



CHAPTER ccvii.

An Act for incorporating a Company and authorising them to make and maintain a Dock and other Works at Sutton Bridge; and for other purposes. [11th August 1875.]

A.D. 1875.

WHEREAS the making and maintaining of a dock and other works on the river Nene at Sutton Bridge, in the parish of Sutton St. Mary, in the parts of Holland in the county of Lincoln, with a short line of railway to connect the dock with the railways at Sutton Bridge, would be of public and local advantage:

And whereas the persons in that behalf in this Act named, with others, are willing at their own expense to carry the undertaking into execution, on being incorporated into a company with adequate powers for the purpose:

And whereas plans and sections of the proposed dock, works, and railway, showing the line and levels thereof, and the lands which may be taken for the purposes of this Act, and also books of reference to the plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of the lands, have been deposited with the clerk of the peace for the parts of Holland in the county of Lincoln, and those plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference:

And whereas the objects 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 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:

1. This Act may be cited as "The Sutton Bridge Dock Act, 1875." Short title.

2. "The Companies Clauses Consolidation Act, 1845," and Part I. (relating to cancellation and surrender of shares) and [Local.-207.] Provisions of certain public Acts incorporated.

[Ch. ccvii.] *The Sutton Bridge Dock Act, 1875.* [38 & 39 VICT.]

A.D. 1875. — Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to construction of a railway) of "The Railways Clauses Act, 1863," "The Harbours, Docks, and Piers Clauses Act, 1847," are (except where expressly varied by this Act) incorporated with and form part of this Act: Provided always, that the provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to life-boats and with respect to providing a tide or weather gauge, shall not be in force for the purposes of this Act, except so far as may from time to time be required by the Board of Trade.

Interpretation of the words "work" and "railway" in 26 & 27 Vict. c. 92.

3. In construing in connexion with this Act Part I. of "The Railways Clauses Act, 1863," the words "work" and "railway" shall be taken to mean the dock and other works connected therewith as well as the railway.

Interpretation of terms.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction. The expression "the Company" means the Company incorporated by this Act; the expression "the dock" means and includes the dock, cut, staiths, shipping places, quays, wharves, warehouses, cranes, and other works connected therewith by this Act authorised to be constructed; the expression "the railway" means the railway and the works connected therewith by this Act authorised to be constructed; the expression "the undertaking" means the dock and railway and the undertaking by this Act authorised; and for the purposes of this Act the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Company incorporated.

5. George Frederick Young, William Eckersley, Michael Richard Thorold, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a Company for the purpose of making and maintaining the dock and railway, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "The Sutton Bridge Dock Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to

purchase, take, hold, and dispose of lands and other property for the purposes of this Act. A.D. 1875.

6. Subject to the provisions of this Act, the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the dock, cut, and railway herein-after described, with all proper gates, sluices, sewers, drains, pipes, jetties, quays, wharfs, landing places, stages, staiths, drops, slips, stairs, walls, bridges, embankments, warehouses, tramways, sidings, stations, roads, approaches, communications, and other conveniences connected therewith respectively, and may enter upon, take, and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose. The dock, cut, and railway herein-before referred to and authorised by this Act are,—

Power to
make dock,
cut, and
railway.

- (1.) A wet dock, to be constructed in lands adjoining and near to the bank of the river Nene, and belonging or reputed to belong to the President and Governors of Guy's Hospital, and numbered 1561, 1561a, 1561b, 1562, 1563, 1563a, 1564, and 1557 on the tithe map of the parish of Sutton St. Mary ;
- (2.) A cut or lock forming an entrance to the dock, commencing from and out of the said dock at the north-eastern corner thereof, and terminating in the river Nene ;
- (3.) A short line of railway, three furlongs eight chains in length, commencing by a junction with the goods lines at the Sutton Bridge Railway Station, and terminating at a point on the bank of the river Nene thirty-five chains or thereabouts north of the bridge which carries the Midland and Eastern Railway over the said river Nene ;

which said intended dock, cut, and railway, and the works and conveniences connected therewith, will be wholly situate in the parish of Sutton St. Mary, in the parts of Holland in the county of Lincoln.

7. The Company may from time to time divert water from the river Nene for the purpose of supplying the dock and cut with water. Power to
divert water
into docks.

8. The Company shall have full power and authority from time to time to dredge, scour, and deepen the bed of the river Nene opposite and near to the entrance to the dock, for the purpose of affording an uninterrupted means of access to the dock. Power to
dredge near
dock.

