as if a reference to the works authorised by this Act had been inserted therein instead of the expression “the railway” and as if the expression “centre of the railway” meant the limits of the works authorised by this Act :

(3) The Harbours Docks and Piers Clauses Act 1847 except sections 16 to 19 (unless the Commissioners shall be required by the Board of Trade to provide and maintain a lifeboat and a tide and weather gauge) and except sections 25 and 26 of that Act the sections in the said Act being construed as if—

(a) The expression “the Commissioners” had been inserted therein instead of the expression “the undertakers” ;

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(b) The expressions "packet boat" and "post office packet" meant 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

(c) The expression "post office bag of letters" meant a mail bag as defined by the same Act:

Provided that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Act shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire:

- (4) The Lands Clauses Acts (except sections 16 17 and 127 of the Lands Clauses Consolidation Act 1845) and in construing those Acts the Commissioners shall be the promoters of the undertaking.

Interpreta-  
tion.

4. In this Act unless there is something in the subject or the context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings And—

The expression "the Commissioners" means the Ipswich Dock Commissioners as reconstituted by this Act;

The expression "the existing Commissioners" means the existing Ipswich Dock Commissioners;

The expression "the clerk" means the clerk to the Commissioners;

The expression "the corporation" means the mayor aldermen and burgesses of the borough of Ipswich;

The expression "the borough" means the county borough of Ipswich;

The expression "the county council" means the council for the administrative county of East Suffolk;

The expression "dues" means rates and duties exigible under Schedule A to the Act of 1852 as amended by the Act of 1877 and includes sums of money paid in lieu of such rates or duties by way of composition;

The expression "rates" means rates exigible under Part I. of the schedule to the Act of 1877 and includes sums of money paid in lieu of such rates by way of composition;



The expression "payers of dues" means any person being a British subject residing or having his principal place of business within the United Kingdom who shall within the three years ending on the thirty-first day of December nineteen hundred and thirteen with respect to the first election of commissioners under this Act by the payers of dues and within the three years ending on the thirty-first day of December in every third year thereafter with respect to subsequent elections of commissioners by the payers of dues have paid on his own account or as agent for another person (being a British subject residing or having his principal place of business within the United Kingdom) dues to the extent of five pounds or upwards; A.D. 1913.

The expression "payers of rates" means any person being a British subject residing or having his principal place of business within the United Kingdom who shall within the three years ending on the thirty-first day of December nineteen hundred and thirteen with respect to the first election of commissioners under this Act by the payers of rates and within the three years ending on the thirty-first day of December in every third year thereafter with respect to subsequent elections of commissioners by the payers of rates have paid on his own account or as agent for another person (being a British subject residing or having his principal place of business within the United Kingdom) rates to the extent of five pounds or upwards;

The expression "the tribunal" means the jury arbitrators umpire or other authority to whom any question of disputed purchase money or compensation under this Act is referred;

The expression "statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery;

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—

The expression “the former Acts” means the Ipswich Dock Act 1852 the Ipswich Dock Act 1877 the Ipswich Dock Act 1898 and the Ipswich Dock Act 1904.

## PART II.

## CONSTITUTION QUALIFICATION AND ELECTION OF COMMISSIONERS.

(1) *Constitution of Commissioners.*Constitution  
of Commis-  
sioners.

5.—(1) On and after the second Thursday in the month of February nineteen hundred and fourteen the Ipswich Dock Commission who were incorporated by section 10 of the Act of 1852 for the purpose of carrying that Act into effect and upon whom the powers of the former Acts have been conferred shall consist of the following persons (namely):—

- Seven persons appointed by the corporation;
- Three persons appointed by the county council;
- Three persons elected by payers of dues;
- Six persons elected by payers of rates.

(2) Provided always that it shall be lawful for the Commissioners from time to time to nominate some person other than one of themselves to be their chairman in which case such person so nominated shall be ex-officio a commissioner and the number of Commissioners shall be increased to twenty.

(3) Notwithstanding the repeal of section 10 of the Act of 1852 the Commissioners as reconstituted by this Act and their successors shall continue incorporated by the name of “The Ipswich Dock Commission” and shall continue to be a body corporate with perpetual succession and a common seal and with power to hold land for the purposes for which they are constituted without any licence in mortmain and to dispose of land.

Existing  
Commis-  
sioners.

6. The existing Commissioners shall continue to hold office until the second Thursday in the month of February nineteen hundred and fourteen when they shall go out of office but shall be eligible if qualified for appointment or election under this Part of this Act Provided that until that date the existing Commissioners shall have and may exercise the powers conferred by this Act upon the Commissioners.

Appoint-  
ment of  
Commis-

7.—(1) The seven Commissioners to be appointed by the corporation shall be appointed at a meeting of the council of



the borough held before the second Thursday in February in the year nineteen hundred and fourteen and in each succeeding third year thereafter.

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sioners by  
corporation  
and county  
council.

(2) The three Commissioners to be appointed by the county council shall be appointed at a meeting of that council held before the second Thursday in February in the year nineteen hundred and fourteen and in each succeeding third year thereafter.

(3) The corporation and the county council respectively may appoint as Commissioners persons who are members of their respective bodies or not as they shall think fit.

(4) With a view to providing for the representation of labour on the commission one of the Commissioners appointed by the corporation shall be appointed by them after consultation with such organisations representative of labour as the corporation think best qualified to advise them upon the matter.

(5) Appointments of Commissioners under the provisions of this section shall take effect on the second Thursday in the month of February in the year of appointment and the appointment of such Commissioners shall be notified in writing to the clerk by the town clerk of Ipswich and the clerk to the county council respectively.

(6) The corporation and the county council respectively may at any time by resolution remove from office the Commissioners or any one or more of the Commissioners appointed by them and such removal shall be notified to the clerk by the town clerk of Ipswich or the clerk to the county council (as the case may be).

8. The Commissioners to be elected by payers of dues and payers of rates respectively shall be elected in accordance with the provisions in that behalf hereinafter contained in the year nineteen hundred and fourteen and in each succeeding third year thereafter.

Election of  
Commis-  
sioners and  
method of  
election.

9.—(1) On the second Thursday in the month of February nineteen hundred and seventeen and on the same day in each succeeding third year thereafter all the appointed and elected Commissioners shall retire from office and the vacancies shall be supplied by the appointment or election of Commissioners as provided by this Act and every retiring commissioner being qualified shall be eligible for re-appointment and re-election.

Retirement  
of Commis-  
sioners.

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(2) Any Commissioner may retire from office at any time by giving notice in writing to the clerk of his desire so to do and his office shall thereupon become vacant.

Scales of  
voting.

**10.**—(1) Subject to the provisions of this Act every payer of dues who within the three years ending on the thirty-first day of December next before the year of election shall have paid dues to the extent of five pounds or upwards shall be entitled to vote according to the following scale:—

- (a) Where the sum paid in dues amounts to five pounds and does not exceed fifty pounds one vote:
- (b) Where such sum amounts to fifty pounds and does not exceed one hundred pounds two votes:
- (c) Where such sum amounts to one hundred pounds and does not exceed two hundred pounds three votes:
- (d) Where such sum amounts to two hundred pounds and does not exceed four hundred pounds four votes:
- (e) Where such sum amounts to four hundred pounds and does not exceed six hundred pounds five votes:
- (f) Where such sum amounts to six hundred pounds and does not exceed eight hundred pounds six votes:
- (g) Where such sum amounts to or exceeds eight hundred pounds seven votes.

(2) Subject to the provisions of this Act every payer of rates who within the three years ending on the thirty-first day of December next before the year of election shall have paid rates to the extent of five pounds or upwards shall be entitled to vote according to the following scale:—

- (a) Where the sum paid in rates amounts to five pounds and does not exceed fifty pounds one vote:
- (b) Where such sum amounts to fifty pounds and does not exceed one hundred pounds two votes:
- (c) Where such sum amounts to one hundred pounds and does not exceed two hundred pounds three votes:
- (d) Where such sum amounts to two hundred pounds and does not exceed three hundred pounds four votes:
- (e) Where such sum amounts to three hundred pounds and does not exceed five hundred pounds five votes:
- (f) Where such sum amounts to five hundred pounds and does not exceed seven hundred pounds six votes:



- (g) Where such sum amounts to seven hundred pounds and does not exceed one thousand pounds seven votes:
- (h) Where such sum amounts to one thousand pounds and does not exceed one thousand five hundred pounds eight votes:
- (i) Where such sum amounts to one thousand five hundred pounds and does not exceed two thousand pounds nine votes:
- (j) Where such sum amounts to two thousand pounds and does not exceed two thousand five hundred pounds ten votes:
- (k) Where such sum amounts to two thousand five hundred pounds and does not exceed three thousand pounds eleven votes:
- (l) Where such sum amounts to or exceeds three thousand pounds twelve votes.

(2) *Registers and Lists of Electors.*

11.—(1) As from the first day of January nineteen hundred and fourteen the clerk shall prepare and keep separate registers of payers of dues and payers of rates and shall from time to time insert therein the names and addresses of all persons including partnerships co-ownerships and bodies corporate entitled to be included in such registers respectively together with—

- (a) In the case of payers of dues particulars of the amounts from time to time paid for dues in respect of each vessel; and
- (b) In the case of payers of rates particulars of the amounts from time to time paid by each such person for rates.

(2) Provided that in the case of an agent the amounts inserted shall include only dues or rates paid on behalf of a person who is a British subject and who resides or has his principal place of business within the United Kingdom.

12. The registers shall be kept at the office of the Commissioners and shall be in charge of the clerk and each register shall immediately before the preparation of the list of electors to be compiled therefrom be certified in writing by the

Custody of  
registers.

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Copies of  
ship's mani-  
fest and  
other docu-  
ments to be  
furnished to  
Commis-  
sioners.

**13.** To enable the clerk to prepare and keep the registers under this Act the owner agent or person in charge of every vessel arriving at or departing from the limits of the harbour shall within fourteen days after the arrival or departure of such vessel furnish the clerk or a collector of rates with a copy of the ship's manifest and such other documents as will show the names descriptions residences and places of business of the registered owner or owners of the vessel and of all persons who have paid or are liable to pay dues or rates in respect of such vessel or of the goods merchandise animals and things landed discharged shipped or transhipped therefrom or therein and the amount of dues or rates payable by such persons respectively and every owner agent or person in charge of any such vessel who shall refuse or neglect to furnish such manifest or other documents shall for every such offence be liable to a penalty not exceeding ten pounds Provided that nothing contained in this section shall in reference to this Act affect qualify or restrict sections 37 38 and 39 of the Harbours Docks and Piers Clauses Act 1847.

List of  
electors for  
elections.

**14.—(1)** On or before the seventh day of January nineteen hundred and fourteen and on or before the same date in every third year thereafter the clerk shall compile lists of the persons including partnerships co-ownerships and bodies corporate entitled to vote at the then ensuing elections by payers of dues and payers of rates respectively and such lists shall be printed and posted on the door of the principal office of the Commissioners and printed copies of such lists shall be kept at that office for public inspection and on payment of a sum not exceeding sixpence per copy the Commissioners shall deliver a copy of any printed list to any person requiring the same.

(2) The said lists shall be compiled in the case of those to be used in elections to take place prior to the year nineteen hundred and seventeen from such information as the Commissioners have available and in the case of those to be used in subsequent elections from the registers to be prepared and kept as hereinbefore provided.

