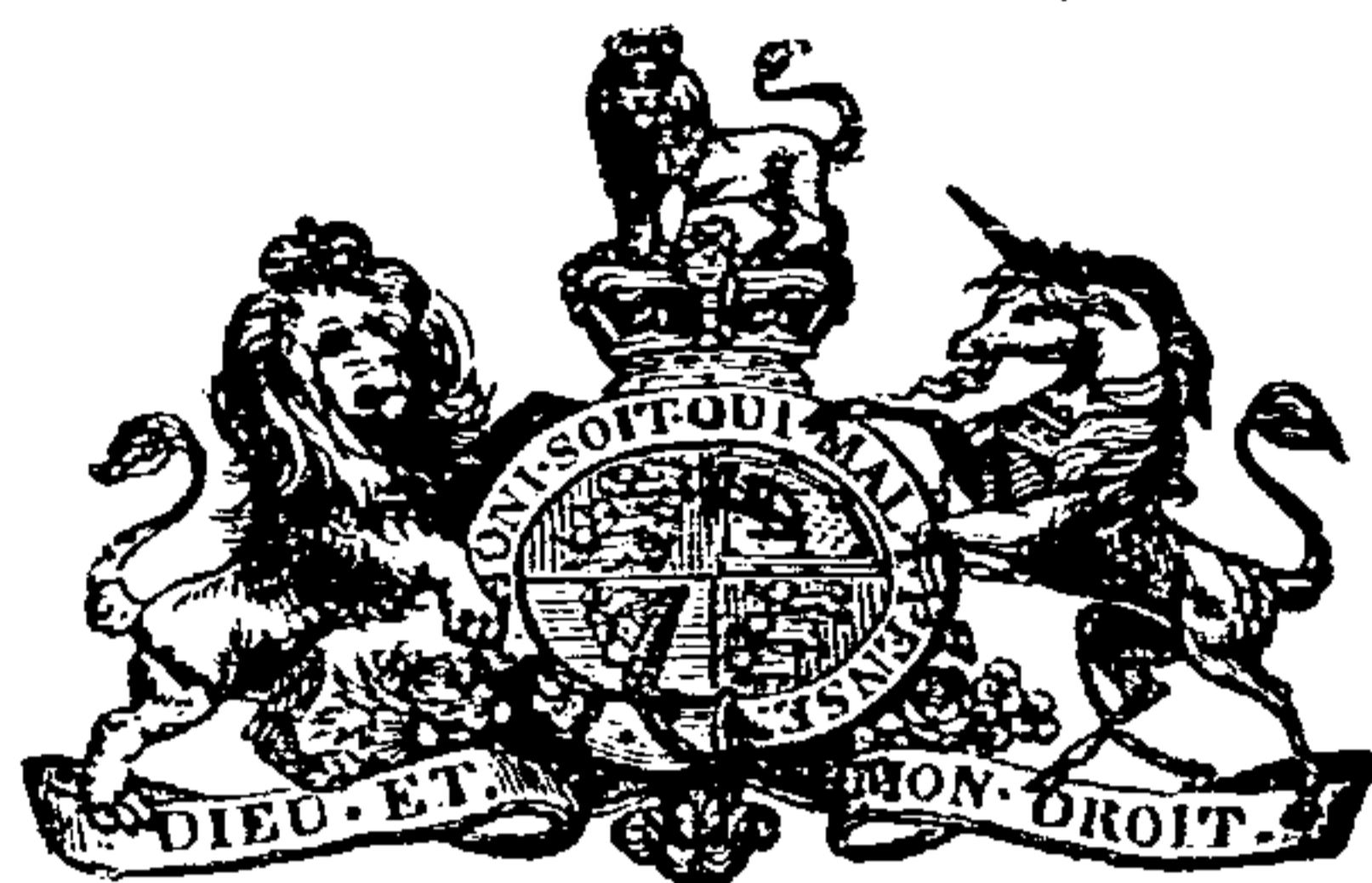


[53 & 54 VICT.] *North Sea Fisheries (East Lincolnshire) Harbour and Dock Act, 1890.* [Ch. cxxvi.]



CHAPTER cxxvi.

An Act to revive and extend the powers for the purchase of Lands and also to extend the time for the completion of the Harbour and Dock authorised by the North Sea Fisheries (East Lincolnshire) Harbour and Dock Act 1884 and for other purposes. [25th July 1890.] A.D. 1890.

WHEREAS by the North Sea Fisheries (East Lincolnshire) Harbour and Dock Act 1884 (herein-after called "the Act of 1884") the North Sea Fisheries (East Lincolnshire) Harbour and Dock Company (herein-after called "the Company") were incorporated for the purpose of making and maintaining the tidal harbour dock and other works in connexion therewith in the said Act mentioned :

And whereas the powers of the Company for the compulsory purchase of lands for the purposes of the Act of 1884 have expired and it is expedient that the same be revived and extended and that the time limited by the said Act for constructing and completing the tidal harbour dock and other works thereby authorised should also be extended :

And whereas the North Sea Harbour Trust Limited (herein-after called "the Trust") have by arrangement with the Company purchased and contracted for the purchase of a considerable portion of the land required for the tidal harbour dock and works connected therewith and it is expedient that the Company and the Trust be authorised to make such agreements and arrangements as are herein-after expressed :

And whereas it is expedient to authorise agreements with the Sutton and Willoughby Railway Company and the Louth and East Coast Railway Company as herein-after provided for :

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

[Ch. cxxvi.] *North Sea Fisheries (East Lincolnshire) Harbour and Dock Act, 1890.* [53 & 54 VICT.]