9. All works executed by the Company affecting the river Nene, or the channel, banks, or forelands thereof, shall be executed to the reasonable satisfaction in all respects of the Commissioners of the Works affect-
ing river
Nene to be
subject to

A.D. 1875. Nene Outfall (herein-after called the commissioners), according to plans and sections to be submitted to the commissioners and approved of by them in writing under their common seal: Provided always, that such plans and sections shall be approved or disapproved within three months after the same shall have been submitted to the commissioners: Provided also, that any difference that may arise between the Company and the commissioners with respect to the execution of works or the approval of plans or sections, or otherwise, shall from time to time be determined, at the cost of the Company, by an arbitrator to be appointed by the Board of Trade, on the application of the Company or the commissioners.

approval of
River Nene
Outfall Com-
missioners.

Restricting
limits of
deviation.

10. No deviation of any works authorised by this Act, within the limits of deviation of which any public navigable tidal river or channel is included, shall be made from the lines thereof as marked on the deposited plan, even within the limits of deviation shown on such plan, in such manner as to diminish the navigable space, without the previous consent of the Board of Trade, or otherwise than in such manner as is expressly authorised by the Board of Trade.

Plans, &c.
of dock to
be approved
by Board
of Trade.

11. Previously to commencing the dock the Company shall deposit at the office of the Board of Trade plans and sections and working drawings of the dock for the approval of the said Board, such approval to be signified in writing under the hand of the secretary of the said Board, and such dock shall be constructed only in accordance with such approval; and when such dock shall have been commenced or 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 the dock shall be commenced or completed, or be altered, extended, or constructed contrary to the provisions of this Act, it shall be lawful for the Board of Trade to 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.

Board of
Trade may
order local
survey.

12. If at any time or times it shall be deemed expedient by the Board of Trade to order a local survey and examination of the dock, 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 costs of suit, or may be recovered, with costs, as a penalty is or may be recoverable from the Company.

13. If any work to be constructed by the Company shall be abandoned or suffered to fall into disuse or decay, it shall be lawful for the Board of Trade to abate and remove the same, or such part or parts thereof as they may at any time 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.

A.D. 1875.

—
Board of Trade may abate abandoned works.

14. The capital of the Company shall be one hundred thousand pounds, in ten thousand shares of ten pounds each.

Capital, and number and amount of shares.

15. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or corporation accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Shares not to issue until one fifth paid up.

16. One fifth of the amount of a share shall be the greatest amount of a call, and two months at the least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Calls.

17. If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipts on behalf of incapacitated persons.

18. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share;" but the Company shall not so divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up, and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon), and the residue to the credit of the preferred half share.

Power to divide shares.

19. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first, in payment of dividend after such rate, not exceeding six per centum per annum, as shall be determined once for all at a general meeting of the Company specially convened

Dividends on half shares.

A.D. 1875. — for the purpose, on the amount for the time being paid up on the preferred half share, and the remainder (if any) in payment of dividend on the deferred half share; and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividends on preferred shares to be paid out of the profits of the year only.

20. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number, but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered and certificates issued.

21. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof; but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share be delivered to them to be cancelled, unless it be shown to their satisfaction that such certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated on certificates.

22. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

23. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for nonpayment of calls, shall apply to all preferred half shares created under the authority of this Act, and every such preferred half share shall for that purpose be considered an entire share, distinct from the corresponding deferred half share; and until any forfeited preferred half share shall be sold by the directors all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of call for the time being due thereon, with interest.

Preferred shares not to be cancelled, &c.

24. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

25. The several half shares under this Act shall be half shares in the capital of the Company, and every two half shares, whether preferred or deferred, or one of each, held by the same person, shall confer such right of voting at meetings of the Company, and (subject to the provisions herein-before contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

A.D. 1875.

Half shares to be half shares in capital.

26. The Company may from time to time borrow on mortgage any sum not exceeding in the whole thirty-three thousand three hundred pounds, but no part thereof shall be borrowed until the whole capital of one hundred thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the 40th section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Power to borrow.

27. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three thousand pounds in the whole.

Arrears may be enforced by appointment of a receiver.

28. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863;" but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Power to create debenture stock.

29. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

Application of moneys.

[Ch. ccvii.] *The Sutton Bridge Dock Act, 1875.* [38 & 39 VICT.]

