



## CHAPTER lxxxii.

An Act for dissolving and re-incorporating the Southampton Harbour Board and for other purposes. A.D. 1913.

[15th August 1913.]

**W**HEREAS by the Southampton Harbour Act 1863 (hereinafter called "the Act of 1863") the Southampton Harbour Board (hereinafter referred to as "the existing Board") were constituted under the name of the Southampton Harbour and Pier Board and by the Southampton Harbour Act 1877 were incorporated under their present name:

And whereas under and by virtue of the Southampton Harbour Acts 1863 to 1911 the management of the port and harbour of Southampton and of the Southampton Pier and Town Quays is vested in the existing Board:

And whereas under and by virtue of the Act of 1863 the existing Board consist of the several persons for the time being forming the council of the county borough of Southampton together with the recorder and ten specific members appointed in manner provided by that Act:

And whereas the existing Board acting under the authority of the said Acts have managed and from time to time improved the said port and harbour and extended the quays and other works connected therewith:

And whereas by section 11 of the Southampton Harbour Act 1911 (wherein the existing Board were described as "the Board") it was enacted as follows:—

" Within six months after the passing of this Act the Board of Trade shall appoint a commission consisting of three persons to inquire into and report to them—

" (A) As to the constitution of the Board and the powers and jurisdiction now vested in them;

[*Price, 2s.*]

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A.D. 1913.

“(B) What modification or extension (if any) of the constitution powers and jurisdiction of the Board whether by transfer consolidation variation of representation or otherwise is desirable”:

And whereas by the said section it was further enacted as follows:—

“If the said commission report that in their opinion the constitution powers and jurisdiction of the Board should in any way be extended or modified the Board shall as soon as reasonably practicable after the receipt by them of a copy of the report of the commission introduce into Parliament a Bill embodying the recommendations in the report”:

And whereas the Board of Trade on the twelfth day of December one thousand nine hundred and eleven duly appointed Sir Alfred Edmund Bateman K.C.M.G. Rear-Admiral Morris H. Smyth (retired) and Walter Baker Clode esquire barrister-at-law to be the commissioners to make such inquiry and report as aforesaid:

And whereas the commissioners having held their inquiry duly made their report on the twenty-ninth day of June one thousand nine hundred and twelve and thereby recommended (among other things):—

That the existing Board be dissolved and that a new Board be incorporated consisting of twenty-five members to be appointed or elected by the parties and subject to the qualifications and in the manner set forth in the report;

That the powers and jurisdiction now possessed by or vested in the existing Board be transferred to the new Board;

That all funds and other property whether real or personal including the rights and obligations under any contracts now vested in the existing Board be transferred to the new Board:

And whereas the Bill for this Act embodying the recommendations contained in the said report is promoted in accordance with the requirements of the above-mentioned section:

And whereas it is expedient that the other provisions contained in this Act should be made:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:



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:—

A.D. 1913.

1. This Act may be cited as the Southampton Harbour Act 1913 and the Southampton Harbour Acts 1863 to 1911 and this Act may be cited together as the Southampton Harbour Acts 1863 to 1913.

Short and  
collective  
titles.

2. The provisions of the Commissioners Clauses Act 1847 with respect to the following matters:—

Incorpora-  
tion of  
enactments.

The meetings and other proceedings of the commissioners and their liabilities (except sections 36 37 38 39 40 41 42 43 45 47 48 and 54);

The contracts to be entered into and the deeds to be executed by the commissioners;

The liabilities of and the legal proceedings by or against the commissioners;

The appointment and accountability of the officers of the commissioners;

The accounts to be kept by the commissioners (except sections 92 and 93);

The making of byelaws;

Giving notices and orders;

The recovery of damages not specially provided for and of penalties and to the determination of any other matter referred to justices or to the sheriff; and

Access to the special Act;

(in so far as the same are applicable for the purposes of and are not varied by or inconsistent with the provisions of this Act) are hereby incorporated with and form part of this Act.

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

Interpreta-  
tion.

The expression "the existing Board" means the Southampton Harbour Board as incorporated by the Act of 1877;

A.D. 1913.

The expression "the Board" means the Southampton Harbour Board as incorporated by this Act;

The expression "the clerk to the Board" means the clerk to the existing Board or the Board as the case may require;

The expression "the Act of 1863" means the Southampton Harbour Act 1863;

The expression "the Act of 1877" means the Southampton Harbour Act 1877;

The expression "the port" means the port of Southampton as defined in section 5 of the Southampton Harbour Act 1887;

The expression "the appointed day" means the twenty-fifth day of March one thousand nine hundred and fourteen;

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

The expression "the corporation" means the mayor aldermen and burgesses of the borough acting by the council;

The expression "the council" means the council of the borough;

The expression "the county council" means the council of the administrative county of Southampton;

The expression "the Trinity House" means the master wardens and assistants of the guild fraternity or brotherhood of the most glorious and undivided Trinity and of Saint Clement in the parish of Deptford Strond in the county of Kent commonly called the Corporation of the Trinity House of Deptford Strond;

The expression "shipping dues" means and includes light dues tonnage dues boomage dues and mooring dues or any of them payable under the Southampton Harbour Acts 1863 to 1911 or any statutory amendment or extension thereof or a composition thereunder in respect of such dues or of any of them;

The expression "rates on goods" means and includes rates on goods wharfage rates and craneage rates or any of them payable under the Southampton Harbour Acts 1863 to 1911 or any statutory amendment or extension thereof or a composition thereunder in respect of such rates or any of them;



The expression "owners of foreign-going vessels" means all persons residing or having their principal place of business in the United Kingdom and paying shipping dues in respect of a vessel or vessels registered in the United Kingdom and trading or working between places in the United Kingdom and places abroad; A.D. 1913.

