



ANNO PRIMO

VICTORIÆ REGINÆ.

Cap. lxxiv.

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.
[30th June 1837.]

WHEREAS an Act was passed in the Forty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for improving and rendering more commodious the Port of Ipswich in the County of Suffolk*: And whereas the Commissioners authorized by and acting in the Execution of the said Act have effected great Improvements in the River *Orwell*, and in the Port and Harbour of *Ipswich* aforesaid, by deepening, widening, cleansing, and altering the said River, and have purchased certain Lands for a Ballast Wharf, and erected a Quay, and have let, set, or demised certain Part of the Lands so purchased which they did not require for their own Use, and have purchased the Sum of Twenty-five thousand Pounds Three Pound *per Cent.* Consols, which now stands vested in the Names of Trustees, and have paid off all the Monies which by virtue of the said Act now in recital they were empowered to borrow and did borrow and take up on Credit of the Rates and Duties thereby granted; and the said Rates and Duties firstly granted and imposed and made payable until the said Debt was paid off have long since ceased and determined, except a small Tonnage Duty upon Vessels not belonging to the Port of *Ipswich*: And whereas since the passing of the said recited Act the Trade and Shipping of the Port

[Local.] 28 S of 45G.3.c.101.

Recited Act
repealed.

Proceedings
under the
said Act
valid.

Rules for In-
terpretation
of this Act.

Commission-
ers.

of *Ipswich* have greatly increased, and it would tend much to the Advantage, not only of the said Port and of the Neighbourhood thereof, but of that Part of the Kingdom in which it is situate, and it is highly expedient for the Security and Improvement of the public Revenue and for the Benefit of Commerce, that a convenient Wet Dock and Basin, with all necessary Quays, Wharfs, Piers, Bridges, Locks, Ways, Roads, Walls, Embankments, Sluices, Culverts, Sewers, and other Erections and Conveniences should be made and constructed, and that lawful Quays should be established at the said Port for the shipping and landing of Goods and Merchandize imported there and exported from thence, in such Manner as is herein-after expressed ; and that for the carrying into effect the said Purposes the said recited Act should be amended, and that the Powers and Provisions therein contained should be enlarged and vested in the Commissioners hereby appointed : 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 from and after the passing of this Act the said recited Act, and all the Powers, Provisoes, and Directions therein respectively contained, shall be and the same are hereby repealed : Provided nevertheless, that every Purchase, Conveyance, Act, Matter, Proceeding, and Thing already made, done, and executed, commenced, or instituted by virtue or in pursuance of the said Act shall be and the same is hereby declared to be as good, valid, and effectual, to all Intents and Purposes whatsoever, as if the said Act had not been hereby repealed.

II. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing, and every Word importing the Plural Number shall extend or be applied to one Person or Thing as well as several Persons or Things, and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male, and where the Word "Lands" shall be used the same shall be held to include "Tenements and Hereditaments," and the Words or Terms "Dock Commissioners" shall be applied to and deemed to designate the Commissioners or Persons appointed by virtue of this Act, and to be hereafter elected or appointed in pursuance of the Powers in that Behalf herein contained, and acting or authorized to act in the Execution of the Powers hereby given for the making a Dock and further improving the Navigation of the River *Orwell*.

III. And be it further enacted, That the Mayor, Aldermen, and Councillors of the Borough of *Ipswich*, and the Collector of the Customs at the Port of *Ipswich* for the Time being, Sir *Robert Harland* Baronet, and his Heirs, Sir *Philip Bowes Vere Broke* Baronet, and his Heirs, (all of which Persons above mentioned shall be deemed to be Official Commissioners,) together with the Seventy-two other Persons to be appointed and chosen as herein-after provided, shall be and they are hereby constituted and appointed Commissioners for the Purpose of carrying into execution and accomplishing the Powers, Provisions, and Objects herein-after contained, specified, and designated, by the Name and Style of the *Ipswich*

Dock

Dock Commissioners: Provided always nevertheless, that the Seventy-two first Non-official Commissioners shall be the following Persons; that is to say, *Dykes Alexander, Richard Dykes Alexander, William Henry Alexander, Samuel Abbott, Thomas Bristo, Charles Burton, Thomas Crawley, Thomas Conder, Charles Cornwell Colchester, Charles Cowell, Welham Clarke, John Christie, Edward Corder, George Christopherson, Robert Denbam, Samuel Finch, William Goodchild, Daniel Poole Goddard, Robert Garrod, John Hill, John Dalton Harmer, William Mason, George Mason, John Maw, Stephen Abbott Notcutt, William Pollard, Simon Payne, Joseph Pearce, Enos Page, William Ridley, Robert Ransome, Robert Ranson, John Talwin Shewell, Thomas Shewell, William Scott, Samuel Steggall, Samuel Wright, John Wretts, William Rodwell, John Bedwell, George Notcutt Conder, Robert Paul, William Stevenson Fitch, Robert Burrows, George Ridley, William Bayley, Ezra Dalton, Henry Ridley junior, George Towell, Charles May, Robert Alefounder, Isaac Baker, William Blagrove, Edwin Brook, Samuel Burrows, Benjamin Batley Catt, John Churchman, Abraham Cook, Thomas Dunningham, George Josselyn, Robert King, John Dennington Leach, Richard Porter, Samuel Wyatt Parkes, John Roberts, William Charles Fonnereau, James Thorndike, Robert Henry Orman, Michael Turner, and Jonathan Waspe, Thomas Prentice of Stowmarket in the County of Suffolk, and Robert Fincham of Diss in the County of Norfolk.*

IV. And be it further enacted, That upon the Second *Tuesday* in *August* One thousand eight hundred and thirty-eight and in every succeeding Year, Twenty-four of the said Seventy-two Commissioners last named shall go out of Office, and the Dock Commissioners for the Time being shall determine by Lot, at their Monthly Meeting preceding such Second *Tuesday* in *August* One thousand eight hundred and thirty-eight, who shall be the Twenty-four who shall go out of Office in the Year One thousand eight hundred and thirty-eight and One thousand eight hundred and thirty-nine respectively, and thenceforth those who shall go out of Office shall be those who have been the longest Time in Office without Re-election; and that on the Second *Tuesday* in *August* One thousand eight hundred and thirty-eight, and on the Second *Tuesday* in *August* in every Third succeeding Year, the Owners, Masters, and Commanders of Ships and Vessels belonging to the Port of *Ipswich* aforesaid may assemble at the Town Hall aforesaid, or at such other Places within the said Town as the said Dock Commissioners shall determine, between the Hours of Eleven and Two of the Clock of the Day; such Owners, Masters, and Commanders, or the greater Part of such of them as shall be then and there assembled, shall and may elect and nominate Twenty-four Persons to be Commissioners in the Room of the Twenty-four who shall then go out of Office; and that on the Second *Tuesday* in *August* One thousand eight hundred and thirty-nine, and on the Second *Tuesday* in *August* in every Third succeeding Year, the Burgesses enrolled on the Burgess Roll for the Time being of the said Town and Borough shall and may assemble at the Town Hall aforesaid, or such other Place, between the Hours and in manner last aforesaid, and then and there elect and nominate Twenty-four Commissioners in the Room and Stead of the Twenty-four Dock Commissioners who shall then go out of Office; and that at the *Trinity* Sessions held by Adjournment for the County of *Suffolk* at *Ipswich* in the Year One thousand eight hundred and forty, and at the *Trinity* Sessions in every Third succeeding Year, Her Majesty's Justices of the Peace for the

One Third of the Commissioners to go out of Office annually.

the said County of *Suffolk* shall nominate and elect Eight Persons to be Commissioners in the Room of Eight of the Twenty-four Dock Commissioners who will go out of Office on the Second *Tuesday* in *August* in the Year One thousand eight hundred and forty, and on the Second *Tuesday* in *August* in every Third succeeding Year, to serve from such last-mentioned Day ; and the Burgesses aforesaid on the said Second *Tuesday* in *August* One thousand eight hundred and forty, and on the Second *Tuesday* in *August* in every Third succeeding Year, shall and may in manner aforesaid elect and nominate Six of the said last-named Twenty-four Dock Commissioners ; and that in the Month of *July* in the Year One thousand eight hundred and forty, and in the Month of *July* in every Third succeeding Year, Ten other Persons shall and may be elected in the Room of the remaining Ten of the Twenty-four Dock Commissioners who will then go out of Office, to serve from the Second *Tuesday* in *August* then next following in each of such last-mentioned Years, in manner and at the Places and by the Persons or Bodies Corporate respectively next hereinafter mentioned ; that is to say, Two of such Ten by the Mayor, Aldermen, and Councillors of the Town and Borough of *Bury Saint Edmunds*, Two other of such Ten by the Mayor, Aldermen, and Councillors of the Town and Borough of *Eye*, Two other of such Ten by the Rate-payers of the Town and Parish of *Stowmarket* in Vestry assembled, Two other of such Ten by the Rate-payers of the Town and Parish of *Hadleigh* in Vestry assembled, all which last-mentioned Places are in the said County of *Suffolk*, and the remaining Two of such Ten Persons by the Rate-payers of the Town and Parish of *Diss* in the County of *Norfolk* in Vestry assembled.

