



ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. xxxiv.

An Act for making and maintaining Docks in the
Borough and County of *Newcastle-upon-Tyne*.

[2d June 1854.]

WHEREAS it would promote the Trade and Prosperity of *Newcastle-upon-Tyne*, and tend to the increased Accommodation of Shipping resorting to the Port thereof, and be of public Advantage, if a Dock and other Works was constructed in such Borough adjoining to the *River Tyne*, and communicating therewith: And whereas the several Persons after named, with others, are willing, at their own Expense, to construct the said Dock and other Works; but the same 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 Queen'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; (that is to say,)

I. The several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Harbours, Docks, and Piers Clauses Act, 1847," and the Clauses of the "Railways Clauses Consolidation Act,

[*Local.*]

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8 & 9 Vict.
cc. 16. 18. &
20. and 10 &
11 Vict.c.27.
incorporated
with this
Act.

The Newcastle-upon-Tyne Dock Act, 1854.

1845," with respect to the temporary Occupation of Lands near the Railway during the Construction thereof, and Sections XVIII. XIX. XX. and XXI. of such Act, relating to the Alteration of Water and Gas Pipes, shall be incorporated with and form Part of this Act: Provided always, that it shall not be necessary for the Company to provide and maintain a Lifeboat or Tide and Weather Gauge; provided also, that the prescribed Limits for such temporary Occupation shall be One hundred Yards from the Line shown on the deposited Plans as the Limits within which the Works of the Company may be made.

Interpreta-
tion of
certain
Terms.

II. The Expression "the Company" in this Act shall mean the Company incorporated by this Act; the Expression "the Dock" shall mean the Dock or Docks, Basins, Entrances, and other Works connected therewith; unless there be something in the Subject or Context repugnant to such Construction.

"Quarter
Sessions."

III. The Expression "Quarter Sessions" in this Act and all Acts incorporated herewith shall mean the Quarter Sessions for the Borough and County of *Newcastle-upon-Tyne*.

Short Title.

IV. In citing this Act for any Purpose it shall be sufficient to describe it as "*The Newcastle-upon-Tyne Dock Act, 1854.*"

Subscribers
incorporated.

V. *Ralph Dodds, Matthew Plummer, George Palmer, John Carr, Collingwood Forster Jackson, Joseph Pollard, Robert Plummer, John Ormston, William Hunter*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Dock and other Works hereby authorized, with all proper Works and Conveniences connected therewith respectively, according to the Provisions of the said incorporated Acts and of this Act; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Newcastle-upon-Tyne Dock Company*," and by that Name shall be a Body Corporate with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, subject to the Restrictions and Provisions herein and in the said incorporated Acts contained.

Capital.

VI. And whereas the estimated Cost of constructing the Works hereby authorized is One hundred and eighty thousand Pounds: Therefore the Capital of the Company shall be One hundred and eighty thousand Pounds.

VII. The

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VII. The Number of Shares into which the said Capital shall be divided shall be Eighteen thousand, and the Amount of each Share shall be Ten Pounds. Shares.

VIII. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and Three Months at the least shall intervene between successive Calls; and One Half of the Amount of a Share shall be the greatest aggregate Amount of Calls to be made in any One Year upon any Share. Calls.

IX. It shall be lawful for the Company to borrow for the Purposes of this Act, on Mortgage or Bond, any Sum or Sums of Money not exceeding in the whole the Sum of Sixty thousand Pounds; but no Part of such Sum shall be raised until the whole of the said Capital or Sum of One hundred and eighty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up. Power to borrow Money on Mortgage.

X. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Monies not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Ten thousand Pounds. Arrears may be enforced by Appointment of a Receiver.

XI. The Monies by this Act authorized to be raised, whether by Shares, Mortgage, or Bond, shall be applied only in carrying into execution the Objects and Purposes of this Act. Application of Capital.

XII. The First Ordinary Meeting of the Company shall be held within Three Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *October* and *April* in every Year; and all Meetings, whether ordinary or extraordinary, shall be held in *Newcastle-upon-Tyne*. First and other Meetings.

XIII. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking. Number and Qualification of Directors.

XIV. It shall be lawful for the Company from Time to Time to reduce the Number of Directors of the Company, but the whole Number of Directors after such Reduction shall not be less than Six. Power to reduce the Number of Directors.

XV. *Ralph*

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First
Directors.

XV. *Ralph Dodds, Matthew Plummer, George Palmer, John Carr, Collingwood Forster Jackson, Joseph Pollard, Robert Plummer, John Ormston, and William Hunter* shall be the First Directors of the Company.

Quorum of
Directors.

XVI. A Quorum of a Meeting of Directors shall be Three.

Committee
of Directors.

XVII. The Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three, and the Quorum of such Committees shall be such as the Directors shall at the Time of appointing the said Committee determine.

Quorum of
General
Meetings.