The expression "owners of coasting vessels" means all persons residing or having their principal place of business in the United Kingdom and paying shipping dues in respect of a vessel or vessels registered in the United Kingdom and trading or working only within the port or between places in the United Kingdom but shall not include any authority company or body authorised by this Act to appoint a member or members of the Board;

The expression "traders" means all persons paying to the Board rates on goods;

The expression "waterside frontagers" means any persons being occupiers of waterside premises but shall not include any authority company or body authorised by this Act to appoint a member or members of the Board;

The expression "waterside premises" means any premises comprising a wharf slipway quay warehouse or engineering or manufacturing works used or carried on for the purposes of profit and immediately fronting on the port.

4.—(1) Subject to the provisions of this Act as from the appointed day the existing Board shall be dissolved and the members thereof appointed under or by virtue of the Southampton Harbour Acts 1863 to 1911 shall cease to hold office but shall be eligible (if qualified) for appointment or election under this Act. Dissolution of existing Board.

(2) The members of the existing Board in office at the date of the passing of this Act shall continue to hold office until the appointed day and any vacancy occurring among the members of the existing Board before that day may be filled up in the same manner as the same would have been filled up if this Act had not been passed.

(3) As from the appointed day section 17 (so far as the same relates to the incorporation of the Commissioners Clauses Act 1847) sections 18 to 24 inclusive of the Act of 1863 and sections 3 and 4 of the Act of 1877 shall be and the same are hereby repealed.

A.D. 1913.  
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Incorporation of new Board.

5. As from the appointed day the duty of carrying the Southampton Harbour Acts 1863 to 1913 into execution shall be vested in and performed by the members of the Board to be appointed and elected in manner herein-after provided and such members shall be a body corporate by the name of "The Southampton Harbour Board" and by that name shall have perpetual succession and a common seal and shall have power to take purchase hold sell and convey lands tenements and hereditaments goods chattels and other property for any of the purposes of the Southampton Harbour Acts 1863 to 1913.

Transfer of powers of existing Board.

6. As from the appointed day there shall be transferred to the Board all rights powers liabilities obligations and duties of the existing Board and the Southampton Harbour Acts 1863 to 1911 and all other enactments relating to the existing Board shall have effect as if references to the Board were substituted therein for references to the existing Board.

Transfer of property &c. of existing Board.

7. As from the appointed day all property real and personal rights easements and choses in action which immediately before the appointed day belonged to and were vested in or enjoyed by the existing Board or by any person on their behalf shall be and the same are hereby transferred to and vested in the Board to the same extent and for the same estate and interest as the same were immediately before the appointed day vested in the existing Board or any person on their behalf and may be held recovered and enjoyed accordingly.

Conveyances &c. to remain in force.

8. Subject to the provisions of this Act all conveyances leases deeds appointments contracts agreements bonds covenants guarantees securities orders notices resolutions and proceedings made passed given entered into or taken before the appointed day to with in favour of or by for or on behalf of the existing Board or any person on their behalf and then in force shall be and remain as good valid and effectual in favour of against and with reference to the Board and may be proceeded on and enforced in like manner to all intents and purposes as if the Board instead of the existing Board had been party or privy thereto.

Actions &c. not to abate.

9. Any action suit arbitration prosecution or other proceeding whatsoever or any cause of action arbitration prosecution or other proceeding which is pending or existing in favour of or by or against the existing Board at the appointed day shall not abate or be discontinued or prejudicially affected by this Act but on



A.D. 1913. — clerks or servants of the existing Board if this Act had not been passed.

(2) The Board may make compensation to any officer clerk or servant transferred to the Board under the provisions of this section or to any other person regularly employed by the existing Board whose services shall be dispensed with by the Board.

(3) Any compensation payable under the provisions of this section may at the option of the Board be by way of annuity or by payment of a sum in gross and any question as to whether any compensation is payable or as to the amount of any compensation payable under such provisions shall in default of agreement be determined by a single arbitrator in accordance with the provisions of the Arbitration Act 1889.

Right to  
appoint and  
elect mem-  
bers.

14.—(1) From and after the appointed day the Board shall consist of twenty-six members to be appointed or elected as follows:—

(A) Appointed—

By the Admiralty	-	-	-	-	One.
By the War Office	-	-	-	-	One.
By the Trinity House	-	-	-	-	One.
By the Board of Trade for the representation of labour interests	-	-	-	-	One.
By the council	-	-	-	-	Seven.
By the county council	-	-	-	-	One.
By the Itchen Urban District Council	-	-	-	-	One.
By the London and South Western Railway Company	-	-	-	-	Three.

(B) Elected—

By the Southampton Incorporated Chamber of Commerce	-	-	-	-	Two.
By owners of foreign-going vessels	-	-	-	-	Four.
By owners of coasting vessels	-	-	-	-	Two.
By traders	-	-	-	-	One.
By waterside frontagers	-	-	-	-	One.

(2) If at any time hereafter the Itchen Urban District shall be included in and become part of the borough the number of members of the Board to be appointed by the council shall be increased to eight Provided that the member

the contrary may be maintained prosecuted continued or enforced in favour of by or against the Board in like manner in all respects as it might have been maintained prosecuted continued or enforced in favour of by or against the existing Board if this Act had not been passed.

A.D. 1913.

**10.** All rates fees dues rents and moneys which immediately before the appointed day are due and payable or accruing due and payable to the existing Board shall from and after the appointed day be due and payable and accruing to and may be collected or recovered by the Board in like manner as they could have been collected or recovered by the existing Board and all debts (other than debentures) and moneys which immediately before the appointed day are due or owing by or recoverable from the existing Board or for the payment whereof the existing Board are or but for this Act would be liable shall be paid with all interest (if any) due or to accrue thereon by or be recoverable from the Board.

Recovery of rates &c.