Qualification
of Masters
and Owners
of Vessels in
respect to
voting.

V. Provided always, and be it further enacted, That no Commander of any Vessel shall be entitled to vote as such in the Election of any Commissioners as aforesaid unless the Vessel under his Command shall be of the Burthen of Forty Tons or upwards, registered at *Ipswich*, nor unless his Name shall have been on the Register of such Vessel as Commander Twelve Months at least before voting at any such Election, nor unless he shall at the Time of such Election be the registered Commander of such Vessel : Provided also, that no Owner of any Vessel shall be allowed to vote as such in the Election of Commissioners as aforesaid unless the Vessel in respect of which he may claim to vote shall have been registered in his Name in the Port of *Ipswich* Twelve Months at least before the Time of such Election, nor unless he shall be the Owner or Part Owner to the Extent of One Eighth at least of any One Vessel of Forty Tons Burthen, or to the Extent of a Sixteenth of Two Vessels, each of Forty Tons Burthen.

Mode of
Proceeding at
Elections.

VI. And be it enacted, That every Election of Commissioners by the Owners, Masters, and Commanders of Vessels and by the Burgesses of the said Borough of *Ipswich*, according to the Provisions of this Act, shall be held before a Chairman to be appointed by the said Commissioners at their Meetings for such Elections respectively and the Assessors for the Time being of the Ward in which the Mayor of the said Borough for the Time being shall be enrolled a Burgess, or before such Chairman and Two Deputy Assessors to be appointed by such Assessors respectively, such Deputies being Dock Commissioners ; and the Votes at every such Election shall be taken by Ballot under and according to such Regulations

as

as the said Dock Commissioners shall by any Bye Law prescribe, determine, and make public, in case Notice shall be given in Writing by any Ten or more of the said Dock Commissioners at their Monthly Meeting next preceding the Meeting at which such Election is to be held that they require such Election to be by Ballot ; and in case no such Notice shall be given, then the voting at such Election shall be conducted in manner following ; that is to say, that every Person claiming and having a Right to vote at such Election respectively shall, between the Hour of Ten in the Forenoon and Four in the Afternoon of the same Days respectively, at the said Place of Election deliver to the Chairman and Assessors or Deputy Assessors, or one of them, or some Person or Persons authorized by them, or any Two of them, a voting Paper containing the Name or Names of the Persons for whom such Person shall vote, such Paper being previously signed with the Name of the Person voting, and with the Name of the Ship or Vessel as Owner or Master or Commander whereof he claims to vote in case the Election of Commissioners be by the Owners, Masters, or Commanders of Vessels, or with the Name of such Person voting and the Name of the Street or Place in which the Property for which he appears rated in the Burgess Roll is situated in case the Election of such Commissioners be by the Burgesses of the said Borough ; and so many of such Persons, being equal to the Number of Persons then to be chosen, as shall have the greatest Number of Votes shall be deemed to be elected, and in case of Equality in the Number of Votes between any Two or more Persons between whom it may be necessary to decide which shall be elected, the said Chairman, or in case of his Neglect the said Clerk, shall decide by Lot which shall be elected, and the Person in whose Favour such Decision shall be shall be deemed duly elected such Commissioner.

VII. And be it further enacted, That at the Close of the Poll to be taken at such Elections respectively the said Chairman and Assessors or Deputy Assessors, or in case of their Neglect or Refusal the said Clerk to the said Commissioners, shall examine the said Votes, and if necessary shall continue the Examination by Adjournment from Day to Day, not exceeding Two Days, until they or he shall have decided the Election. How Election to be decided.

VIII. And be it further enacted, That if any Person do in any way falsify any Name or Writing in any Paper or List purporting to contain the Vote or Votes of any Person so voting as aforesaid, or do personate or attempt to personate any other Person having a Right so to vote, or do obstruct or prevent or by any Contrivance attempt to obstruct or prevent any Person having a Right to vote at such Election from voting thereat, or do obstruct or prevent the Person or Persons taking or assisting in taking the said Votes, the Person so offending shall, upon Information and Conviction before any Two or more Justices of the Peace for the Borough of *Ipswich*, be liable to a Penalty of not less than Five Pounds nor more than Twenty Pounds, and in default of Payment thereof shall be imprisoned for a Time not exceeding Three Months nor less than One Month. Penalty for falsifying voting Paper.

IX. Provided always, and it is hereby further enacted and declared, That in case the Persons or Bodies Corporate respectively, or any of them, In case of no Election had the old Com-

missioners to
continue as if
they had
been re-
elected.

them, authorized or empowered in that Behalf respectively, shall at any Time hereafter neglect or refuse to elect, nominate, and appoint such Commissioners as they are hereby authorized and empowered from Time to Time to elect, nominate, and appoint at or within the Times herein-before respectively mentioned, then and from thenceforth it shall and may be lawful to and for the Commissioners respectively who would have gone out by Appointment, Ballot, or in Rotation in case new Commissioners had been elected in their Places to continue and act as Dock Commissioners in all the Trusts, Powers, Matters, and Things, to all Intents and Purposes, as if they had been again elected, nominated, and appointed Dock Commissioners in pursuance and under the Authority of this Act, for such Time and Times respectively as they would have continued and acted if they had been so duly re-elected, nominated, and appointed: Provided also nevertheless, that if in any Year a Part only of the Dock Commissioners who ought to be elected shall be duly elected it then shall and may be lawful for the Dock Commissioners for the Time being to select and appoint which of the Dock Commissioners who would have gone out by Rotation in such Year shall go out of Office to make Room for such new Dock Commissioners as shall be duly elected, and which of the said Dock Commissioners who would have gone out of Office if the whole Number of Twenty-four had been duly elected shall continue and act and be deemed re-elected in manner lastly herein-before mentioned.

Occasional
Vacancies
to be filled
up by the
remaining
Commission-
ers.

X. And it is hereby further enacted, That when and so often as any of the Seventy-two Dock Commissioners herein-before nominated and appointed and any Commissioner to be elected by virtue of this Act shall die or resign, or become disqualified to act as a Dock Commissioner, or shall cease to be a Dock Commissioner by other Means than by going out of Office as aforesaid, then also it shall be lawful for the remaining Dock Commissioners to elect another Person to be a Commissioner, and every such Person so elected to fill up a Vacancy shall continue in Office so long as the Person in whose Place or Stead he may be elected would have been entitled to continue in Office had he lived and remained in Office for his full Term.

Commis-
sioners going
out to be
re-eligible.

XI. And be it enacted, That, notwithstanding any thing herein-before contained to the contrary, any such Commissioner who shall go out of Office as aforesaid may immediately or at any future Time be re-elected and re-appointed a Commissioner, and after such Re-election and Re-appointment he shall, with reference to going out of Office by Rotation, be deemed and considered as a newly-elected Dock Commissioner.

Qualification
of Commis-
sioners.

XII. Provided always, and be it further enacted, That no Person hereafter to be elected a Commissioner, except the said *Thomas Prentice* and *Robert Fincham*, and the Twenty-four Commissioners who are to be elected to act from the Second *Tuesday* in *August* in the Year One thousand eight hundred and forty and in every Third succeeding Year, shall be qualified or capable of acting as a Dock Commissioner in the Execution of this Act, unless he shall be a Housekeeper in the said Town and have paid towards the Parochial Rates of the same before he shall begin to act as such Commissioner in the Execution of this Act; and that no Person hereafter to be elected a Commissioner shall act or be

be qualified to act or be capable of acting as a Commissioner in the Execution of this Act unless he shall be, in his own Right or in the Right of his Wife, in the actual Possession and Receipt of the Rents and Profits of Lands, Tenements, and Hereditaments of the clear yearly Value of Fifty Pounds arising within the said Town or Liberties thereof, or shall be possessed of Real and Personal Estate, or one of them, to the Amount or Value of One thousand Pounds; and that no Person shall be capable of acting as a Dock Commissioner in the Execution of this Act, except the Official Commissioners, until he shall have made and signed a Declaration to the following Effect, which Declaration the Commissioners or any One of them are or is hereby empowered to take at any General or Special Meeting:

‘ I do solemnly declare, That I am duly qualified to act as one of the *Ipswich* Dock Commissioners, and that according to the best of my Skill and Knowledge I will faithfully, impartially, and truly execute the several Powers and Authorities vested in me by an Act passed in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act [here set forth the Title of this Act]*, as such Commissioner, according to the Tenor and Purport of the Act in such Case made and provided.’