- A.D. 1875. **30.** The first ordinary meeting of the Company shall be held within twelve months after the passing of this Act, and the subsequent ordinary meetings of the Company shall be held twice in every year, in the months of February or March, and August or September, as the directors may appoint.
- First and subsequent meetings.
- Number of directors. **31.** The number of the directors shall be five, but the Company may from time to time reduce the number, provided that the number be not less than three.
- Qualification of directors. **32.** The qualification of a director shall be the possession in his own right of not less than ten shares.
- Quorum of directors. **33.** The quorum of a meeting of directors shall be three until the number is reduced to three, then the quorum shall be two.
- First directors. **34.** George Frederick Young, William Eckersley, Michael Richard Thorold, and two other persons to be nominated by them, or the majority of them, and consenting to such nomination, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid, or any of them, or may elect a new body of directors, or directors to supply the places of those not continued in office, the directors appointed by this Act or nominated as aforesaid being (if qualified) eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present personally or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845;" and the several persons elected at any such meeting, being neither removed nor disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.
- Election of directors.
- Lands for extraordinary purposes. **35.** The quantity of land to be taken by agreement by the Company for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed five acres.
- Powers for compulsory purchases limited. **36.** The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.
- Power to cross certain road on the level. **37.** Subject to the provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to construction of a railway) of "The Railways Clauses Act, 1863," contained in reference

[38 & 39 VICT.] *The Sutton Bridge Dock Act, 1875.* [Ch. ccvii.]

to the crossing of roads on the level, the Company may in the construction of the railway carry the same with a single line only, whilst the railway shall consist of a single line, and afterwards with a double line only, across and on the level of the road next herein-after mentioned; (that is to say,)

A.D. 1875.

No. on deposited Plans.	Parish.	Description of Road.
1	Sutton Saint Mary	Public road.

38. No carriages, waggons, or trucks propelled by steam or by atmospheric agency, or drawn by ropes in connexion with a stationary steam-engine, shall be used on the public road level crossing by this Act authorised, or on so much of the railway as crosses on the level the Midland and Eastern Railway, without the previous consent of the Board of Trade.

No carriages, &c. propelled by steam to be used on level crossings without consent of the Board of Trade.

39. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands, may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Power to take easements, &c. by agreement.

40. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, the sum of three thousand three hundred and nine pounds three per centum consolidated Bank annuities, being equal to the sum of three thousand and sixty pounds, which is the aggregate of one hundred pounds (being five per centum upon two thousand pounds, the amount of the estimate of the expense of the railway by this Act authorised,) and two thousand nine hundred and sixty pounds (being four per centum upon seventy-four thousand pounds, the amount of the estimate of the expense of the dock and cut by this Act authorised), has been transferred into the name of the Paymaster General on behalf of the Court of Chancery in England in respect of the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said Act, one hundred and nine pounds of the said three per centum consolidated Bank annuities (herein-after referred to as the "railway deposit"), being equal to

Deposit money not to be repaid until line opened or half the capital paid up and expended.

A.D. 1875.

the said sum of one hundred pounds, shall not be paid or transferred to or on the application of the person or persons, or the majority of the persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railway, either open the railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised to be raised by means of shares, and have expended for the purposes of this Act a sum equal in amount to such one half of the said capital; and if the said period shall expire before the Company shall either have opened the railway for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said railway deposit shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified; and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application
of deposit.

41. The said railway deposit shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the said railway deposit shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said railway deposit, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the Court of Chancery in England thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent, and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver, or to the

liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the said railway deposit has been repaid to the depositors, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

A.D. 1875.

42. On the application of the persons named in the warrant or order issued in pursuance of the said Act of the ninth and tenth years of Her present Majesty, chapter twenty, or of the survivors or survivor of them, or of the majority of such persons or survivors, or of the executors or administrators of the last survivor, by petition in a summary way, at any time after the passing of this Act, the High Court of Chancery may and shall order that three thousand two hundred pounds three per centum consolidated Bank annuities, being the balance of the said sum of three thousand three hundred and nine pounds three per centum consolidated Bank annuities, and the interest and dividends thereof, shall be transferred and paid to the persons or person so applying, or to any other person or persons whom they or he may appoint in that behalf.

Release of
balance of
money
deposited.

43. If the dock and railway are not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the dock and railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Period for
completion
of works.

44. The Company may from time to time demand and take for or in respect of every vessel or craft using or entering the dock or lying therein or departing therefrom any sum not exceeding one shilling for every registered ton of such vessel, and every such rate or sum shall be payable by the owner or master of such vessel.

Rates pay-
able on
vessels using
the dock.