(3) The names in every such list shall be in alphabetical order and the number of votes to which each person is entitled



in accordance with the provisions of this Act shall be specified in such list in connection with the name of such person. A.D. 1913.

**15.** On or before the first day of January in the year of election the Commissioners shall appoint two of their number to be two of the revisers of the lists of electors and those two commissioners not later than the seventh day of the same month shall appoint a third person being a person on the list of either class of electors or a member of a partnership or co-ownership or a member or the secretary or manager of a body corporate on such list to be a third reviser and to be their chairman but if such two commissioners fail to appoint such third reviser or if no person qualified as aforesaid to be such third reviser is able and willing to act the Board of Trade upon the application of the clerk may appoint some impartial person to be such third reviser.

Appoint-  
ment of re-  
visers of  
lists of  
electors.

**16.** The revisers shall during the seven days next after the seventh day of January in the year of election revise at the Commissioners' office the list of electors giving not less than two nor more than seven days' public notice of every such revision Provided always that in the case of death or failure to act of any of the revisers the others or other of them may make or complete the revision.

Revisions of  
lists of  
electors.

**17.** On every such revision any person whose name is omitted from any list may in person or by his agent claim to have his name inserted therein and any person whose name is inserted may in person or by his agent claim to have the numbers of votes therein attributed to him corrected and may object to any other person as not being entitled to have his name retained therein or as not being entitled to the number of votes therein attributed to him.

Claims and  
objections  
before re-  
visers.

**18.** The revisers shall insert in the list the name of any person shown to their satisfaction to be entitled to have his name inserted therein together with the number of votes to which he is entitled and shall strike out the name of every person shown to their satisfaction to be dead or not to be entitled to have his name therein and shall correct the number of votes inaccurately attributed therein to any person on such inaccuracy being shown to their satisfaction.

Revisers to  
correct lists.

**19.** In case on such revision application is made to the revisers by any person alleging that dues or rates appearing by the register to have been paid by a person therein named as

Revisers may  
substitute  
principals  
for agents.

A.D. 1913. — payer of the same have been paid by such person as agent for and on behalf of the applicant as principal and that he is desirous of being entered on the list and the revisers shall be satisfied of the truth of such allegations they shall alter the list of electors by deducting from such agent any votes attributed to him in such lists in respect of such dues or rates and by inserting therein the name of the applicant if otherwise eligible with such number of votes as such applicant would have been entitled to have attributed to him in such list if his name had been entered in the register as the person paying such dues Provided that no such alteration shall be made unless the person from whom such votes are to be deducted shall have had notice in writing at least two days prior to such alteration from the persons intending to make such application of their intention to make the same.

Production  
to revisers of  
books &c.

**20.** For the revision of the lists the Commissioners shall produce to the revisers such of the books and accounts of the Commissioners as are proper and sufficient to enable the revisers to revise the lists and shall afford to them all reasonable and proper facilities in that behalf.

Revisers to  
sign lists.

**21.** The decision of the revisers or a majority of them shall be final and conclusive and the revisers shall forthwith after every revision sign their names at the foot of each list revised.

Evidence of  
revised lists.

**22.** Every list purporting to be a list revised and signed as by this Act provided shall be *prima facie* evidence of the same being a list duly made and revised.

Duration of  
revised lists.

**23.** Every revised list shall be in force until the next revision of the list and every person whose name appears on any revised list from time to time in force shall be entitled to vote in the election of commissioners by the class of voters to which the list refers and is in this Act referred to as "an elector" and shall at every such election be entitled to the number of votes attributed to him in such list.

Revised lists  
to be printed.

**24.** Every revised list shall forthwith after the revision thereof be printed by the Commissioners and every person whose name appears therein shall be entitled to a copy thereof on paying for every copy such a sum not exceeding sixpence as the Commissioners think reasonable.

As to voting  
by co-owners  
partnerships

**25.—(1)** In all cases in which several persons being in partnership or co-owners are entered on the list of either class



of electors for the time being in force whether by the names of the partnership or co-ownership or by their own names in respect thereof or any body corporate is entered in such list such persons or body corporate shall with respect to the scales of votes provided for by this Act be deemed one person and in the case of any such co-ownership or partnership one of the members of such co-ownership or partnership authorised in writing by the other members of such co-ownership or partnership or by a majority of them and in case of any such body corporate any member or officer of the same authorised in writing under their common seal shall alone be entitled (but subject always to the provisions of this Act) to exercise on behalf of such co-ownership or partnership or body corporate as the case may be their right of voting at the election of Commissioners.

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and bodies  
corporate.

(2) Any person trading alone otherwise than under his own name whose trade name is on any such list shall be entitled to vote in such trade name.

(3) Every person entitled to vote under this section is in this Act included in the expression "an elector."

(3) *Nomination and Election.*

**26.** The chairman of the Commissioners whom failing such other person as the Commissioners may appoint shall be the returning officer and in case of any returning officer dying or from any cause becoming unable to act before the completion of any election the Commissioners shall appoint another person in his place.

Returning  
officer.

**27.—**(1) The returning officer shall appoint the place or places and the day and hours for the taking of a poll or polls in the event of a poll or polls being required to be taken in the election of commissioners by the payers of dues and payers of rates respectively and shall give notice by advertisement in a newspaper published in the borough of the place or places day and hours so appointed Provided that—

Day of elec-  
tion and  
notice  
thereof.

(a) The place or places so appointed shall be in the borough:

(b) The day so appointed (in this Act called "the day of election") shall be not more than seven days before

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the second Thursday in February and shall be not later than the day before that Thursday:

(c) The hours so appointed shall include the hours between ten in the morning and four in the afternoon.

(2) The notice shall be published at least ten days before the day of election and may contain such further information in regard to the election or the nomination of candidates as the returning officer may deem expedient.

Nomination.

**28.**—(1) (a) Any elector may be nominated as a commissioner by an elector belonging to the same class of electors and be seconded by another elector belonging to such class.

(b) The person nominated shall signify his assent by signing the nomination paper.

(c) Every such nomination shall be in writing signed by the proposer and seconder and shall be delivered or sent to the clerk and received by him not less than three clear days before the day of election.

(2) Any person nominated as a commissioner may by intimation in writing to the clerk not later than two clear days before the day of election withdraw his name as a candidate for the office of commissioner.

(3) If the number of candidates of either class of electors who are duly nominated and whose names are not withdrawn under this section shall exceed the number to be elected a poll shall be taken in manner hereinafter provided but if the number of such candidates does not exceed the number of candidates to be elected such candidates shall be deemed to be elected commissioners.

(4) If the number of candidates of either class of electors who are duly nominated and whose names are not withdrawn under this section shall be less than the number to be elected the retiring commissioners elected by that class or so many of them respectively (chosen if occasion arises by lot) as may be required to fill the remaining vacancy or vacancies in that class shall if qualified as required by this Act be deemed to be re-elected and in case there shall be no retiring commissioner or an insufficient number of such retiring commissioners qualified as required by this Act to fill such vacancy or vacancies the same shall in such case be filled up in accordance with the provisions of the section of this Act whereof the marginal note is "Occasional vacancies."



**29.** The following provisions shall have effect with respect to taking the poll at the election of commissioners by the payers of dues or by the payers of rates :—

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—  
Provision as  
to taking  
poll.

- (1) The poll shall be taken at the place or places on the day and between the hours appointed by the returning officer in accordance with the provisions of this Act:
- (2) The voting shall be taken by means of voting papers and any elector may record his vote or votes by means of a voting paper issued by the Commissioners in a form prescribed by them signed by him and either handed to the returning officer or his representative in accordance with regulations made by the Commissioners or sent to the returning officer and received by him before the time fixed for the close of the poll :
- (3) Each elector shall be entitled to give the number of votes to which he is entitled under the section of this Act whereof the marginal note is " Scales of voting " multiplied by the number of commissioners to be elected by the class of voters to which he belongs but he shall not give more than the number of votes to which he is entitled under the said section to any one candidate :
- (4) The three persons to be elected commissioners by the payers of dues and the six persons to be elected commissioners by the payers of rates who receive the largest number of votes shall be declared by the returning officer to be duly elected commissioners under this Act :
- (5) Where an equality of votes is found to exist between any candidates at an election and the addition of a vote would entitle any one of such candidates to be declared elected the returning officer may give such additional vote but shall not in any other case be entitled to vote at an election for which he is returning officer.

**30.** Subject to the provisions of this Act—

- (1) Any person on the list of either class of electors and any person trading under the name of a partnership which is on the list or under any individual

Qualification  
of elected  
Commis-  
sioners.

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name other than his own and any member of any partnership or co-ownership and any member or the secretary or manager of a body corporate on the list who shall be nominated in writing by a partnership co-ownership or body corporate on the list but no other person shall be eligible for election as an elected commissioner by that class :

(2) No person shall be eligible for election as aforesaid unless he shall have been nominated as a candidate as hereinbefore provided :

(3) Any person who is nominated in more than one class shall be eligible for election as a commissioner by the class in respect of which he accepts a nomination by signing the nomination paper and shall not be eligible for election by any other class and if he shall accept a nomination by signing a nomination paper in more than one class then such nominations shall be void.

(4) *Miscellaneous.*

Expenses of election.

**31.** The expenses incurred by the Commissioners the returning officer or the clerk of and incident and preparatory to the preparation of the registers the preparation and revision of lists the publication of advertisements and the holding of elections directed by this Act or otherwise relative thereto shall be paid by the Commissioners as part of their establishment expenses.

Alteration of dates for elections.

**32.** The Board of Trade on the application of the existing Commissioners or of the Commissioners may by order appoint any days other than the days in this Act mentioned for the appointment and election of commissioners and for and in relation to the several matters preparatory or incidental thereto in this Act mentioned.

Disqualification of Commissioners.

**33.**—(1) A person shall be disqualified for being appointed or elected or being a commissioner if he—

(a) Is an infant ; or

(b) Has within five years before his appointment or election or has since his appointment or election been convicted either on indictment or summarily of any crime and sentenced to imprisonment with hard labour without the option of a fine or any greater punishment and



has not received a free pardon or has been adjudged bankrupt or made a composition or arrangement with his creditors; or

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(c) Holds any paid office under the Commissioners; or

(d) Is concerned in any bargain or contract entered into with the Commissioners or participates in the profit of any such bargain or contract or of any work done under the authority of the Commissioners.

(2) Provided that a person shall not be disqualified for being appointed or elected or being a commissioner by reason of being interested—

(a) In the sale or lease of any lands or in any loan of money to the Commissioners; or

(b) In any newspaper in which any advertisement relating to the affairs of the Commissioners is inserted; or

(c) In any bargain or contract with the Commissioners as a shareholder in any company;

but he shall not vote at any meeting of the Commissioners or of any committee of the Commissioners or take part in the discussion at any such meeting on any question relating to any of the matters referred to in this subsection in which he is interested nor on any question in which a company of which he is a shareholder is interested.

(3) Where a person is disqualified by being adjudged bankrupt or making a composition or arrangement with his creditors the disqualification shall cease in the case of bankruptcy when the adjudication is annulled or when a discharge is obtained with a certificate that the bankruptcy was caused by misfortune without any misconduct or at the expiration of five years from the date of any discharge without such certificate as aforesaid and in case of composition or arrangement the disqualification shall cease on payment of the debts in full or at the expiration of five years from the date of such composition or arrangement.

