



ANNO NONO & DECIMO

# VICTORIÆ REGINÆ.

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## *Cap. ccclxxxiii.*

An Act for constructing Docks at *Millbay (Plymouth)*,  
to be called the *Plymouth Great Western Docks*.  
[18th August 1846.]

**W**HEREAS the Construction of Docks at *Millbay, Plymouth*, in the County of *Devon*, would be of great public Advantage: And whereas the Persons herein-after mentioned, with others, are willing at their own Expence to carry such Undertaking into execution, if authorized by Parliament so to do: And whereas Two Acts were passed in the last Session of Parliament, called respectively "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845:" 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 the Provisions of the Companies Clauses Consolidation Act, 1845, and of the Lands Clauses Consolidation Act, 1845, so far as the same are not inconsistent with the Provisions herein-after contained, shall be incorporated with and form Part of this Act.

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this Act.

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II. And

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and Pleadings, it shall be sufficient to use the Expression "The *Plymouth Great Western Dock Act*, 1846."

Interpretation of Act.

III. And be it enacted, That in construing this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Docks" in the Plural shall include the Dock as herein-after defined, and the outer Harbour as herein-after defined:

The Expression "the Dock" shall include and mean all Docks, Basins, and other inclosed Places for the Reception of Vessels, made or constructed under the Authority of this Act:

The Expression "the outer Harbour" shall mean such Part of the Harbour of *Millbay* in the Port of *Plymouth* as lies to the Northward of a Line drawn across the Entrance to the said Harbour, in extension of the Line of the Southern Face of the *Millbay* Pier, to the opposite Shore in the Parish of *East Stonehouse*, and to the Southward of any Embankment to be made under the Powers of this Act, for the Purpose of enclosing the Dock or Basin to be formed in the said Bay:

The Word "Vessel" shall include Ship, Lighter, Steamer, Barge, Boat, or other Vessel whatsoever:

The Word "Quay" shall include all Wharfs, Piers, Embankments, Jetties, Landing Places, and other like Works belonging to or constructed by the Company under the Powers of this Act, as well as the *Millbay* Pier, in the event of the same being purchased by the Company:

The Word "Goods" shall mean and include the several Animals and Things on or in respect of which Tolls or Dues are hereafter imposed:

The Word "Dues" shall mean and include all Duties, Tolls, Rates, and Dues by this Act imposed:

The Word "Dockmaster" shall mean and include any Harbour Master for the Time being appointed by the Company in pursuance of this Act, as well as the Pier Master appointed under the Powers of the *Millbay* Pier Act, in the event of the *Millbay* Pier being purchased by the Company.

Subscribers incorporated.

IV. And be it enacted, That *Alexander Beattie, William Harson Bayly, Frederick Pratt Barlow, Deeble Boger, Erving Clark, David Derry, Thomas Gill, Christopher Harris, George Leach, Robert M'Calmont, Joseph Read, Charles Russell, John Rundle, George William Soltau, and Adolphus Slade*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors or Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Docks and other Works herein-after described, with proper Conveniences belonging thereto, according to the Provisions of the said recited Acts and of this Act, and for other Purposes herein and in the said recited Acts contained;

tained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Plymouth Great Western Dock Company*," and by that Name shall have Power to purchase and hold Lands for the Purposes of the Undertakings, within the Restrictions herein and in the recited Acts contained.

V. And be it enacted, That the Capital of the Company shall be Capital. Ninety thousand Pounds.

VI. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Four thousand five hundred, and the Amount of each Share shall be Twenty Pounds. Number and Amount of Shares.

VII. And be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and that Two Months at least shall intervene between the making of successive Calls. Calls.

VIII. And be it enacted, That, notwithstanding any thing in this and the said recited Acts contained or implied to the contrary, it shall be lawful for the Directors of the Company to pay and allow Interest after the Rate of Four Pounds *per Centum per Annum* on the Deposits, and on all Calls paid in respect of the Capital hereby authorized to be raised, from the Date of the Payment thereof until the Completion of the Works hereby authorized: Provided that no Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear, in respect of such Share, or of any other Share held by the same Proprietor, while such Call shall remain unpaid. Interest to be paid on Calls till Railway completed.

IX. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act. First Ordinary Meeting.

X. And be it enacted, That the Quorum of every General Meeting of Shareholders shall be Ten Shareholders holding in the aggregate Five hundred Shares. Quorum of Meetings.

XI. And be it enacted, That every Shareholder shall be entitled to One Vote in respect of every Share held by him. Votes.

XII. And be it enacted, That after the whole of the said Sum of Ninety thousand Pounds shall have been subscribed, and One Half thereof actually paid up, it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Thirty thousand Pounds. Power to borrow Money on Mortgage.

XIII. And be it enacted, That the Number of Directors shall be Twelve, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking. Number and Qualification of Directors.

XIV. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Sixteen, and that the reduced Number be not less than Eight. Power to vary the Number of Directors.

XV. And

First Directors.

XV. And be it enacted, That *Charles Russell, Frederick Pratt Barlow, Christopher Harris, Deeble Boger, Joseph Read, Thomas Gill, John Rundle, David Derry, Robert M'Calmont, Alexander Beattie,* and *James Matheson,* shall be the first Directors of the Company.

Quorum of Directors.

XVI. And be it enacted, That the Quorum of a Meeting of Directors shall be Three.

Newspaper for Insertion of Advertisements.

XVII. And be it enacted, That the Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published or usually circulating in the County of *Devon.*

Company to take Lands delineated on deposited Plans.

XVIII. And whereas a Plan describing the Site of the said proposed Docks, and the Lands which may be required to be taken for the Purposes thereof, together with Books of Reference to such Plan containing the Names of the reputed Owners, Lessees, and Occupiers of the said Lands, have been deposited with the Clerk of the Peace for the County of *Devon*; be it enacted, That it shall be lawful for the said Company to enter upon, purchase, take, and use such of the Lands delineated on the said Plan, and referred to in the said Book of Reference, as they may require for the Purposes of the Docks by this Act authorized.

Company to construct Docks according to deposited Plans.

XIX. And be it enacted, That it shall be lawful for the Company, upon the Lands described in the Plan and Book of Reference deposited as aforesaid, and according to the Provisions herein contained, to lay out, build, make, alter, repair, and maintain such Docks, Basins, and Cuts, and such Entrances to the same, and such Warehouses, Quays, Wharfs, Bridges, Approaches, and other Works for the Purposes of the same, as they may deem expedient.

Shareholders to consent before certain Powers are exercised.