Form of
Declaration.

And if any Person not authorized or qualified according to the Provisions of this Act to act as a Commissioner in the Execution of this Act shall presume to act in such Capacity, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, where no Essoign or Protection or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so sued shall prove that he was so qualified at the Time he acted, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person acted as a Commissioner in the Execution of this Act.

XIII. And be it further enacted, That the said Dock Commissioners shall meet together at the Town Hall or at any other convenient Place in *Ipswich* aforesaid upon the Second *Tuesday* next after the passing of this Act or as soon thereafter as conveniently may be, between the Hours of Eleven of the Clock of the Forenoon and One of the Clock of the Afternoon of the same Day, and proceed to the Execution of this Act, and shall then and from Time to Time afterwards adjourn themselves and meet at the Town Hall aforesaid by Leave of the Mayor for the Time being first had and obtained for that Purpose, or at any other convenient Place within the said Town of *Ipswich* as they or the major Part of them at such Meeting shall appoint; and if it shall happen that there shall not appear at any such Meeting a sufficient Number of the said Dock Commissioners to act or to adjourn (Three of the said Dock Commissioners being always deemed sufficient for the Purpose of Adjournment only), or if the said Dock Commissioners when met shall neglect or refuse to make an Adjournment, then and in every such Case their Clerk, or any Three or more of the said Dock Commissioners, shall and may call a Meeting at the Place where the last Meeting was held on that Day Fortnight, by Notice thereof Seven Days previous to such Meeting, to be given in Writing by affixing the same upon the Town Hall, Corn Exchange, and Custom House within

First and
other Meet-
ings of the
Commission-
ers.

within the said Town; but no Act of the said Commissioners other than that of Adjournment as aforesaid, except where it is hereby otherwise particularly directed, shall be valid unless made or done at some public Meeting to be held by virtue of this Act; and the said Dock Commissioners shall at their Meetings bear and pay their own Charges and Expences; and at every Meeting of the said Dock Commissioners to be held by virtue of this Act one of such Dock Commissioners, to be chosen by the said Dock Commissioners present at such Meeting shall preside and be called Chairman, and such Chairman shall not only have a Vote as a Commissioner, but in case of Equality of Votes shall have the decisive or casting Vote.

Power to
appoint Com-
mittees.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners at any of their Meetings to nominate and appoint One or more Committee or Committees of the said Commissioners, and such Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever in and about the said Dock, River, Port, and Harbour, and otherwise which the said Commissioners shall from Time to Time intrust to the Management of such Committees; and such Committees shall meet at such Times and Places as they shall think proper, and all Powers hereby vested or which shall be vested in such Committees by the Commissioners as aforesaid shall be exercised by the major Part present at their respective Meetings; and such Committees shall from Time to Time make Reports of their Proceedings to the Commissioners, if required, and shall at all Times be subject to the Control of the said Commissioners.

Power to
make Bye
Laws.

XV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Ten or more of them present at any of their Meetings, to make such Bye Laws, Rules, Orders, and Regulations for the ordering and securing and safely and conveniently stationing or placing of the Ships and Vessels coming into or lying in the said Dock, River, or Port, and for loading and unloading, mooring and unmooring thereof, and for the Safety and Preservation of the Goods and Merchandize landed or landing, shipping or intended to be shipped there, and of the Works to be made or done in pursuance or by virtue of this Act, and for the Appointment, Regulation, Direction, and well-conducting of Ships or Vessels into or out of or whilst within the said Dock, River, or Port, and of the Use of Fires and the melting of combustible Matters on board any such Ship or Vessels, and for keeping clear and uninterrupted the public Wharfs and Quays, and for regulating all Boats, Wherries, Lighters, and other small Craft kept and used for Hire at the said Port of the Town of *Ipswich*, and the Rates and Fares to be taken by the Owners thereof, and also for regulating all Coal and Corn Meters and Weighers, Pilots, Watermen, Tidesmen, Porters, Carmen, and Barrowmen plying or employed in the said Town or Port, or on the said River, Wharfs, and Quays, and the Rates and Fares to be by them taken respectively, and for the weighing or measuring of Coals and Cinders and the Sale and Delivery thereof, and for removing and preventing Nuisances or Encroachments within the Liberties of the said River or Port, or any other Matter or Thing not herein particularly specified as shall from Time to Time appear necessary and proper, and to alter, vary, or repeal the same as Occasion shall require, and to impose reasonable Fines and Penalties for the Breach and Non-observance of such Bye Laws, Rules, Orders, and Regulations so as

no

no One Penalty shall exceed Five Pounds, which Fines and Penalties shall be recovered and levied as Fines, Penalties, and Forfeitures by this Act inflicted or imposed are hereby directed to be recovered and levied; and so that all such Bye Laws, Rules, Orders, and Regulations, Rates and Fares, and the Fines and Penalties for the Breach and Nonperformance thereof, shall, from Time to Time as often as they shall be made, altered, or varied, be put up, either in Print or in Writing in a clear legible Hand, in the Custom House of the said Port, and in such other Place or Places as the said Dock Commissioners may appoint, and at all Times to remain and be in the said Places; and upon Application a Copy thereof shall be delivered to any Captain or Owner of any Ship or Vessel requiring the same on Payment to the Dock and Harbour Master of Sixpence for the same: Provided always, that the said Rules, Orders, and Bye Laws, or any of them, shall not be contrary or repugnant to the Laws, Statutes, or Customs of that Part of the United Kingdom called *Great Britain*, nor prejudicial or derogatory to any Right, Authority, or Jurisdiction belonging to the Office of Lord High Admiral of *Great Britain*, or to any Powers Provisoed, or Authorities heretofore made, given, or created relating thereto, nor to any Claims for Anchorage or Groundage, or any other Rights and Privileges of any Lord of a Manor or Manors, or of any Proprietor of Lands adjoining the said River, and shall not in anywise interfere, intermeddle with, interrupt, or injure the Ferry called *Walton Ferry*, the Property of the Most Noble the Duke of *Hamilton*; and provided also, that every such Rule, Order, Bye Law, and every Alteration thereof, shall be subject to Appeal in manner herein-after directed.

Bye Laws not to be repugnant to the Laws of the Realm or the Jurisdiction of the Lord High Admiral.

XVI. Provided also, and be it further enacted, That no Bye Law, Rule, Order, or Regulation made by the said Commissioners shall be altered, varied, or repealed unless Ten Days previous Notice of such intended Alteration or Repeal shall be fixed in Writing under the Hand of the Clerk of the said Dock Commissioners for the Time being upon the Town Hall, Corn Exchange, and Custom House within the said Town of *Ipswich*, nor unless such Notices shall have been advertised twice in the *Ipswich Journal* and *Suffolk Chronicle*, as long as the same shall be published respectively, and if the same shall be discontinued, then in some other Paper published in the County of *Suffolk*, nor unless a greater Number of the said Commissioners than were present at the making any such Bye Law, Rule, Order, or Regulation shall be present and consent to such Variation or Repeal.

No Bye Law to be altered without previous Notice.

XVII. And be it further enacted, That it shall be lawful for the said Dock Commissioners, and they are hereby authorized and empowered, to design, lay out, excavate, build, erect, make, complete, repair, and maintain, in, over, under, through, and upon that Part of the River *Orwell* and Harbour of *Ipswich* which is described in the Plan herein-after mentioned, as well as the Lands, Tenements, and Hereditaments which shall be purchased by or vested in the said Dock Commissioners under the Authority of this Act, or any Part or Parts thereof, according to such Plan or Plans and in such Manner as they shall approve of, a navigable Dock or Basin, with an Entrance Lock or Locks, Embankments, Cuts, with Entrances into and from the same, and also a new Cut, Channel, or River, with Roadways on each Side thereof of the Width of Forty Feet, or such other Width as the said Commissioners shall think fit, and into

Power to make a Wet Dock according to Plan deposited, with a new Cut, Quays, Sewers, and Approaches.

[Local.]

