

**CHAPTER xxxviii.**

An Act to confer further powers on the Seaham Harbour Dock Company. A.D. 1917.  
[2nd August 1917.]

**W**HEREAS by the Seaham Harbour Dock Act 1898 (in this Act referred to as "the Act of 1898") the Seaham Harbour Dock Company (in this Act referred to as "the Company") were incorporated and empowered to construct certain harbour and dock works at Seaham in the county of Durham and to raise capital to the extent of four hundred and fifty thousand pounds and subject to the provisions of that Act to borrow on mortgage of their undertaking or to create and issue debenture stock to an amount not exceeding one hundred and fifty thousand pounds: 61 & 62 Vict.  
c. ccxxxvii.

And whereas by the Seaham Harbour Dock Act 1908 the Company were authorised to raise additional capital to the extent of ninety thousand pounds and to borrow on mortgage of their undertaking or to create and issue debenture stock to an amount not exceeding thirty thousand pounds: 8 Edw. 7.  
c. lii.

And whereas in pursuance of their powers under the said Acts the Company have raised the sum of four hundred and fifty thousand pounds by the creation and issue of ordinary shares and preference shares and have raised by the creation and issue of debenture stock the sum of one hundred and twenty-nine thousand one hundred and thirty pounds and have constructed the harbour and dock works authorised by the Act of 1898:

And whereas the expenses necessarily incurred by the Company in maintaining the harbour and dock and the appliances and machinery in connexion therewith have since the outbreak of the present war greatly increased;

[Price 3d.]

A.D. 1917.

And whereas in consequence of the present war the number of vessels using the harbour dock and works of the Company and the quantity of goods shipped and unshipped thereat has diminished and in particular the quantity of coal coke and similar commodities shipped at the said harbour dock and works has greatly decreased :

And whereas owing to the circumstances hereinbefore referred to the revenue of the Company available for the maintenance and repair of the said harbour dock and works and the conveniences and appliances thereat and for meeting their financial obligations in regard to the moneys borrowed by them as aforesaid has been substantially reduced and it is apprehended that the reduction of such available revenue may continue for a protracted period after the termination of the said war :

And whereas it is expedient that with the object of enabling the Company to maintain the said harbour dock works conveniences and appliances in a condition adequately to serve the public interest and of assisting the Company to meet their said financial obligations provision should be made as in this Act contained for authorising temporarily an increase of the maximum sums which the Company are by the Act of 1898 authorised to demand and take by way of ship dues in respect of vessels clearing or leaving the said harbour and in respect of the shipping or unshipping reception or delivery of and for the shipment by the Company of coal coke culm and stone coal :

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:—

Short title.

1. This Act may be cited as the Seaham Harbour Dock Act 1917.

As to increase of certain rates and charges authorised by Act of 1898.

2.—(1) Subject as hereinafter provided the Company may notwithstanding anything in the Act of 1898 demand and take —

(a) for or in respect of every vessel entering the harbour as defined in the Act of 1898 any sum not exceeding by more than fifty per centum the rate applicable

to such vessel specified in the Second Schedule to that Act under the heading "Ship Dues Outward Charges" which sum shall be paid at the time of such vessel's entry inwards or clearance or discharge outwards as the Company may require;

- (b) for every ton of coal coke culm or stone coal which shall be shipped or unshipped received or delivered whether on any works of the Company or into or from any vessel within the said harbour any sum not exceeding threepence;
- (c) for the shipment by the Company of coals coke or culm by means of drops or staiths shipping machines or appliances or other machinery works or conveniences any sum not exceeding threepence per ton:

Provided that the powers by this section conferred upon the Company so far as they authorise the charging of sums in excess of the rates and charges authorised by the Act of 1898 shall not be exerciseable—

- (i) except to such extent for such period or periods and upon and subject to such terms and conditions as may from time to time be prescribed by an order or orders made by the Board of Trade on the application of the Company (which orders the said Board are hereby empowered to make if they think fit); or
- (ii) in any event after the expiration of five years from the first day of January one thousand nine hundred and eighteen.

(2) The Board of Trade may require the Company to publish or give any such notices as the said Board may deem necessary with reference to any application by the Company under this section and may give any person appearing to the Board to be interested in the subject matter of the application an opportunity of representing his views to the Board in such manner as the Board may think fit.

(3) Any order made by the Board of Trade under this section shall be published in the London Gazette and during the period for which any such order is in force the rates and charges allowed by such order shall be deemed to be rates and charges authorised by the Act of 1898.

A.D. 1917.  
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Meetings of  
Company  
and interim  
dividends.

**3.** Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 as incorporated with the Act of 1898—

(1) As from the passing of this Act the ordinary general meetings of the Company shall be held annually instead of half-yearly and shall in every year be held in the month of February or at such other time as shall be appointed for that purpose by a resolution passed at a general meeting:

(2) The directors may in any year declare and pay an interim half-yearly dividend out of the profits of the Company without the sanction or direction of a general meeting.

Closing of  
transfer  
books pre-  
vious to  
declaring  
interim  
dividends.

**4.**—(1) The directors may close the register of transfers for a period not exceeding fourteen days previous to the declaration of any interim dividend and they may fix a day for closing such register of which seven days' notice shall be given by advertisement in a newspaper published or circulating in the county of Durham.

(2) Any transfer of stock made during the time when the register of transfers is so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend.

Costs of Act.

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

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