45. The Company may from time to time demand and take for all passengers landing and embarking at the dock, and for all animals and goods mentioned in the schedule to this Act which shall be shipped or unshipped, received or delivered within the dock, any sums not exceeding the several rates in the said schedule specified; and as to all such goods as shall not be specified in the said schedule the Company may demand and take a rate equal to the rate for the time being payable in respect of goods of a similar nature, package, and quality, and every such rate shall be payable by the owner or consignee of the goods: Provided always, that

Rates pay-
able on
goods.

A.D. 1875. — nothing in this Act contained shall authorise the Company to demand and take any toll or charge for landing or embarking at the dock from any person whilst actively engaged on Her Majesty's service: Provided also, that not more than one twelfth part of the sums or rates in the said schedule mentioned or specified shall be demanded or taken or payable for or in respect of any goods whatever which shall be transhipped or reloaded in the dock for the purpose of being conveyed to Wisbech on board any other vessel or craft than the one on board which they were brought into the dock, nor for or in respect of such other vessel or craft so used as a lighter or barge on its using or entering the dock, or lying therein or departing therefrom, nor for or in respect of any timber unshipped in the dock, and floated out of the dock for the purpose of being conveyed in any manner to Wisbech; but nevertheless the sum authorised by section 44 of this Act to be demanded and taken in respect of the vessel or craft on board which such animals, goods, or timber shall be brought into the dock, on its using or entering the dock, or lying therein, or departing therefrom, shall be payable as therein mentioned.

Providing for safe mooring of vessels in river Nene.

46. The Company shall make due provision for the means of safely and securely mooring ships and vessels in the river Nene at every place where by reason of the railway any mooring posts now available for that purpose will be rendered unavailable or less available for the same purpose, and should the Company fail to make such provision they shall be liable to a penalty of not exceeding ten pounds for every day during which such provision shall not be made, and such penalty shall be recovered in such manner as penalties are or may be recovered from the Company.

Further tonnage rates for vessels remaining in dock longer than 14 days.

47. If any vessel using the dock, whether the same vessel shall previously have paid or been liable to pay tonnage rates or not, shall remain in the dock for any longer space than fourteen days, the Company may demand and take for every such vessel a further rate of one penny per registered ton for every four weeks, and so on in proportion for any period less than four weeks, during which any such vessel shall remain as aforesaid beyond the said period of fourteen days, in addition to the tonnage rates payable by virtue of this Act: Provided always, that such additional rates shall not be payable for any vessel which shall have been detained by stress of weather, so far as the delay is fairly attributable to that cause.

Rates to be charged for the use of cranes and weighing machines.

48. The Company may demand and take 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 rates as the Company shall from time to time with, the approval of the Board of Trade, appoint.

A.D. 1875.

49. The Company may receive for shipping, unshipping, landing, relanding, loading, weighing, and warehousing any goods, wares, and merchandise whatsoever which shall be shipped or landed at the dock, or shall be warehoused upon the premises of the Company, or for all or any of such acts, or for any other work or labour performed by the Company in respect of such goods, wares, and merchandise, such reasonable rates and sums of money as the Company shall from time to time fix and determine, and which rates and sums of money may be recovered or be recoverable by the Company in the same manner and by the same means as the other rates, tolls, and duties imposed by this Act are or shall be recoverable.

Company may charge for the trouble of warehousing, unloading, &c.

50. The Company may demand and take in respect of the railway and the traffic thereon the like tolls, fares, rates, and charges as by "The Peterborough, Wisbeach, and Sutton Railway Act, 1863," are authorised to be demanded and taken in respect of the Peterborough, Wisbeach, and Sutton Railway, and the traffic thereon: Provided that in respect of passengers, animals, and articles conveyed upon the railway the Company may demand tolls and charges as for one mile only.

Tolls on railway

51. All officers of Customs being in the execution of their duty shall have free ingress and egress into and out of the 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 communications of the dock and premises at all times (provided the state of the tide and water communications of the dock and premises will admit of such passing), without payment of any toll or sum for so doing.

Officers of Customs to have free access to dock without payment of tolls.

52. The Company may appoint and license a sufficient number of persons to be meters and weighers.

Power to appoint meters and weighers.

53. The limits within which the powers of the dock-master 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, measured in every direction, from the entrance to the dock.

Limits within which dock-master may exercise his authority.

54. In order to prevent ballast from being thrown or allowed to fall overboard within the before-mentioned limits, the Company may from time to time make, alter, and repeal such byelaws as they think fit for regulating the removal and disposal within those limits of all ballast brought by vessels entering those limits, and for regulating the mode of supply of ballast to vessels within the said

Byelaws as to disposal of ballast.