28 U

and

and through the said Cut or Channel to turn and divert the Waters of the River *Gipping* and the Flow of the Tide of the River *Orwell*, and also to construct all and every Quay or Quays, Wharf or Wharfs, Inclined Planes or Slips, Graving Docks, Cranes, Sheds, Engines, Bridges, Buildings, Works, and other Matters and Things necessary or proper for carrying into effect the Purposes of this Act; and the said Dock Commissioners shall and may also build and construct or cause to be built and constructed a Quay or Wharf of the Width of Thirty Feet or thereabouts for the Trade and Business of the said Town and Port, and for giving convenient Access to the said Dock, which shall range along the North and East Sides of the said Dock next the Town, and project into the present Channel of the River there in front of the present Line of Quays and Warehouses, with proper Sewers and Culverts under and beneath the same for carrying off the Drainage of the Town, and with a proper Outfall or Outfalls into the River beyond the Ends of the said Dock, and all necessary Doors, Flats, Gratings, and Sluices; and which new Quay to be so constructed as aforesaid shall be an open and public Roadway for all Persons, Cattle, and Carriages: Provided always, that the Frontage and Front Wall of the said Quay, and the Right of shipping and landing Goods thereon or thereat, shall be deemed to be the Property and Right exclusively of the present Owners of the Quays and Wharfs respectively in front of which the same is or are built respectively, or their respective Heirs or Assigns, and shall be kept in repair by them respectively after the Completion thereof by the said Dock Commissioners, and shall be of the same Tenure and subject to the like Uses, Trusts, Powers, Provisions, Charges, Incumbrances, and Conditions as such last-mentioned Quays and Wharfs respectively, and so that nothing herein contained shall authorize or empower any Person or Persons to lay their Vessels or Ships in front of or alongside such Quay Walls or Wharf Walls as are hereby declared to be private Property respectively, or to land or ship any Goods, Wares, and Merchandize from or across the same Quays without the Consent of the respective Owners thereof, other than and except so far as they may have been entitled to do prior to the passing of this Act.

Plans, &c.
deposited
with Clerks
of the Peace
to remain
there, and
be open to
Inspection.

XVIII. And whereas Maps or Plans describing the Limits within which the said Dock and Works by this Act authorized are proposed to be made, and the Premises comprised therein, together with Books of Reference containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited in the Office of the respective Clerks of the Peace for the County of *Suffolk* and for the Town of *Ipswich*; be it therefore further enacted, That such Maps or Plans and Books of Reference shall remain in the Custody of such Clerks of the Peace, to the end that all Persons interested in any Manner in such Lands shall at all seasonable Times have Liberty to inspect the said Maps or Plans and Books of Reference so to be deposited, and to have Copies thereof or Extracts therefrom at their Will and Pleasure, paying to the Clerk of the Peace in whose Custody the same may be the Sum of One Shilling for every such Inspection, and for furnishing Copies of or Extracts from the said Books of Reference after the Rate of Sixpence for every One hundred Words; and the said Maps or Plans and Books of Reference, or either of them, or any Copy thereof or Extract therefrom, such Copy or Extract being certified to be a true Copy or Extract by the said Clerks

of the Peace or either of them, shall be good Evidence in all Courts of Law and elsewhere.

XIX. Provided always, and be it further enacted, That it shall be lawful for the said Dock Commissioners to make the said Dock or Docks and other Works within the Limits of and upon or through the Premises delineated on the said Maps or Plans so deposited as aforesaid, although such Lands or any of them, or the Situation thereof respectively, or the Names thereof or of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto, or in the said Book of Reference, if it shall appear to any Two or more Justices of the Peace acting in and for the County of *Suffolk*, in case of Dispute about the same, to be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake, and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said Town of *Ipswich*.

Errors of Description not to prevent the carrying into effect the Works.

XX. And be it further enacted, That the said Dock Commissioners in making the said Dock or Docks and other Works shall not extend the same beyond the Line or Boundary described in the said Maps or Plans without the Consent in Writing of the Person or Persons whose Lands or Premises shall be wanted for the Purposes of such Extension.

Dock Commissioners not to extend the Line or Boundary of the Dock.

XXI. And be it enacted, That the said Dock Commissioners shall and may and they are hereby empowered to enter into Contracts and make Bargains with any Contractor, Builder, Workmen, or other Persons for the making and doing all and every or any Part of the Work or Business in and about the constructing the said Dock or Docks and Works, and maintaining or cleansing the same, or improving the said River, and of or about building Ballast Quays, Ballast Barges, Warehouses, Quays, and all other Works in and about the same, and the maintaining, repairing, keeping, and enlarging or increasing thereof from Time to Time, and to order and direct the Collection, Receipt, and Disposition of any Duties or Monies which from Time to Time shall be due and payable by virtue of this Act.

Commissioners may enter into Contracts.

XXII. And be it further enacted, That the said Dock Commissioners shall and may make or cause to be made such public Wharfs and Quays for the Trade and Business of the said Port by building a Quay Wall along the East and West Sides of the said Dock, commencing at the South-west Corner of the present Ballast Wharf and in a Line with the Quay to be made in front thereof where private Quays do not now exist, and along the North-east and South-west Sides of the said intended Cut or Channel, and which Wharfs and Quays shall thereupon be free and public Quays under such Regulations as the said Dock Commissioners shall determine: Provided always nevertheless, that the Owners or Occupiers of any Warehouses, Buildings, Lands, or Hereditaments next adjoining to and abutting on the said Dock or such public Quay or Roadway as shall be the Boundary thereof shall have a Right of landing and shipping all Goods, Wares, and Merchandizes to and from such respective Warehouses, Buildings, Lands, or Hereditaments without Payment of any Wharfage for the same; and the said Commissioners may also erect and

Dock Commissioners may build Quay Wall and make public Quays, reserving the Right of shipping Goods, &c. to the Owners of Lands, &c. abutting thereon.

make

make a Ballast Wharf at the South End or Embankment of the said Dock.

If Commis-
sioners do
not erect
Quays within
limited Time
the adjoining
Proprietors
may so do.

XXIII. Provided always, and be it further enacted, That if the said Dock Commissioners shall not build and complete a Quay or Wharf or Quays or Wharfs along such Part of the East or West Sides of the said Dock, or along the Sides of the said intended Cut or Channel as aforesaid, in the Manner lastly herein-before described, within the Period of Seven Years from the passing of this Act, it shall and may be lawful for the Owners of any Warehouses, Buildings, Lands, or Hereditaments next adjoining to or abutting on the said Dock or public Roadway bounding the same, immediately after the Expiration of the said Seven Years or earlier, with the Consent of the said Dock Commissioners, or the major Part of such of them as shall be assembled at a Meeting duly holden, to build a Quay or Walls to the Extent of the Frontage of the Hereditaments respectively along the said last-mentioned Sides of the said Dock and Cut or Channel, or such Part thereof as the said Dock Commissioners shall not have built against, under the Direction of the said Commissioners or their Engineer, and so as that the Face of such new Quays shall range evenly along the said Dock and Channel according to the Lines or Curves thereof respectively; and to, over, and upon the Frontage and Front Wall of which said new Quays the Owners of the Hereditaments respectively entitled to build, and building or constructing the same, shall thereupon have the like exclusive Right, Ownership, and Property, and be subject to keep the same in repair, as the Owners of the now existing private Quays and Wharfs will have and be subject to as to the Frontage and Front Walls of the new Quays or Wharfs to be erected or constructed by the said Dock Commissioners in front of the private Quays now abutting on the Channel of the River which will form the North Side and the North End of the East Side of the said intended Dock.

Not to erect
any Work be-
low the ordi-
nary High-
water Mark
without the
Consent of
the Lord
High Ad-
miral.

XXIV. And whereas the Conservation of the several Ports, Harbours, Creeks, Estuaries, and Navigable Rivers of the United Kingdom is by Law vested in the Lord High Admiral and the Commissioners for executing the Office of Lord High Admiral of the said Kingdom for the Time being; be it enacted and provided, That nothing in this Act contained shall extend or be construed to extend to authorize the making, constructing, or erecting any Work below the ordinary High-water Mark at Spring Tides without the Assent of the said Lord High Admiral, or of the Commissioners for the Time being for executing the Office of Lord High Admiral aforesaid, having been first obtained for that Purpose; such Assent to be signified in Writing under the Hand of the Secretary of the Admiralty.

Customary
Wharfage
Rates to be
paid.