**11.** All byelaws rules and regulations and all orders made by the existing Board under any Act of Parliament charter or other enactment and in force at the appointed day shall remain in force until they are repealed or varied and all penalties incurred thereunder and all forfeitures which have ensued by reason thereof may be enforced and recovered by the Board in like manner as the same respectively might have been enforced and recovered by the existing Board in case this Act had not been passed but subject nevertheless to the provisions of the section of this Act whereof the marginal note is "Recovery of penalties &c."

Byelaws &c. to remain in force.

**12.** All books and other documents directed or authorised to be kept by the existing Board by any Act of Parliament charter or other enactment and which immediately before the appointed day would be receivable in evidence shall notwithstanding the transfer of their jurisdiction and powers be admitted as evidence before all judicial tribunals and elsewhere.

Books to be evidence.

**13.—(1)** All officers clerks and servants of the existing Board who at the appointed day are in the employment of the existing Board shall thereupon become officers clerks and servants of the Board and such officers clerks and servants shall subject to the provisions of this Act have the same rights and be subject to the same obligations and incidents in respect of such employment as they would have had or been subject to as the officers

Officers clerks and servants of existing Board.



A.D. 1913.

Disqualifica-  
tion of  
members.

**16.** A person shall be disqualified for being or acting as a member of the Board if he—

- (A) Is an infant;
- (B) Is not a British subject resident in the United Kingdom;
- (C) 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;
- (D) Holds any paid office under the Board other than the office of chairman or deputy chairman;
- (E) Is concerned in any bargain or contract entered into with the Board or participates in the profits of any such bargain or contract or of any work done under the authority of the Board:

Provided that a person shall not be disqualified by reason of his being interested—

- (a) In the sale or lease of any land or any loan of money to the Board;
- (b) In any newspaper in which any advertisement relating to the affairs of the Board is inserted;
- (c) In any contract with the Board as a shareholder in any company;

but he shall not vote at any meeting of the Board or of any committee of the Board on any question relating to any of the matters referred to in this proviso in which he is interested nor on any question in which a company of which he is a shareholder is interested.

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

appointed by the Itchen Urban District Council and in office at the date of such inclusion may remain in office so long as he might have done but for such inclusion but so long as he remains in office shall be deemed to be a member appointed by the council. A.D. 1913.

(3) The member of the Board to be appointed by the Board of Trade shall be appointed after consultation with such organisations representative of labour as the Board of Trade think best qualified to advise them upon the matter.

**15.**—(1) Any person shall be qualified for appointment or election as the case may be as a member of the Board by the respective bodies herein-after mentioned who shall hold such qualification in relation to such bodies respectively as is herein-after set forth but not otherwise and no person appointed or elected as the case may be a member of the Board by any such body shall continue to be such a member of the Board if he ceases to be so qualified in relation to the body by which he was appointed or elected :— Qualification of members.

Appointing or Electing Body.	Qualification of Member to be appointed or elected.
The council - - - -	Membership of the council.
The Southampton Incorporated Chamber of Commerce.	Membership of that chamber.
The London and South Western Railway Company.	That the member is a director of or an officer in the service of that company.

(2) Subject to the provisions of this Act—

- (A) Any person whose name is on the list of any class of electors provided for by this Act and for the time being in force ; and
- (B) Any person trading alone otherwise than under his own name whose trade name is on such list ; and
- (C) Any member of any partnership or co-ownership of which the name is on such list and who shall be nominated in accordance with the provisions of this Act ; and
- (D) Any member or the secretary or manager of a body corporate of which the name is on such list and who shall be so nominated ;

but no other person shall be eligible for election as an elected member.



payment of the debts in full or at the expiration of five years A.D. 1913.  
from the date of such composition or arrangement.

**17.**—(1) Any appointed member of the Board or any member of the Board elected by the Southampton Incorporated Chamber of Commerce may be removed from office by the body which appointed or elected him and removal from office shall be signified in like manner as an appointment or election is to be signified under the section of this Act whereof the marginal note is “Evidence of appointment or election of members.”

Removal of certain members and disqualification of members for non-attendance.

(2) Any member of the Board who for nine months absents himself from all meetings of the Board shall be disqualified from remaining in office.

**18.** If any person knowingly acts as a member of the Board when disqualified or if any member of the Board votes when prohibited under this Act he shall for each offence be liable to a penalty not exceeding twenty pounds.

Penalty for acting when disqualified.

**19.** The several bodies authorised under this Act to appoint members of the Board shall appoint the number of members whom they are by this Act entitled to appoint on or before the first day of March one thousand nine hundred and fourteen and on or before the like date in every third year thereafter.

Time of appointment of members.

**20.**—(1) Subject to the provisions of this Act the election of members of the Board by the Southampton Incorporated Chamber of Commerce shall be by ballot and every person being a member of that chamber shall be entitled to vote in any such election and the election of such members of the Board shall be otherwise carried out in such manner and at such time as the members of the said chamber shall from time to time determine but the members of the Board whom that chamber are by this Act entitled to elect shall be elected on or before the first day of March one thousand nine hundred and fourteen and on or before the like date in every third year thereafter.

Election of members by Southampton Incorporated Chamber of Commerce.

(2) The provisions of the sections of this Act whereof the marginal notes respectively are “Nomination and election of elected members” “Existing Board may alter dates in respect of first elections” “Election to be by majority of votes” “Proxies” and “Result of election to be communicated to clerk” shall not apply in respect of the election of members of the Board to be elected by the said Chamber of Commerce.

A.D. 1913.  
Evidence of  
appointment  
or election of  
members.