XVIII. A Quorum for every General Meeting of the Company shall be Eight Shareholders holding in the aggregate not less than Five thousand Pounds in the Capital of the Company.

Shareholders
competent to
require and
call an Extra-
ordinary
Meeting.

XIX. The Number of Shareholders who shall be competent to require the Directors to call an Extraordinary Meeting of the Company, or who in default thereof shall be competent to call such Meeting, shall be not less than Ten, and such Shareholders shall in the aggregate hold not less than Five thousand Pounds in the Capital of the Company.

Scale of
voting.

XX. The Shareholders shall have One Vote in respect of each Share held by them.

Newspaper
for Adver-
tisements.

XXI. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper or Newspapers published or circulated in the Borough of *Newcastle-upon-Tyne*.

Company
empowered
to construct
Dock and
Works
according to
deposited
Plans, &c.

XXII. And whereas a Plan and Section of the proposed Works, showing the Situation and Levels thereof, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Property upon or through which the Works will be made, have been deposited with the Clerk of the Peace for the said Borough and County of *Newcastle-upon-Tyne*: Subject to the Provisions in this and the said incorporated Acts contained, and the Limits of Deviation shown on the said Plans, it shall be lawful for the Company to make and maintain the Dock and Entrance thereto from the River *Tyne* in the Situation and upon the Lands delineated upon the said Plan and described in the said Book of Reference, and within the Limits aforesaid to make and maintain all such Cuts, Locks, Gates, Bridges, Quays, Wharfs, Basins, Works, Roads, Tramways, Landing Places, and Conveniences as they may think necessary for the Purposes of the said Dock and the Entrance thereto, and to enter upon, take, and use such of the said Lands as they shall deem necessary for the Purposes aforesaid.

XXIII. Not-

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XXIII. Notwithstanding anything in the said "Harbours, Docks, and Piers Clauses Act" contained, it shall be lawful for the Company, in constructing the said Dock and other Works, to deviate to the Extent of the Limits of Deviation marked on the said Plan.

Company may deviate to the Extent marked upon the Plan.

XXIV. The Works hereby authorized shall be completed within Seven Years after the passing of this Act, and on the Expiration of such Period the Powers of this Act and the Acts incorporated herewith given to the Company for constructing the said Works shall cease to be exercised, except as to so much of the Works as shall be then completed.

Period for Completion of Works.

XXV. The Company may, subject to the Provisions of this Act and to the Powers of Deviation herein contained, execute and maintain the following Works at their own Expense ; (that is to say,)

Works to be executed by the Company.

They may construct and maintain a Dock or Docks, with an Entrance and Tidal Basin thereto, from the River *Tyne*, and all proper Quays, Piers, Wharfs, Bridges, Sheds, Landing Places, Roads, Approaches, Lines of Rails, Warehouses, Buildings, Staiths, Timber Slips, Vaults, Yards, and Ballast Wharfs and Machines, Cuts, Channels, and other Works and Conveniences, in the several Parishes and Townships of *All Saints, Saint Nicholas, All Saints* and *Byker*, in the Borough and County of *Newcastle-upon-Tyne*, within the said Limits of lateral Deviation so defined :

They may within such Limits stop up, divert, and alter, either temporarily or permanently, all Streets, Roads, Bridle Roads, Ways, Courts, Passages, Landing Places, Footpaths, and Places, Sewers and Drains, and may appropriate the Soil thereof for the Purposes of the Docks and Works connected therewith, and may open new Streets, Roads, and Landing Places in lieu of existing Streets, Roads, and Landing Places, and may remove Gas, Water, and other Pipes, and do all other Works necessary for the Construction of such Docks and Works.

XXVI. The Bridge as laid down on the said Plan and Section as proposed to be made over the Lock between the Main Dock and the Dock Basin shall be constructed of sufficient Width and Strength and in such Manner as to admit of a Rail or Tram Way being laid thereon, in addition to a Cart and Carriage Way, and the various Owners of Lands on either Side of the intended Works now having a Right of Carriageway over and along *Byker Lane*, and their Tenants, shall be entitled to use the said Bridge, Rails, and Tramways for all Purposes.

Owners and Occupiers may use Bridge over Dock between Dock and Basin.

XXVII. And whereas by the Construction of the Works by this Act authorized to be made certain Lands of various Persons to the North of such Works will be cut off from the Wharves, Quays, and Frontages of the same Persons next the River *Tyne*, and the Communication between the said River and such back Lands, and also with the *Newcastle and*

For Protection of certain Lands severed from the Wharves.