XX. And be it enacted, That before it shall be lawful to put in force any of the Powers of this Act in relation to the compulsory taking of Land for the Purposes of this Act, or in relation to any Expenditure of Money for the Construction of such Docks and Works as are hereby authorized to be made, the whole of the Sum herein-before expressed as constituting the Capital of the said Company shall be subscribed under Contract, binding the Parties thereto, their Heirs, Executors, and Administrators, for the Payment of the several Sums by them respectively subscribed; and it shall be further necessary that Three Fourths of the Shareholders in Value, holding together Shares equal to Three Fourths of the whole Capital of the Company, such Shareholders being the Persons defined as Shareholders by the said Companies Clauses Consolidation Act, 1845, and also Three Fourths in Number of such of the Shareholders as signed the Subscription Contract for the Undertaking which is the Object of this Act, deposited in the Private Bill Office, and shall appear to remain Shareholders in the Undertaking by the Entries in the Register of Shareholders as authenticated at the last Ordinary Meeting of the Company preceding the Meeting herein-after mentioned as to be called for the Purpose herein-after expressed, shall by some Writing under their  
Hands,

Hands, to be signed at or after some Meeting of the Company called for the Purpose, have expressed their Consent to such Powers as aforesaid being put in force; and it shall be further necessary, before such Powers shall be lawfully put in force, that at least Ten Pounds *per Cent.* on the whole Capital of the Company shall have been actually paid up; and no Shareholder shall be considered a Shareholder within the Meaning of the foregoing Clause, requiring Consent as aforesaid, who shall not previously have paid Ten Pounds *per Cent.* on the Shares held by him in the said Company.

Certain Proportion of Capital to be paid before Exercise of Powers.

XXI. And be it enacted, That it shall be lawful for the said Company to deepen the Beach and Bed of the said Harbour of *Millbay*, and to fix and place such Buoys, Moorings, and other Contrivances therein, for the Accommodation of Vessels resorting thereto, as may in their Judgment be necessary.

Power to deepen Bed of Millbay.

XXII. Provided always, and be it enacted, That it shall not be lawful for the Company, or any Person acting under their Authority or on their Behalf, to make, construct, or carry on any Work below the Line of High-water Mark at ordinary Spring Tides, 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.

Works constructed below High water Mark to be approved of by the Admiralty.

XXIII. And be it enacted, That it shall be lawful for the said Company to divert and otherwise alter any public Drains, Sewers, and Watercourses in the Parishes of *Saint Andrew, Plymouth, and East Stonehouse*, or either of them, near to the said Harbour of *Millbay*, and now entering the same, or the Contents whereof are discharged therein, and to extend and conduct such Drains, Sewers, and Watercourses into any other Part of the said Harbour.

Power to alter or divert Sewers.

XXIV. And whereas the said proposed Docks would be situated near to a Pier entitled *Millbay Pier*, which might be advantageously held and used, and the Powers of the Act relating thereto exercised, by the Company hereby incorporated, in connexion with the said proposed Docks; be it therefore enacted, That it shall be lawful for the said Company to purchase, and for the Proprietor or Proprietors for the Time being of the said *Millbay Pier* to sell and transfer to them, the said Pier, with all or any of the Lands, Buildings, Works, and Conveniences connected therewith, and all or any of the Powers, Rights, and Privileges conferred on or enjoyed by such Proprietor or Proprietors by the Act relating to the said Pier passed in the Third and Fourth Years of the Reign of Her present Majesty, either for a Sum in gross or subject to an annual Rent-charge; and it shall be lawful for the said Company, in the event of such Purchase, to use, exercise, and enjoy all the Powers, Rights, and Privileges of such Proprietor or Proprietors, in relation to the said Pier, which may be transferred to them by virtue thereof.

Power to purchase Millbay Pier.

So much of Millbay Pier Act as restricts the Extension repealed, and Company may, with Consent of Admiralty, construct the Pier.

XXV. And be it enacted, That so much of the said Act relating to the said Pier as restricts the Extension thereof to the Westward shall, in the event of the Sale thereof to the said Company, be and the same is accordingly hereby repealed; and it shall be lawful for the said Company, with the Consent of the said Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified as aforesaid, but not otherwise, to construct the said Pier to the Extent shown on the Plans deposited as aforesaid.

Works not to be made on Land belonging to the Board of Ordnance without Consent.

XXVI. Provided further, and be it enacted, That it shall not be lawful for the Company, or any Person acting under their Authority, to erect or construct any Building or Work upon any Land which at the Time of the passing of this Act shall be vested in the Master General and Board of Ordnance, without the Sanction and Consent of the said Master General and Board.

Lands of the Duchy of Cornwall not to be taken without Consent.

XXVII. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to 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 the Duchy of *Cornwall*, without the Consent in Writing of Two or more of the principal Officers of the said Duchy, and which Consent such principal Officers or any Two of them are hereby authorized and empowered to give, or, belonging to the Duke of *Cornwall* for the Time being, without the Consent of the said Duke, testified in Writing under the Privy Seal of the said Duke, first had and obtained for that Purpose, 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 or Successors, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being.

Company may enter into an Agreement with the Duke of Cornwall as to the Use of the Tamar.

XXVIII. And be it enacted, That it shall be lawful for the Council of His Royal Highness the Duke of *Cornwall* to enter into an Agreement with the Company for authorizing the Company to take and use so much of the Water of the *Tamar*, Parcel of the Possessions of the Duchy of *Cornwall*, as shall be required for the Purposes of this Act, upon the Terms and Conditions herein-after mentioned; (that is to say,) that the Company shall pay to His said Royal Highness, His Heirs and Successors, an annual Sum by way of Acknowledgment of not less than Five Pounds during the Term of Three Years from the passing of this Act; that His said Royal Highness, His Heirs and Successors, shall be entitled, out of the Dividends which from Time to Time shall become payable upon the Capital of the Company, to a Sum equivalent to the Dividend payable on a Portion of not less than Two thousand Pounds of such Capital, and if in any Year after the Expiration of Three Years from the passing of this Act such Sum shall, together with the Amount of the annual Rent payable to His said Royal Highness, His Heirs or Successors, by the said *Thomas Gill*, his Heirs or Assigns, under the Provisions of an Act of Parliament passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for erecting and maintaining a Pier*

a Pier and other Works in Mill Bay in the Port of Plymouth in the County of Devon, be less than the Sum of Fifty Pounds, then to such further Sum of Money as shall be requisite to make up the full Amount of Fifty Pounds; that His said Royal Highness, His Heirs and Successors, shall from Time to Time be entitled to One Fourth Part of the net Profits of the Undertaking, after dividing amongst the Shareholders Interest at the Rate of Five *per Cent. per Annum* upon the Amount of Capital for the Time being actually paid up from the Date of the Subscription thereof; and that the Company shall, on or before the Thirty-first Day of *January* in every Year, transmit to the Auditor or Keeper of the Records for the Time being of the Duchy of *Cornwall*, free of Expence, a Copy of the Abstract or Account herein-after directed to be transmitted to the Clerk of the Peace for the County of *Devon*, or upon such other Terms and Conditions as the Council of His Royal Highness shall consider expedient and proper.