**21.**—(1) The appointment or election of members of the Board by the bodies herein-after mentioned shall be signified in writing to the clerk to the Board as follows:—

In the case of the Admiralty by the secretary or an assistant secretary of the Admiralty;

In the case of the War Office by the secretary or an assistant secretary of the War Office;

In the case of the Trinity House by the secretary or an assistant secretary of Trinity House;

In the case of the Board of Trade by a secretary or an assistant secretary of that Board;

In the case of the council by the town clerk of the borough;

In the case of the county council by the clerk of that council;

In the case of the Itchen Urban District Council by the clerk of that council;

In the case of the London and South Western Railway Company by the secretary to that company; and

In the case of the Southampton Incorporated Chamber of Commerce by the secretary of that chamber.

(2) No appointed member or member elected by the Southampton Incorporated Chamber of Commerce shall act until such signification of his appointment or election as the case may be shall have been received by the clerk to the Board.

Registers.

**22.**—(1) As from the appointed day the clerk to the Board shall prepare and keep separate registers of—

(A) Owners of foreign-going vessels;

(B) Owners of coasting vessels;

(C) Traders; and

(D) Waterside frontagers;

entitled to be included in such registers respectively and shall from time to time insert therein the names addresses and descriptions of all such owners traders or waterside frontagers respectively together with (i) in the case of foreign-going vessels and coasting vessels respectively particulars of the amount of shipping dues from time to time paid to the Board in respect of each vessel and the net register tonnage and port of registry of each vessel (ii) in the case of traders particulars of the



amounts from time to time paid by each trader to the Board for rates on goods (iii) in the case of waterside frontagers particulars of the waterside premises occupied by each such frontager together with the annual rateable value of such premises as appearing in the valuation list for the time being in force in the borough. A.D. 1913.

(2) No person shall or shall be entitled to have his name inserted in any register provided for by this section unless he is a British subject nor in case he shall have paid shipping dues or rates on goods as an agent unless such dues or rates were paid on behalf of a British subject and the amount of shipping dues or rates on goods which any such agent shall have paid on behalf of a British subject shall alone be inserted in any register provided for by this section.

(3) In any case where a composition in respect of rates on goods is paid to the Board by or on behalf of an owner of any vessel such owner shall for the purposes of the registers provided for by this section be deemed the person paying rates on goods to the extent of such composition and subject as is herein-before provided by this subsection the person appearing on the bills of lading or other shipping documents in the case of exports as consignor and in the case of imports as consignee shall for the purposes of the said registers be deemed the person paying the composition to the Board in respect of such exports or imports as the case may be.

(4) Subject to the provisions of this section where any such shipping dues or rates on goods are paid by any person on behalf of any other person and are directly recoverable by such person from such other person that other person shall if he be a British subject and so requires be entered in the register as the person by whom and on whose account the dues or rates as the case may be are paid :

Provided that where the owner or master of a vessel or a public wharfinger has paid to the Board on behalf of some other person shipping dues or rates on goods otherwise than by way of a composition in lieu thereof such rates or dues shall for the purposes of the registers provided for by this section be deemed to have been paid by and on account of such other person.

(5) Subject as aforesaid the person by whom the shipping dues or rates on goods are paid shall for the purposes of the registers provided for by this section be deemed to be the person on whose account they are paid.

A.D. 1913.

(6) The Board of Trade may make and issue regulations as to form and manner of keeping the registers provided for by this section and from and after the date when any such regulations shall have been issued such registers shall be in such form and kept in such manner as shall be prescribed by such regulations.

Custody of registers.

**23.** The registers shall be kept at the principal office of the Board and shall be in charge of the clerk to the Board and each register shall immediately before the preparation of the lists of electors to be compiled therefrom be certified in writing by the clerk to the Board as containing to the best of his knowledge and belief correct particulars in accordance with the provisions of this Act.

Copies of ship's manifest and other documents to be furnished.

**24.** To enable the clerk to the Board to prepare and keep the registers provided for by this Act the owner agent or person in charge of every vessel arriving at or departing from the port shall within fourteen days after the arrival or departure of such vessel produce to the clerk to the Board or a collector of rates authorised in that behalf by the Board the vessel's certificate of registry and furnish him 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 shipping dues or rates on goods in respect of such vessel or of the goods therein and the amount of such 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 produce such certificate or 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 the Board affect qualify or restrict sections 37 38 and 39 of the Harbours Docks and Piers Clauses Act 1847.

List of electors for elections.

**25.—**(1) On or before the first day of February one thousand nine hundred and fourteen and on or before the same date in every third year thereafter the clerk to the Board shall compile separate lists of the persons entitled to vote at the then ensuing elections by owners of foreign-going vessels owners of coasting vessels traders and waterside frontagers respectively and such lists shall be printed and posted on the outer door of the principal office of the Board and printed copies of such lists shall be kept at that office for public inspection and on



payment of such reasonable sum as the Board may determine not exceeding one shilling for each copy the clerk to the Board shall deliver a copy of any printed list to any person applying for the same. A.D. 1913.

(2) The said lists to be used in elections to take place prior to the coming into operation of the lists of electors revised in the year one thousand nine hundred and seventeen shall be compiled from such information as the existing Board have available but no person shall have his name placed on any such list whose name could not under the provisions of this Act be placed on a register prepared thereunder. The said lists to be used in subsequent elections shall be compiled from the registers to be prepared and kept as provided by this Act.

(3) The names in every such list shall be in alphabetical order with the addition of the name address and description of each such owner trader and waterside frontager and of the number of votes to which they are respectively entitled in accordance with the provisions of this Act.

**26.** On or before the first day of January one thousand nine hundred and fourteen the existing Board and on or before the like date in every third year thereafter the Board shall appoint two of their members to be two of the revisors of the lists of electors and the two members so appointed in each case shall not later than the seventh day of February one thousand nine hundred and fourteen and on or before the seventh day of February in every third year thereafter appoint a third person being a person whose name or trade name is on the list of any class of electors or a member of a partnership or co-ownership or a member or the secretary or manager of a body corporate of which the name is on any such list to be a third revisor and to be their chairman but if such two members fail to appoint such third revisor or if no person qualified as aforesaid to be such third revisor is able and willing to act the Board of Trade upon the application of the clerk to the Board shall appoint some impartial person to be such third revisor. If before the discharge of the duties by this Act imposed on such revisors any revisor so appointed shall die or become incapable or refuse or for seven days neglect to act as such revisor the persons or body by whom such revisor was appointed shall appoint some other person to act in his place. Revisors of lists to be appointed.