A.D. 1875. — limits, and the provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to byelaws, shall extend and apply to any byelaw which may be made under this enactment, and the word "ballast" in this Act includes all substances used as ballast.

Ballast to be brought to side of vessels and thrown in immediately.

55. All ballast supplied to any vessel in the dock, unless the vessel lies at a wharf or quay, shall be brought in a proper and sufficient ballast lighter to the side of the vessel and thence immediately thrown into the vessel by the crew or other persons, and every person offending against this enactment shall for every such offence forfeit not exceeding five pounds, and the expression "ballast lighter" in this Act includes all vessels used for receiving or conveying ballast.

Penalty for improperly discharging or taking up ballast.

56. If any master of any ballast lighter employed to receive or take ballast for any vessel, or to remove or discharge any ballast, or to take up or dredge for ballast in the dock, discharge or deposit the ballast, or take up any ballast, in or from any other part of the dock than the part thereof which the dock-master from time to time directs, he shall for every such offence forfeit not exceeding five pounds.

Penalty for casting ballast without a portsail.

57. If any person cast or unload into or out of any vessel in the dock, or if any person having the command of any vessel in the dock knowingly permit to be cast or unloaded into or out of the vessel any ballast, and the respective person have not a wooden stage or portsail sufficiently large and properly fastened to such vessel (during the whole time of such casting or unloading), into or out of which the ballast is to be cast or unloaded, to the upper edge or highest part of the wharf or quay, or to the other vessels into, from, or upon which the ballast is to be cast or unloaded, and so as to prevent any ballast from falling into the dock, he shall for every such offence forfeit not exceeding forty shillings over and above the cost of removing the ballast from the dock.

Occupiers of wharves not to allow ballast to remain near edge of wharf.

58. If any owner, tenant, or occupier of any wharf or quay, or land adjoining to the dock, permit any ballast placed thereon, after it is placed thereon and the apparatus used in placing it is removed, to be on and within three yards of the edge of the wharf or quay, or land next to the dock, or permit any ballast to be placed on or so near to any watercourse upon or adjoining to the wharf or quay, or land, as that the ballast or any part thereof is or may be washed into the dock to the prejudice thereof, he shall for every such offence forfeit not exceeding forty shillings.

Company may remove ballast.

59. If any owner, tenant, or occupier of any wharf, quay, or other land adjoining to the dock, whereon any ballast is placed

contrary to the provisions of this Act, fail to remove it from the wharf, quay, or land within twenty-four hours after notice in writing from the Company to remove it, the Company may remove all or any part of it to such places as they think fit, and the charges of removing it shall, and in addition to the penalty by this Act imposed on the respective person, be paid by him and be recoverable as a penalty.

A.D. 1875.

60. If any officer of the Company or other person under any pretence, save in the execution of works hereby authorised, cast or unload any ballast into the dock or into the river Nene outside the dock, he shall for every such offence forfeit not exceeding five pounds.

Ballast not to be cast into the dock or the river Nene.

61. The Company may use or sell or dispose of, in such manner as they think proper, all ballast removed by them from the dock under this Act.

Company to dispose of ballast.

62. Except only as is by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the rights, powers, privileges, jurisdictions, or authorities vested in the Commissioners of the Nene Outfall.

Saving rights of the Commissioners of the Nene Outfall.

63. Except only as is by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the rights, powers, privileges, jurisdictions, or authorities vested in the mayor, aldermen, and burgesses of the borough of Wisbech, or the council of the said borough.

Saving rights of Corporation of Wisbech.

64. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Interest not to be paid on calls paid up.

65. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

Deposits for future Bills.

66. Nothing in this Act contained shall exempt the dock or the Company from the provisions of "The Merchant Shipping Act, 1854," or any general Acts relating to docks or dues on shipping or on goods carried in ships, now in force or which shall be passed during

Provision for Merchant Shipping Act and general Acts.

A.D. 1875. — the present or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the dock rates or duties by this Act authorised.

Railway, &c.
not exempt
from pro-
visions of
present and
future gene-
ral Acts.

67. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised by this Act.

Expenses of
Act.

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

SCHEDULE.