[*Local.*]

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Shields

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Shields Turnpike Road, entirely separated and cut off: Therefore the Company shall, within Twelve Months prior to the Time limited for the Completion of the said Works, purchase the Land required for the Purpose, and make, and for ever afterwards maintain, such and the same and as full and free Communication between the said back Lands and Turnpike Road and the said River as now exists, and for that Purpose shall make and maintain all proper and necessary Roads, Bridges, Rails, Tramways, and Conveniences; and such Persons, and their Representatives and Tenants, shall be at liberty at all Times to use and enjoy the same, and to make Approaches thereto, and Junctions and Connexions therewith, interfering as little as may be with any of the Works by this Act authorized, and so that the same be completed under the Superintendence of the Engineer of the Company: Provided always, that if the Company shall fail to make and maintain such Roads, Bridges, Rails, and Tramways, or any of them, the said Persons so entitled shall have Power to make and maintain and for ever afterwards use the same in such Manner as they think proper; and the Expense which may be thereby incurred shall be a Debt due from the Company to the Parties so entitled as aforesaid, or such of them as shall make or complete the Works aforesaid, and be recoverable accordingly, with Costs of Suit.

Additional
Lands.

XXVIII. The Lands to be purchased by the Company for extraordinary Purposes shall not exceed Fifteen Acres; but such Lands shall be purchased by Agreement only, and be used solely for the Purposes mentioned in the Twentieth Section of the "Harbours, Docks, and Piers Clauses Act, 1847."

Rates pay-
able on
Vessels using
the Dock.

XXIX. It shall be lawful for the Company from Time to Time to take or receive, for or in respect of every Vessel or Craft using or entering the said Dock, or lying therein or departing therefrom, any Sum not exceeding the Rates specified in the Schedule to this Act annexed; and every such Rate or Sum shall be payable by the Owner, Master, or Consignee of the Vessel.

Rates pay-
able on
Goods.

XXX. It shall be lawful for the Company to demand, for all Animals and Goods mentioned in the Schedule hereunto annexed which shall be shipped or unshipped, received or delivered, or warehoused within the said Dock, any Sums not exceeding the several Rates in the said Schedule specified; and as to all such Animals and Goods as shall not be specified in the said Schedule, the Company may demand a Rate equal to the Rate for the Time being payable in respect of Animals and Goods of a similar Nature, Package, and Quality; and every such Rate shall be payable by the Owner or Consignee of the Animals and Goods.

Further
Tonnage
Rates for
Vessels re-

XXXI. If any Vessel using or lying within the said Dock, whether the same Vessel shall previously have paid or been liable to pay Tonnage Rates or not, shall remain in the said Dock for any longer Space of Time
than

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than Twenty-one Days, or such other Time named in the Schedule, as the Case may be, the Company may demand for every such Vessel a further Rate of One Penny *per* Ton for every Four Weeks, and so in proportion for any Period less than Four Weeks, during which any such Vessel shall remain as aforesaid beyond the said Period of Twenty-one Days, or such other Time as aforesaid, in addition to the Tonnage Rates payable by virtue of this Act.

maining in Dock, &c. longer than 21 Days.

XXXII. It shall be lawful for the Company to demand, for the Use of their Warehouses, Staiths, Cranes, Weighing and Measuring Machines, of and from the Owner, Consignee, or Person having the Charge of any Goods, Articles, or Things deposited in such Warehouse, or loaded or unloaded, weighed or measured by means of such Staiths, Cranes, Weighing and Measuring Machines, such reasonable Rates as the Company shall from Time to Time appoint.

Rates to be charged for the Use of Cranes and Weighing Machines.

XXXIII. It shall be lawful for all Officers of Customs, being in the Execution of their Duty, to have free Ingress and Egress into and out of the said Dock and Premises, and through the Gates and Entrances of the same, and also freely to pass with their Vessels and Boats through the Locks and Water Communication of the said Dock and Premises at all Times (provided the State of the Tide and Water Communications of the said Dock and Premises will admit of such passing), without Payment of any Toll or Sum for so doing.

Officer of Customs to have free Access to Docks without Payment of Toll.

XXXIV. It shall be lawful for the Company to appoint and license a sufficient Number of Persons to be Meters and Weighers.

Power to appoint Weighers and Measurers.

XXXV. If the Commissioners of Her Majesty's Treasury or the Commissioners of Her Majesty's Customs shall license as Bonding Warehouses any of the Warehouses, Yards, or Vaults of the Company or any Part thereof, it shall be lawful for the Company to hold, use, and manage the same as Bonding Warehouses, Yards, or Vaults.

If Warehouses are licensed as Bonding Warehouses, they may be used accordingly.

XXXVI. It shall be lawful for the Company to enter into or give such Bond or Security under their Common Seal, with or to the Commissioners of Her Majesty's Treasury or the Commissioners of Her Majesty's Customs, or with or to any other Person or Persons to whom they may direct the same to be given, as may at any Time be required by the Laws which for the Time being shall relate to Bonding Warehouses not being within the Walls of the said Docks; and every such Bond or Security so to be given as aforesaid shall be binding upon the Company.

Power to the Company to give the Security required for Bonding Warehouses.