(4) If a commissioner becomes disqualified under the provisions of this Act he shall cease to be a commissioner.

**34.** If any person acts as a commissioner when disqualified or votes as a commissioner when prohibited under this Act he shall for each offence be liable to a penalty not exceeding twenty pounds.

Penalty for acting when disqualified.

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Disqualifica-  
tion for ab-  
sence from  
meetings.Occasional  
vacancies.

**35.** If any commissioner is absent from meetings of the Commissioners for more than six months consecutively except for some reason approved by the Commissioners he shall on the expiration of that period cease to be a commissioner.

**36.**—(1) Any vacancy in the office of appointed Commissioners or elected Commissioners occasioned by death resignation removal or disqualification shall be filled up with all convenient speed by the appointment or election as by this Act provided of a commissioner by the body or persons by whom the commissioner whose vacancy is to be filled up may have been originally appointed or elected and the commissioner so substituted shall hold office for the time during which the commissioner in whose stead he is appointed or elected would have been entitled to continue in office.

(2) The provisions of this Act relating to the nomination and election of Commissioners shall with any necessary modifications apply to the filling up of vacancies by the payers of dues or the payers of rates.

Proceedings  
of Commis-  
sioners and  
committees  
to be valid  
notwith-  
standing ir-  
regularities.

**37.** All acts and proceedings of the Commissioners or of any committee appointed by the Commissioners shall be valid notwithstanding any vacancy in their body or any irregularity in the appointment or election or the continuance in office of any of the Commissioners and notwithstanding that any person not qualified or ceasing to be qualified may have acted as a commissioner.

Regulations.

**38.** Subject to the provisions of this Act the Commissioners may make regulations in regard to the nomination and election of Commissioners by the payers of dues and the payers of rates and may by such regulations prescribe any forms to be used and the regulations so made shall be observed.

Meetings  
and proceed-  
ings of Com-  
missioners.

**39.**—(1) Meetings of the Commissioners shall be held and the proceedings thereat shall be conducted in accordance with the rules as to meetings and proceedings contained in the First Schedule to this Act.

(2) The Commissioners shall permit the attendance at any meeting held by them of representatives of any newspaper and shall permit such representatives to take a report or notes of the proceedings at any such meeting Provided that—

(a) This subsection shall not apply to any meeting of a committee of the Commissioners nor to any meeting when the Commissioners are sitting in committee :



- (b) The Commissioners may temporarily exclude such representatives from a meeting as often as may be desirable at any meeting when in the opinion of a majority of the Commissioners present at such meeting expressed by resolution in view of the special nature of the business then being dealt with or about to be dealt with such exclusion is advisable in the public interest. A.D. 1913.

40. The Commissioners may from time to time provide maintain and furnish such buildings and offices as may be necessary for transacting their business and that of their officers and servants under the former Acts and this Act and for that purpose may acquire purchase or take on hire or exchange land. Power to provide offices &c.

41. It shall not be obligatory upon the Commissioners to appoint or to continue the appointment of a treasurer and any moneys which under the Ipswich Dock Acts 1852 to 1913 or the Acts incorporated therewith are payable to the treasurer shall be paid to such person and to such account as the Commissioners shall direct. As to treasurer.

### PART III.

#### WORKS.

42. Subject to the provisions of this Act the Commissioners may make and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the works hereinafter described all within the borough of Ipswich in the county of East Suffolk (namely):— Power to make works.

- (1) A new entrance to the dock through the Southern Embankment thereof comprising an inner gate chamber with a swing bridge across it an entrance basin an outer gate chamber a quay wall moles and an approach pier:
- (2) A quay or wharf commencing at a point on the existing wall of the Upper Embankment twenty-five yards west of the gateway near thereto and terminating by a junction with the existing public warehouse quay:
- (3) Tramroad (No. 1) commencing at a point on the fence of the Southern Embankment about thirty yards to the east of the centre of the swing bridge over the existing lock and terminating at a point on the Cliff

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Brewery Quay about thirty-five yards southward of the entrance to the brewery yard:

(4) Tramroad (No. 2) commencing at a point on the fence of the Southern Embankment of the dock and at the termination of the existing tramways on the east side of the dock and terminating by a junction with Tramroad No. 1 at a point seventy-seven yards from the point of commencement measured in a southerly direction:

(5) Tramroad (No. 3) commencing at a point at the south end of Messrs. Ransomes Sims and Jefferies' plough and implement works about twenty-two yards to the eastward of the gateway at the entrance of the private road to the Cliff Brewery and terminating by a junction with the Commissioners' siding about ninety-two yards to the south of the same gateway:

Together with all necessary and proper entrances cuts works basins gates sluices piers jetties staiths quays wharves bridges roads approaches and other works and conveniences connected therewith and may use the waters of the Rivers Orwell and Gipping in and for the purposes of the new works and may alter and divert any road sewer drain pipe or other work within the limits of deviation defined on the deposited plans so far as may be necessary for the construction maintenance or use of the new works.

Period for  
completion  
of works.

**43.** If the works authorised by this Act and delineated on the deposited plans and sections are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Commissioners for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed.

Works to  
form part of  
undertaking  
of Commis-  
sioners.

**44.** The works authorised by this Act shall for all purposes (including the levying and recovery of dues rates and charges) form part of the undertaking of the Commissioners and subject to the provisions of this Act the Commissioners shall have and may exercise and enjoy in over upon and in relation thereto the same rights powers and privileges as if the same had immediately before the passing of this Act formed part of the undertaking of the Commissioners.



**45.** For the purposes of charges the tramroads authorised by this Act shall be deemed to form part of the tramways of the Commissioners subject to the provisions of section 25 (Charges for warehouses and other services) of the Act of 1877 and the tramroads shall be made on the gauge of four feet eight and a half inches and may be worked by steam or other power.

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Provisions  
as to tram-  
roads.

**46.** In constructing the works authorised by this Act the Commissioners may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on these plans and they may deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding five feet Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Limits of  
deviation.

**47.** With the licence in writing of the Commissioners under their common seal and subject to any conditions expressed in such licence it shall be lawful for any company or person working or using the tramroads authorised by this Act to use locomotive engines thereon Provided that any licence of the Commissioners for the purpose of this section may at any time be revoked by two months' notice served upon the secretary of the company or upon any other person to whom such licence may have been given.

Locomotive  
power on  
tramroads.

**48.** It shall be lawful for the Commissioners from time to time to enter into and carry into effect agreements with respect to the construction maintenance and management by any company or person of the tramroads authorised by this Act and the use and working thereof and the conveyance of traffic thereon and the fixing collecting and apportionment of the tolls rates charges receipts and revenues levied taken or arising in respect of such traffic.

Agreements  
with other  
companies.

**49.—**(1) Subject to the provisions of this Act any of the works authorised by this Act to be constructed on over or under tidal land below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant-secretaries of the Board of Trade.

Works below  
high-water  
mark to be  
subject to  
approval of  
Board of  
Trade.

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(2) Any alteration or extension of any such works shall be subject to the like approval.

(3) If any such work be commenced 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 of the Commissioners and the amount of such cost shall be a debt due from the Commissioners to the Crown and shall be recoverable as a Crown debt or summarily.

Survey of  
works by  
Board of  
Trade.

**50.** If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Commissioners on in over through or across tidal lands or 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.

Abatement  
of work  
abandoned or  
decayed.

**51.** If a work constructed by the Commissioners on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay 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.

Lights on  
works during  
construction.

**52.**—(1) The Commissioners shall at or near the works below high-water mark hereby authorised 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.

(2) 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.

Permanent  
lights on  
works.

**53.**—(1) The Commissioners shall at the outer extremity of their works below high-water mark 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.



(2) 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. A.D. 1913.

**54.** In case of injury to or destruction or decay of the pier or works or 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 ten pounds for every 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.

**55.** The Commissioners shall at all times keep at the outer extremity of the pier and works below high-water mark and at reasonable distances along such pier and works and in accordance with any requirements which may be made by the Board of Trade a sufficient number of life buoys and lines in good order and fit and ready for use. Life buoys to be kept.

**56.** Notwithstanding anything contained in this Act any cables pipes or wires to be laid or placed by the Commissioners under or across any tidal water shall be laid or placed at such depth under or such height over the tidal water as the Board of Trade may require. Cables pipes or wires under or across tidal waters.

**57.** Any works constructed for the purpose of working the tramroads authorised by this Act by electrical power and any cables pipes or wires laid or placed by the Commissioners under this Act shall be so constructed and used as to prevent any interference with telegraphic communication by means of any telegraphic line of the Postmaster-General. For protection of Postmaster-General.

**58.** In constructing and maintaining the works authorised by this Act the following provisions for the protection of Ransomes Sims and Jefferies Limited their successors and assigns (in this section called "the company") as owners for the time being of the timber yard and premises situate in the borough and adjoining the south-east corner of the dock and known and hereinafter referred to as "the Dock Side timber yard" and of the engineering works and premises situate in the borough on For protection of Ransomes Sims and Jefferies Limited.

A.D. 1913. the east side of Cliff Road and known and hereinafter referred to as "the plough and implement works" shall unless otherwise agreed in writing between the Commissioners and the company be in force and have effect notwithstanding anything in this or any other Act contained (that is to say):—

(1) Before disturbing or in any way interfering with the present tramway communication between the tramway in Helena Road and the plough and implement works of the company (except so far as such disturbance or interference shall be necessary under this subsection) the Commissioners shall with all expedition and at their own expense provide and construct a railway turntable of such size and form as may be reasonably approved by the company at the corner of Ship Launch Road and Helena Road and upon any consents that may be necessary of the owners of and other persons interested in the tramways in Helena Road and Ship Launch Road being obtained (for which consents the Commissioners shall make any necessary application) the Commissioners shall at their own expense make the necessary alterations in such tramways so as to afford the company connected tramway communication by means of such turntable between the tramway in Helena Road and the plough and implement works over the tramway in Ship Launch Road or otherwise and shall at their own expense maintain and keep in repair such turntable and its connection with the tramways in Helena Road and Ship Launch Road until all the tramroads (or others that may be substituted therefor) referred to in the section of this Act whereof the marginal note is "Power to make works" have been completed and are duly connected with the present system of tramways and tramroads so that through communication by tramway and tramroad is established between the Dock Side timber yard and the plough and implement works and the tramway system on the east and west sides of the dock:

(2) In order to provide space for the construction of such turntable the company shall at the expense of the Commissioners temporarily set back the adjoining



fence of the Dock Side timber yard and the Commissioners shall if required by the company at the like expense when such new tramroads have been completed and such through communication by tramroad established remove such turntable and reinstate such fence in its present position:

- (3) Upon the construction of the new dock entrance authorised by this Act the Commissioners shall within the period limited by this Act for the completion of the works thereby authorised construct the swing bridge over such entrance and the alterations in the tramroads in connection therewith and make such bridge available both for rail and other wheel traffic:
- (4) At all reasonable times after the completion of Tramroad No. 3 and its connection with the tramway in Helena Road the Commissioners shall at their own expense when so required by the company haul the traffic of the company to and from the plough and implement works at a point at which the Tramroad No. 3 (or any other tramroad that may be substituted therefor) enters such works from and to the tramway in Helena Road:
- (5) So soon as the swing bridge over the new dock entrance authorised by this Act shall have been constructed the Commissioners shall duly make provision for the hauling at all reasonable times of the traffic of the company to and from the junction of Tramroad No. 2 (or any other tramroad that may be substituted therefor) with the tramways in Helena Road and to and from the commencement of Tramroad No. 3 (or any other tramroad that may be substituted therefor) at the plough and implement works over the swing bridge from and to the tramway in the East Road of the New Cut receiving for the use of the existing and proposed tramways tramroads and works and for such haulage and other services rendered by the Commissioners such remuneration as may be mutually agreed in writing between the Commissioners and the company or as failing such agreement may be determined by arbitration in manner provided by this section:

