



ANNO SEXTO

VICTORIÆ REGINÆ.

Cap. xx.

An Act to enlarge the Powers of the *Ipswich Dock*
Commissioners. [9th May 1843.]

WHEREAS an Act was passed in the First Year of the
Reign of Her present Majesty, intituled *An Act to amend* 7 W. 4. &
an Act of the Forty-fifth Year of the Reign of King George 1 Vict. c. 74.
the Third, for improving and rendering more commodious the Port
of Ipswich, and for constructing a Wet Dock there: And whereas
another Act was passed in the Fourth and Fifth Years of the Reign
of Her present Majesty, intituled *An Act to enable the Ipswich Dock* 4 & 5 Vict.
Commissioners to raise a further Sum of Money: And whereas by the c. 52.
first of the said recited Acts the *Ipswich Dock Commissioners* were
empowered to raise, on the Credit of the Rates and Duties thereby
imposed, any Sum not exceeding Seventy thousand Pounds; and by
the second of the said Acts the said Commissioners were authorized
to raise, on the Credit of the said Rates and Duties, a further Sum
of Twenty thousand Pounds, and also to take up at Interest any
further Sum of Money on the Credit of the Real and Personal
Property of the said Commissioners: And whereas the said Commis-
sioners have raised the said Two several Sums of Seventy thousand
Pounds and Twenty thousand Pounds, and have expended the same
in and about the Construction of the Docks and other Works autho-
rized by the said first-recited Act; but, in order to complete and
maintain the same, it is necessary that the said Commissioners should
[Local.] 5 U be

Extending
Provisions of
former Acts.

be empowered to raise a further Sum of Money: And whereas it is essential for such Purpose that the Duties granted by the said first-recited Act on Coals brought into and landed within the Port and Harbour of *Ipswich* should be increased; and it is also expedient that some of the Provisions of the said first-recited Act should be amended; but such Objects 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, That all the Powers and Provisions contained in the said recited Acts, so far as the same are now unrepealed, and except such of them as are by this Act altered or otherwise provided for, shall extend to this Act, and to the Purposes of this Act, as fully and effectually as if the same Powers and Provisions were repeated in this Act in reference to such Purposes.

Power to
impose an
additional
Duty on
Coals.

II. And be it enacted, That from and after the passing of this Act there shall be paid to the Commissioners acting under the said recited Acts and this Act, or to their Collector, or to such Person or Persons as they shall from Time to Time appoint to collect and receive the same, in addition to the Rates and Duties authorized to be raised under the said first-recited Act, the Duty or Sum of Sixpence for every Ton Weight of Coals, Coke, or Cinders, and so on in proportion for any less Quantity imported within the River *Orwell*, or Town of *Ipswich*, or otherwise brought or delivered within the Limits of the said first-recited Act; which said additional Duty shall and may be collected, recovered, applied, and accounted for in the same Manner as the Duties granted by the said first-recited Act are thereby authorized and directed to be collected and recovered, applied and accounted for.

Account of
such Duties
to be kept.
Power to
raise an ad-
ditional Sum
of Money
on the Credit
of the addi-
tional Duty.

III. And be it enacted, That a separate Account shall be kept by the said Commissioners of the Monies collected or received by them in respect of the said additional Duty; and it shall be lawful for the said Commissioners, or any Ten or more of them, from Time to Time to borrow and take up at Interest, on the Credit of such additional Duty, any Sum or Sums of Money which they may deem expedient, not exceeding in the whole the Sum of Twenty thousand Pounds, in addition to the Sums which they are authorized to raise by the said recited Acts, and by Deed under their Hands and Seals, or under the Hands and Seals of any Five of them, to assign the said additional Duty as a Security for such Sum and Interest thereon, in the Manner and Form, as nearly as may be applicable, prescribed by the said first-recited Act with regard to the Assignment of the Rates and Duties thereby authorized to be raised, to the Person or to the several Persons who may advance any Sum of Money on the Credit thereof.

Mortgages
and Transfers
of Mortgages
to be by
Deed duly
stamped.

IV. Provided always, and be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Mortgage, Bond, or other Security to be granted or made by virtue of this or the said recited Acts, or any of them, shall be by
Deed

Deed duly stamped, wherein the Consideration for the same shall be truly stated, any thing herein or in the said recited Acts contained to the contrary notwithstanding.