XXIX. Provided always, and be it enacted, That, except as herein-before is mentioned, nothing in this Act or in the Acts incorporated herewith, or either of them, contained, shall extend to abridge, lessen, or abrogate any of the Powers or Authorities by Law vested in the Council of His Royal Highness the Duke of *Cornwall*, in relation to the Lands or Possessions of the Duchy of *Cornwall*.

Powers of the Council in relation to the Duchy not to be lessened.

XXX. Provided always, and be it enacted, That nothing in this Act contained or done under the Authority thereof shall extend or be construed to prejudice the existing Rights, Interests, or Claims of His Royal Highness, or those of His Heirs or Successors, or of any Landowner or Lord of any Manor whose Property adjoins to the said Water or its Members, or of any other Person or Persons who may claim an Interest therein, save as is herein expressly provided; nor shall any thing so contained or done be hereafter used, admitted, or available as Evidence in any Court or upon any Occasion, either against or in favour of such Right, Interest, or Claim, but all such Rights, Interests, and Claims, save as aforesaid, shall be and remain in the same force as if this Act had not been passed.

Saving the Rights of the Duke of Cornwall.

XXXI. And whereas *Richard Derry, David Derry, and James Meadows Rendel*, Esquires, are or claim to be the Owners of certain Docks and Premises known by the Name of the *Union Docks*, situate at the Head of *Millbay* in the Parish of *Saint Andrew, Plymouth*, and they are apprehensive that their said Property may be injuriously affected by the Construction of the proposed Docks and other Works by this Act authorized; be it therefore enacted, That the said *Richard Derry, David Derry, and James Meadows Rendel*, their Heirs and Assigns, shall have and be entitled to the full Benefit of the Clauses and Provisions contained in the Lands Clauses Consolidation Act herein-before recited with reference to Compensation in respect of any Injury which may be done or occasioned to their said Property by the Construction of the Works hereby authorized, in like Manner as they would have been entitled in respect of the taking or using of their said Property, in case the same had been taken or used for the Purpose of the said Works.

For Protection of Union Docks Company.

XXXII. And

Company to erect such Marks to define their Limits as shall be approved by the Admiralty.

XXXII. And be it enacted, That the Company shall erect Two good and sufficient Marks which, being brought in One Line, shall mark the said Company's Limits, one of such Marks to be erected at the Point Thirty Yards West of the Entrance to the proposed Dock, and the other at as great a Distance from it as the Limits of the Dock Company's Premises will allow, in the Prolongation of a Line joining the Extremity of *Millbay* Pier and the said first-mentioned Mark, both of which Marks shall be erected to the Satisfaction of the Lord High Admiral, or of the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty.

Power to demand Dock Dues as specified in Schedule (A.)

XXXIII. And be it enacted, That as soon as the said Dock or any Part thereof shall have been completed and fit for the Reception of Vessels, of which a Certificate by the Court of Quarter Sessions of the Peace for the said Borough of *Plymouth* shall be sufficient Evidence, it shall be lawful for the said Company to demand and receive for and in respect of every Vessel entering the said Dock, and for and in respect of all Goods whatsoever which shall be imported into or exported from the same, the several Dues particularized in the Second Column of the Schedule (A.) to this Act annexed; and so soon as the said Company shall have purchased the said *Millbay* Pier it shall be lawful for the said Company to demand and receive for and in respect of every Vessel which shall come within that Part of the outer Harbour which lies East of a Line drawn from the End of the said *Millbay* Pier to a Point Thirty Yards West of the Entrance to the proposed Dock, and in respect of all Goods imported into or exported from the same Part of the said outer Harbour, the several Dues particularized in the first Column of the said Schedule (A.) hereunto annexed.

Dues for Vessels entering for Shelter.

XXXIV. And be it enacted, That all Vessels which shall come within the aforesaid Part of the outer Harbour which lies East of the said Line drawn from the End of the existing *Millbay* Pier to a Point Thirty Yards West of the Entrance to the proposed Dock for Shelter only, and not for loading or unloading, but which shall not come into the said Dock, shall pay Dues not exceeding Two-pence *per* Ton for every Ton Register of such Vessels, in lieu of any other Dues, but such Vessels shall not pay any Dues for coming into any other Part of the said outer Harbour for Shelter only.

As to the Ascertainment of the Tonnage of Vessels.

XXXV. And be it enacted, That the Tonnage of every *British* Vessel liable to the Payment of any Tonnage Rate under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register; and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement established by Law.

Tolls on Passengers.

XXXVI. And be it enacted, That the Company may demand and take for and in respect of all Passengers who shall land on or embark from any Quay or other Works belonging to the Company the Tolls particularized in the Schedule (B.) to this Act annexed.

XXXVII. And



XXXVII. And be it enacted, That the Company may demand and take for any Water supplied by the Company to or for any Vessels the Dues particularized in the Schedule (C.) to this Act annexed. Dues for Water.

XXXVIII. And be it enacted, That it shall be lawful for the Company to demand and take, for the Use of any Warehouses, Wharfs, Cranes, and Weighing Machines erected by the Company, of and from the Owner or Person having the Charge of any Goods, Articles, or Things deposited therein, or loaded or unloaded, weighed or measured by means thereof, such reasonable Dues as the Company shall from Time to Time appoint. Dues for Wharfs, Cranes, and Weighing Machines.

XXXIX. And whereas *George Leach, James Yonge, and William Hole Evens*, Esquires, and *Nathaniel Staniford and Peter Simons*, are respectively the Lessees of certain Houses, Wharfs, and Landing and Shipping Places adjoining the Site of the said proposed Docks and Works, and they have now severally free Access to the same Wharfs, Landing and Shipping Places, through and over the Waters of the said Harbour of *Millbay*; be it therefore enacted, That the said *George Leach, James Yonge, and William Hole Evens, Nathaniel Staniford, and Peter Simons*, or their Lessees, Tenants, or Occupiers of the said Wharfs, Landing or Shipping Places, shall not be liable to pay any Tolls or Dues for or in respect of the Vessels resorting to or making use of the said Wharfs, Landing or Shipping Places, or for the Cargoes of any such Vessels, until the said Docks shall be inclosed, and the Depth of Water at the said Wharfs, Landing and Shipping Places respectively, and the Access thereto from the other Parts of the said Dock made equal to the average Depth of Water at the other Quays within the said Dock, so far as the Depth of Water at the said Wharfs, Landing and Shipping Places, can be increased without Detriment to the Security of the Foundations thereof. For Protection of Mr. Leach and others.