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—

- (6) In the event of the Commissioners taking all or any part of the piece of land in Helena Road forming part of the frontage of the Dock Side timber yard such land shall be subject to the restriction that it shall be thrown into and in future form part of Helena Road and the company shall in respect of the Dock Side timber yard to the extent of the frontage thereof on such part of Helena Road as immediately abuts upon the dock as delineated on the deposited plans retain all their rights under the Act of 1852 :
- (7) If before commencing the construction of the new dock entrance authorised by this Act the Commissioners shall receive notice from the company of their intention to construct a quay wall in front of their Dock Side timber yard the Commissioners shall set back in a southerly direction the return wall of the eastern head of such dock entrance in the manner indicated on the plan signed by Thomas Miller on behalf of the Commissioners and by Harold Sellis Jefferies on behalf of the company so as to allow of the company constructing a quay extending for one hundred feet along the side of the dock in front of the Dock Side timber yard and shall permit the company to make such quay during the progress of the works authorised by this Act that is to say whilst the temporary coffer dam is in position Provided that such quay shall be constructed to such a depth that the dock in front thereof may be dredged to a depth of not less than sixteen feet six inches below the level of high water of ordinary spring tides and shall be made under the superintendence and to the satisfaction of the Commissioners and in accordance with plans sections and particulars previously submitted to and approved by the Commissioners and so as not to delay or interfere with the execution of the works authorised by this Act :
- (8) The quay made under subsection (7) of this section shall at all times be maintained and kept in good condition and repair by the company to the satisfaction of the Commissioners and if the company shall refuse or neglect to maintain or repair the



same for the space of three days after receiving notice from the Commissioners requiring them to maintain or repair the same or if having commenced any work of maintenance or repair they shall not diligently proceed therewith to the satisfaction of the Commissioners the Commissioners may maintain and repair the said quay and any expense incurred by the Commissioners under this subsection shall be repaid to them by the company:

- (9) The quay made under subsection (7) of this section and the right of landing and shipping all goods wares and merchandise thereon or thereat without payment of wharfage shall be the exclusive property of the company and no person or persons shall be authorised or empowered to lay vessels or ships in front of or alongside such quay or to land or ship any goods wares or merchandise from or across such quay without the consent of the company other than and except so far as they might have been entitled to do prior to the passing of the Act of 1852:
- (10) If the company shall make a quay under subsection (7) of this section they shall have the right to erect and maintain warehouses houses granaries and other erections over such quay and the road adjoining the same between their premises and the front of the quay leaving a clear headway of not less than sixteen feet between the surface of the quay or road and the lowest part of such warehouses houses granaries or other erections Provided that such warehouses houses granaries or other erections shall be erected according to such plan and elevation and in pursuance of such regulations and rules as the Commissioners shall agree to and sanction:
- (11) If the company shall make a quay under subsection (7) of this section then section 8 (For protection of Felix Thornley Cobbold and John Dupuis Cobbold) of the Act of 1898 and so much of the provisions of the Acts recited in the Act of 1852 as form part of that Act by virtue of section 32 thereof and as confer any powers upon or reserve any rights to the company with respect to the building of a quay or

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walls or the landing or shipping of goods wares or merchandise or the building of warehouses houses granaries or other erections shall so far as relates to the Dock Side timber yard thereupon be treated as having been repealed :

- (12) In subsections (7) to (11) both inclusive of this section "the company" means the owners for the time being of the Dock Side timber yard :
- (13) If any difference shall arise between the company and the Commissioners touching this section or anything to be done or not to be done thereunder or any money to be paid thereunder such difference shall except where otherwise provided be referred to and be determined by an arbitrator to be mutually nominated by the company and the Commissioners or failing agreement to be appointed as arbitrator by the Board of Trade on the application of the company or the Commissioners and subject as aforesaid the Arbitration Act 1889 shall apply to the reference.

Works  
affecting  
Cranfield  
Brothers  
Limited and  
R. & W. Paul  
Limited.

**59.** Except so far as may be otherwise agreed in writing between the Commissioners on the one hand and Cranfield Brothers Limited and R. & W. Paul Limited on the other hand the following provisions notwithstanding anything in this Act contained shall apply and have effect (that is to say):—

- (1) In constructing so much of the quay or wharf authorised by this Act as lies between the commencement thereof and the point marked with the letter "B" on the deposited plans the same shall be so constructed that the face of the quay at the top thereof shall not be at a greater distance from the present line of quay or the present margin of the dock than the line marked "A B" and shown in red on the plan signed in triplicate by Thomas Miller on behalf of the Commissioners by Samuel Armstrong on behalf of Cranfield Brothers Limited and by Peter Reed on behalf of R. & W. Paul Limited which plan is in this section called "the signed plan" The said quay or wharf shall be constructed so that the face thereof shall be perpendicular or so nearly perpendicular as not to materially restrict the water area of the dock by reason of the angle of its slope :



- (2) The Commissioners shall be entitled to widen the Upper Embankment at the north-westerly end of the dock by covering over and adding to the embankment so much only of the dock as is coloured blue on the signed plan and the Commissioners shall so construct the said addition to the embankment that the foundations at the northern extremity thereof shall be of sufficient strength to carry and support overhead buildings of the weight of fifty tons constructed upon a column or pillar placed upon the said foundations:

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—

- (3) The Commissioners shall be entitled to purchase so much only of the south-west corner of the premises of Cranfield Brothers Limited numbered 5 on the deposited plans as is cut off by the red line marked upon the signed plan paying therefor the price of twenty-five pounds and unless at the time of such purchase Cranfield Brothers Limited be engaged in rebuilding their said premises bearing the cost of demolishing the said premises at that point and of reinstating the remaining frontage.

**60.** Notwithstanding anything contained in this Act the following provisions for the protection and benefit of R. & W. Paul Limited (in this section called "the company") shall except so far as may be otherwise agreed in writing between the company and the Commissioners apply and have effect (that is to say):—

For protec-  
tion of R.  
& W. Paul  
Limited.

- (1) The Commissioners shall as part of the works authorised by this Act dredge the bed of the dock in front and to the extent of the frontage of the Eagle Wharf so as to provide at all times a depth of twenty-three feet at mean dock level commencing at a distance of not less than thirty-eight feet measured in a westerly direction from the authorised line of the quay wall:
- (2) If and whenever the company construct in front of any part of the Eagle Wharf a quay or wall the Commissioners shall dredge the bed of the dock in front of such quay or wall so as to permit vessels entering the dock by the new dock entrance to lie alongside such quay or wall Provided that the

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Commissioners shall not be required to execute any dredging under this subsection which will endanger the stability of the Commissioners' roadway or of the quay wall or property of the company or of the quay wall or property of adjoining owners on either side :

- (3) In the event of the Commissioners taking all or any part of the piece of land in Helena Road forming part of the frontage of Eagle Wharf such land shall be subject to the restriction that it shall be thrown into and in future form part of Helena Road and the company shall in respect of Eagle Wharf to the extent of the frontage thereof on such part of Helena Road as immediately abuts upon the dock as delineated upon the deposited plans retain all their rights under the Act of 1852 :
- (4) The north-eastern pier head of the inner gate chamber of the new dock entrance shall not when completed extend in a northerly or easterly direction beyond the line of construction shown upon the deposited plans :
- (5) In this section the expression "Eagle Wharf" means the wharf and buildings now belonging to the company fronting Helena Road and situate between Patteson Road and the Dock Side timber yard belonging to Ransomes Sims and Jefferies Limited.

## PART IV.

## LANDS.

Power to acquire lands.

**61.** Subject to the provisions of this Act the Commissioners may enter upon take and use for the purposes of their undertaking and for the purposes of the works authorised by this Act all or any part of the lands delineated on the deposited plans and described in the deposited book of reference relating thereto.

For protection of E. R. and F. Turner Limited.

**62.** Notwithstanding anything contained in this Act or shown upon the deposited plans or contained in the deposited book of reference the Commissioners shall not under the powers conferred upon them by this Act without the consent of E. R. and F. Turner Limited enter upon take or use the lands coloured pink upon the plan marked "A" and signed in duplicate by Thomas Miller on behalf of the Commissioners and John Turner Rainer on behalf of E. R. and F. Turner Limited.



**63.** Notwithstanding anything contained in this Act or shown on the deposited plans or contained in the deposited book of reference the Commissioners shall not under the powers conferred upon them by this Act without the consent of John Dupuis Cobbold enter upon take or use the lands and hereditaments coloured pink upon the plan marked "B" and signed in duplicate by Thomas Miller on behalf of the Commissioners and by the said John Dupuis Cobbold.

A.D. 1913.

For protec-  
tion of J. D.  
Cobbold.

**64.** For the protection of the Great Eastern Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed between the Commissioners and the company in writing under their respective common seals have effect (that is to say):—

For protec-  
tion of Great  
Eastern  
Railway  
Company.

(1) Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the Commissioners shall not enter upon or in any way interfere with either temporarily or permanently any tramway or siding now belonging to or maintained by the company in the road numbered 6 on the deposited plans nor in the Upper Embankment nor in the East Road of the New Cut nor in that portion of the East Road of the dock known as Helena Road nor shall they interfere with the traffic on any such tramway or siding and the Commissioners shall not in the exercise of the powers of this Act interfere with the construction laying down and maintaining upon the Upper Embankment of the additional lines of rails in pursuance of any other Act of Parliament passed or to be passed in the present session:

(2) Notwithstanding anything contained in this Act the Commissioners shall not acquire except with the consent of the company the interests of that company in so much of the lands numbered 12 13 14 and 15 on the deposited plans as is coloured red on the plan signed in triplicate by the Right Honourable Algernon Hawkins Thomond Keith-Falconer Earl of Kintore the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one of which plans has been deposited in the Parliament Office of the House of Lords and one

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in the Private Bill Office of the House of Commons and one in the principal office of the Commissioners :

- (3) Upon the construction of the new quay the Commissioners shall dredge and at all times thereafter keep dredged the dock alongside so much thereof as shall be equivalent to the present water frontage of the company to such depth as shall be reasonably necessary for the requirements of the public and of the company.

Provisions as to compensation.

**65.** For the purpose of determining any question of disputed purchase money or compensation payable in respect of lands taken in pursuance of this Act the following provision shall apply and for the purposes of this section the expression "owner" shall mean the owner of and persons interested in the lands required by the Commissioners:—

The tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the land created after the twentieth day of November nineteen hundred and twelve if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made erected or created with a view to obtaining or increasing compensation under this Act.

Costs of arbitration &c. in certain cases.

**66.**—(1) The tribunal shall if so required by the Commissioners award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Commissioners by the claimant giving sufficient particulars and in sufficient time to enable the Commissioners to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Commissioners had been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

(2) Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Commissioners to amend the statement in writing of the claim delivered by him to the Commissioners in case of discovery of any error or mistake therein or for any other reasonable



cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Commissioners if they object to the amendment and such amendment shall be subject to such terms enabling the Commissioners to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case.