A.D. 1890. 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) :—

Short title. 1. This Act may be cited as the North Sea Fisheries (East Lincolnshire) Harbour and Dock Act 1890.

Incorporation of Part II. of 26 & 27 Vict. c. 92. 2. Part II. (relating to extension of time) of the Railways Clauses Act 1863 so far as not expressly varied by this Act is incorporated with this Act and shall be read and apply as if the works authorised by the Act of 1884 were a railway.

Additional directors. 3. Whereas by the death of Richard Brooks and the resignation of John Pare and Herbert Walker three of the directors named in the Act of 1884 the number of the directors of the Company has been reduced below the minimum number prescribed by section 23 of that Act Therefore Samuel Robinson and George Henry Leane having consented to act are hereby appointed directors of the Company subject to the qualification prescribed by section 24 of the Act of 1884 and subject also to the provisions as to continuance in and retirement from office and election contained in section 26 of that Act.

Revival of powers and extension of time for compulsory purchase of lands. 4. The powers of the Company for the compulsory purchase of the lands delineated on the plans and described in the books of reference deposited for the purposes of the Act of 1884 are by this Act revived and may be exercised within but shall cease after the expiration of three years from the passing of this Act.

Extending period for completion of works. 5. The time limited by the Act of 1884 for the completion of the harbour dock and works by that Act authorised is hereby extended and enlarged until the expiration of five years from the nineteenth day of May one thousand eight hundred and ninety-one and on the expiration of such period the powers conferred on the Company by the Act of 1884 and this Act for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Restriction on taking houses of labouring class. 6. The Company shall not under the powers of the Act of 1884 as revived or extended by this Act purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December next before the passing of this Act or of

the Act of 1884 as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

A.D. 1890.

The expression "labouring class" in this section includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

7. Notwithstanding anything in the Harbours Docks and Piers Clauses Act 1847 the Company may from time to time grant leases of any land quay space or wharfage to the following railway companies who are hereby respectively empowered with the authority of three fourths of the votes of their shareholders present in person or by proxy at a general meeting specially convened for the purpose to accept such leases (that is to say) The Sutton and Willoughby Railway Company and the Louth and East Coast Railway Company or to either of the said companies for purposes incidental to the business of the harbour dock and works of the Company and the Company may also agree with any company accepting any such lease (which company is in this Act referred to as "the lessees") for providing for their use during the lease of such railway standing room sidings tips staiths hoists hydraulic machinery and other accommodation and conveniences as may be requisite or convenient for the purpose of the trade or business to be carried on by the lessees on the premises comprised in any such lease and the lessees may apply any part of their revenue to the payment of the rent reserved by such lease and they may also apply any part of their funds to the costs which they may from time to time incur in performing fulfilling and observing the covenants and conditions contained in such lease and on their part to be performed fulfilled and observed.

Company may grant leases to certain railway companies.

8. Every such lease as is mentioned in the preceding section shall be made without fine and may be made with and subject to such exceptions reservations yearly or other rents or payments covenants conditions powers and provisions whatsoever as the parties thereto mutually agree on Provided always that by every such lease due provision shall be made for securing the payment of the rent and the performance and observance by the lessees of the covenants and conditions in and by the same respectively reserved and contained and on their part to be respectively paid performed fulfilled and

Terms and conditions of leases.

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A.D. 1890. — observed Provided also that a duplicate or counterpart of every such lease shall be executed by the lessees therein named and be delivered to the Company.

Railway companies may make annual payments or allowances.

9. The Sutton and Willoughby Railway Company and the Louth and East Coast Railway Company or either of those companies may from time to time either before or after the completion and opening of the harbour and dock agree to pay or allow to the Company such annual rents or sums by way of rebate or otherwise out of the tolls rates and charges in respect of traffic passing over their railways to and from the harbour and dock as they may respectively think reasonable.

Agreements with North Sea Harbour Trust.

10. The Company may enter into and carry into effect agreements and arrangements with the Trust with respect to the following matters viz. :—

The erection and setting up upon any lands of the Trust of hydraulic and other machinery rails sidings and other works and conveniences for the shipping and unshipping of minerals goods and merchandise ;

The construction of sheds warehouses and other buildings in the neighbourhood of the Company's dock or works ;

The terms and conditions upon which any such machinery rails sidings or other conveniences shall be provided or sheds warehouses and other buildings erected.

Company not bound to sell lands demised.

11. Anything in the Lands Clauses Consolidation Act 1845 to the contrary notwithstanding the Company shall not be bound to sell or dispose of any lands which may be included in any lease made under the authority of this Act or the reversion thereof.

Survey of works by Board of Trade.

12. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Company on in over through or across tidal lands or tidal water or of the intended site of any such work the Company shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Company.

Abatement of work abandoned or decayed.

13. If a work constructed by the Company on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Company and the amount of such expense shall

be a debt due from the Company to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Company. A.D. 1890.

14. In case of injury to or destruction or decay of the pier or works or any part thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to the said Corporation for directions as to the means to be taken and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken. Provision against danger to navigation.

15. Nothing herein contained shall exempt the Company or the harbour dock and works by the Act of 1884 authorised from the provisions of any present or future general Act relating to harbours docks or piers or to dues on shipping or on goods carried in ships or to pilotage or to lights buoys and beacons or to the powers and privileges of the general lighthouse authorities. Company not exempt from provisions of general Acts relating to harbours.

16. All costs charges and expenses of and incident to the preparing applying for obtaining and passing of this Act or otherwise relating thereto shall be paid by the Company. Expenses of Act.

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