XXV. Provided always, and be it further enacted and declared, That all Goods, Wares, and Merchandize which shall be landed, discharged, or shipped upon, at, or from any of the public Quays or Wharfs which shall be erected by virtue of this Act shall be liable to pay and shall be charged and chargeable with such Rates of Wharfage and Payments as the said Dock Commissioners shall from Time to Time appoint, so that the same do not respectively exceed the Rates which have heretofore been usually paid to the Bailiffs, Burgesses, and Commonalty, or the Mayor, Aldermen, and Burgesses of the Borough aforesaid, as Owners of the common

common Quay, or their Lessee or Lessees thereof; and the same shall be paid to the said Dock Commissioners, and be recoverable by them in like Manner as the Rates and Duties hereby made payable to them are directed to be paid and made recoverable.

XXVI. And be it further enacted, That the said Dock Commissioners shall be entitled to demand and receive from all Persons using any Weighing Machines by them to be erected, or any Dry Dock or Graving or Repairing Dock by them to be constructed under the Powers of this Act, such reasonable Sums of Money, Tolls, or Rents for the Use thereof as they by any Bye Law in that Behalf shall fix to be paid in respect thereof; and the Persons applying for the Use of such Machines or Dry Docks, or Graving or Repairing Docks, shall be permitted the Use of the same in the Order according to which they shall respectively apply, subject to such Regulations as the said Dock Commissioners by any Bye Law shall make.

Power for Dock Commissioners to charge for the Use of Weighing Machines.

XXVII. And be it further enacted, That the said Dock Commissioners shall and they are hereby required to make or cause to be made a Road of the Width of Forty Feet at the least, proper for the Passage of Cattle, Carriages, and Foot Passengers, from the End of the present Ballast Wharf along the East Side of the said Dock, and thence along the South End of the said Dock to the Entrance Lock or outer Dock Gates, and from the said Entrance Lock or Dock Gates along the North Side of the intended new Cut or Channel, and across the Head or West End of the said Dock to *St. Peter's Dock*, and shall make an Opening of the Width of Twenty Feet at the least into *College Street* through the Way or Opening now leading to the said Street from *St. Peter's Dock*, in case the said proposed Dock shall there terminate; but in case the said Dock shall be extended to and terminate at the Tide Mill, then such Road shall be continued to the Bridge or Causeway leading to *Bridge Street, St. Peter's*, and so as to be open to and communicate therewith; and if and in case the said Dock Commissioners shall at any Time erect or construct a Bridge across the Lock Pit or Entrance Lock or Channel leading from the said new Cut into the Dock, the same Bridge shall at all reasonable Times and Hours be passable by Foot Passengers without Payment of any Tolls, Dues, or Duties whatsoever, and the said Dock Commissioners shall in like Manner make another like Roadway on the South or South-west Side of the said intended Cut or Channel from the East or South-east End of the said new Cut, and thence in such Direction as they shall deem most advisable, into *Great Whip Street*, so that all Persons, with Cattle and Carriages, may thereby have free Access to the Dock and Quays and the Sides of the said new Cut and Channel, and a free Circulation of Air may be preserved and continued, and the same may not only be rendered convenient for Business, but contribute to the Health and Recreation of the Inhabitants of the said Town.

Commissioners to make Roads along-side of Dock and Channel and keep same in Repair, with proper Avenues and Approaches to the same.

XXVIII. And be it further enacted, That the said Dock Commissioners shall and they are hereby required to set out and leave a sufficient Opening and make a like Road of the Width of Forty Feet from the Road near or adjoining to the West End of *Albion Street* to the Eastern Quay, Bank, or Boundary Road of the said Dock, so as to form a convenient Communication from the Streets and Road contiguous thereto, and such other Openings,

Commissioners to make a Road to the Eastern Quay or Boundary Road of the Dock.

[*Local.*]

28 X

ings, Roads, and Communications to the said Dock as they may think necessary ; and such of the said Roads last mentioned as abut on or bound the said Dock or new Cut or Channel, as well as the Roadway over and along the new Quay on the North Side of the proposed Dock, and the Sewers under the same, and thence to its Outfall or Outfalls, shall from Time to Time and at all Times hereafter be kept in repair by and at the Costs of the said Dock Commissioners, but such other public Streets or Roads and Avenues as lead from any parallel or contiguous Roads to the Roads or Quays around the said Dock or along the Sides of the said new Channel when so made and put into repair by the said Dock Commissioners, shall from thenceforth be deemed and taken to be public Streets, Highways, and Roads respectively, and shall be repaired and kept in repair as the other public Streets or Roads respectively within the Parishes in which the same are or may be respectively situate are now or then may be repaired.

No Buildings to be erected nearer than Thirty Feet to the Dock or Forty Feet to the new Channel.

XXIX. Provided always, and be it hereby further enacted, That it shall not be lawful for the said Dock Commissioners or any other Person or Persons to erect any House, Warehouse, Shed, or Building on the North-west or East Sides or at the South End of the said Dock nearer than Thirty Feet to the Edge of the said Dock, nor on either Side of the intended Cut or Channel nearer than Forty Feet to High-water Mark at ordinary Spring Tides, except any Building which may be required for the Use and Service of the said Dock Commissioners or any of their Officers, so that open Ways may at all Times be preserved for the Public of those Widths respectively, and so that the sailing of Vessels be not impeded thereby.

Proprietors of Warehouses, &c. abutting on Roadways adjoining the Docks may build over the same.

XXX. Provided always, and be it further enacted, That nothing herein contained shall prevent the Proprietor of any Warehouses, Lands, or Hereditaments abutting upon or fronting the said Roadways to be made alongside the said Dock as aforesaid from building Warehouses, Houses, Granaries, or other Erections over the said Roadways, leaving Sixteen Feet in Height in the clear between the said Roadways and the Floor or lowest Parts of such Buildings for the full Width of the said Road, and such Buildings to be supported on Pillars or Arches resting on the Front Wall or Quay Wall of the said Dock, and according to such Plan and Elevation and in pursuance of such Regulations and Rules as the said Dock Commissioners shall agree to and sanction ; and the said Dock Commissioners are hereby required, as soon as conveniently can be after the passing of this Act, to agree to and make public, in such way as they shall deem expedient, a certain and defined Plan and certain Regulations and Rules according to which all such Proprietors and Owners may so build.

Power to lay down Pipes, and contract for Supply of Water, and for the lighting of the Docks.

XXXI. And be it further enacted, That it shall be lawful for the said Dock Commissioners and they are hereby empowered from Time to Time to lay down, or grant Permission to Persons to lay down, any Pipe or Pipes for the Conveyance of Water in, over, under, or through the Land or Ground which shall be purchased by the said Dock Commissioners under the Authority of this Act, and also to supply or to contract with any Corporation, Company of Proprietors, or other Persons to supply, the said Dock or the Vessels therein with Water, and also to light the said Dock with Gas or Oil, or otherwise.

XXXII. And

XXXII. And be it further enacted, That all Pipes which shall hereafter be laid or used for the Conveyance of Gas within the Limits of this Act shall be laid, if practicable, at the Distance of at least Four Feet from the nearest Part of any Pipe already laid down or which hereafter may be laid down for the Conveyance of Water within the said Limits, except in any Case in which it may be unavoidably necessary to lay any Gas Pipe across any such Water Pipe, in which Case the said Gas Pipe shall be laid over or under such Water Pipe (as the Case may require) at the greatest practicable Distance therefrom, and shall therewith form a Right Angle, or as nearly such as may be practicable ; and in such Case the Gas Pipe so crossing the Water Pipe shall be at least Nine Feet in Length, and be so placed that no Joint of any such Gas Pipe shall be nearer to any Part of such Water Pipe than Four Feet ; and in laying down the said Gas Pipes the Person to whom they shall belong shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in the Trench, and shall in such Trench properly form the Jointing of such Pipe with the other Pipes connected therewith with proper and sufficient Materials, and shall also make and keep all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, or Openings therein respectively, Air-tight, so as to prevent the said Gas from escaping therefrom, on pain of forfeiting and paying the Sum of Five Pounds for every such Offence.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

XXXIII. And be it further enacted, That whenever the Water supplied by the said Commissioners or any Company or Person within the Limits of this Act shall be contaminated or affected by the Gas of any Company or Person supplying Gas within the Limits of this Act, such Company or Person shall forfeit and pay to the said Commissioners for every such Offence the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered ; and in case any such Water shall be so contaminated or affected by Gas as aforesaid, then and in every such Case the Company or Person supplying such Gas shall, within Twenty-four Hours next after Notice thereof in Writing, signed by or on behalf of the said Commissioners, to be left at the usual Place of Abode or at the Office or Place of transacting Business of the Company or Person supplying such Gas, cause the most effectual Measures to be taken to prevent the Gas from escaping from their Works or contaminating or affecting any such Water ; and in case the Company or Person supplying such Gas shall not, within Twenty-four Hours next after such Notice so left as aforesaid, effectually prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent such Contamination, whereof Notice shall have been given as aforesaid, then and in every such Case the Company or Person supplying such Gas shall, on every Complaint whereof Notice shall have been given as aforesaid, forfeit and pay to the said Commissioners, over and above the before-mentioned Penalty of Twenty Pounds, a further Sum not exceeding Five Pounds for every Day during which the Water shall be and remain contaminated or affected by any such Gas ; and in default of Payment thereof such Penalty shall and may be recovered by Information, to be exhibited on the Oath of some credible Witness, by and in the Name of the Clerk of the said Commissioners, before some Justice of the Peace, with Costs, to be assessed by such

Penalty on Persons supplying Gas causing the Water to be contaminated.

such Justice, and be levied by Distress and Sale of the Goods and Chattels of the Company or Person aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant.