XL. And be it enacted, That the said several Lessees, Owners, and Occupiers, their respective Heirs, Executors, Administrators, and Assigns, shall, in respect of their said Wharfs, Landing and Shipping Places, and of any Injury which may be done thereto by the Construction of the said Docks and Works, be entitled to the full Benefit of the several Clauses and Provisions of the said herein-before recited Lands Clauses Consolidation Act: Provided always, that nothing herein contained shall be construed or held to prevent the said Company from exercising any Right by this Act conferred of taking or purchasing the said Wharfs, Landing and Shipping Places, or any of them. Mr. Leach and others to have Benefit of Provisions in 8 & 9 Vict. c. 18.

XLI. Provided always, and be it enacted, That when and as often as it may be expedient for the public Service that any Troops in the Service of Her Majesty, or any Guns, Ordnance, or Naval Stores belonging to Her Majesty, should be embarked or disembarked at the said Docks, all such Troops, together with their Arms, Horses, Baggage, and Equipments, and all such Guns, Ordnance, and Naval Stores, shall and may be embarked or disembarked accordingly, at any Dock, Pier, or Landing Place by this Act authorized to be constructed, and it shall not be lawful for the Company to demand or receive in respect Troops, &c. may be embarked or disembarked free of Rates.

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of such Embarkation or Disembarkation any of the Rates or Dues by this Act authorized to be levied and taken by them.

Officers and Men in the Service of Her Majesty may land at any of the Docks.

XLII. Provided also, and be it further enacted, That it shall be lawful for all Officers and Men serving on board and coming from any of Her Majesty's Ships, and all Military Officers in the Service of Her Majesty, and all Persons belonging to any public Department of the Realm, when engaged on actual Service, to land in Boats at any of the said Docks or Piers as often as Occasion shall require.

Rates on Foreign Vessels to be the same as on British Ships where Treaties exist with Foreign Countries.

XLIII. And be it enacted, That any Dues, Rates, or Charges chargeable by this Act upon Vessels not entitled to the Privileges of a *British* Ship, or upon Goods imported or exported in such Vessels, shall not be applicable to Vessels belonging to Countries with which Treaties of Reciprocity have been concluded or may hereafter be concluded, so long as such Treaties shall continue in force, nor to the Goods imported or exported therein, but the same Dues, Rates, or Charges shall be levied upon the Vessels of such Countries during such Period as aforesaid, and upon the Goods imported or exported therein, as may be from Time to Time payable by this Act upon Vessels entitled to the Privileges of *British* Ships, or upon Goods imported or exported in such Vessels.

Rates to be charged equally.

XLIV. And be it enacted, That the several Dues authorized to be taken by this Act shall at all Times be charged equally and after the same Rate in respect of the same Description of Vessel.

Master of Vessel to produce Certificate of Registry.

XLV. And be it enacted, That the Master or Commander of every registered Vessel shall on Demand produce the Certificate of the Registry of such Vessel to any Person authorized by the Company to collect the Dues in respect of such Vessel; and if any such Master or Commander shall refuse or neglect to produce such Certificate to any such Person, on Demand, he shall forfeit any Sum not exceeding Five Pounds.

Penalty.

Recovery of Rates by Distraint of Ship and Tackle.

XLVI. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Dues shall be payable to the Company shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the Company to collect such Dues to go on board of such Vessel and demand such Dues, and on Nonpayment thereof or any Part thereof to take and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Dues shall be paid, and in case any of the said Dues shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more sworn Appraisers, and afterwards to sell the Distress, and therewith to satisfy the Dues so unpaid, and all the Expences of taking, keeping appraising, and selling such Distress, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon Demand.

Recovery of Rates on Goods.

XLVII. And be it enacted, That if default be made in the Payment of any Dues payable under this Act in respect of any Goods, Articles,

Articles, or Things, it shall be lawful for the Person for the Time being appointed by the Company to collect such Dues to distrain any such Goods, Articles, or Things, or if the same shall be removed without the Limits of the Docks and Premises of the Company, to distrain any other Goods, Articles, or Things within the Limits of the Docks or Premises of the Company belonging to the Person liable to pay such Dues, and to sell any such Distress, and out of the Proceeds of such Sale to pay the Dues due to the Company, or it shall be lawful for the Company to recover such Dues by Action in any of the Superior Courts, provided that the Person collecting any such Dues shall, before making any such Distress as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods, Articles, or Things so distrained, and may retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Distress.

XLVIII. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Harbour, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry, or give any Docquet, Discharge, or Clearance, or to take any Report inwards or outwards, for any Vessel liable to the Dues imposed by this Act, until the Master or Commander of such Vessel shall produce to such Collector or Officer a Certificate, under the Hand of the Person appointed by the Company to collect such Dues, that the Dues payable under this Act in respect of such Vessel have been paid.

Collector of Customs may withhold a Discharge to any Vessel until Rates paid.

XLIX. And be it enacted, That if any Dispute shall arise concerning the Amount of any Dues due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to detain such Distress until the Amount of the Dues due, or the Charges of such Distress, as the Case may be, shall be ascertained by some Justice of the Peace, who, upon Application made to him for that Purpose, shall determine the Amount of the Dues due, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable, and such Costs, if not paid on Demand, shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Disputes concerning Rates and Distress to be settled by a Justice.

L. And be it enacted, That the Company shall from Time to Time cause to be painted on Boards in large and legible Characters, and affixed in the Front of the principal Office of Business of the Company, and on some conspicuous Part of the Quays of the said Docks, a List of the several Dues which shall be from Time to Time payable in respect of the said Docks, and no Dues shall be payable in respect of the said Docks during such Time as such Lists shall not continue so affixed, or for any Matter or Thing not specified in such List; provided always, that if any such List shall be destroyed, injured, or obliterated, the Dues shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such Lists, in the same Manner as if such Lists had continued affixed and in the State required by this Act.

List of Rates to be painted on Boards and set up in a conspicuous Place, &c.

LI. And be it enacted, That it shall be lawful for the Company from Time to Time to appoint such Dock Masters and Harbour Masters

Power to appoint Dock Masters.

Masters as they shall think necessary, and at Pleasure to remove such Dock Masters and Harbour Masters.

Powers of  
Dock  
Master.