XXXVII. It shall be lawful for the Company to cause any Goods upon which the Duties shall not have been paid, or any other Goods, to be conveyed from the Dock, Quays, and other Works to any Warehouses or

Company empowered to cause Goods to be conveyed to

Vaults

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the Ware-
houses and
Docks.

Vaults of the Company, and also to convey the same or any other Goods from the said Warehouses or Vaults to any other Warehouses or Vaults of the Company, or to any Dock or Quays or other Places; but nothing herein contained shall be construed to authorize the Company to remove any Goods upon which the Duties shall not have been paid in any other Manner than as authorized by the Act or Acts for the warehousing of Goods, or without the Permission of the Commissioners of Her Majesty's Customs for such Purpose first had and obtained.

Company
may pass
Entries when
the Owners
of Goods
neglect or
refuse.

XXXVIII. And in order to remedy any Inconvenience from the Neglect or Delay of the Owners or Consignees of Vessels and their Cargoes in making or passing due Entries for such Cargoes or some Part thereof, whenever the Despatch of Business shall be obstructed by any such Neglect or Delay as aforesaid, it shall be lawful for the Company to cause a Warehousing Entry or Entries to be passed for the Cargo or any Part of the Cargo of any Vessel within the said Dock for which an Entry shall not have been made by the Owner or Consignee thereof within Forty-eight Hours from the Day on which the Cargo of such Vessel shall have been reported at the Custom House, provided such Cargo or Part of a Cargo be such as by Law may be warehoused, and the Expense of such Entry shall be reimbursed to the said Company by the Owner or Consignee of the Cargo or Part of a Cargo so entered as aforesaid, and shall and may be recoverable in the like Manner as the Rates, Rent, or Charges due and payable to the Company in respect of such Cargo or Part of a Cargo: Provided always, that no Cargo nor any Part of any Cargo entered by the Company as aforesaid shall be liable to Seizure by reason of any Inaccuracy in the passing of any such Entry, if it shall appear to the Commissioners of Customs that such Inaccuracy was not intentional or occasioned by wilful or culpable Negligence.

Company
may land
Goods in
case of
Neglect of
Entry at the
Custom
House for 7
Days.

XXXIX. If any Goods which shall be brought into any of the said Docks on board of any Vessel shall not be duly entered with the Customs within Seven Days next after the Vessel importing the said Goods shall have been reported at the Custom House, then and in every such Case it shall be lawful for such Officer of the Company as shall be appointed for that Purpose by the Directors thereof, on the next ensuing Day (not being a *Sunday*, *Christmas Day*, or *Good Friday*, or a Day appointed by Her Majesty's Proclamation for the Purposes of a General Fast or Thanksgiving) to cause such Goods to be forthwith landed and warehoused in the Presence and under Locks of the Officers of the Revenue, who are hereby authorized and directed to take a true and particular Account of the Quantity, Quality, and Species thereof; and in case the Duties on such Goods shall not be paid and discharged within Six Months next after such Report as aforesaid, it shall be lawful for the Commissioners of Customs, and they are hereby authorized and empowered, to sell and dispose of such Goods or any Part thereof, to answer and satisfy
the

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the Duties thereon, rendering the Overplus, if any, of the Monies arising by such Sale, after Payment of any Rates, Charges, or Expenses which may be due to the said Company, to the Proprietor or Consignee of such Goods, on Demand: Provided always, that if a Price cannot be obtained for such Goods equal to the full Amount of the Duties of Customs payable thereon and the Charges of the Sale thereof, then and in such Case all such Goods shall be effectually destroyed, or otherwise be sold and disposed of, in such Manner, and for such Purposes, and under such Rules, Regulations, and Restrictions, as the Commissioners of Her Majesty's Treasury shall from Time to Time direct.

XL. In addition to the Powers of making Byelaws contained in "The Harbours, Docks, and Piers Clauses Act," it shall be lawful for the Company from Time to Time to make such Rules, Orders, and Regulations for the better regulating, governing, and managing their Warehouses, Staiths, Ballast Wharfs, and Machines, Timber Slips, Yards, Roads, Approaches, and Lines of Rails, and in respect of the carrying and conveying, receiving, housing, laying, and depositing, and warehousing, delivering, and removing of Goods upon, to, in, or from the said Warehouses, Vaults, Approaches, Yards, and Premises, and also in respect of the Hours during which the Gates and Entrances of the said Warehouses and Premises shall be open, and in respect of the Persons who shall be permitted to enter, remain, or to be employed in or about the Warehouses, and for the better Regulation of all Persons, Porters, Carters, and Carmen, and others employed in carrying or conveying Goods, or using or driving Horses, Trucks, Carts, Sledges, Waggon, or other Carriages to or from any of the said Warehouses, Vaults, Yards, and Premises, and for preventing Damage being done to any Goods within the Premises of the Company, as the Company think fit; provided such Rules, Orders, and Regulations are not contrary to any of the Laws, Rules, Orders, and Regulations relating to Her Majesty's Customs; and the Powers and Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," shall be applicable to such Rules, Orders, and Regulations, in the same Manner as if the Power to make the same had been contained in such Act.