**27.** The revisors shall during the fourteen days next before the first day of March in the year one thousand nine hundred Revision of lists of electors.



A.D. 1913. — and fourteen and during the same period in every third year thereafter revise at the Board's principal office the lists of electors giving not less than three days' public notice of every such revision and the revisors shall have power to call for such books and accounts of the existing Board or of the Board as the case may be as they may deem necessary or proper for enabling them to revise such lists.

Lists to be corrected.

**28.** Any person claiming to have his name inserted in any list provided for by this Act or claiming to have his number of votes increased beyond the number inserted therein may by himself or his agent attend the revision to enforce his claim and any person named in any such list may by himself or his agent object to any other person as not entitled to be named therein or as not entitled to the number of votes specified therein and the revisors shall correct the said lists as they shall find cause on consideration of the same and of the proofs adduced before them and the decision of the revisors or of a majority of them thereon shall be final and they shall sign each list when so revised and the production at any time of any such list so signed shall be *primâ facie* proof of its being a list duly made and revised according to the provisions of this Act and every list so revised shall be in force until the then next list of the same sort is made revised and signed.

Revised lists to be printed.

**29.** Every revised list after the revision thereof shall not less than five days next before the meeting for the election of elected members at which the same list will be in force be printed and printed copies thereof shall be kept at the Board's principal office for public inspection and every person whose name appears therein shall be entitled to a copy thereof on payment of such reasonable sum as the Board may determine not exceeding one shilling for each copy.

Scale of voting by owners of foreign-going vessels.

**30.** Subject to the provisions of this Act each person appearing upon the list in force of owners of foreign-going vessels as having in the year ending the thirty-first day of December next before the revision of such list paid to the existing Board and to the Board or either of them shipping dues to an amount mentioned in this section shall be entitled to vote in the election of members of the Board to be elected by owners of foreign-going vessels according to the following scale (that is to say):—

To the amount or aggregate amount of one hundred pounds but less than two hundred pounds one vote:



To the amount or aggregate amount of two hundred pounds but less than three hundred pounds two votes: A.D. 1913.

To the amount or aggregate amount of three hundred pounds but less than four hundred pounds three votes:

To the amount or aggregate amount of four hundred pounds but less than five hundred pounds four votes:

To the amount or aggregate amount of five hundred pounds but less than seven hundred pounds five votes:

To the amount or aggregate amount of seven hundred pounds but less than one thousand pounds six votes:

To the amount or aggregate amount of one thousand pounds but less than one thousand three hundred pounds seven votes:

To the amount or aggregate amount of one thousand three hundred pounds but less than one thousand six hundred pounds eight votes:

To the amount of one thousand six hundred pounds but less than two thousand pounds nine votes:

To the amount or aggregate amount of two thousand pounds but less than two thousand five hundred pounds ten votes:

To the amount or aggregate amount of two thousand five hundred pounds but less than three thousand pounds eleven votes:

To the amount or aggregate amount of three thousand pounds and upwards twelve votes.

**31.** Subject to the provisions of this Act each person appearing upon the list in force of owners of coasting vessels as having in the year ending the thirty-first day of December next before the revision of such list paid to the existing Board and to the Board or either of them shipping dues to an amount mentioned in this section shall be entitled to vote in the election of members of the Board to be elected by owners of coasting vessels according to the following scale (that is to say):—

Scale of  
voting by  
owners of  
coasting  
vessels.

To the amount or aggregate amount of fifty pounds but less than one hundred pounds one vote:

To the amount or aggregate amount of one hundred pounds but less than two hundred pounds two votes:

A.D. 1913.

To the amount or aggregate amount of two hundred pounds but less than three hundred pounds three votes:

To the amount or aggregate amount of three hundred pounds but less than four hundred pounds four votes:

To the amount or aggregate amount of four hundred pounds but less than five hundred pounds five votes:

To the amount or aggregate amount of five hundred pounds but less than seven hundred pounds six votes:

To the amount or aggregate amount of seven hundred pounds but less than nine hundred pounds seven votes:

To the amount or aggregate amount of nine hundred pounds but less than one thousand two hundred pounds eight votes:

To the amount or aggregate amount of one thousand two hundred pounds but less than one thousand five hundred pounds nine votes:

To the amount or aggregate amount of one thousand five hundred pounds but less than two thousand pounds ten votes:

To the amount or aggregate amount of two thousand pounds but less than two thousand five hundred pounds eleven votes:

To the amount or aggregate amount of two thousand five hundred pounds and upwards twelve votes.

Scale of  
voting by  
traders.

**32.** Subject to the provisions of this Act each person appearing upon the list in force of traders as having in the year ending on the thirty-first day of December next before the revision of such list paid to the existing Board and to the Board or either of them rates on goods to an amount mentioned in this section shall be entitled to vote in the election of the member of the Board to be elected by traders according to the following scale (that is to say):—

To the amount or aggregate amount of ten pounds but less than twenty-five pounds one vote:

To the amount or aggregate amount of twenty-five pounds but less than fifty pounds two votes:

To the amount or aggregate amount of fifty pounds but less than one hundred pounds three votes:



To the amount or aggregate amount of one hundred pounds but less than two hundred pounds four votes: A.D. 1913.