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(3) Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice to the effect of this section.

**67.** All private rights of way over any lands which are under the powers of this Act authorised to be acquired compulsorily shall as from the date of their acquisition be extinguished Provided that the Commissioners shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

As to private rights of way over lands taken compulsorily.

**68.** The powers of this Act for the compulsory purchase of lands by the Commissioners shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

**69.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Commissioners any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements &c.

**70.** The Commissioners in addition to any lands which they are authorised to acquire and hold under the other powers of this Act or the powers of the former Acts may from time to time by agreement acquire either by way of purchase or exchange or otherwise any land and foreshore not exceeding in the whole thirty acres and any right easement or privilege

Acquisition of lands by agreement.

A.D. 1913. in over under upon or in respect of any such land or foreshore or any other land or foreshore Provided that the Commissioners shall not create or permit the creation or continuance of any nuisance on any such lands.

## PART V.

## FINANCIAL.

Power to  
borrow.

71. For the purposes of this Act and for the general purposes of their undertaking the Commissioners may in addition to the sum owing by the Commissioners at the commencement of this Act from time to time borrow and re-borrow at interest further moneys not exceeding in the aggregate three hundred thousand pounds and for the purpose of securing the repayment of any moneys so borrowed the Commissioners may mortgage all or any of their property revenues duties dues rates or charges.

Commissioners not to  
regard trusts.

72. The Commissioners shall not be bound to see to the execution of any trust whether express implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person or persons in whose name any loan or security for loan may stand in the register of mortgages of the Commissioners shall from time to time be a sufficient discharge to the Commissioners in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Commissioners have had express implied or constructive notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register of mortgages.

Lenders not  
bound to  
inquire.

73. Lenders of money to the Commissioners under this Act shall not be bound to inquire as to the observance by the Commissioners of any of the provisions of this Act or the former Acts or to see to the application or be answerable for any loss misapplication or non-application of the money lent or any part thereof.

Period for  
repayment of  
moneys bor-  
rowed.

74. The Commissioners shall pay off or make provision for paying off all moneys borrowed by them under the authority of this Act within a period (in this Act referred to as "the prescribed period") not exceeding eighty years from the date or dates of borrowing.



**75.** Subject as hereinafter contained the Commissioners shall pay off all sums borrowed by them under the authority of this Act by equal yearly or half-yearly instalments of principal or of principal and interest or by means of a sinking fund but they shall not be obliged to commence paying off or making provision for the payment off of any such sums before the expiration of seven years from the passing of this Act.

A.D. 1913.  
Mode of  
payment off  
of moneys  
borrowed.

**76.—**(1) Subject to the provisions of this Act if the Commissioners determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such sinking fund shall be formed or maintained either—

Sinking  
fund.

(a) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a “non-accumulating sinking fund”; or

(b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Commissioners being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Commissioners towards the equal annual payments to the fund or carried to their general account.

(4) The Commissioners may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Commissioners shall pay into the fund each year and accumulate

A.D. 1913. — during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Commissioners :

(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments or carried to the Commissioners' general account.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Commissioners in addition to the payments provided for by this Act.

(7) If it appear to the Commissioners at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to pay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Commissioner to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose.

(8) If the Commissioners desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Commissioners be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Commissioners may reduce the payments to be



made to the sinking fund either temporarily or permanently to such extent as they think fit. A.D. 1913.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will be sufficient to repay the loan in respect of which it is formed within the prescribed period the Commissioners may discontinue the equal annual payments to such sinking fund.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed may be applied to such purposes as the Commissioners may determine.

**77.**—(1) The Commissioners shall have power—

Power to  
re-borrow.

(a) To borrow for the purpose of paying off any moneys previously borrowed under this Act or under the former Acts which are intended to be forthwith repaid; or

(b) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Commissioners in repaying moneys previously borrowed under this Act or under the former Acts and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Commissioners shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Commissioners shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(a) by instalments or annual payments; or

(b) by means of a sinking fund; or

A.D. 1913.

—

(c) out of moneys derived from the sale of land; or

(d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Money may  
be borrowed  
on cash  
account.

**78.** The Commissioners may from time to time for temporary purposes accept and take from any bank or banking company on a cash account to be opened and kept with such bank or banking company in the name of the Commissioners and they may from time to time secure the money to be advanced on such cash account with interest for the same upon the Ipswich Dock Consolidated Fund Provided that the whole sum due and owing by the Commissioners on such cash account shall not at any time exceed the sum of one hundred thousand pounds.

## PART VI.

### CONSOLIDATED FUND AND STOCK.

#### (1) *Consolidated Fund.*

Consolidated  
fund.

**79.** All moneys received by the Commissioners including all tolls duties dues rates and other charges received by the Commissioners under the authority of the former Acts and this Act all proceeds of sales of land and all fines rents and premiums and all other moneys from whatever source and also all moneys raised by the Commissioners under this Act shall after the passing of this Act be carried to and form one fund to be called the Ipswich Dock Consolidated Fund (in this Act called "the consolidated fund") and all payments to be made by the Commissioners under the former Acts or this Act shall be paid out of that fund.

Charges on  
fund.

**80.** All debentures mortgage debts or other charges secured on the whole or any part of the undertaking or revenue of the Commissioners shall with the interest thereon be by virtue of this enactment secured in like manner on the consolidated fund and the interest upon such debentures mortgage debts or other charges shall be payable out of the income of that fund with the respective priorities to which the interest upon such debentures mortgage debts and other charges is respectively for the time being entitled under the former Acts and this Act it being declared that the interest on moneys borrowed under the former Acts shall have priority over the interest on the moneys to be



borrowed under this Act Provided always that for the purpose of securing the repayment of any gross sum of money and the payment of any interest thereon and the payment of any annuity or rentcharge now secured upon any specific revenue of the Commissioners the revenue upon which such gross sum or of interest or such annuity or rentcharge is secured or charged shall be deemed to be a separate revenue. A.D. 1913.

**81.** All moneys borrowed by the Commissioners or received as proceeds of sales of lands or being otherwise in the nature of capital shall be applied to the purposes of the former Acts or of this Act to which capital is properly applicable but not otherwise. Application  
of capital  
money.

**82.** All moneys received by the Commissioners under the authority of the former Acts and of this Act and being in the nature of revenue shall be paid into the consolidated fund and shall be applied by them to the purposes following:— Application  
of revenue.

First In payment of all costs charges and expenses of and incidental to the preparing obtaining and passing of this Act or otherwise in relation thereto so far as the same shall not be paid out of borrowed moneys:

Secondly In payment of the working and establishment expenses and the cost of the maintenance renewal and repair of the Commissioners' undertaking:

Thirdly In payment of interest from time to time accruing due on any moneys borrowed by the Commissioners:

Fourthly In providing the requisite instalments appropriations or sinking fund payments in respect of moneys borrowed by the Commissioners:

Fifthly In establishing and keeping up a reserved fund (if the Commissioners think fit) by setting aside such money as they think reasonable and investing the same and the resulting income thereof in statutory securities in the name of the Commissioners and accumulating the same at compound interest until the fund so formed (together with the present reserved fund of the Commissioners which may be invested in like manner and which shall be transferred into the name of the Commissioners) amounts to the sum of five thousand pounds which fund shall be applicable to answer any deficiency at any time happening in the income of the Commissioners or to meet any extraordinary claim or demand

A.D. 1913.

at any time arising against the Commissioners or for payment of the cost of renewing improving or extending any works and so that if that fund be at any time reduced it may thereafter be again restored to the said sum and so from time to time as often as such reduction happens Provided that resort may be had to the reserved fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the sum of five thousand pounds:

Sixthly In defraying all the costs charges and expenses which the Commissioners may incur in the execution of the purposes of the former Acts and this Act and in making completing doing and maintaining all such works matters and things as they may be authorised to make complete do and maintain so far as the same shall not be payable and paid out of capital.

(2) *Creation and Charge of Stock.*

Power to  
create and  
issue stock.

**83.**—(1) Subject to the provisions of this Act the Commissioners may from time to time for the purposes of—

(a) Raising any money which they are for the time being authorised to raise under the former Acts or this Act or any Act hereafter to be passed;

(b) Paying off any money for the time being owing under any security granted under any of such Acts;

(c) Converting any such security into redeemable stock; create and issue by public tender or otherwise redeemable stock to the amount required for the aforesaid purposes or any of them at such prices and at such times and on such terms and subject to such conditions and bearing such rates of interest as the Commissioners shall by resolution direct.

(2) The stock created and issued under this Act shall be called Ipswich Dock redeemable stock and in this Act the word “stock” (unless the context otherwise requires) means stock so created and issued.

Charge of  
stock.

**84.** The stock created and issued under this Act and the interest thereon shall be a charge on the consolidated fund.

Stock to  
rank equally.

**85.**—(1) All stock hereafter created and issued shall rank equally and shall also rank equally with any mortgages granted after the passing of this Act without any priority or preference on any ground whatsoever.



(2) The interest for the time payable on all stock shall rank equally and shall also rank equally with the interest on all such mortgages as aforesaid. A.D. 1913.

(3) *Redemption of Mortgages and Stock.*

**86.**—(1) All stock shall be redeemable by the Commissioners at par that is to say at the rate of one hundred pounds sterling for every nominal amount of one hundred pounds stock at such time and in such manner as the Commissioners by the resolution for the creation of any portion of stock shall declare with reference to that portion. Stock to be redeemable at par.

(2) Provided that every portion of stock shall be redeemed by the Commissioners within eighty years from the date of the creation of the stock.

(3) Provided also that nothing in this Act shall be construed to prevent the Commissioners from redeeming any stock at a price below par by agreement with the holder of such stock.

**87.** Subject to any special conditions as to time of repayment upon which any mortgage or stock shall have been or shall be granted or created and issued whenever the Commissioners shall be desirous to pay off one or more of the mortgages or part of the stock and shall not be able to pay off the whole of such mortgages or stock they shall decide the order in which any such mortgages or stock shall be paid off by lot and shall cause a notice signed by the clerk to be given to the persons entitled to the mortgage or stock to be paid off pursuant to such lot and such notice shall state the sum proposed to be paid off and that the same will be paid together with the interest due thereon at a place to be specified and at the expiration of six months from the date of giving such notice. Order of repayment to be decided by lot.

**88.**—(1) The Commissioners on redeeming any stock by means of a sinking fund shall obtain a receipt (either endorsed on the certificate or not) from the holder of such stock for the redemption money and such receipt shall operate to extinguish such stock and all interest thereon which has not already become payable and such extinction shall be recorded in the stock register hereinafter mentioned. Such receipt may be in the form set out in the Second Schedule to this Act or to the like effect. Extinction of stock redeemed.

A.D. 1913.  
—

(2) The Commissioners shall not create and issue any stock for the purpose of re-borrowing any money paid off by means of such sinking fund but subject thereto they may from time to time as occasion may require create and issue stock bearing such interest as they shall fix for the purpose of re-borrowing any other money or of paying off or redeeming any mortgage or stock for the time being bearing a higher rate of interest or any mortgage or stock of which notice of repayment or redemption has been previously given by them or of which the time fixed for repayment or redemption has arrived.

(4) *Conversion of other Securities into Stock.*

Power to  
convert  
other securi-  
ties into  
stock.