Company empowered to make Rules and Regulations for managing their Warehouses, Staiths, &c.

XLI. The Limits within which the Powers of the Superintendent and Dockmaster for the Regulation of the Dock shall be exercised shall be the Dock, Works, and Premises of the Company, and a Distance of Fifty Yards into the River *Tyne* from the outward Quay Wall of the Tidal Basin, such Distance to be computed from the Centre of a straight Line drawn from the outer Points of the Two Quays forming the Sides of the said Tidal Basin next the River: Provided always, that the Power of the *Tyne* Improvement Commissioners and of the Harbour Masters of the Port of *Newcastle-upon-Tyne* within the aforesaid Limits shall not be prejudiced, lessened, or interfered with by this Act.

Limits within which Dockmaster may exercise his Authority.

[*Local.*]

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XLII. The

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Docks to form Part of Port of Newcastle.

XLII. The Docks shall be deemed and held to be situate within and Part of the Port of *Newcastle-upon-Tyne*.

Provision as to Goods deposited in Warehouses.

XLIII. All Goods warehoused by the Company, or lodged or deposited in any of the Warehouses, Yards, or Vaults of the Company, by any Person having or claiming an Interest in such Goods, or which have been or shall be lodged or deposited in such Warehouses, Yards, or Vaults by the Master, Owner, or Charterer of the Vessel out of which the same may have been so warehoused or lodged, or by any Person interested in the Freight of such Vessel, shall, when such Goods shall have been so warehoused or lodged as aforesaid, continue to be subject and liable to such and the same Claim or Lien for Freight in favour of the Master, Owner, or Charterer of such Vessel, or of any other Person interested in the Freight of the same, as such Goods were subject and liable to whilst the same were on board such Vessel, and before the warehousing or lodging thereof as aforesaid.

Power to Company to detain Goods, &c. until Claims for Freight are paid, or a Deposit on the same shall be made.

XLIV. The Company, upon Notice in Writing being given by such Master, Owner, Charterer, or other Person interested as aforesaid, to detain the same, shall detain and keep such Goods in the Warehouses of the Company until the Claim or Lien for Freight to which the same shall be subject and liable as aforesaid, together with all Rates, Rents, and Charges to which the same shall have become subject or liable, shall be duly paid, or until such Rates, Rents, and Charges shall have been so paid, and a Deposit equal in Amount to the Demand made by the Master, Owner, or Charterer of the Vessel, or other Person interested as aforesaid, for or on account of such Claim or Lien for Freight as aforesaid, shall have been made by the Owner or Consignee of such Goods, which Deposit the Company are hereby authorized to receive and hold in trust until the Amount due in respect of such Claim or Lien for Freight upon such Goods shall have been tendered or satisfied, when, upon Proof thereof having been given to the Company, and all Rates, Rents, and Charges, if any, then due upon such Goods, having been paid to the Company, the said Deposit shall be returned, upon Demand, to the Person by whom the same was made, his Executors, Administrators, or Assigns.

Company may detain Goods, &c. until Claims paid or Deposit made.

XLV. Every such Deposit shall be considered and taken to be so deposited in Payment of the Claim or Lien for Freight in respect of which such Deposit shall have been made; and the Company shall and they are hereby authorized, on the Expiration of Fifteen Days next after such Deposit shall have been so made as aforesaid, and in case Notice in Writing to hold and retain the Amount of such Deposit or Claim or Lien for Freight shall not in the meantime have been given to the Company, by any Person claiming to be entitled to the said Goods, to pay, out of so much of the said Deposit as shall remain after deducting and retaining the

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the Rates, Rents, and Charges, if any, then due to the Company on the Goods in respect of which such Deposit shall have been made, and all other Expenses, if any, incurred by the Company in respect thereof, to the Master, Owner, or Charterer of the Vessel from which such Goods shall have been warehoused or lodged as aforesaid, or other Person entitled to or interested in such Claim or Lien for Freight, the Amount of such Claim or Lien for Freight; and such Payment so made by the Company shall release and discharge the Company from all Claims and Demands whatsoever in respect of so much of the said Deposit as they shall have so paid to such Master, Owner, Charterer, or other Person as aforesaid; but such Notice to hold and retain the Amount of such Deposit or Claim or Lien for Freight as aforesaid shall not continue to operate or have the Effect aforesaid for a longer Period than Thirty Days from the Service thereof, unless some Action, Suit, or other Proceeding at Law or in Equity, for determining the Title or Liability to the Freight in respect of which such Deposit shall have been made, or the Right to or the Ownership of such Deposit, shall in the meantime be actually commenced, and Notice in Writing thereof served on the Company.