LII. And be it enacted, That it shall be lawful for the Dock Master for the Time being to give Directions for all or any of the following Purposes ; (that is to say,)

For regulating the mooring, unmooring, placing, or removing within the said Docks, or at the Entrances thereof, of any Vessels entering into, lying in, or going out of the said Docks :

For regulating the Time and Manner of any Vessels coming into or going out of the said Docks, and of their Position while loading or discharging Cargoes therein :

For regulating the Manner in which any Vessels entering the said Docks shall be dismantled, for Safety of such Vessels, and for preventing Injury to other Vessels, and to the said Docks and Moorings :

For regulating the Quantity of Ballast or dead Weight in the Hold each Vessel shall have during the Delivery of her Cargo in the said Docks, or when discharged therein :

Provided always, that no Powers hereby given to the Dock Master or Dock Masters to be appointed by virtue of this Act shall be deemed and taken to authorize such Dock Master or Dock Masters to do any Act in any way repugnant to or interfering with any Law or Regulation of Customs.

Penalty on  
Dock Master  
exercising  
Powers un-  
reasonably.

LIII. And be it enacted, That in case any Dock Master appointed under this Act shall without reasonable Cause exercise any of the Powers or Authorities vested in him by this Act he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on  
Master not  
complying  
with Direc-  
tions of Dock  
Master.

LIV. And be it enacted, That the Master or Commander of every Vessel within the said Docks, or at the Entrances to the same, shall regulate such Vessel according to the Directions of the Dock Master for the Time being made in pursuance of this Act ; and every such Master or Commander who, after Notice of any such Direction signed by such Dock Master for the Time being shall have been served upon him, shall not regulate such Vessel according to the Direction aforesaid, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Dock Master  
may remove  
Vessels  
within Docks  
or within the  
Entrances.

LV. And be it enacted, That if any Master or Commander of any Vessel in the said Docks, or at the Entrances thereof, shall not moor, unmoor, place, or remove the same according to the Directions of the Dock Master for the Time being appointed under this Act, after Notice in Writing of such Directions signed by such Dock Master shall be served on him, or if there shall be no Person on board of any such Vessel, it shall be lawful for such Dock Master to cause such Vessel to be moored, unmoored, placed, or removed as he shall think fit, within the said Docks ; and the Expences attending the mooring, unmooring, placing, or removing of such Vessel shall be paid to the said Dock Master by the Master or Commander of the same.

LVI. And

LVI. And be it enacted, That if any Master or Commander or other Person on board of any Vessel which shall be moored or fastened within the said Docks, or at the Entrances to the same, shall not on Demand of the said Dock Master unloose or slacken the Rope or Chain by which such Vessel shall be fastened, or if there be no Person on board of any such Vessel so moored or fastened, it shall be lawful for the Dock Master to cut the Rope or slacken the Chain by which such Vessel shall be moored or fastened: Provided always, that before the Dock Master shall cut the Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened, he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel, and all Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Dock Master may cut Ropes or slacken Chains.

LVII. And be it enacted, That no Vessel shall enter any Dock belonging to the Company, except the same shall be dismantled as shall be directed by the Dock Master for the Time being appointed under this Act; and if any Vessel shall enter such Dock without being dismantled in the Manner required by such Dock Master, after Notice in Writing signed by such Dock Master shall have been served on the Master or Commander of such Vessel to dismantle the same in the Manner aforesaid, such Master or Commander shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Vessels entering Docks to be dismantled as Dock Master shall direct.

LVIII. And be it enacted, That every Vessel in the said Docks shall have substantial Hawser, Tow Lines, and Fasts fixed to the Dolphins, Moorings, Booms, Buoys, or Mooring Posts when required by the said Dock Master; and if any Vessel shall be in the said Docks without such substantial Hawser, Tow Lines, or Fasts fixed as aforesaid, after Notice in Writing from the said Dock Master to the Master or Commander of such Vessel to furnish or fix the same, such Master or Commander shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Vessels to have Hawsers, &c. fixed to Moorings.

LIX. And be it enacted, That it shall be lawful for the Dock Master for the Time being appointed under this Act to regulate the Equipment, Rigging, and Lading of any Vessel entering or departing from the said Docks unsafe for such Vessel, or likely to produce Injury to other Vessels or to the said Docks, it shall be lawful for him to give Notice in Writing signed by him to the Master or the Commander of such Ship to discontinue or alter the same; and if such Master or Commander shall not, according to such Notice, discontinue or alter such Act or Proceeding immediately after such Notice shall have been served on him or some Person on board the said Vessel, every such Master or Commander shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Dock Master to regulate Equipment, &c. of Vessels in Dock.

Penalty on Refusal.

LX. And be it enacted, That as soon as the said intended Docks are so far completed as to admit Ships to enter therein, no Vessel shall lie within the Entrances of the said Docks, unless for the Purpose of coming in or going out of the said Docks, so that at all Times the Entrances may be kept clear and without Obstruction.

No Vessel to lie within Entrance of Docks.

Penalty on suffering Vessels to remain within Entrance of Docks.

LXI. And be it enacted, That if the Master or Commander of any Vessel shall place any Vessel or suffer the same to remain within the Entrances of the said Docks, and shall not immediately on being required by the said Dock Master for the Time being remove such Vessel, every such Master or Commander so offending shall for every such Offence forfeit a Sum not exceeding Twenty Shillings for every Hour that such Vessel shall remain within the Entrance aforesaid, after a reasonable Time for removing the same shall have expired after the Service of such Notice.

Vessels to have their Sails lowered when entering and navigating Docks.

LXII. And be it enacted, That before any Vessel shall enter into any Dock belonging to the Company such Vessel shall have her Sails lowered or furled; and in case any Master or Commander of any Vessel shall navigate the same under sail into or in the said Docks, every such Master or other Person shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Delivery of Cargoes in Docks and placing of discharged Vessels.

LXIII. And be it enacted, That every Vessel having a Cargo on board thereof which shall go into the said Docks shall be discharged of her Cargo as soon as conveniently may be after entering therein, and after the Delivery of such Cargo such Vessel shall, without Loss of Time, be removed into such Part of the said Docks as shall be set apart for light Vessels, and the said Dock Master for the Time being shall cause to be removed all light Vessels accordingly; and if the Master or Commander of any such Vessel shall not remove the same into such Part of the said Docks as shall be set apart for light Vessels, within Twenty-four Hours after Notice in Writing, signed by the said Dock Master, shall have been served on him, then he shall forfeit a Sum not exceeding Twenty Pounds, and it shall be lawful for the said Dock Master to cause such Vessel to be removed into the Part of the said Docks set apart for light Vessels, and the Expences of removing the same shall be paid to such Dock Master by the Master or Commander of such Vessel.

Penalty for undue Preference of Wharfingers.

LXIV. And be it enacted, That if any Wharfinger or Servant of the Company shall give any undue Preference, or show any Partiality, in loading or unloading any Goods or other Things at any Wharf, Quay, House, Warehouse, Landing Place, Crane, or Machine belonging to the Company, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Power to lease Wharfs.