A.D. 1875.

	s.	d.
For every person - - - - -	0	2
For every horse or mule - - - - -	2	0
For cattle - - - - - per head	1	0
Sheep, lambs, and pigs - - - - - per head	0	1
Calves - - - - - per head	0	2
One-horse carriages - - - - -	1	6
Two-horse carriages - - - - -	4	0
For every last of wheat, oats, rye, barley, malt, beans, peas, tares, mustard seed, canary, and seeds of every denomination -	0	6
Anchors - - - - - per cwt.	0	6
Ashes - - - - - per barrel	0	1
Alum - - - - - per cwt.	0	1
Anchovies - - - - - per barrel	0	1
Anchor stock - - - - - per foot run	0	1
Apples and pears - - - - - per sack of three bushels	0	2
Asparagus - - - - - per basket	0	2
Ale, porter, beer, cider, or perry - - - - - per butt	0	4
Ditto - - - - - per cask	0	1
Ditto - - - - - per hogshead	0	3
Ditto per half hogshead or other less quantity	0	1
Ditto, in bottles - - - - - per dozen	0	2
Bran or pollard - - - - - per ton	0	6
Beer, table - - - - - per 9 gallons	0	2
Beef or pork contained in any cask - - - - - per cwt.	0	2
Barrel boards or staves - - - - - per thousand	0	9
And all other staves in proportion.		
Butt staves - - - - - per hundred	1	0
Battens, Petersburg - - - - - per hundred	0	6
Boards or battens, close - - - - - per hundred	0	4½
Billiard table - - - - -	2	6
Bricks - - - - - per thousand	1	6
Bedstead, mahogany - - - - -	0	3
Bedstead (every other) - - - - -	0	2
Barilla - - - - - per ton	1	0
Ditto - - - - - per seron	0	2
Bolt of canvas - - - - - per bolt	0	3
Butt, pipe, or puncheon, entire or in staves - - - - - each	0	1
Bottles, empty - - - - - per dozen	0	1
Bale, every box, truss, trunk, case, chest, bundle, or parcel, containing goods not enumerated in schedule - - - - - per cubic foot	0	0½
Ditto - - - - - per cwt.	0	1
Baskets - - - - - per dozen	0	4

[Ch. ccvii.] *The Sutton Bridge Dock Act, 1875.* [38 & 39 VICT.]

		s.	d.
A.D. 1875.	Basket or maund, containing goods not enumerated in schedule	-	0 4
—	Ditto, smaller	-	each 0 3
	Ditto, empty	-	per dozen 0 1
	Beef or pork	-	per tierce 0 4
	Ditto	-	per barrel 0 2
	Butter	-	per firkin 0 1
	Ditto or cheese	-	per cwt. 0 1
	Biscuit	-	per bag 0 1½
	Bleaching powder	-	per cwt. 0 1
	Beans and peas	-	per sack 0 1
	Bottles, full, in hampers	-	per dozen 0 2
	Bottles, new, in crates or hampers	-	- 0 6
	Brooms, hair, and mops	-	per dozen 0 0½
	Bobbins	-	per bag 0 3
	Bacon	-	per box or bale 0 3
	Beef	-	per cwt. 0 1
	Bedding, seamen's	-	- 0 1
	Currants or raisins	-	per cwt. 0 1
	Coffee	-	per cwt. 0 1
	Copper or brass, wrought and unwrought	-	per cwt. 0 1
	Chalk stones, rough or hewn	-	per ton 0 6
	Cement	-	per barrel 0 2
	Cordage	-	per cwt. 0 1½
	Clover seed	-	per sack 0 3
	Calf skins	-	per dozen 0 4
	Colours	-	per firkin 0 3
	Clog soles	-	per dozen 0 1
	Carboys	-	each 0 2
	Coals, culm, splint, coke, or cinder	-	per ton 0 6
	Chest of drawers, double	-	- 0 8
	Ditto, single	-	- 0 5
	Chairs	-	per dozen 0 6
	Ditto	-	each 0 1
	Chimney pots	-	each 0 1
	Cabbages	-	per crate 0 3
	Carrots and vegetable roots	-	per cwt. 0 1
	Deals, per load, containing 50 cubic feet	-	- 0 9
	Dogs	-	each 0 2
	Earthenware	-	per large crate 0 6
	Ditto	-	per small crate 0 3
	Fish	-	per pot, prickle, or pad 0 1
	Ditto	-	per ton 1 0
	Ditto	-	per trunk 0 1
	Ditto	-	per bushel or sieve 0 1
	Flax seed	-	per last 0 6
	Ditto	-	per barrel 0 2
	Fruit	-	per bushel 0 1
	Flour	-	per sack of 5 bushels 0 1

[38 & 39 VICT.] *The Sutton Bridge Dock Act, 1875.* [Ch. ccvii.]