XLVI. In case such Deposit shall not have been made within Ninety Days next after such Goods shall have been warehoused and lodged as aforesaid, and in case Notice of the Nonpayment of the Freight to which the same Goods may be subject or liable shall have been given to the Company, it shall be lawful for the Company and they are hereby authorized to sell all or any Part of such Goods, and by, with, and out of the Proceeds of such Sale to pay and satisfy, in the first place, the Duties (if any) payable to the Commissioners of Her Majesty's Customs or Inland Revenue in respect of such Goods, and also to retain and pay the Rates, Rents, and Charges payable to the Company in respect thereof, and the Expenses of the said Sale, and in the next place to pay and discharge the Freight to which the same Goods may be subject or liable, rendering the Overplus (if any) of the Money arising from such Sale to the Person entitled thereto, on Demand.

Power of Sale if Deposit be not paid.

XLVII. The Company shall not sell all or any Part of such Goods until Ten Days previous Notice in Writing of the Claim or Lien for Freight thereon, and of the Intention to sell the same Goods for Satisfaction of the Freight, shall have been given to the Owner or Consignee of such Goods, if the Name of such Owner or Consignee and his Residence or Place of Business shall appear on the Manifest of the Cargo, or shall have been entered in the Books of the Warehouses in which such Goods shall have been deposited, by sending such Notice in a registered Letter by Post to such Residence or Place of Business of such Owner or Consignee, and if such Owner or Consignee shall not be known then until Ten Days after such Notice shall have been inserted once in some Two Newspapers

The Power of Sale not to be exercised till after Notice.

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papers published or circulated in *Newcastle-upon-Tyne*; and the Company shall not sell a greater Portion of such Goods than shall in their Judgment be sufficient to cover the Amount of the said Duties, Rates, Rents, Charges, and Expenses, and of the said Freight.

Previous to commencing Works, Drawings to be deposited with Admiralty.

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

Company not to construct Works without Consent of Admiralty.

XLIX. It shall not be lawful for the Company to construct any Entrance to the Docks from the River *Tyne* or any Work connected therewith or abutting on the said River within the Limits of Deviation, or any Work in, under, over, through, or across any tidal or navigable Water, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, may approve, such Approval being signified as last aforesaid; and where any such Entrance, or any Work hereby requiring his or their Approval, shall have been constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Entrance or Work shall be commenced or completed, or be altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to block up, abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Admiralty may order local Survey at Expense of Company.

L. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable

The Newcastle-upon-Tyne Dock Act, 1854.

navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

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

Works abandoned, affecting tidal Waters, may be removed by Admiralty.

LII. Nothing in this Act or in the said incorporated Acts contained shall diminish, prejudice, take away, alter, or affect any Right, Power, Authority, Privilege, or Jurisdiction of the Lord High Admiral or of the Commissioners for executing the Office of Lord High Admiral.

Saving Rights of Admiralty.

LIII. Except as herein-before expressly enacted, nothing in this Act shall extend or be construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Privileges of the Mayor, Aldermen, and Burgesses of the Borough of *Newcastle-upon-Tyne*, or of the *Tyne Improvement Commissioners* (save and except that the Consent of such Commissioners as Conservators of the River to the Construction of the Entrance to the Docks from the River *Tyne* shall not be required, under the Provisions of the "Harbours, Docks, and Piers Clauses Act, 1847").

Saving Rights of Corporation of Newcastle, &c.

LIV. Nothing contained in the said incorporated Acts or in this Act shall extend or authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, first had and obtained for that Purpose, and which such Commissioners or any One of them are and is hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs and Successors.

Saving Rights of the Crown.

[Local.]

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LV. This

The Newcastle-upon-Tyne Dock Act, 1854.

Company
subject to
Provisions of
General
Acts.

LV. This Act and the said Dock shall be subject to the Provisions of any General Act now in force or hereafter to be passed relating to Docks, or to the Rates and Duties on Shipping.

Expenses of
Act.

LVI. The Expense of applying for and obtaining this Act and incidental thereto shall be defrayed by the Company.

The Newcastle-upon-Tyne Dock Act, 1854.

The SCHEDULE referred to in the foregoing Act.

TONNAGE RATES ON SHIPPING.