For ascer-
taining if the
Water be con-
taminated.

XXXIV. And whereas it may become a Question upon such Complaint as aforesaid whether the said Water be contaminated by the Gas of any Company or Person supplying Gas within the Limits of this Act; be it therefore enacted, That it shall be lawful for the said Commissioners to remove the Surface of the Ground, and to examine the Pipes and other Works of the Company or Person supplying such Gas, for the Purpose of ascertaining whether the Water has been contaminated by any Escape of Gas of such Company or Person; and if it shall appear that such Water has been so contaminated, all Expences attending such Examination, and also attending the Repair of the Surface of the Highway, Turnpike Road, Street, Quay, or Place which shall have been so removed, shall be borne and paid by such Company or Person as aforesaid, and such Expences shall be ascertained and determined, if necessary, by the Justice before whom the Complaint shall be made, and be recovered in the same Manner as any Penalty may be recovered under this Act: Provided always, that if upon such Examination it shall appear that the Water hath not been so contaminated as herein-before mentioned, the said Commissioners shall bear and pay the Expences of such Examination and Repair, and also shall make good to the Company or Person supplying such Gas as aforesaid any Loss or Damage which may have been occasioned to the Pipes or other Works of such Company or Person in and by such Examination as aforesaid; and the Amount of such Loss or Damage shall be ascertained and determined (if necessary) by such Justice of the Peace as aforesaid, and be recovered in the same Manner as any other Penalty may be recovered under this Act.

Penalty on
permitting
the Escape of
Gas.

XXXV. And be it further enacted, That wherever any Gas shall be found to escape from any of the Pipes which are or shall be laid down or set up by any Company or Person supplying Gas within the Limits of this Act, such Company or Person shall, at their or his own Expence, immediately after receiving Notice by Parole or in Writing of any such Escape of Gas from any Person whomsoever, cause the most speedy and effectual Measures to be taken to prevent such Gas from further escaping; and in case such Company or Person shall not, within Twenty-four Hours next after such Notice as aforesaid being given, effectually prevent the Gas from further escaping, and wholly and satisfactorily remove the Cause of Complaint, such Company or Person shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day after the Expiration of the Term of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which said Penalty shall be recoverable in a summary Way on the Oath of some credible Witness before some Justice of the Peace for the Town and Borough of *Ipswich*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of such Company or Person, by the Warrant of any Justice of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as herein directed touching other Penalties.

XXXVI. Pro-

XXXVI. Provided always, and be it further enacted, That if any Company or Person making or supplying Gas shall at any Time empty or shall permit to flow any Washing or other waste Liquid, or any noisome or offensive Liquid, Substance, or Thing whatsoever, which shall be produced in making or procuring Gas, into any Dock, River, Brook, or Running Stream, Canal, Reservoir, or Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, within the Limits of this Act, or shall do any other Act whereby the Water contained in any such Dock, River, Brook, or Running Stream, Canal, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch shall be fouled or corrupted, the Company or Person so offending shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, and such Penalty shall and may be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, and the whole of such Penalty shall be paid to the Party who shall inform or sue for the same: Provided always, that no such Penalty shall be recoverable unless the same shall be sued for within Six Calendar Months from the Time that such Act shall have ceased and determined: Provided also, that in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not have been recovered, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained or emptied or suffered to flow in manner aforesaid into any such Dock, River, Brook, or Running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such other Act shall be done as aforesaid, and Notice in Writing shall be given by any Person whomsoever to the Person to whom such Gas Works belong, and such Person shall not within Twenty-four Hours after such Notice given prevent such Washings, waste Liquids, or other noisome or offensive Liquids, Substances, or Things from being drained or emptied or from flowing, and every such other Act from being continued as aforesaid, such Person shall forfeit and pay the Sum of Twenty Pounds for each Day during which such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained or emptied or suffered to flow, or such other Act shall be done as aforesaid; and the Amount of such last-mentioned Penalty shall and may be recovered and levied in the same Manner as any other Penalty may by this Act be recovered and levied, and shall be paid to the Informer, or to the Party who in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any of the Causes herein-before mentioned.

Penalty on
conveying
Washings
into Streams,
Rivers, &c.

XXXVII. And be it further enacted, That it shall be lawful for the said Dock Commissioners at any Time or Times hereafter, out of the Monies to be raised by this Act, to make and erect any Shades, Cranes, Hoisting and Weighing Machines, and to provide any other Conveniences upon any of the public Quays of the Dock or Channel made or to be made under and by virtue of this Act, and to affix Mooring Rings to any of the private Quay Walls there (making good all Damage thereby occasioned) for the Accommodation of the Trade of *Ipswich*, and of the

Power to
erect Cranes
on Dock
Quays.

Merchants and others attending the Discharge or loading any Ship or Vessel lying in the Dock or River aforesaid, or for the marking, taring, or sampling of any Goods, Wares, or Merchandizes, and from Time to Time to alter, remove, or replace the same in such Manner as to them shall seem necessary or proper, and also to make and provide Engines for extinguishing of Fire for the better Security of the Ships and Vessels in the said Docks.

Power to
erect private
Cranes on
Quays.

XXXVIII. And be it further enacted, That it shall also be lawful to and for the Owners and Occupiers of the private Quays or Wharfs which may abut on the said Dock at their own Expence to set up and erect any such Shades, Cranes, Hoisting and Weighing Machines, and to provide any other Convenience for their own respective Accommodation, provided that the same are not so erected or used as to prevent the free Passage along the Roadway by the Side of the said intended Dock, and so that the same be erected and set up in accordance with the Regulations to be prescribed by the said Dock Commissioners or their Engineer in that Behalf, the Plan for the Erection thereof being first submitted to and approved by the said Dock Commissioners or their Engineer for the Time being.

All Quays,
Wharfs, &c.
made and
Lands, &c.
purchased to
be vested in
the Commis-
sioners.

XXXIX. And be it further enacted, That the Ballast Wharfs, Quays, Lands, and Hereditaments, and all Houses, Buildings, Erections, Cuts, Locks, Sluices, and other Matters and Things purchased, acquired, made, built, provided, or established by virtue of the said recited Act of the Forty-fifth Year of the Reign of King *George* the Third, and also all Lands and Hereditaments to be purchased by virtue of this Act, and all Buildings, Erections, and other Matters and Things thereon and thereunto belonging, and so much of the Channel and Ooze or Mud of the River *Orwell* as will be inclosed within the Area of the said intended Dock, and also all Cuts, Quays, Wharfs, Works, Warehouses, Buildings, Roadways, Sluices, Locks, Sewers, Drains, Matters, and Things which shall be made, built, provided, or established by virtue or in pursuance of this Act at the Cost of the said Dock Commissioners, except as herein otherwise declared, and also the said Sum of Twenty-five thousand Pounds *Three per Cent.* Consolidated Bank Annuities, and all Monies, Tools, Implements, and other Real and Personal Property now vested in the Commissioners appointed by or under the Powers of the said Act of the Forty-fifth Year of the Reign of His said late Majesty, shall be and the same are hereby vested in the said Dock Commissioners appointed by virtue of this Act and their Successors; and they are hereby authorized and empowered, in the Name of their Clerk or Treasurer for the Time being, to ask, demand, sue for, and recover the same, and to bring any Action or Actions or to prefer Bills of Indictment against any Person or Persons who shall cut, damage, or injure, or cause to be cut, damaged, or injured, the said Ballast Wharf, Quays, Lands, and Hereditaments hereby vested in the said Dock Commissioners, or any of the Works to be made, erected, established, amended, or repaired by virtue of this Act, or who shall injure or destroy the same whilst doing or impede the doing thereof, or who shall steal, purloin, or wrongfully take away Stones, Lead, Iron, Wood, Bricks, or other Materials and Machines, Engines, or Utensils provided or to be provided from Time to Time or used or intended to be used therein or for any other Purposes of this Act, or who shall wilfully do or suffer or consent to any thing

thing whereby Damage may accrue to the Erections and Buildings to be purchased or the Works or Machines to be made or erected by virtue of this Act; and all the Damages which shall be so recovered by any such Suit, Process, or Action, after deducting the Costs of Suit, shall be applied as herein-after directed; and all such Property may and shall in any such Indictment or Action be laid to be the Property of any one of the said Dock Commissioners.