To the amount or aggregate amount of two hundred pounds but less than three hundred pounds five votes:

To the amount or aggregate amount of three hundred pounds but less than four hundred pounds six votes:

To the amount or aggregate amount of four hundred pounds but less than five hundred pounds seven votes:

To the amount or aggregate amount of five hundred pounds but less than seven hundred pounds eight votes:

To the amount or aggregate amount of seven hundred pounds but less than one thousand pounds nine votes:

To the amount or aggregate amount of one thousand pounds and upwards ten votes.

**33.** Subject to the provisions of this Act each person appearing upon the list in force of waterside frontagers as an occupier of waterside premises of the aggregate rateable value (as appearing by the valuation list for the time being in force in the district in which such premises are situate) mentioned in this section shall be entitled to vote in the election of the member of the Board to be elected by waterside frontagers according to the following scale (that is to say):—

Scale of  
voting by  
waterside  
frontagers.

To the value of twenty-five pounds but less than fifty pounds one vote:

To the value of fifty pounds but less than one hundred pounds two votes:

To the value of one hundred pounds but less than two hundred pounds three votes:

To the value of two hundred pounds but less than three hundred pounds four votes:

To the value of three hundred pounds but less than four hundred pounds five votes:

To the value of four hundred pounds but less than five hundred pounds six votes:

To the value of five hundred pounds but less than six hundred pounds seven votes:

To the value of six hundred pounds but less than seven hundred pounds eight votes:

A.D. 1913.

To the value of seven hundred pounds but less than eight hundred pounds nine votes :

To the value of eight hundred pounds and upwards ten votes.

As to voting  
by co-owners  
partnerships  
and bodies  
corporate.

**34.**—(1) In all cases in which several persons being co-owners or in partnership are entered on the list of any 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 any 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 or where no such writing is exhibited the member of such co-ownership or partnership whose name stands first in the co-ownership or partnership 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 elected members of the Board.

(2) In every case in which two or more persons to whom the provisions of the last preceding subsection do not apply are entered on the list of waterside frontagers for the time being in force by reason of their being joint occupiers of waterside premises such persons shall with respect to the scale of votes provided for by the section of this Act whereof the marginal note is "Scale of voting by waterside frontagers" be deemed to be one person and one of such joint occupiers authorised in writing by the other joint occupiers of such premises or by a majority of them or where no such writing is exhibited the joint occupier whose name stands first in respect of such premises in the valuation list for the time being in force in the district within which such premises are situate shall alone be entitled (but subject always to the provisions of this Act) to exercise on behalf of such joint occupiers their right of voting at the election of the member of the Board to be elected by waterside frontagers.



(3) 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. A.D. 1913.

**35.** Subject to the provisions of this Act the executor or administrator or any one but not more than one of the executors or administrators of any person whose name appears on any list of electors (including any person trading alone otherwise than under his own name whose trade name appears on such list) and who shall have died while such list is in force and the committee (if only one) or any one but not more than one of the committee (if more than one) of any person on any such list of electors who shall have become of unsound mind (whether found so by inquisition or not) while such list is in force shall have the same or the like powers of nominating and voting for any candidate for membership of the Board as such person could have exercised had he been living or of sound mind but nothing herein contained shall confer upon any executor administrator or committee as such any right to become a candidate for membership: Nomination and voting by executors &c.

Provided always that any executor administrator or committee desirous of nominating or voting as aforesaid shall previously produce or give to the existing Board or the Board as the case may be such evidence as they may reasonably require of his being such executor administrator or committee and of his being authorised by the other executors administrators or committee (if any) to exercise such powers of nomination and voting.

**36.—**(1) Any person entitled to vote in the election of a member of the Board by any class of electors may by writing signed by him nominate for membership of the Board himself if qualified for election by such class or any other person so qualified Every such nomination shall be on a form to be prescribed by the existing Board or the Board as the case may be and shall be sent (assented to by the person nominated by his signature on the nomination paper) to the clerk to the Board at least two clear days (Sunday excluded) before the day of election and the clerk to the Board shall at least one clear day (Sunday excluded) before the day of election post on the outer door of the principal office of the existing Board or the Board as the case may be a list of the persons so nominated and assenting and of the names of the persons nominating them. Nomination and election of elected members.

A.D. 1913.

(2) Any person who is nominated for election by more than one class of electors shall be eligible for election as a member of the Board by the class in respect of which he assents to nomination as aforesaid and shall not be eligible for election by any other class of electors at the then ensuing election and if he shall accept nomination as aforesaid for election by more than one class of electors at any such election then each such nomination of him shall be void.

(3) If the number of persons so nominated and assenting in any class of electors is greater than the number of vacancies to be filled in such class the members to be elected by that class shall be elected from such persons only.

(4) If the number of persons so nominated and assenting in any class of electors does not exceed the number of vacancies to be filled in such class no meeting of that class shall be necessary to fill such vacancies but the person or persons as the case may be so nominated and assenting shall as from the date stated in his nomination paper or their respective nomination papers be deemed to be elected to fill such vacancy or vacancies and the clerk to the Board shall as soon as may be after the last day fixed for nomination give public notice that such person or persons has or have been duly elected and that no meeting will be taken for the purpose of the election of any person or persons to fill the vacancy or vacancies so filled by him or them.

(5) If the number of persons so nominated and assenting in any class of electors is less than the number of vacancies to be filled in such class the retiring members of the Board 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 member or an insufficient number of such retiring members 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 this Act whereof the marginal note is "Occasional vacancies."

Meetings for  
election of  
elected  
members.