FIRST CLASS :

Vessels with Cargoes from any Port in the United Kingdom, Isle of Man, Jersey, Guernsey, Alderney, &c., with Liberty to reload for any Port, under Seventy Tons Register or Measurement, as the Case may be, per Register Ton	s.	d.
	0	2
Seventy Tons and upwards, per Register Ton	0	3
Rent after Three Weeks from Date of Entrance, per Ton per Week	0	1
If with Part of a Cargo, for every Ton of Goods delivered	0	3
Rent after One Week from Date of Entrance, per Ton per Week	0	1

SECOND CLASS :

Vessels with Cargoes from any Port in Europe between the North Cape and Ushant, with Liberty to reload for any Port, per Register Ton	0	5
Rent after Three Weeks from Date of Entrance, per Ton per Week	0	1
If with Part of a Cargo, for every Ton of Goods delivered	0	5
Rent after One Week from Date of Entrance, per Ton per Week	0	1

THIRD CLASS :

Vessels with Cargoes from any Port in Europe and the Mediterranean, with Liberty to reload for any Port, per Register Ton	0	7
Rent after Three Weeks from Date of Entrance, per Ton per Week	0	1
If with Part of a Cargo, for every Ton of Goods delivered	0	7
Rent after One Week from Date of Entrance, per Ton per Week	0	1

FOURTH CLASS :

Vessels with Cargoes from any Port or Place in Africa between the Straits of Gibraltar and the Cape of Good Hope, or from the Canaries, Cape de Verd Islands, or St. Helena, with Liberty to reload for any Port, per Register Ton	0	10
Rent after Four Weeks from Date of Entrance, per Ton per Week	0	1
If with Part of a Cargo, for every Ton of Goods delivered	0	10
Rent after One Week from Date of Entrance, per Ton per Week	0	1

FIFTH CLASS :

Vessels with Cargoes from all other Foreign Ports or Places whatsoever, with Liberty to reload for any Port or Place, per Register Ton	1	0
Rent after Five Weeks from Date of Entrance, per Ton per Week	0	1
If with Part of a Cargo, for every Ton of Goods delivered	1	0
Rent after One Week from Date of Entrance, per Ton per Week	0	1

SIXTH CLASS :

Vessels entering the Basin or Dock, light or in Ballast, to lie up, per Register Ton	0	4
Vessels entering the Basin or Dock with Cargoes or Parts of Cargoes, to lie up, per Register Ton	0	
Rent after Four Weeks from Date of Entrance, per Ton per Week		6
		1

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New Ships fitting out, and Ships repairing, per Register Ton per Week	s.	d.
	0	1

All Vessels in this Class, if afterwards loading out, to pay Rates according to their Ports of Destination.

STEAM VESSELS:

Steam Vessels entering the Basin or Dock to be charged double the above Rates.

Vessels entering to load, not having discharged their Cargoes in the Dock, to pay the same Tonnage Rates and Rent as Vessels entering with Cargoes from the Ports or Places to which they are destined.

Vessels loading only Part of a Cargo to pay on the Tonnage taken on board according to the Rates per Register Ton to the Ports to which they are destined.

Vessels which shall enter laden and depart without breaking Bulk, or which shall discharge and reload, and depart with the same Cargo, per Register Ton or Measurement, as the Case may be

Rent after Twenty-one Days from Date of Entrance, per Ton per Week

For every Ship, Barge, Keel, Boat, Craft, Lighter, or other Vessel which shall enter the Basin or Dock for the Purpose of unloading from or discharging Goods, Wares, or other Merchandise on board of any Ship, Barge, Keel, Boat, Craft, Lighter, or other Vessel, being within the said Dock or Basin, not exceeding such and the like Rates and Duties upon the Goods so discharged or loaded as are taken for Wharfage Rates on Goods landed or loaded.

TIMBER:

When discharged into the Water, with Four Days Privilege; after which, a Due, per Load	-	-	-	-	-	0	3
And Rent, per Load per Week	-	-	-	-	-	0	2

LANDING CHARGES:

Timber landed for immediate Removal, including Cranage Dues and Labour, per Load	-	-	-	-	-	1	0
Ditto, and loaded into Waggons for ditto, per Load	-	-	-	-	-	1	3
Ditto, to remain on the Quays, per Load	-	-	-	-	-	1	6
With Rent at the Rate, per Load per Week	-	-	-	-	-	0	2

COALS:

Discharged from Ships, and deposited on the Company's Premises, Landing Rate, per Ton	-	-	-	-	-	0	2
And Rent, per Ton per Week	-	-	-	-	-	0	1

BALLAST:

Discharged from Ships, without Deposit, not exceeding per Ton	-	-	-	-	-	1	0
Ditto with Deposit, not exceeding per Ton	-	-	-	-	-	1	10
Shipped in Ships, not exceeding per Ton	-	-	-	-	-	0	6

TABLE

The Newcastle-upon-Tyne Dock Act, 1854.

TABLE OF WHARFAGE RATES.