XL. And be it further enacted, That it shall be lawful for the said Dock Commissioners, and their Agents, Engineers, Workmen, and Labourers employed in constructing the said Dock, or any of the Quays or other Works connected therewith, or in improving the said River *Orwell*, in making Quays, Wharfs, Roads, or other Works, to lay any Stones, Timber, Iron, or any other Materials, Matters, or Things to be used in or about any of the Works, or any of the Soil, Earth, Stones, Mud, Gravel, and Spoil to be excavated or removed in the constructing or making the said Dock, Cut, or Works, upon any of the adjoining Lands, Ooze, or Mud situate, lying, and being on the Eastern Side of the River *Orwell*, between *Stoke Bridge* in the Town of *Ipswich* aforesaid and the Brook or Rivulet of Water passing or running through the Farmyard of a certain Messuage and Lands called *Greenwich Farm*, belonging to the said Sir *Philip Bowes Vere Broke*, in the Parish of *St. Clement* in the said Town of *Ipswich*, and falling into the said River, and any Lands, Grounds, Tenements, and Hereditaments situated on the Western Side of the said River between *Stoke Bridge* aforesaid and a certain other Bridge called *Bourne Bridge* in *Ipswich* and *Freston* aforesaid, and to have the same Soil, Earth, Stones, Mud, Gravel, or Spoil, making Satisfaction to the Owners and Occupiers thereof for all Damages done thereto in such Manner as shall be agreed upon between the said Commissioners, or any Ten or more of them, and the respective Owners or Occupiers thereof; and in case of Disagreement therein, then in such Manner as is by this Act prescribed for purchasing Land for the Use of the Works authorized by this Act; but so nevertheless that the said Dock Commissioners shall not prevent the Navigation or Approach of Ships or Boats to the adjoining Lands in like Manner as the same can now approach the same without the Consent of the Owners or reputed Owners of such adjoining Land respectively.

Liberty to
lay Materials
on adjoining
Lands.

XLI. And be it further enacted, That it shall be lawful for any Ten or more of the said Dock Commissioners from Time to Time, and as often as they shall think fit, by Writing under their Hands, to appoint any Collectors, Receivers, Treasurers, Engineers, Clerks, Officers, or Overseers, Dock Masters, Harbour Masters, Scavengers, Rakers, Cleansers, Workmen, Labourers, or Watchmen that hereafter shall be necessary in any Work or Employment in or about the said Dock, Lock, Sluices, Works, Quays, or Warehouses so to be erected by the Dock Commissioners, and to remove them or any of them at their Will and Pleasure, and to appoint others in the Room or Stead of such of them as shall die or decline to act or be so removed; and that it shall be lawful for the said Dock Commissioners from Time to Time to order and direct Payment of such Sum or Sums of Money arising by this Act for Materials, Salaries, Workmen's Wages, or otherwise for maintaining, preserving, improving, and repairing the said Dock, Quays, Quay Walls, Locks, Banks, Roads, or Warehouses, or deepening, cleansing, altering, and improving

Power to ap-
point Officers.

improving the said Dock, River, or Channel as Occasion shall require, and also to inspect and take Accounts of the Collections, Receipts, and Disbursements of all such Monies as shall be collected and levied by virtue of this Act, and from Time to Time to call before them the Collectors, Receivers, and Servants who shall be or shall have been at any Time or Times intrusted with the Collection, Receipt, or any Employment of the Monies to be collected and received by virtue of this Act, who are required to render to them, or to such Persons as they shall direct to inspect or take such Accounts, a true Account thereof, and also to deliver and give up all Books, Papers, Documents, and Writings in his or their Custody or Power relating to the Trust and Powers hereby granted to the said Dock Commissioners; and in case they or any of them shall be found in arrear or refuse to account, then it shall be lawful for any Two of Her Majesty's Justices of the Peace for the said Town and Borough of *Ipswich*, and they are hereby required, on Complaint and Proof on Oath made by the said Dock Commissioners, by Warrant under their Hands and Seals, to levy by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing, and who shall be charged with the Monies in his or their Hands or in arrear as aforesaid, such Sum and Sums of Money as he or they shall be so charged with, together with the Costs and Charges of levying the same, rendering the Overplus to the Parties on whom the Distress shall be made, and for Want of such Distress, or on Refusal to deliver up such Books, Papers, Accounts, Documents, and Writings in his or their Custody or Power as aforesaid, by like Warrant to commit such Person or Persons to the Common Gaol of the said Town and Borough until such Time as he, she, or they shall deliver up such Books, Papers, Accounts, Documents, and Writings as aforesaid, or until he, she, or they shall account for and pay, or cause to be secured, accounted for, and paid, such Sum or Sums of Money as he, she, or they shall be respectively charged with unto the said Dock Commissioners or to their Order, or until they shall give such Satisfaction to or shall have compounded or agreed with the said Dock Commissioners as they shall think reasonable, which Composition the said Dock Commissioners are hereby empowered to make: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Period than Six Months.

Treasurer
and Clerk not
to be the
same Person.

XLII. And be it further enacted, That it shall not be lawful for the said Commissioners to appoint any Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, to be the Clerk to the said Commissioners; and if any Person shall accept the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer

surer or of his Partner, shall accept the Office of Clerk, or shall act as Deputy of the Clerk, or in any Manner officiate for the Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Trust or Profit under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Westminster*.

XLIII. And be it further enacted, That the said Dock Commissioners shall and they are hereby required to take such Security from the Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, and other Officers to be appointed by virtue of this Act, for the faithful Execution of their respective Offices, as the said Commissioners shall think proper.

Security to
be taken
from the
Treasurer.

XLIV. And be it further enacted, That the said Commissioners shall cause One or more Book or Books to be provided and kept, and shall cause fair and regular Entries to be made therein of the several Meetings and Names of the Commissioners attending such Meetings, and of the Nomination of all Officers and Persons, and of all Acts, Orders, or Proceedings relative to the Execution of this Act, and that the Chairman for the Time being and the Clerk attending such Meeting shall subscribe their Names to the Proceedings of every such Meeting; and all Entries in such Books, being signed as aforesaid, shall be deemed Originals, and shall be admitted to be read in Evidence in all Causes, Suits, and Actions touching any thing to be done in pursuance and by virtue of this Act, and which Books shall be kept by the Clerk to the said Dock Commissioners as the said Dock Commissioners shall from Time to Time direct, and shall at every such Meeting and at all other reasonable Times be open and liable to the Inspection of the said Dock Commissioners and of all Persons in any ways affected by this Act.

Proceedings
to be entered
in a Book.

XLV. And be it further enacted, That from and after the Twenty-fourth Day of *June* One thousand eight hundred and thirty-nine there shall be paid unto the said Dock Commissioners by the Persons and the Owners and Masters having the Command of Vessels belonging to or coming to the said Port between *Stoke Bridge* and *Levington Creek*, for all Ships and Vessels coming into the said River within the said Limits (except Wherries or Passage Boats belonging to the said Port passing to and from *Harwich*), the several and respective Rates, Dues, and Duties herein-after mentioned, and specified in the Schedule marked (A.) hereunto annexed, and no other Rates or Duties for the same or in respect thereof, under any Denomination whatsoever (except such as are due and payable to the Mayor, Aldermen, and Burgesses of the said Town and Borough of *Ipswich*, if any); and which said Schedule, and all the several Matters and Things therein contained, is, are, and shall be deemed and taken as Part of this Act to all Intents and Purposes, as fully and effectually as if the same were enacted in the Body hereof.

After the
24th June
1839 the
Rates spe-
cified in the
Schedule(A.)
to be taken.

XLVI. Provided always, and be it further enacted, That all Vessels belonging to Her Majesty or employed in Her Majesty's Service, or
[Local.] 28 Z in

Vessels in the
Service of
Government
exempted.

in the Service or Employ of the Boards of Ordnance, Customs, or Excise, shall be exempted from the Payment of all and every the Rates and Duties hereby granted.