**89.**—(1) The Commissioners may enter into an arrangement with the holder of any mortgage or other security created or granted under any of the former Acts or this Act or under any Act hereafter passed for the conversion of such mortgage or other security or any part thereof into an equal nominal amount of stock and the Commissioners may in every such case make such reasonable payment to such holder as they think fit for his consent to such arrangement and such payment shall be chargeable against revenue.

(2) Any person who holds any such mortgage or other security and who is one of the persons enabled by the Lands Clauses Consolidation Act 1845 to sell land under that Act may consent to any arrangement under this Act for the conversion of such mortgage or other security into stock or to the payment of the moneys secured thereby before the time limited for the payment thereof as if such person were the absolute owner in his own right of such mortgage or other security and such person is hereby indemnified for so doing.

(3) All stock issued and moneys paid in substitution for or on account of any such mortgage or other security or the moneys secured thereby shall be subject and liable to the same trust powers provisions declarations agreements charges liens and encumbrances as immediately before the conversion or payment thereof affected such mortgage or other security or the moneys secured thereby and every deed or other instrument and every testamentary or other disposition shall take effect with reference to the whole or a proportionate amount of the substituted stock or moneys as the case may be.



(5) *Effect on Borrowing Powers.*

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**90.** After any moneys have been raised by the Commissioners by the issue of stock or after the conversion of any mortgage or other security into stock the Commissioners shall not issue any mortgage or other security for the amounts so raised or converted and the converted mortgage or other security shall be cancelled.

Restriction  
on exercise  
of borrowing  
powers after  
issue of  
stock.

(6) *Registration and Certificates.*

**91.**—(1) The clerk or any banker or banking company appointed by the Commissioners shall be the registrar of stock for the purposes of this Act (in this Act referred to as “the registrar”) and the Commissioners may make such arrangements for the remuneration of such registrar as they may think fit.

Appoint-  
ment of re-  
gistrar.

(2) The Commissioners in relation to the provisions of this Act and the registrar shall respectively be deemed a banker within the Bankers’ Books Evidence Act 1879.

**92.**—(1) The Commissioners or the registrar shall keep books in which shall be entered the names and addresses of holders from time to time of the stock (in this Act referred to as “stockholders”) and the amounts held by them (in this Act referred to as “the stock register”).

Register of  
stock.

(2) The stock register shall be *primâ facie* evidence of any matter entered therein in accordance with this Act and of the title of the stockholders.

**93.**—(1) On demand of a stockholder the Commissioners shall give to him a certificate under their common seal of the proprietorship of the amount of stock to which he is entitled (in this Act referred to as “the stock certificate”).

Certificates  
of proprie-  
torship of  
stock.

(2) A stock certificate may be in the form set out in the Second Schedule to this Act or to the like effect and shall be *primâ facie* evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock certificate if such want be accounted for to the satisfaction of the Commissioners shall not prevent the stockholder from disposing of and transferring the same.

(3) If a stock certificate is worn out or damaged the Commissioners on production thereof may cancel it and give another certificate to the stockholder.

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(4) If a stock certificate is lost or destroyed the Commissioners on proof thereof to their satisfaction may give another certificate to the stockholder.

(5) An entry of the issue of a stock certificate or substituted certificate as the case may be shall be made in the stock register.

(7) *Transfer.*

Power for  
stockholder  
to transfer.

**94.**—(1) The Commissioners shall on the first creation of any portion of stock decide by resolution whether the whole of the stock by this Act authorised shall be transferable in books or by deed and from and after such decision no other method of transfer than that so decided on shall be good in law.

(2) Every stockholder may in accordance with such resolution transfer all or any part of his stock in books or by deed in manner hereinafter prescribed for such respective methods of transfer of stock.

Transfer in  
books.

**95.**—(1) If the resolution of the Commissioners makes the stock transferable in books the provisions of this section shall apply and have effect but not otherwise.

(2) The registrar shall keep books wherein transfers of stock so transferable shall be entered (in this Act referred to as "the stock transfer books").

(3) The transfer in books may be in the form set out in the Second Schedule to this Act or to the like effect.

(4) Every such entry shall be expressed in proper words for the purpose of transfer and shall be signed by the party making the transfer or if he is absent by his agent thereunto lawfully authorised in writing under his hand attested by a witness.

(5) The registrar may if he think fit require that the agent be so authorised by power of attorney under the hand and seal of the party making the transfer attested by two or more credible witnesses.

(6) The person to whom a transfer is made may if he think fit underwrite his acceptance thereof.

Transfer by  
deed.

**96.**—(1) If the resolution of the Commissioners makes the stock transferable by deed the provisions of this section shall apply and have effect but not otherwise.

(2) Every transfer of stock so transferable shall be by deed.



(3) Every deed of transfer of stock so transferable may be in the form set out in the Second Schedule to this Act or to like effect.

(4) The deed of transfer shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever.

(5) The deed of transfer when duly executed shall be delivered to and kept by the registrar and the registrar shall enter a memorial thereof in a book to be called the Register of Transfers of Ipswich Dock redeemable stock and shall endorse on the deed of transfer a notice of that entry.

(6) The registrar shall on demand and on delivery of the old stock certificate or on such proof that it cannot be delivered as the registrar with the approval of the Commissioners may require deliver a new stock certificate to the transferee or shall at the option of the transferee make an endorsement of the transfer on the existing stock certificate which endorsement being signed by the registrar shall be equivalent to a new stock certificate.

(7) Until the deed of transfer has been so delivered to the registrar the Commissioners or the registrar shall not be affected thereby and the transferee of the stock shall not be entitled to receive any interest thereon.

**97.**—(1) The registrar before allowing any transfer of stock may if the circumstances of the case appear to him to make it expedient require evidence of the title of any person claiming a right to make the transfer.

Evidence in transfer.

(2) The evidence shall be a statutory declaration of one or more competent persons or of such other nature as the registrar with the approval of the Commissioners may require.

**98.**—(1) The registrar with the approval of the Commissioners may as regards any portion of stock close the stock transfer books or the register of transfers of stock (as the case may be) on any day in the month next before that in which interest on that portion of stock is payable but so that the books be not at any time kept closed for more than fifteen days.

Closing of transfer books.

(2) The persons who on the day of such closing are inscribed as stockholders shall as between them and the transferees be entitled to the interest next payable thereon.

**99.** Unless the Commissioners have compounded for stamp duty all stock shall notwithstanding anything in any resolution

Stamp duty on transfers.

A.D. 1913. of the Commissioners be transferable by deed and not in books and every deed of transfer of stock transferable by deed shall be duly stamped and the consideration shall be truly stated therein.

(8) *Transmission.*

Transmis-  
sion on  
death.

**100.**—(1) The property in stock of a deceased stockholder shall be transferable by his executors or administrators notwithstanding any specific bequest thereof.

(2) Where two or more persons are registered as owners of any stock such persons shall be deemed to be joint stockholders with right of survivorship between them.

(3) The Commissioners or the registrar shall not be required to allow any executors or administrators to transfer any stock until the probate of the will or the letters of administration to the estate of the deceased has or have been left with the registrar for registration and may require all the executors who have proved the will to join in the transfer.

Transmis-  
sion other-  
wise than by  
death of  
holder or  
transfer in  
books or by  
deed.

**101.**—(1) If the property in any stock has become transmitted by any lawful means other than a transfer in books or by deed or than the death of a stockholder satisfactory evidence of the transmission shall be furnished to the registrar by a statutory declaration of one or more competent persons or in such other manner as the registrar may with the approval of the Commissioners require.

(2) The name of the person entitled under the transmission shall be entered in the stock register.

(3) Until such evidence has been furnished the Commissioners or the registrar shall not be affected by the transmission and no person claiming by virtue thereof shall be entitled to receive any interest on the stock.

(4) In this section the term "transmission" includes any case of apparent transmission in consequence of the change of name of the stockholder although the actual ownership of the stock may remain unaltered.

(9) *Payment of Interest.*

Payment of  
interest.

**102.** The Commissioners shall pay by the registrar the interest on stock.

Interest to  
executors  
&c.

**103.** The Commissioners or the registrar shall not be required to pay to any executors or administrators any interest on stock held by their testator or intestate until the probate of



the will or the letters of administration has or have been left with the registrar for registration. A.D. 1913.

**104.** The registrar before paying any interest on any stock may if the circumstances of the case appear to him to make it expedient require evidence of the title of any person claiming a right to receive the interest and that evidence shall be a statutory declaration of competent persons or of such other nature as the registrar with the approval of the Commissioners may require. Evidence of title.

**105.**—(1) Where more persons than one are registered as joint stockholders any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the registrar by any other of them. Interest payable to joint holders &c.

(2) Where stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for receipt of the interest on the stock shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two or more credible witnesses but the registrar before acting on the letter of attorney may if he thinks fit require proof to his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

**106.**—(1) The posting by the registrar of a letter containing an interest warrant addressed to a stockholder at his registered address or at any other address given by him shall as respects the liability of the Commissioners and of the registrar be equivalent to the delivery of the warrant to the stockholder himself. Interest warrants by post.

(2) Every warrant so sent by post shall be deemed a cheque and the Commissioners and the registrar shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

(3) This section shall not apply to cases to which the provisions of section 4 of the National Debt Act 1889 apply.

(10) *General Provisions as to Stock.*

**107.**—(1) The stock shall be personal estate.

(2) The stock shall not be liable to foreign attachment by the custom of London or otherwise. Nature and incidents of stock.

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Notice of  
trusts not  
receivable.

**108.** No notice of any trust express implied or constructive in respect of any stock shall be entered in the stock register or in any other book kept by the Commissioners or the registrar or be receivable by the Commissioners or the registrar or affect the Commissioners through the registrar or otherwise.

Receiver.

**109.**—(1) If at any time any interest due on any stock remain unpaid for two months after demand in writing the person entitled thereto may apply to the High Court for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

(2) The receiver shall have the like power of collecting receiving recovering and applying all dues rates tolls charges and moneys, receivable by the Commissioners as the Commissioners or any of their officers would or might have and such other powers and such duties as the court thinks fit and shall apply all dues rates tolls charges and moneys so collected after payment of expenses and costs as the court directs for the purposes of the former Acts and this Act.

(3) The court may at any time discharge the receiver and shall have full jurisdiction over him and all persons interested in his acts.

Protection of  
stockholders.

**110.** A person taking or holding stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within the powers of the Commissioners or otherwise in accordance with this Act or whether or not the Commissioners or any meeting thereof were or was properly constituted or convened or whether or not the proceedings at any meeting of the Commissioners were legal or regular or to see to the application of any moneys raised by stock or be answerable for any loss or misapplication thereof.

Unclaimed  
interest.

**111.**—(1) If at any time any interest on any stock is unclaimed at the time for payment thereof the same shall nevertheless on demand at any subsequent time whatsoever be paid to the person showing his right thereto but without interest thereon in the meantime Where any interest remains unclaimed for five years from the time when it became payable the Commissioners shall cause notice thereof to be sent by post in a registered letter to the stockholder named in their books by the description and at the address therein appearing and also at the expiration of three other successive periods of five years.



(2) At the end of every successive period of five years from the day when the first interest becomes payable on stock first issued the Commissioners shall publish an advertisement in a local newspaper circulating in Suffolk stating what if any interest on stock has then been unclaimed for more than four years and the names and addresses of the stockholders appearing in the stock register when the same became due. A.D. 1913.  
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(3) At the end of every successive period of ten years from the day when the first interest becomes payable on stock first issued the Commissioners shall cause all interest unclaimed during that period and then in their hands to be carried to and applied as part of the consolidated fund without prejudice nevertheless to the rights of any person to such interest.