		GOODS.			
		s.	d.		
Almonds	- - per Ton	2	6	Horses, Asses, Mules,	
Ashes	- - per Ton	1	6	&c.	- - each 3 0
Alum	- - per Ton	1	0	Hides and Skins	- per Ton 2 6
Apples	- - per Bar.	0	1	Hoofs and Horns	- per Ton 1 6
Argol	- - per Ton	2	0	Iron, Bar, Bolt, Pig,	
Brass Wire	- - per Ton	2	0	Shot, Cast, and	
Bricks and Tiles	- per 1,000	1	0	Gun Carriages	- per Ton 1 0
Ditto, Paving or Malt-				Ditto, broken, Ballast	
kiln	- - per 100	0	3	or Bushel	- per Ton 0 10
Ditto, Fire	- - per 1,000	1	6	Ditto, Ore	- - per Ton 0 6
Barilla	- - per Ton	1	6	Ditto, Hoops	- - per Ton 2 0
Brimstone	- - per Ton	1	3	Ditto manufactured	- per Ton 2 0
Bristles	- - per Ton	1	6	Kelp	- - per Ton 1 0
Beer	- - per Butt	0	6	Lead or Sheet Lead	- per Ton 1 3
Bark	- - per Ton	2	6	Lead Ore	- - per Ton 1 0
Bones	- - per Ton	1	6	Ditto, White or Red	- per Ton 2 0
Butter	- - per Ton	1	6	Linseed	- - per Qr. 0 3
Burr Stones	- - per 100	0	6	Limestone or Lime	- per Ton 0 9
Carriages	- - each	4	0	Leather	- - per Cwt. 0 3
Clay	- - per Ton	1	1	Logwood	- - per Ton 1 6
Cotton	- - per Bag	1	6	Marble	- - per Ton 2 6
Copper Ore	- - per Ton	1	3	Ditto, above 5 Tons	- per Ton 6 0
Copper and Brass	- per Ton	1	6	Molasses	- - per Ton 1 0
Ditto Nails, wrought,				Mats	- - per 120 0 6
Copper and Brass	- per Ton	2	0	Manganese	- - per Ton 1 6
Coals	- - per Ton	0	3	Nitrate of Soda	- per Ton 1 6
Coke, Cinders, Culm	per Ton	0	4	Oil	- - per Ton 1 6
Corn	- - per Qr.	0	3	Oilcake	- - per Ton 1 0
Cheese	- - per Ton	1	6	Oranges and Lemons	per Chest 0 3
Cork Wood	- - per Ton	1	6	Onions	- - per 3 Bush. 0 2
Crates	- - large	0	4	Paint and Colours	- per Ton 1 6
Ditto	- - small	0	3	Pepper	- - per Ton 2 0
Carboys, Drugs	- -	1	0	Pork or Beef	- per Bar. 0 3
Cement	- - per Ton	1	3	Potatoes	- - per Ton 1 0
Cattle	- - each	2	0	Rags	- - per Ton 1 6
Coffee	- - per Ton	2	6	Rice	- - per Ton 1 6
Cordage	- - per Ton	1	6	Rope, old	- - per Ton 1 6
Chicory	- - per Ton	2	0	Rape Seed	- - per Qr. 0 3
Cranberries	- - per Keg	0	3	Salt	- - per Ton 0 6
Fruit	- - per Ton	2	0	Saltpetre	- - per Ton 1 6
Flour	- - 2½ Cwt. Sack	0	2	Seed, Clover	- - per Ton 2 0
Flax	- - per Ton	2	0	Slate	- - per Ton 1 3
Fustic	- - per Ton	1	6	Spirits and Wines	- per Pipe 1 3
Fish, cured	- - per Ton	1	6	Soap	- - per Ton 2 0
Guano	- - per Ton	1	0	Sugar, raw	- - per Ton 1 6
Glass	- - per Hhd.	0	9	Ditto, refined	- per Ton 2 6
Ditto	- - per Crate	0	6	Seal Skins	- per 100 0 6
Grease	- - per Ton	1	6	Sheep and Swine	- each 1 0
Grindstones and Mill-				Shumac	- - per Ton 2 6
stones	- - per Chal.	0	4	Tallow	- - per Ton 1 6
Hemp	- - per Ton	2	0	Tea	- - per Chest 0 6
Hops	- - per Bag	0	4	Ditto	- per Half Chest 0 4
[Local.]		6	A		

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	s.	d.		s.	d.
Tiles, Draining - per 1,000	1	6	Wood, Dyers - per Ton	1	6
Ditto, above 6 Inches per 1,000	2	6	Ditto, Furniture - - -	1	3
Tin - - - per Ton	1	6	Ditto, Deals per Load, 50 Feet	1	0
Tobacco - - per Hhd.	1	0	Ditto, Timber, Fir - ditto	0	10
Turpentine - - per Bar.	0	2	Ditto, Oak - - ditto	1	3
Tar and Pitch - per Bar.	0	2	Ditto, Staves - - ditto	1	0
Toys - - - per Vat	1	0	Waters, Mineral per Hamper	0	3
Valonia - - per Ton	2	6	Wool - - - per Ton	1	0
Whiting - - per Ton	0	9	Yarn - - - per Ton	2	0
			Yeast - - per Puncheon	1	0

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
 Printers to the Queen's most Excellent Majesty. 1854.