							s.	d.	A.D. 1875.
Faggots	-	-	-	-	-	-	per 100	0 6	
Firewood	-	-	-	-	-	-	per cord	0 3	
Feathers	-	-	-	-	-	-	per cwt.	0 3	
Farina	-	-	-	-	-	-	per sack	0 2	
Foxes	-	-	-	-	-	-	each	0 6	
Fowls, and every other sort of poultry	-	-	-	-	-	-	per crate	0 6	
Flint stones	-	-	-	-	-	-	per ton	0 1	
Furniture, large	-	-	-	-	-	-	per article	0 3	
Ditto, small	-	-	-	-	-	-	per article	0 1	
Glass ware	-	-	-	-	-	-	per large crate	0 6	
Ditto	-	-	-	-	-	-	per small crate	0 3	
Glass, window	-	-	-	-	-	-	per crate	0 4	
Grindstones	-	-	-	-	-	-	per ton	0 6	
Girders, iron	-	-	-	-	-	-	per ton	0 6	
Grate or range	-	-	-	-	-	-	large	0 6	
Ditto	-	-	-	-	-	-	small	0 3	
Gunpowder	-	-	-	-	-	-	per barrel	0 6	
Guano	-	-	-	-	-	-	per ton	0 9	
Garden stuff	-	-	-	-	-	-	per bushel	0 1	
Hay	-	-	-	-	-	-	per ton	0 9	
Hops	-	-	-	-	-	-	per bag	0 3	
Ditto	-	-	-	-	-	-	per pocket	0 2	
Hams, bacon, or tongues	-	-	-	-	-	-	per cwt.	0 1	
Herrings, red	-	-	-	-	-	-	per barrel	0 2	
Hogshead, packed with goods not enumerated in schedule	-	-	-	-	-	-	-	0 6	
Hoops	-	-	-	-	-	-	per bundle	0 1	
Hurdles	-	-	-	-	-	-	per 100	0 10	
Hardware	-	-	-	-	-	-	per cask or box	0 6	
Harpsichord	-	-	-	-	-	-	-	1 0	
Harps	-	-	-	-	-	-	each	0 8	
Hemp	-	-	-	-	-	-	per cwt.	0 1	
Hares, pheasants, and all other game	-	-	-	-	-	-	per head	0 1	
Hides, raw or tanned	-	-	-	-	-	-	per ton	0 6	
Iron	-	-	-	-	-	-	per cwt.	0 1	
Kelp	-	-	-	-	-	-	per ton	0 6	
Laths	-	-	-	-	-	-	per 120 bundles	0 6	
Lampblack	-	-	-	-	-	-	in casks	0 6	
Lath wood, 6 foot per fathom	-	-	-	-	-	-	-	1 0	
Ditto, 5 foot ditto	-	-	-	-	-	-	-	0 10	
Ditto, 4 foot ditto	-	-	-	-	-	-	-	0 8	
Lead	-	-	-	-	-	-	per cwt.	0 1	
Ditto	-	-	-	-	-	-	per ton	1 0	
Lime	-	-	-	-	-	-	per ton	0 6	
Leather	-	-	-	-	-	-	per cwt.	0 4	
Leeks	-	-	-	-	-	-	per dozen bundles	0 1	
Linseed meal	-	-	-	-	-	-	per bag	0 2	
Linen	-	-	-	-	-	-	per bale or case	0 6	

[Ch. ccvii.] *The Sutton Bridge Dock Act, 1875.* [38 & 39 VICT.]