**112.**—(1) If at the end of the period within which any stock is required to be redeemed the Commissioners by reason of the stockholders not being forthcoming or by reason of any doubt as to the ownership of any stock shall not be able to redeem and extinguish such stock the Commissioners shall invest in securities in which trustees are for the time being empowered by law to invest trust moneys a sum equal to the nominal value of all such stock as cannot be redeemed as aforesaid such sum to be dealt with as hereinafter prescribed and thereupon such stock shall be deemed to have been extinguished and such extinction shall be recorded in the stock register. Unclaimed  
stock.

(2) If before the end of the period within which any stock is required to be redeemed the Commissioners shall have redeemed and extinguished all the stock except such as cannot be redeemed as aforesaid the Commissioners may invest in such securities as aforesaid a sum equal to the nominal value of all such stock as cannot be redeemed as aforesaid such sum to be dealt with as hereinafter prescribed and thereupon such stock shall be deemed to have been extinguished and such extinction shall be recorded in the stock register.

(3) Any interest which shall be received by the Commissioners from any investment made in pursuance of this section shall from time to time as and when such interest shall be received be invested by them in such securities as aforesaid.

(4) Any sums and interest invested by the Commissioners as aforesaid shall unless sold for the purpose of satisfying any claim in respect of the stock represented by the same be kept

A.D. 1913. invested as aforesaid for a period of ten years after which time the Commissioners may appropriate the said sums and any accumulations thereon for such purposes as they may see fit without prejudice nevertheless to the rights of any person to the said sums or any part thereof.

Saving of  
power to  
borrow  
otherwise.

**113.** Nothing in this Act shall affect any power of the Commissioners to raise in any other manner any money which they do not think fit to raise by the creation and issue of stock but whenever from time to time after the passing of this Act the Commissioners raise money otherwise than by stock they shall cause to be given to each lender of money so raised notice in writing signed by the clerk or other authorised officer of the Commissioners of the equality of charge which stock has by virtue of the section of this Act of which the marginal note is "Stock to rank equally."

Saving of  
power of re-  
vocation.

**114.** The Commissioners may by resolution revoke at any time in whole or in part any resolution for creation of stock theretofore passed by the Commissioners so far as any stock created by such resolution has not been issued.

Saving of  
power to sell  
lands &c.

**115.**—(1) Save as in this Act otherwise provided nothing in this Act shall affect any power or duty of the Commissioners to sell lease or otherwise dispose of any land or property of the Commissioners or to apply any purchase money or other money arising therefrom in discharge of any charge on that land or property or the revenues thereof other than the charge of stock or affect any claim of any person under such first-mentioned charge.

(2) Any such land or property shall in the hands of the purchaser or other person taking the same under any sale lease or other disposition by the Commissioners be by virtue of this Act absolutely freed from the charge of stock and he shall not be concerned to see to the application of the purchase money or other money or be answerable for any loss or misapplication thereof.

Saving of  
existing se-  
curities.

**116.** Save as in this Act otherwise provided nothing in or done under this Act shall affect the security priority or rights of any holder of any mortgage or other security created or granted by the existing Commissioners or the Commissioners before the passing of this Act or before the first issue of stock under this Act.



**117.** Fees not exceeding those specified in the Third Schedule to this Act may be taken by or on behalf of the Commissioners in the cases therein mentioned. A.D. 1913.  
Fees.

**118.**—(1) The expenses incurred by the Commissioners in or about the creation and issue of any amount of stock including any sum paid by them for composition for stamp duty thereon and any other expenses shall be payable out of the consolidated fund. Expenses.

(2) Expenses of book-keeping and management and other current expenses from time to time incurred by the Commissioners in the execution of this Part of this Act shall be defrayed as the establishment expenses of the Commissioners are or may be defrayed.

**119.** All premiums received by the Commissioners on the issue of any mortgage or stock may be applied by them either in meeting expenditure on works or to any other purpose to which the consolidated fund is applicable. No premium received by the Commissioners on the issue of any mortgage or stock now or hereafter issued shall be deemed to reduce or extinguish the authorised borrowing powers of the Commissioners or any part thereof. Application  
of premium.

## PART VII.

### MISCELLANEOUS.

**120.** The Commissioners may in connection with the works by this Act authorised and also for the general purposes of their undertaking exercise upon all or any of the lands shown on the deposited plans and described in the deposited book of reference when entered upon by the Commissioners under the provisions of this Act and upon any lands for the time being belonging or leased to the Commissioners all or any of the powers following (that is to say):— Subsidiary  
powers in  
connection  
with under-  
taking.

- (1) They may divert alter stop up remove or otherwise interfere with either temporarily or permanently any sewers drains gas and water mains and pipes telegraphic or telephonic electric and other wires pipes and apparatus and other works so far as may be necessary or desirable the Commissioners providing or causing to be provided a proper substitute before interrupting the flow of gas water sewage or electricity in any premises And in the exercise

A.D. 1913.  

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of any of such powers the Commissioners shall do as little damage as may be and shall make full compensation to all parties entitled thereto for any damage by them sustained by reason of the exercise of such powers the amount thereof to be determined in the manner provided by the Lands Clauses Acts for settling cases of disputed compensation Provided that the Commissioners shall not under their statutory powers divert stop up or remove any mains pipes or apparatus the property of the Ipswich Gas Light Company (in this section referred to as "the company") without first giving to the company seven days' written notice and if within three days after the receipt of such notice the company so elect they shall themselves execute the work at the expense of the Commissioners and that no street shall be lowered by the Commissioners without leaving a covering of not less than two feet over such mains pipes or apparatus unless the same shall be protected by a suitable artificial covering :

- (2) They may from time to time make lay down provide and maintain all necessary or convenient rails sidings junctions turntables stations signals bridges approaches roads gates warehouses sheds offices buildings yards quays wharves wharf walls retaining walls river walls embankments telegraphic and telephonic works water-works pumps wells reservoirs pipes sewers drains culverts sluices jetties groynes shipping places landing places walls staiths stairs stages gantries coal and other tips machinery gridirons cuts channels locks graving docks dock entrances timber ponds cranes hydraulic and other lifts hoists drops dolphins moorings mooring posts buoys beacons and other works buildings appliances and conveniences :

Provided that—

- (a) Any telegraphic or telephonic works made or maintained by the Commissioners under this section shall not be used in contravention of the exclusive privilege of the Postmaster-General under the Telegraph Act 1869 :
- (b) Nothing in this section shall extend to or authorise any interference with any works of any under-



takers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of the last-mentioned section. A.D. 1913.

**121.** The Commissioners shall not under the provisions of this Act divert alter remove or in any way interfere with any telegraphic line (as defined by the Telegraph Act 1878) of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878. As to diversion of telegraphic lines.

**122.** For the protection of the corporation the following provisions shall unless otherwise agreed in writing between the corporation and the Commissioners apply and have effect (that is to say):— For protection of Ipswich Corporation.

(1) Notwithstanding anything contained in this Act the Commissioners shall not—

(a) Divert alter stop up remove or otherwise interfere with either temporarily or permanently any sewer drain or water main or pipe or electric or other wire pipe or apparatus or any other work of the corporation; or

(b) Exercise any of the powers conferred by subsection (2) of the section of this Act of which the marginal note is “Subsidiary powers in connection with undertaking” involving the construction of any works over or near to or any interference with any sewer drain or water main or pipe or electric or other wire pipe or apparatus or any other work of the corporation;

otherwise than in accordance with plans sections and specifications to be previously submitted to and reasonably approved by the corporation:

Provided that if the corporation shall not within one month after the submission to them of such plans sections and specifications intimate in writing to the Commissioners their objections thereto or any requirements with respect thereto they shall be deemed to have approved of the plans sections and specifications as submitted:

A.D. 1913.

(2) Not less than seven days before the commencement of any of such works as aforesaid the Commissioners shall (except in cases of emergency when they shall give the earliest practicable notice) give to the corporation notice in writing of their intention to commence such work and stating the time and place at which they propose so to commence and such work shall not be executed otherwise than to the reasonable satisfaction of the surveyor of the corporation and under his superintendence if he shall elect to attend:

(3) If any question shall arise under this section between the corporation and the Commissioners such question shall be referred to and determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party by the Board of Trade and the Arbitration Act 1889 shall apply to the reference.

Submission  
of plans and  
adjustments  
of bound-  
aries.

**123.**—(1) (a) Before any person shall erect or re-erect any building pent gallery fixed or derrick elevator overhead crane gantry travelling crane loading and unloading machinery to or from ships trucks or carts or other work fronting adjoining abutting on over affecting or interfering with any road vested in or repairable by the Commissioners or on any dock river or water under their jurisdiction he shall submit to the Commissioners plans of such work showing the proposed situation and building line thereof.

(b) Any person offending against the provisions of this subsection shall be liable to a penalty not exceeding five pounds and the Commissioners may remove the work so erected or re-erected and may recover the expense incurred by them in so doing from the offender.

(2) The Commissioners and any person owning or otherwise interested in any land or premises fronting adjoining or abutting on any road vested in or repairable by the Commissioners or on any dock river or water under their jurisdiction may enter into and carry into effect agreements for the exchange of lands for the improvement of the building line of the line of such road dock river or water.

Regulation  
of traffic on  
East Road.

**124.**—(1) It shall be lawful for the Commissioners at any time after the expiration of five years from the date of the



passing of this Act and after they shall have acquired the premises numbered on the deposited plans 16 to 32 (both inclusive) 46 and 47 and notwithstanding anything contained in the former Acts or any of them to erect a gate or barrier upon the East Road at a point thirteen yards or thereabouts from the junction thereof with Foundry Lane and after such erection to reserve the said East Road and also the Avenues exclusively as a means of ingress and egress for persons having business upon so much of the Commissioners' undertaking as lies southward of the said gate and between the dock and the New Cut and to appropriate and use the site of the Avenues to and for the purposes of the Commissioners' undertaking. A.D. 1913.

(2) Provided that nothing contained in this section shall prejudice or affect—

(a) The rights and powers of the Postmaster-General under the Telegraph Acts 1863 to 1911;

(b) The rights of the Ipswich Gas Light Company to enter for the purpose of repairing altering moving or duplicating any of their mains pipes or other apparatus;

(c) Any existing right of the Great Eastern Railway Company or of any other company or person to work or use any tramways or tramroads already laid in the said East Road of the New Cut and maintained by the said railway company or which may hereafter be laid therein under the powers of any other Act of Parliament passed or to be passed in the present session which but for this section the said railway company or other company or person could have exercised; or

(d) The right of persons going to or from the premises of the Great Eastern Railway Company known as the Flint Wharf.

(3) Provided also that the powers contained in this section shall not be exercised by the Commissioners until after the council of the borough have by resolution to be passed at a special meeting of the council consented to the erection of the said gate or barrier upon the said East Road.

**125.**—(1) In constructing the new entrance to the dock authorised by this Act the Commissioners shall construct and

As to rights  
of passage  
over South-

A.D. 1913.  
ern Embank-  
ment and  
bridges.

maintain on the northerly lock gates of the said new entrance a footbridge with all necessary railings and other appliances for the protection of persons using the same.