**37.** For the election of elected members of the Board by owners of foreign-going vessels owners of coasting vessels traders and waterside frontagers a meeting of each such class of electors shall (if necessary) be held between the hours of ten in the forenoon and four in the afternoon at such place within the



borough and on such day within fourteen days after the first day of March in the year one thousand nine hundred and fourteen and on such day within the same period in every third year thereafter as the existing Board or the Board as the case may be shall determine and the clerk to the Board shall cause not less than seven days' notice of the day and place of each such meeting to be given by advertisements and public placards in the borough and the chairman or in his absence some other member of the existing Board or of the Board as the case may be appointed in that behalf by the existing Board or by the Board as the case may be or if no appointment be made or the member appointed be not present at the time appointed for the meeting then the clerk to the Board shall preside at the meeting and shall receive the votes of the electors thereat.

**38.** The existing Board if they deem it expedient may appoint any days other than the days in this Act mentioned for the first election of elected members of the Board and for and in relation to the several matters preparatory or incidental thereto but they shall not so appoint any such other day as to render it impracticable for the Board to become constituted as provided by this Act at the appointed day.

Existing Board may alter dates in respect of first elections.

**39.** The persons to be from time to time elected as elected members of the Board by each class of electors shall in the case of a contested election be the persons receiving the greatest number of votes of the electors of that class present personally or by proxy at the meeting held for that purpose and such votes shall be given in writing under the hands of the respective electors or their proxies and each elector shall have the number of votes to which he is entitled under the foregoing provisions of this Act multiplied by the number of members to be elected at such meeting by the class of electors to which he belongs but he shall not give more than the number of votes to which he is otherwise entitled under this Act to any one candidate In every case of an equality of votes the chairman of the meeting shall be entitled to give a casting vote in addition to the vote or votes (if any) to which he may be otherwise entitled under this Act.

Election to be by majority of votes.

**40.—(1)** The appointment of a proxy shall be made by an instrument in writing (in the form given in the schedule to this Act with such variations as circumstances require) signed by the appointor and attested by one witness at least.

Proxies.

A.D. 1913.

(2) An instrument appointing a proxy shall not be used at any election unless it has been delivered at or sent by registered letter to the principal office of the existing Board or after the appointed day of the Board not less than forty-eight hours before the time appointed for that election.

(3) An instrument appointing a proxy shall only be valid for the election next after the date of the instrument.

(4) No vote shall be given by proxy in an election by any class of electors except by a person who is also himself entitled to vote at the same election by that class.

Qualification  
of electors.

41. No person not being a British subject shall be entitled to nominate any person for membership of the Board nor to vote at any election under this Act.

Result of  
election to  
be communi-  
cated to  
clerk.

42. The result of every election shall immediately after the conclusion of the meeting at which it takes place be communicated in writing by the chairman of the meeting to the clerk to the Board and no person shall act as an elected member of the Board until his election has been so communicated to the clerk to the Board.

Expenses of  
elections.

43. The expenses incurred by the existing Board or by the Board of and incident and preparatory to the preparation and revision of the lists of electors the publication of advertisements and the holding of elections provided for by this Act or otherwise relative thereto shall be paid as part of the ordinary expenses of the existing Board or the Board as the case may be.

Errors in  
election &c.  
not to vitiate  
acts of  
Board.

44. Any act of the Board or of any member or committee thereof shall not be invalid or illegal by reason of any irregularity in the appointment nomination or election of any such member or by reason of the non-delivery of or the late delivery of or any error in any list of electors or by reason of any irregularity in the making revision or publishing of any such list or any notice in respect thereof or by reason of any vacancy on the Board or on any committee thereof or of any failure or omission on any occasion to appoint or elect any member of the Board or by reason of any disqualified person acting as a member of the Board or by reason of any other irregularity error failure or omission in or about any nomination or election appointment of the committee or in or about any matter preliminary or incidental thereto.



**45.**—(1) On the twenty-fifth day of March in the year one thousand nine hundred and seventeen and on that day in every third year thereafter all the appointed and elected members of the Board then in office shall retire from office and the vacancies shall be filled up by the appointment or election of members of the Board as by this Act provided and every retiring member of the Board being qualified shall be eligible for re-appointment or re-election. If from any cause any body authorised by this Act to appoint a member or members of the Board fails to appoint such member or members in place of the member or members of the Board appointed by such body and retiring as provided by this Act the vacancy or vacancies shall be filled up in like manner so far as applicable as an occasional vacancy is directed to be filled by by the section of this Act of which the marginal note is “Occasional vacancies.”

A.D. 1913.

Retirement  
of members.

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

**46.**—(1) If any person be appointed a member of the Board by more than one body he shall within three days after notice in writing to him from the Board has been delivered at or sent by post addressed to him at his last known place of abode in the United Kingdom choose which body he will represent or in default thereof the Board at their next meeting shall declare the body which he shall represent and he shall thereupon be deemed to be appointed by the body only which he shall so choose or which the Board shall so declare and he shall cease to be a member of the Board for any other body and the vacancy so occasioned shall be filled up in like manner as an occasional vacancy is directed to be filled up by the section of this Act of which the marginal note is “Occasional vacancies.”

Provision  
where mem-  
ber of Board  
is elected or  
appointed by  
more than  
one body.

(2) If any person who has been appointed a member of the Board is elected a member of the Board a vacancy shall be deemed to have arisen among the appointed members of the Board and the vacancy so occasioned shall be filled up in like manner as an occasional vacancy is directed to be filled up by the section of this Act of which the marginal note is “Occasional vacancies.”

**47.** Any vacancy in the office of appointed members of the Board or elected members of the Board occasioned by death

Occasional  
vacancies.

A.D. 1913. — resignation removal or disqualification shall be filled up with all convenient speed by the appointment or election as by this Act provided of a member of the Board by the body or the class of electors by which the member of the Board whose vacancy is to be filled up may have been originally appointed or elected and the member of the Board so appointed or elected to fill any such vacancy shall hold office for the time during which the member of the Board in whose stead he is appointed or elected would have been entitled to continue in office.

First meeting of Board.