LXV. And be it enacted, That it shall be lawful for the Company to lease or grant the Use or Occupation of any Quays, Wharfs, Houses, Warehouses, Landing Places, Buildings, Cranes, Machines, or other Conveniences provided by them for the Purposes of this Act, at such Rents, Terms, and Conditions as shall be agreed upon between the Company and the Persons taking, using, or occupying the same.

Combustible Matters on Quays, &c. to be removed.

LXVI. And be it enacted, That if any Tar, Pitch, Rosin, Spirituous Liquors, Turpentine, Oil, or combustible Thing being on any Quay, Dock, or Wharf belonging to the Company, or on the Deck of any Vessel within the Limits of the said Docks, shall not be re-

moved from the Place where the same may be to a Place of Safety within Two Hours after Notice in Writing for that Purpose signed by the said Dock Master for the Time being shall have been served on the Owner or Person having the Charge of the same, every such Owner or Person shall for every such Offence forfeit a Sum not exceeding Twenty Pounds for every Hour such combustible Thing shall remain in any such Place as aforesaid after the Expiration of Two Hours from the Service of the same Notice. Penalty.

LXVII. And be it enacted, That if any such combustible Thing as aforesaid shall remain on any of the said Quays, Docks, or Works, or on the Deck of any Vessel within the Limits of the said Docks, after Daylight, the Owner or Person having Charge of the same, or in his Default the Company at the Expence of such Owner or Person, shall provide a sufficient Number of Persons to guard the same from One Hour before Sunset to One Hour after Sunrise; and such Expence, if not paid to the Company on Demand, shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is herein contained are by the Companies Clauses Consolidation Act directed to be ascertained and recovered. Combustibles to be guarded during the Night.

LXVIII. And be it enacted, That every Person who shall commit any of the following Offences shall be liable to a Penalty not exceeding Five Pounds; (that is to say,) Penalty on Persons committing any of the Offences herein named.

1. Every Person who shall boil or heat any Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter in any Vessel lying in the Limits of the said Docks or other Works, or in any Place within the said Docks or Works, except in such Place and in such Manner as shall be specially appointed by the Company for that Purpose :
2. Every Person who shall have or cause to be had any Fire or lighted Candle or Lamp in any Vessel within the Limits of the said Docks or Works, except with the Permission of the Company :
3. Every Person who shall have or cause to be had any Fire, Candle, or Lamp lighted within any of the said Docks, or the Works belonging to the same, except such Fires or lighted Candles or Lamps as shall be necessary to be used in repairing or improving the same, or at such Times as shall be permitted by the Bye Laws of the Company :
4. Every Person who shall have or cause to be had any Fire, Candle, or Lamp lighted within any of the said Warehouses, Storehouses, or Places for the Deposit of Goods, except at such Times and under such Regulations as shall be provided for by the Bye Laws of the Company :
5. Every Person who shall bring any loaded Gun on the Piers, Quays, or Works of the said Company, or into the said Docks or Works, or shall have or suffer to remain any loaded Gun in any Vessel in the said Docks :
6. Every Person who shall, without the Permission of the Company, bring or suffer to remain any Gunpowder on the Quays, Piers, or Works of the said Company, or within the said Docks, or in any Vessel within the said Docks.

LXIX. And

Penalty for  
throwing  
Ballast, &c.  
into Docks,  
&c.

LXIX. And be it enacted, That if any Person shall throw or put any Ballast, Earth, Dust, Ashes, Stones, or other Thing into any of the said Docks, or into or upon any of the said Works, to the Injury or Prejudice thereof, or do any other Injury to the same, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Penalty for  
wilfully  
cutting  
Ropes.

LXX. And be it enacted, That if any Person, other than the Dock Master in the Execution of the Powers of this Act, shall wilfully cut, break, or destroy any Rope or other Thing by which any Vessel lying in the Limits of the said Docks or Works shall be moored or fastened, he shall for every such Offence forfeit a Sum not exceeding Twenty Pounds.

Remedies  
for Damage  
to Quays,  
&c.

LXXI. And be it enacted, That every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber, through whose wilful Act or Negligence any Damage shall be done to the said Docks, or to the Quays, Piers, Wharfs, Machinery, or other Works or Property of the Company, by means of such Vessel or Float of Timber, shall pay for and repair all such Damage; and all such Damage, if the Amount claimed does not exceed Fifty Pounds, shall be ascertained and recovered in the same Manner as any Damages for the Recovery of which no special Provision is contained in this Act are by the said Companies Clauses Consolidation Act directed to be recovered; and, in addition to the Remedies hereby provided for the Recovery of the same, it shall be lawful for the Justice before whom the same is recovered to cause the Vessel or Float of Timber causing such Damage, and any Tackle or Furniture thereof, to be distrained and detained until the Amount of Damage and Costs awarded by him shall be paid; and if the same shall not be paid within Seven Days after the taking of such Distress, to cause the Property so distrained, or any Part thereof, to be sold, and out of the Proceeds of such Sale to pay the Amount of Damage and Costs awarded by such Justice, and all the Charges incurred by the Distress, Detention, and Sale of such Property.

Owners or  
Masters of  
Vessels  
answerable  
for Damage  
committed  
by Servants.

LXXII. And be it enacted, That the Owner or Master or Commander of every Vessel or Float of Timber shall be answerable to the Company for any Damage done by such Vessel or Float of Timber, or any Person employed about the same, to the said Docks, or any Quays, Piers, Wharfs, Machinery, or other Works or Property of the Company; and all such Damage, in case the Amount claimed in respect thereof shall not exceed Fifty Pounds, shall be ascertained by and be recovered before any Justice; and it shall be lawful for the Dock Master for the Time being appointed under this Act to detain any such Vessel until sufficient Security shall have been given for the Amount of the Damage done by the same, or by any Person employed therein.

Masters may  
recover  
Amount of  
Damage  
from Ser-  
vants.

LXXIII. And be it enacted, That if the Owner, Master, or Commander of any Vessel shall make Satisfaction for any such Damage as aforesaid done by any Person employed in such Vessel, the Person doing such Damage shall repay to the said Owner, Master, or Commander the Amount of the Damage so paid, together with the Costs (if any) incurred by him in respect of such Damage; and the Amount  
of



of such Damage, together with the Costs, shall, if such Damage does not exceed Fifty Pounds, be ascertained by and recovered before any Justice.

LXXIV. And be it enacted, That it shall be lawful for any Two or more Justices to appoint such Persons as shall be nominated for that Purpose by the Company to be Special Constables within the Limits of the Docks and Premises of the Company, and every Person so appointed shall be sworn in by any such Justice duly to execute the Office of a Constable within the Limits aforesaid, and when so sworn in shall have the same Powers, Protections, and Privileges within the Limits aforesaid, and shall be subject to the same Liabilities, as Constables have or are subject to by the Common Law of *England*.