V. And be it enacted, That the Twenty thousand Pounds to be raised by virtue of this Act shall be laid out and applied, in the first place, in Payment of the Costs and Expences attending the passing of this Act, and in the next place towards the Completion of the Dock and Works by the said first-recited Act authorized to be made.

Application of Money to be raised.

VI. And be it enacted, That the Money arising from the Duty hereby imposed shall be applied in the first instance in Discharge of the Interest of the said Sum of Twenty thousand Pounds to be borrowed under the Authority of this Act.

Application of Monies from additional Duties.

VII. And be it enacted, That, notwithstanding any thing in the said recited Acts or either of them contained or implied to the contrary, all Contracts, Conveyances, and Assurances made by and under the Authority of the said Commissioners shall be valid and effectual if signed by any Five or more of the said Commissioners; and all such Conveyances of any Lands, Tenements, or Hereditaments, or any Estate, Term, or Interest therein, which may be sold by the said Commissioners, under the Provisions of the said recited Acts or this Act, may be made in the Form or to the Effect following; (that is to say,)

Empowering Five or more Commissioners to execute Conveyances of Lands, &c. not wanted.

‘ WE of the Commissioners acting in or under the Authority of an Act passed in the First Year of the Reign of Queen *Victoria*, intituled *An Act to amend an Act of the Forty-fifth Year of the Reign of King George the Third, for improving and rendering more commodious the Port of Ipswich, and for constructing a Wet Dock there*, in consideration of the Sum of £ of lawful Money paid to the Treasurer of the said Commissioners by of [here set forth the Name and Quality of the Purchaser], do hereby grant and convey [or grant and assign, as the Case may be,] unto the said his [her or their, as the Case may be,] Heirs and Assigns [or Executors, Administrators, and Assigns, according to the Nature of the Estate], all [here describe the Premises to be conveyed], and all our Right, Title, and Interest of, in, and to the same, to hold the same unto the said his [or her and their, as the Case may be,] Heirs and Assigns for ever [or Executors, Administrators, and Assigns, as the Case may be], from henceforth, for and during all the Estate, Term, and Interest of the said Commissioners of, in, to, and out of the said Premises so granted and assigned. In witness whereof we have hereunto set our Hands and Seals, this Day of in the Year of our Lord Eighteen hundred and .’

Form of Conveyance.

And every such Conveyance shall be sufficient in Law to vest the Property of and in any such Lands, Tenements, or Hereditaments, Estate, Term, and Interest thereby expressed to be conveyed, in the Person or Persons who shall purchase the same, and in his, her, or their Heirs, Executors, Administrators, and Assigns respectively.

VIII. And

Repealing
Clause as to
Limitation of
Actions.

VIII. And whereas it was by the said first-recited Act enacted, that no Action at Law should be commenced against any Person or Persons for any thing done or to be done by virtue of the said Act until after Fourteen Days Notice thereof should have been given or left at the usual Place of Abode of the Person or Persons against whom such Action was intended to be brought, thereby setting forth the particular Cause of such Action, nor after Tender of sufficient Amends had been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed or Cause of such Action should have arisen; and in every such Action the Venue should be laid in the said Town and Borough of *Ipswich* in the County of *Suffolk*, and not elsewhere, and should not be changed, and the Defendant or Defendants in every such Action should or might plead the General Issue, and give the said Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done by virtue and under the Authority of the said Act; and if upon the Trial of such Action it should appear to have been so done, or that such Action should be brought before the Expiration of Fourteen Days next after such Notice given or left as aforesaid, or after sufficient Tender of Amends should have been made to the Party or Parties aggrieved, or after the End of Three Calendar Months next after the Fact committed or Cause of such Action should have arisen, or if the Venue of such Action should be laid otherwise than as aforesaid, then and in every of the said Cases the Jury on the Trial of such Action or Actions should find a Verdict for the Defendant or Defendants therein; and in all such Cases wherein a Verdict for the Defendant or Defendants in any such Action, or the Plaintiff or Plaintiffs therein should discontinue the same after the Defendant or Defendants should have appeared thereto, or should be nonsuited, or if upon Demurrer Judgment should be given against such Plaintiff or Plaintiffs therein, then and in every such Case the Defendant or Defendants in such Action should have Treble Costs, and should have the like Remedy for recovering the same as Defendants have for recovering their Costs in any other Case by Law: And whereas it is expedient that the said recited Enactment should be repealed; be it therefore enacted, That the same shall be and the same is hereby accordingly repealed.

Public Act.

IX. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such.

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