48. The first meeting of the Board shall be held on the first Thursday in April in the year one thousand nine hundred and fourteen at three o'clock in the afternoon at the offices of the existing Board or at some other convenient place and shall be convened by the clerk to the Board by letter to each member of the Board sent by post to or delivered at his residence two clear days at least before the said day.

As to appointment of chairman &c.

49.—(1) The Board shall at their first meeting in the year one thousand nine hundred and fourteen and at the first meeting of the Board held after the twenty-fifth day of March in each subsequent year appoint two members of the Board to be chairman and deputy chairman respectively of the Board.

(2) The deputy chairman shall be chairman at any meeting of the Board at which the chairman is not present Provided that if neither the chairman nor the deputy chairman is present at any meeting one of the members of the Board present at such meeting shall be elected chairman of such meeting by the majority of the votes of the members present at such meeting.

(3) The Board may whenever occasion arises fill up any occasional vacancy arising in the office of chairman or deputy chairman of the Board.

As to periodical meetings.

50.—(1) The Board may hold such periodical and other meetings as shall from time to time be appointed by them and may from time to time fix the days and times for holding such meetings A list of the days and times of holding any periodical meetings shall be kept duly exhibited in some conspicuous place at the Board's principal office.

(2) No new rules or regulations shall be adopted or any extraordinary business be transacted at any such meeting unless due notice thereof has been given at a prior meeting and the subject of such business notified to each member of



the Board by means of written notices delivered or sent in the same manner as herein-after required for notices of special meetings.

A.D. 1913.  
—

**51.** The Board may hold special meetings and any three or more members of the Board may by notice in writing to the clerk of the Board require a special meeting to be held but except in cases of emergency no such meeting shall be held unless two days' notice thereof shall be given.

Special meetings of Board.

**52.** All notices of meetings of the Board shall be in writing and (except as aforesaid) shall be delivered or sent by the clerk to the Board by post or otherwise to the usual place of abode or place of business of each of the members of the Board two days previous to the day of meeting and every notice shall specify the time and place of meeting and in the case of a special meeting the object thereof and no business shall be transacted at any such special meeting except such as is stated in the notice thereof.

How notices of meetings of Board to be given.

**53.** The quorum of the Board shall be nine and all questions at any meeting shall be decided by a majority of the votes of those present and in case of an equal division of votes the chairman of the meeting shall have a second or casting vote in addition to his vote as a member of the Board.

Quorum of members of Board.

**54.** Subject to the provisions of this Act all meetings of the Board may be held at such place as the Board think fit and may be from time to time adjourned to such time and place as may at the time of adjournment be fixed by the Board.

As to place and adjournment of meetings.

**55.** The principal office of the Board shall be at such convenient place in the borough as the Board from time to time think fit.

Board's principal office to be in borough.

**56.** A printed copy of the accounts of the Board shall be forwarded annually by the Board to the Board of Trade.

Accounts to be forwarded to Board of Trade.

**57.** Offences against this Act or against the Southampton Harbour Acts 1863 to 1911 or against any other Act or Order the powers whereunder are by this Act transferred to the Board or against any byelaws of the Board for the time being in force or against any byelaws remaining in force pursuant to the provisions of this Act and penalties fines forfeitures costs and expenses imposed or recoverable under any of the said Acts Orders or byelaws may be prosecuted and recovered in a summary

Recovery of penalties &c.

A.D. 1913. 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.

As to payment of costs of commission.

**58.** The costs charges and expenses of the commission appointed by the Board of Trade under the Southampton Harbour Act 1911 and of and incidental to the inquiry and report of that commission as certified by a secretary or an assistant secretary of the Board of Trade shall be borne by the following parties in the proportions following (that is to say):—

As to six-twenty-sixths by the existing Board;

As to four-twenty-sixths by the Corporation;

As to five-twenty-sixths by the London and South Western Railway Company;

As to three-twenty-sixths by the Royal Mail Steam Packet Company;

As to three-twenty-sixths by the Union Castle Mail Steamship Company Limited;

As to one-twenty-sixth by the Southampton Isle of Wight and South of England Royal Mail Steam Packet Company Limited;

As to one-twenty-sixth by the Southampton Incorporated Chamber of Commerce;

As to one-twenty-sixth by the county council;

As to one-twenty-sixth by the Itchen Urban District Council;

As to one-twenty-sixth by Day Summers and Company Limited;

and shall be deemed to be a debt due from the said parties respectively (other than the existing Board) to the existing Board and after the appointed day (if such costs charges and expenses shall not then have been paid) to the Board and may be recovered by the existing Board or the Board as the case may be accordingly.

Saving rights of Corporation.

**59.** Except as in this Act expressly provided nothing in this Act shall prejudice or take away any rights estates powers advantages or privileges of the Corporation under the Act of 1863.

Reservation of general Acts.

**60.** Nothing in this Act contained shall exempt the existing Board or the Board or the port from the provisions of any present or future general Act relating to harbours docks or piers or to



dues on shipping or on goods carried in ships or to pilotage or to lights buoys and beacons or to the powers and privileges of the general lighthouse authorities or from the future revision and alteration by Parliament of the rates and duties authorised to be taken by the existing Board or after the appointed day by the Board. A.D. 1913.

**61.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid in the first instance by the existing Board and after the appointed day (if such costs charges and expenses shall not then have been paid) by the Board. Costs of Act.

A.D. 1913.

The SCHEDULE referred to in the foregoing Act.

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FORM OF PROXY PAPER.

THE SOUTHAMPTON HARBOUR ACT 1913.

I [A. B.] of [ ] being entitled to vote  
at the election of an elected member [or elected members] to represent  
the [ ] at the election to be held at [ ] on the  
day of [ ] 19 [ ] by this writing appoint [C.D.] of [ ]  
[ ] to be my proxy to vote on my behalf at that election.

(Signed) [A.B.]

Witness [X. Y.]

Witness's address.

Witness's occupation.

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