Justices to appoint Constables within the Docks.

LXXV. And be it enacted, That it shall be lawful for any Two or more Justices to dismiss or suspend any such Constable for Neglect of Duty, and no Person so dismissed or suspended shall be re-appointed except with the Consent of Two Justices; and when any Person shall be so dismissed or suspended, all Powers vested in him as Constable shall cease.

Power for Justices to dismiss Constables.

LXXVI. And be it enacted, That any Person who shall assault or resist any Constable, or obstruct him in the Execution of any Duty which he is authorized by this Act to perform, or shall aid or incite any Person so to assault or resist, shall for every such Offence forfeit a Sum not exceeding Five Pounds, or, in the Discretion of the Justice before whom he is convicted, may be imprisoned for any Term not exceeding One Month.

Penalty for assaulting Constables in the Execution of their Duty.

LXXVII. And be it enacted, That any Person who shall obstruct or aid in obstructing any Constable or other Person having Instructions from the Company or their Dock Master from entering into or being in any Vessel within the said Docks, for the Purpose of searching for or extinguishing any Fire, Candles, or Light in or suspected to be in such Vessel, contrary to the Provisions of this Act or of any Bye Law made in pursuance thereof, or for the Purpose of discovering any Theft or Embezzlement suspected to have been committed therein, or of quelling any Disturbance, or for any Purpose authorized by this Act or any Bye Law made in pursuance thereof, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty for obstructing Constables from entering Vessels.

LXXVIII. And be it enacted, That it shall be lawful for the Company to appoint and license a sufficient Number of Persons to be Meters and Weighers in the said Docks, and to remove any such Persons at their Pleasure, and to make Regulations for their Government, and to fix reasonable Rates to be paid to such Meters and Weighers for weighing or measuring any Goods, Articles, or Things.

Power to appoint Meters and Weighers.

LXXIX. And be it enacted, That if any Person other than a Meter or Weigher licensed by the Company, or a Meter or Weigher appointed by the Commissioners of Her Majesty's Customs, shall weigh or measure any Goods, Articles, or Things shipped, unshipped, or delivered within the Limits of the said Docks, he shall forfeit for every

Penalty on other than a licensed Weigher or Meter, &c. weighing or measuring Goods.

every such Offence a Sum not exceeding Five Pounds, and the weighing or Measurement of any such Goods, Articles, or Things by any such Person shall be deemed illegal.

Penalty on Masters of Vessels, &c. employing others than licensed Meters and Weighers.

LXXX. And be it enacted, That if any Master or Commander of any Vessel importing or exporting, or any Owner, Consigner, Consignee, or Person having the Charge of any Goods, Articles, or Things requiring to be weighed or measured within the Limits of the said Docks, shall employ any Person other than a Weigher or Meter licensed by the Company, or appointed by the Commissioners of Her Majesty's Customs, to weigh or measure the same, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Power to Company to make Bye Laws for the Purposes herein named.

LXXXI. And be it enacted, That it shall be lawful for the Company from Time to Time to make such Bye Laws as they shall think fit, for all or any of the following Purposes: (that is to say,)

For governing or regulating the Use of the Piers, Quays, Docks, and other Works hereby authorized to be made:

For regulating the placing and removing of Vessels entering in, lying in, or going out of the said Docks, and for the good Order and Government of all such Vessels:

For regulating the Exercise of the several Powers hereby vested in the Dock Master to be appointed by the Company respectively:

For regulating the Admission of Vessels into the said Docks and Premises, and their Removal out of the same:

For regulating the shipping, unshipping, landing, warehousing, stowing, depositing, and removing of all Goods, Articles, or Things from, in, or on the Piers, Quays, Wharfs, Docks, or Warehouses of the Company:

For regulating, with the Consent of the Commissioners of Her Majesty's Customs, the Hours during which the Gates or Entrances to the said Docks, and the Premises belonging thereto, shall be open:

For regulating the Duties and Conduct of all Persons, as well the Servants of the Company as others, who shall be employed in the Quays, Docks, and Premises of the Company:

For regulating the Use of Fires, Candles, and Lamps within the said Docks, Warehouses, and the Premises belonging thereto, and within any Vessel being within the said Docks, or in or on the Piers, Quays, or Works of the Company:

For preventing Damage or Injury to any Vessel, Goods, Articles, or Things in or on the Premises belonging to the Company:

For regulating the Police of the said Docks, and the Times and Manner in which the Police Officers shall perform their Duties:

For regulating the Use of the Cranes, Weighing Machines, Weights, and Measures belonging to the Company, and the Duties and Conduct of all Weighers and Meters appointed by them:

For regulating the Duties and Conduct of the Carriers employed on the Premises of the Company, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same:

And

And it shall be lawful for the Company, from Time to Time as they shall think fit, to repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of *England* or the Provisions of this Act, and be reduced into Writing, and have affixed thereto the Common Seal of the Company, and, if affecting other Persons than the Officers or Servants of the Company, be printed and published as herein provided.

LXXXII. And be it enacted, That it shall be lawful for the Company, by the Bye Laws so to be made by them, to impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Offence : Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid.

Bye Laws may be enforced by Penalties.

LXXXIII. And be it enacted, That no Bye Law which shall be made by the Company under the Authority of this Act, except such as may relate solely to the Shareholders or Directors of the Company, or their Officers or Servants, shall be valid or binding unless the same shall be allowed by some Judge of One of the Superior Courts, or by the Court of Quarter Sessions of the Peace for the Borough of *Plymouth* ; and it shall be incumbent on such Court, on the Request of the Company, to inquire into any Bye Laws which may be tendered to them for that Purpose, and to allow or disallow of the same, as they shall deem meet : Provided always, that no such Bye Law shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers of the Borough of *Plymouth* Fourteen Days at least before the hearing of such Application ; and any Person aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the Company Six Days before the hearing of such Application, may, by himself, or his Attorney or Agent, be heard thereon, but not so as to allow more than One Party to be heard on the same Matter of Objection.

Bye Laws not valid till confirmed.

LXXXIV. And be it enacted, That for One Month at least previous to any such Application a Copy of such proposed Bye Laws shall be kept at the principal Office of the Company ; and it shall be lawful for all Persons at all seasonable Times to inspect such Copy without Fee or Reward, and to be furnished by the Company with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words.

A Copy of proposed Bye Laws to be open for Inspection.

LXXXV. And be it enacted, That such Bye Laws when confirmed shall be printed on Boards, and hung up, affixed, and continued on the Front or some conspicuous Part of the principal Office of the Company, and also on some conspicuous Part of the Works of the said Docks, according as such Bye Laws may relate to the Docks ; and such Boards shall be from Time to Time renewed as often as the same, or any Part thereof, may be obliterated or destroyed.