		s.	d.
Å.D. 1875.	Lumber and every other article not before enumerated in this schedule,		
	per foot cube	0	1
	Ditto - - - - - dosser cwt.	1	0
	Manure in bags - - - - - per ton	0	6
	Meal - - - - - per ton	0	8
	Mahogany in legs and planks - - - - - per foot cube	0	1
	Masts, 10 inches in diameter or upwards - - - - - each	2	0
	Ditto, under 10 inches - - - - - each	0	9
	Millstones - - - - - each	1	10
	Molasses - - - - - per puncheon	0	4
	Mustard - - - - - per 30-pound barrel	0	1
	Marble - - - - - per ton	1	0
	Machinery - - - - - per ton	1	0
	Machines—sewing, printing, or working - - - - - each	1	0
	Matches, in casks or cases - - - - -	0	6
	Nuts - - - - - per bag	0	1
	Nails - - - - - per bag	0	1
	Oil cake - - - - - per ton	0	9
	Oranges and lemons - - - - - per chest	0	3
	Ditto ditto - - - - - per half chest	0	2
	Oil, train or fish, per pipe, and so on in proportion for any greater or smaller quantity - - - - -	0	6
	Oak or elm planks - - - - - per load containing 50 cubic feet	0	9
	Oakum - - - - - per cwt.	0	2
	Oysters - - - - - per bushel	0	1
	Ditto - - - - - per firkin or smaller barrel	0	1
	Ovens - - - - - each	0	3
	Ordnance pieces, of brass or iron - - - - - per cwt.	0	2
	Onions - - - - - per bushel	0	1
	Oatmeal - - - - - per sack	0	1
	Oil - - - - - per pipe	0	6
	Ditto - - - - - per hogshead	0	3
	Ditto - - - - - per half hogshead	0	2
	Ditto - - - - - per jar	0	1
	Ditto - - - - - per chest or half chest	0	1
	Potatoes - - - - - per barrel	0	1
	Ditto - - - - - per ton	0	9
	Ditto - - - - - per sack of 3 bushels	0	1
	Plums - - - - - per box	0	1
	Pails or buckets - - - - - per dozen	0	3
	Posts or rails - - - - - per load of 50 cubic feet	0	5
	Peas and rice - - - - - per sack	0	1
	Pewter, wrought - - - - - per cwt.	0	2
	Pianofortes - - - - - each	2	0
	Pitch and tar - - - - - per barrel	0	2
	Paper - - - - - per cwt.	0	3
	Straw - - - - - per load	0	6
	Sugar, loaf - - - - - per ton	2	0

[38 & 39 VICT.] *The Sutton Bridge Dock Act, 1875.* [Ch. ccvii.]

			<i>s.</i>	<i>d.</i>	A.D. 1875.
Sugar, raw	-	-	0	1	—
Salt	-	-	0	1	
Shumac	-	-	0	2	
Spars	-	-	2	0	
Solder	-	-	0	1	
Sofas	-	-	0	6	
Stone	-	-	0	6	
Paving	-	-	0	6	
Slate	-	-	0	6	
Stove, register	-	-	0	4	
Ditto, other	-	-	0	3	
Sedan chairs	-	-	0	6	
Salmon	-	-	0	2	
Skins—goat, dog, calf, sheep, or lamb	-	-	0	4	
Soap	-	-	0	1	
Starch	-	-	0	2	
Soda or soda ash	-	-	1	0	
Staves, pipe	-	-	0	9	
Ditto, hogshead	-	-	0	6	
Ditto, barrel	-	-	0	3	
Ditto, ends	-	-	0	2	
Shoes or boots	-	-	0	6	
Shot, in bags	-	-	0	9	
Salt fish	-	-	0	1	
Spades and shovels	-	-	0	2	
Shrimp baskets	-	-	0	0 $\frac{1}{2}$	
Tallow, soap, or candles	-	-	0	1	
Tea	-	-	0	2	
And so on in proportion for any greater or less quantity than half a chest.					
Tar	-	-	0	2	
Treacle	-	-	0	1	
Timber	-	-	0	6	
Tables, dining	-	-	1	0	
Ditto, others, dining tables	-	-	0	6	
Ditto, card or Pembroke	-	-	0	3	
Ditto, every other	-	-	0	3	
Tombstones	-	-	1	6	
Ditto, marble	-	-	2	6	
Tiles, plain	-	-	0	6	
Ditto, ridge or pantiles	-	-	0	6	
Ditto, mathematical	-	-	0	9	
Ditto, paving	-	-	0	3	
Thread, in casks or cases	-	-	0	6	
Turtle	-	-	0	10	
Tobacco and snuff	-	-	0	1	
Tin	-	-	0	2	
Tallow	-	-	0	1	

[Ch. ccvii.] *The Sutton Bridge Dock Act, 1875.* [38 & 39 VICT.]

A.D. 1875.

	<i>s.</i>	<i>d.</i>
Tow and waste - - - - -	per cwt.	0 1
Trunk, portmanteau, or bundle - - - - -	each	0 1
Vats, packed with goods not enumerated in schedule - - - - -	each per cubic foot	0 1
Ditto - - - - -	per cwt.	0 1
Violins, bass-viols, or other stringed instruments (except harps) -	each	0 2
Vinegar - - - - -	per pipe	0 4
Wool, yarn, or cotton - - - - -	per cwt.	0 4
Wine (not British), sweet oil, or spirits, for every gallon contained in any butt, pipe, puncheon, or tierce, or any cask whatsoever - - -	- -	0 1
Oil or spirits in bottle - - - - -	per dozen	0 2
Ditto - - - - -	per pipe	0 6
Ditto - - - - -	per hogshead	0 3
Ditto - - - - -	per half hogshead	0 2

LONDON : Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1875.