(2) Notwithstanding anything contained in this Act it shall be lawful for all persons intending to embark on or having landed from boats at the landing steps at the southern end of the East Road or any other steps which the Commissioners may substitute therefor to pass at all times from and to Ship Launch Road over and along the Southern Embankment and (subject as hereinafter provided) over and along the existing swing bridge crossing the entrance lock to the dock and over and along the footbridges on the lock gates of the said existing entrance lock and the footbridge referred to in subsection (1) of this section and to use the said landing steps or the steps substituted therefor as aforesaid for the purposes of such embarkation or landing Provided that nothing in this section shall affect the right of the Commissioners to open the said swing bridge and the said lock gates or any of them whenever and for such length of time as they may deem necessary or expedient.

Agreements  
with Stow-  
market Navi-  
gation.

**126.** The Commissioners on the one hand and the owners of the Stowmarket Navigation on the other hand may enter into agreements with respect to the following purposes or any of them (that is to say) :—

- (1) The taking on lease by the Commissioners of the Stowmarket Navigation or any part thereof for a term of years or in perpetuity and in consideration of a fixed annual rent or a proportion of the gross receipts of the undertaking or otherwise :
- (2) The maintenance and management of the undertaking of the Stowmarket Navigation or any part thereof and of the works connected therewith or any of them :
- (3) The use or working of the Stowmarket Navigation or of any part thereof and the conveyance of traffic thereon :
- (4) The supply and maintenance by the Commissioners under and during the continuance of such agreement as aforesaid for the working of the Stowmarket



Navigation of stock and plant necessary for the purposes of such agreement and the employment of officers and servants: A.D. 1913.

- (5) The fixing subject to the authorised maximum rates and the collecting and apportionment of the tolls rates charges receipts and revenues levied taken or arising in respect of traffic.

**127.**—(1) The Commissioners may if they think fit in cases not within the Workmen's Compensation Act 1906 grant a gratuity of any sum or make a pension or other allowance or payment to any of their officers or servants who may be disabled or injured in or may be retired from or become incapacitated through age permanent injury or other infirmity from continuing in the service of the Commissioners and on such terms and conditions as to contributions by such officers or servants or otherwise as the Commissioners may think fit and the Commissioners may grant a gratuity of any sum to the widow or family of any such officers or servants who may die in their service. Power to grant pensions.

(2) Every such gratuity pension allowance or payment shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or paid if he had not as the case may be been disabled injured or retired or become incapacitated or died as aforesaid.

(3) If the Commissioners shall under the powers of this section make any scheme for the establishment of a superannuation or provident fund requiring contributions by such officers and servants such scheme shall not come into operation until such scheme shall have been registered under the Friendly Societies Act 1896 and any amendment or variation of such scheme shall not be valid until so registered and the provisions of that Act (except the proviso to subsection (1) of section 8 and section 41) so far as they are applicable and are not inconsistent with the provisions of this section shall apply (a) as if such scheme were the rules of a society to which that Act applies (b) as if the Commissioners were the trustees of such society (c) as if the superannuation or provident funds were the funds of such society and (d) as if the contributors to such funds or either of them were the members of such society.

A.D. 1913.

As to  
notices &c.

**128.**—(1) Any notice under this Act or under any local Act for the time being relating to the Commissioners shall be in writing and where any such notice requires authentication by the Commissioners the signature of the clerk or other duly authorised officer of the Commissioners shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act for the time being relating to the Commissioners may be served—

(a) By delivering the same to or at the residence of the person to whom they are respectively addressed; or

(b) Where addressed to the owner or occupier of premises by delivering the same or a true copy thereof to some person on the premises or if there is no person on the premises who can be so served by fixing the same on some conspicuous part of the premises; or

(c) By post by a prepaid letter and if served by post shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post and in proving such service it shall be sufficient to prove that the notice order or other document was properly addressed and put into the post.

(3) Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

(4) Any such notice demand order or document required to be given to the owner or occupier of any premises may be addressed by the description of the “owner” or “occupier” of the premises (naming them) in respect of which the notice is given without further name or description.

Recovery of  
penalties &c.

**129.** Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.



**130.** Proceedings for the recovery of any demand made under the authority of this Act or the former Acts or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

A.D. 1913.  
Recovery of demands.

**131.** All orders made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board.

Orders &c.  
of Board of Trade.

**132.**—(1) As from the passing of this Act the sections of the former Acts mentioned in Part I. of the Fourth Schedule to this Act are hereby repealed.

Repeal.

(2) As from the second Thursday in the month of February nineteen hundred and fourteen the sections of the former Acts mentioned in Part II. of the said Fourth Schedule are hereby repealed.

**133.** Nothing in this Act 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.

**134.** All costs charges and expenses preliminary to and of and incident to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commissioners.

Costs of Act.

A.D. 1913.

The SCHEDULES referred to in the foregoing Act.THE FIRST SCHEDULE.

## MEETINGS AND PROCEEDINGS OF COMMISSIONERS.

First meetings and other meetings.

1.—(a) A meeting of the Commissioners shall be held in the month of February 1914 and shall be summoned by the clerk of the existing Commissioners :

(b) The Commissioners shall hold a meeting to be called "the annual meeting" in the month of February in every year or in such other month as the Commissioners shall from time to time resolve :

(c) Other meetings shall be held at such time and place as the Commissioners from time to time resolve.

Summoning meetings.

2. The chairman may at any time call a meeting. If the chairman refuses to call a meeting after a requisition for that purpose signed by five Commissioners has been presented to him any five Commissioners may forthwith on that refusal call a meeting. If the chairman (without so refusing) does not within seven days after such presentation call a meeting any five Commissioners may on the expiration of those seven days call a meeting.

Notice of meetings.

3. Two clear days at least before any meeting of the Commissioners (other than the first meeting) a summons to attend the meeting specifying the business proposed to be transacted thereat and signed by the clerk of the Commissioners shall be left at or sent by post addressed to the usual place of abode of every Commissioner. Want of service of the summons on any Commissioner shall not affect the validity of a meeting.

Quorum.

4. To constitute a meeting of the Commissioners there must be at least five Commissioners present.

Chairman of meetings.

5.—(a) The chairman of the Commissioners or in his absence the vice-chairman of the Commissioners shall be the chairman at every meeting :

(b) In the absence of both the chairman and vice-chairman the Commissioners then present shall choose one of their number to be chairman of that meeting.

Decision of questions at meetings.

6.—(a) All acts of the Commissioners and all questions coming or arising before the Commissioners may be done and decided by the majority of such Commissioners as are present and vote at a meeting held in pursuance of this Act :



(b) In case of equality of votes the chairman of the meeting shall have a second or casting vote. A.D. 1913.

7 Subject to the foregoing provisions of this schedule the Commissioners may from time to time make standing orders for the regulation of their proceedings and business and vary or revoke the same. Standing orders.

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## THE SECOND SCHEDULE.

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### FORM OF STOCK CERTIFICATE.

#### IPSWICH DOCK REDEEMABLE STOCK.

Created on the                      day of

Issued on the                      day of

To be redeemed on the                      day of

At the option of the Ipswich Dock Commissioners this stock may be redeemed on or at any time after the                      day of  
on six months' previous written notice being given by them.

---

#### CERTIFICATE No.                      .

THIS IS TO CERTIFY that A.B. of  
is the proprietor of                      pounds of Ipswich Dock  
redeemable stock bearing interest at the rate of £                      per  
centum per annum payable half yearly subject to the enactments  
relating thereto and to the condition that no interest thereon will be  
payable by the Ipswich Dock Commissioners for any period beyond  
date of redemption.

Given under the common seal of the Ipswich Dock Commissioners  
this                      day of                      19                      .

(L.S.)

Chairman.

Clerk.

N.B.—This certificate must be surrendered before any transfer  
whether for the whole or any portion of the stock can be registered  
or a new certificate issued in exchange.

### FORM OF TRANSFER IN BOOKS.

IPSWICH DOCK REDEEMABLE STOCK (£            per cent.).

As witness our hands the \_\_\_\_\_ day of \_\_\_\_\_  
 Witness to the signature of the said *A.B.*  
 Witness to the signature of the said *C.D.*

As witness our hands and seals the \_\_\_\_\_ day of \_\_\_\_\_

Signed sealed and delivered by the said \_\_\_\_\_ }  
A.B. in the presence of \_\_\_\_\_ . }

Signed sealed and delivered by the said \_\_\_\_\_ }  
C.D. in the presence of \_\_\_\_\_ . }

I                                hereby acknowledge that I have received from  
the Ipswich Dock Commissioners the sum of £                                in



[3 & 4 GEO. 5.]

*Ipswich Dock Act, 1913.*

[Ch. cvi.]

full discharge of all claims upon them in respect of the sum of £

Ipswich Dock redeemable stock registered in my name in their register and all interest thereon.

As witness my hand this

Witness

day of19 .

A.D. 1913.

FORM OF RECEIPT FOR ENDORSEMENT OR SUBSCRIPTION.

I

hereby acknowledge that I have received from the within [above] named Ipswich Dock Commissioners the sum of £

in full discharge of all claims upon them in respect of the within [above] mentioned stock and the interest thereon.

As witness my hand this

Witness

day of19 .

THE THIRD SCHEDULE.

FEES.

	s.	d.
On original issue of stock receipt or stock certificate	2	6
On any new stock certificate	2	6
On transfer in books	2	6
On registering transfer by deed	2	6
On registering or noting probate letters of administration death or marriage certificate or any other document	2	6

THE FOURTH SCHEDULE.

PART I.

PROVISIONS REPEALED AS FROM THE PASSING OF THIS ACT.

Act and Section.	Marginal Note.
Act of 1852 Section 64	Application of moneys.
Act of 1877 Section 31	Commissioners to keep separate accounts.
Section 38	Application of revenue under this Act.
Act of 1898 Section 22	Application of revenue.
Act of 1904 Section 19	Application of revenue.

A.D. 1913.

## PART II.

SECTIONS OF THE ACTS OF 1852 AND 1877 REPEALED AS FROM  
THE SECOND THURSDAY IN THE MONTH OF FEBRUARY  
NINETEEN HUNDRED AND FOURTEEN.

Section.	Marginal Note.
Act of 1852—	
Section 10 -	Commissioners Commissioners incorporated Official Commis- sioners.
Section 11 -	First Commissioners.
Section 12 -	One-third of the Commissioners to go out of office annually.
Section 13 -	Election of Commissioners by owners and masters of vessels.
Section 14 -	Election of Commissioners by burgesses.
Section 15 -	Election of Commissioners by magistrates and others.
Section 16 -	Qualification of masters and owners of vessels.
Section 17 -	Providing method of voting.
Section 18 -	Poll may be closed if no vote or voting paper be tendered for one hour.
Section 19 -	How election to be decided.
Section 20 -	Penalty for falsifying voting paper.
Section 21 -	In case of no election had the old Commissioners to continue as if they had been re-elected.
Section 22 -	Occasional vacancies to be filled up by the remaining Commis- sioners.
Section 23 -	Commissioners going out to be re-eligible.
Section 24 -	Qualification of Commissioners Form of declaration.
Section 25 -	First and other meetings of the Commissioners.
Section 26 -	Quorum.
Section 27 -	Special meeting of Commissioners.
Section 29 -	Acts of the Commissioners not to be invalidated by reason of vacancies.
Act of 1877—	
Section 60 -	Members of the corporation not to be disqualified to act as elected Commissioners.
Section 61 -	Amendment of section 17 of Act of 1852 (providing method of voting).

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