Publication of Bye Laws.

LXXXVI. And

Bye Laws to  
be binding on  
all Parties.

LXXXVI. And be it enacted, That such Bye Laws, when so confirmed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Evidence of  
Bye Laws.

LXXXVII. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the Company, authenticated by the Signature of Three Directors, shall be Evidence of the Existence and of the due making of such Bye Laws in all Prosecutions under the same, and with respect to the Proof of the Publication thereof it shall be sufficient that painted Boards containing a Copy thereof were affixed or continued in the Manner by this Act directed; and in case of any such Boards being afterwards destroyed or obliterated, it shall be sufficient to prove that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Boards did not contain a Copy of the Bye Law under which he shall be prosecuted, or that the Boards were not affixed or continued to be affixed as required by this Act.

Annual Account to be  
transmitted  
to the Clerk  
of the Peace,  
and to be  
open to  
Inspection.

LXXXVIII. And be it enacted, That the Company shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the Thirtieth Day of *June* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Clerk for the Time being of the Company, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Devon*, on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Times: Provided always, that if the Company shall omit to prepare and transmit such Account as aforesaid, they shall forfeit for every such Omission the Sum of Twenty Pounds.

Saving the  
Rights of the  
Crown.

LXXXIX. And be it enacted, That nothing in this Act or in the Acts herein recited or referred to contained shall extend to authorize the Company to purchase, take, or use any Land or Soil 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, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose; 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 or Successors.

Act not to  
extend to  
Ships or Ves-  
sels in the  
Service of  
Her Ma-  
jesty, &c.

XC. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, or any Vessel employed in the Service of Her Majesty, or of the Ordnance, Customs, Excise, or of Her Majesty's Postmaster General, or of the Corporation of *Trinity House of Deptford Strond*.

Saving the  
Rights of the  
Trinity

XCI. Provided also, and be it enacted, That nothing in this Act contained shall extend to prejudice or derogate from the Jurisdiction

or Authority, or any of the Rights or Privileges of the said Corporation of *Trinity House*.

House of  
Deptford  
Strond.

XCII. Provided also, and be it enacted, That nothing in this Act contained shall extend to prejudice or derogate from any Right, Privilege, or Power which the Mayor, Aldermen, and Burgesses of the Borough of *Plymouth* and the Company of Proprietors of the *Devonport Waterworks* at present respectively possess of supplying with Water Ships or Vessels lying in or near to the Docks, Basins, Cuts, or other Works by this Act authorized to be made or constructed, or of laying down Pipes or doing other Works necessary or convenient for supplying such Ships or Vessels with Water.

Saving the  
Rights of the  
Mayor, &c.  
of Plymouth  
and the  
Devonport  
Water Com-  
pany.

XCIII. Provided always, and be it enacted, That, save as by this Act specifically provided, nothing herein contained shall extend or be construed to extend to take away, lessen, or prejudice the Rights, Jurisdictions, Liberties, Franchises, Royalties, Powers, Authorities, Payments, or Privileges of any Corporation, or of the Lord or Lords of any Manor, but that all such Rights, Jurisdictions, Liberties, Franchises, Royalties, Powers, Authorities, Payments, and Privileges shall, except as aforesaid, be preserved and continued, and may be exercised and enjoyed in like Manner as though this Act had not been passed.

Saving the  
Rights of  
Corporations  
and Lords  
of Manors.

XCIV. And be it enacted, That the Expences of applying for and obtaining this Act and incident thereto shall be paid out of the first Monies raised under the Authority thereof.

Expences  
of Act.

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

Public Act.

The SCHEDULES to which this Act refers.

SCHEDULE A.

*Dues on Vessels.*

	In the Outer Harbour.		In the Dock.	
	s.	d.	s.	d.
For every Vessel to or from any Port or Place in Great Britain or Ireland, for each Register Ton thereof - - - -	0	2	0	4
For every Vessel to or from any other Port or Place, for each Register Ton thereof - - - - -	0	4	0	8
For every Vessel that shall remain in the Dock or in the Outer Harbour longer than Four Weeks, the Sum of One Penny for each Week after the First Four Weeks.				
For Yachts and Vessels kept for Pleasure, at per Month for every Ton Register thereof - - - - -	0	6	—	
For Barges and Lighters not exceeding Fifty Tons, One Pound and Ten Shillings per Annum. Or, at the Option of the Owner of the same, at per Month Seven Shillings and Sixpence. Or, at the Option of the Owner of the same, at per Voyage for every Ton Register thereof - - - - -	0	2	—	
<i>Mooring Chains and Buoys.</i>				
For every Vessel under 200 Tons, not exceeding per Week, Three Shillings; above 200 and under 300, Four Shillings; 300 Tons and upwards, Five Shillings.				
<i>Dues on Goods.</i>				
For every Ton of Goods, by Measurement or otherwise (except as herein-after excepted), to or from any Port or Place in Great Britain or Ireland, per Ton - - - - -	0	4	0	6
To or from any other Port or Place - - - - -	0	8	1	0
Excepting Bricks, Slate, Sand, Stones, the Dues on which at per Ton shall be - - - - -	0	3	0	3
Bullion or Specie, per Cwt. - - - - -	1	0	1	0

*Cattle*

*Cattle and Carriages.*

							<i>s.</i>	<i>d.</i>
Horses	-	-	-	-	-	each	2	0
Oxen, Cows, and Bulls	-	-	-	-	-	—	1	6
Ponies, Mules, and Asses	-	-	-	-	-	—	1	0
Calves	-	-	-	-	-	—	0	4
Deer	-	-	-	-	-	—	0	8
Lambs, Sheep, and Goats	-	-	-	-	-	—	0	2
Pigs	-	-	-	-	-	—	0	2
Carriages with Four Wheels	-	-	-	-	-	—	5	0
Carriages with Two Wheels	-	-	-	-	-	—	3	0

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SCHEDULE B.

							<i>s.</i>	<i>d.</i>
For every Passenger or Person who shall land or embark from or in any Boat or undecked Vessel, for each and every Time	-	-	-	-	-	-	0	1
For every Passenger or Person who shall land or embark from or in any Ship or decked Vessel, for each and every Time	-	-	-	-	-	-	0	6
For every Box, Trunk, Bale, Bag, Basket, or Parcel of Passenger's Luggage	-	-	-	-	-	-	0	2
For every Person who shall use any Quay belonging to the Company for the Purpose of walking for Exercise, Pleasure, or otherwise, per Day	-	-	-	-	-	-	0	1

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SCHEDULE C.

For every Tun of Two Pipes or Four Hogsheads of Water supplied to any Vessel, not exceeding per Tun	-	-	-	-	-	-	2	0
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