Lords of the Treasury may reduce the Rates on Foreign Ships.

XLVII. Provided always, and be it further enacted, That it shall be lawful for the Lords of the Treasury, or any Two of them, by their Order in Writing, to reduce the Rates and Duties hereby directed to be levied upon Foreign Ships to such Sum as they shall think fit, so as the same be not less than are hereby directed to be levied upon *British* Vessels.

One Arrival and Departure to be charged as One Voyage.

XLVIII. Provided always, and it is hereby declared and enacted to be the true Intent and Meaning of this Act, That for One Arrival together with One Departure of each Ship or Vessel at and from the said Port of *Ipswich* only One Tonnage Rate for the said Dock shall be due and payable for each Vessel, whether she shall have traded both Inwards or Outwards, or arrived or departed in Ballast: Provided always, that all Vessels arriving in Ballast and trading Outwards, and all Vessels built in *Ipswich* and trading Outwards, and having paid the Rates payable on such trading Outwards, notwithstanding any thing to the contrary in this Act, shall afterwards on trading Inwards pay the Rates fixed by this Act on Vessels trading Inwards.

Vessels in Port not having paid to pay on clearing Outwards.

XLIX. Provided always, and be it further enacted, That all Ships or Vessels which shall be in the Port of *Ipswich* on the Twenty-fourth Day of *June* One thousand eight hundred and thirty-nine, and which shall have traded on entering the said Port, and for which the Dockage Rates on entering Inwards shall not have been paid, shall be liable to and chargeable with the Rates payable by this Act on trading Inwards; and all Ships and Vessels which may then be in the Port or Dock of *Ipswich* which shall have arrived in Ballast, and for which no Dockage Rates shall have been paid on entering Inwards, but shall trade Outwards from *Ipswich* for any other Port or Place, shall be liable to and chargeable with the Rates payable by this Act on trading Inwards; and all Ships and Vessels then in the Port of *Ipswich* which shall have arrived in Ballast, and for which no Dockage Rate on entering Inwards shall have been paid, and which shall clear or depart out again in Ballast, shall be liable to and chargeable with the Tonnage Rates payable by this Act on Vessels arriving and departing in Ballast only.

Further Tonnage Rates payable by Vessels remaining in Docks beyond Two Months.

L. And be it further enacted, That all Ships or Vessels as aforesaid going into the Dock to be made in pursuance of this Act may be and remain there, on paying the said Rates by this Act granted as aforesaid, for the Space of Two Months, to be computed from the Time of going into the said Dock, and that from and after the Expiration of the said Two Months there shall be paid and payable to the said Dock Commissioners, or their Collectors or Deputies to be from Time to Time appointed, in addition to the said Rates and Duties aforesaid, for every Ship or Vessel (the Queen's Ships and other Vessels employed in Her Majesty's Service and in the Service of the Commissioners of the Customs and Excise for the Time being always excepted) lying, being, and remaining in the said Dock or Basins for a longer Space of Time than Two Months aforesaid, by the Master or Commander, or Owner or Owners, or Consignees of any

such Ship or Vessel according to the Tonnage Burthen thereof, for every Month which any Ship or Vessel shall remain in the said Docks or any of them, the several Rates or Duties of Tonnage next herein-after particularly described; that is to say, the Sum of One Penny *per Ton per Month* for Vessels belonging to the said Port of *Ipswich*, One Penny Halfpenny *per Ton per Month* for other *British* Vessels not belonging to the Port of *Ipswich*, and Two-pence *per Ton per Month* for Foreign Ships and Vessels.

LI. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to any Ship or Vessel which shall be forced into the said Port by Stress of Weather, although some of the Goods or Merchandizes shall have been or shall be sold in the said Port, if the same shall be sold merely for the Purpose of refitting and repairing such Ship or Vessel: Provided always, that if in such Case such Ship or Vessel shall enter the said Docks or Basins of the said Port, then the Rates and Duties specified in the aforesaid Schedule shall be charged and payable and paid for such Ship or Vessel according to the Provisions of this Act.

Exempting
Vessels in
Distress
except they
go into Dock.

LII. And be it further enacted, That the said Rates and Duties upon Tonnage and Vessels shall be paid under the following Regulations; (that is to say,) all Vessels which shall arrive at the Port of *Ipswich* and trade Inwards, and all Vessels arriving in Ballast and trading Outwards from the Port of *Ipswich*, shall be liable to pay the full Rates of Dockage payable by this Act, but all Vessels arriving in Ballast at and departing in Ballast from the said Port of *Ipswich* shall be liable to pay only one Moiety of the said Dockage Rates; and all Ships built within the said Port of *Ipswich* shall, on first trading Outwards, be liable to pay only a Moiety of such Rates, but shall thereafter be liable to pay the full Dockage Rates payable by this Act; and all Vessels built within the said Port of *Ipswich* and departing in Ballast shall, on first departing, pay no Dockage Rates, but thereafter shall pay the full Dockage Rates; and all Vessels trading Inwards from Foreign Parts, and discharging less than Half a Cargo in the said Port of *Ipswich*, and not taking in Goods in the said Port of *Ipswich* exceeding Half a Cargo, and trading from the said Port therewith, shall be liable to pay only Half the said Dockage Rates.

Regulations
for Payment
of Tonnage
Duties.

LIII. And be it further enacted, That all Vessels, Hoys, Boats, Barges, Lighters, or other Craft coming into the said River *Orwell*, and navigating therein above *Levington Creek*, and the Cargoes of which or any Part thereof shall be delivered in any Part of the said River or brought to the Port of *Ipswich*, shall be deemed to be within the River of the said Port of *Ipswich* in such and the same Manner as if they came into the said Dock, and shall be subject and are hereby declared to be liable to such Rules, Bye Laws, and Regulations as shall be made by virtue of this Act.

Vessels de-
livering their
Cargoes in
any Part of
the River to
be liable to
Duties.

LIV. Provided always, and be it further enacted, That no Vessel, Hoy, Boat, Lighter, Craft, or Raft loading or unloading or delivering any Coals, Coke, or Cinders, or other Goods, Wares, or Merchandize from or on the Eastern Part of the River upon the Lands, Beech, or Coast now the Estate of the aforesaid Sir *Philip Bowes Vere Broke*, beginning at a certain Rivulet or Stream dividing the Parish of *Saint Clement* in *Ipswich* from

Vessels land-
ing Goods on
certain Lands
of Sir P. B. V.
Broke and
others not
liable to
Duties.

Proviso as to such Vessels landing any Part of their Cargo at any other Part of the Port, or re-shipping it.

Act not to extend to charge Vessels coming from the River Gipping with the Duties, &c.

Tonnage to be paid according to the Certificate of Registry.

Ships, &c. may be measured.

from certain Lands Extra-parochial belonging to the said *Philip Bowes Vere Broke*, and passing through the Yard of a certain Messuage or Farm called *Downham Reach Farm* otherwise *Pond Hall Farm*, and extending from thence downwards to *Levington Creek* aforesaid, or on the Western Side upon any Lands, Beach, or Coast belonging to the Reverend *Henry Denny Berners*, Archdeacon of *Suffolk*, or Sir *Robert Harland* Baronet, at and between a certain Place called *Pin Mill* in the Parish of *Chelmondiston*, and a Place called *Freston Brook* in the Parish of *Freston* inclusive, or on or at the Lands of any other Person lying within the above-mentioned Limits, shall, for any such Amount of Tonnage as shall be laden or discharged on or at any such Lands or Place as aforesaid, be liable to any Rates, Dues, or Duties imposed by this Act, and no such Coals, Coke, or Cinders landed or discharged shall be liable to the Payment of any Rates, Dues, and Duties under this Act: Provided also, that all such Vessels, Hoys, Boats, Lighters, Crafts, or Rafts shall be liable for such Part of their Tonnage as shall be discharged or landed or carried to any other Parts of the said Port within the Limits thereof; and all Coals, Coke, and Cinders which shall be landed or taken on board upon or from the said Lands without Payment of any Rates or Duties under this Act, which shall be afterwards reshipped and put on board of any Vessel, Hoy, Boat, Barge, Lighter, Craft, or on any Raft for the Purpose of being carried or which shall be carried to any Part of the said River or Port between *Stoke Bridge* and *Levington Creek* other than the Parts before exempted, shall be deemed and be liable and subject to the Payment of the said Rates or Duties, and shall pay such Rates and Duties accordingly, as if the same respectively had not been exempted: Provided nevertheless, that nothing in this Act contained shall extend or be construed to extend so as to charge any Barge, Boat, or other Vessel coming from or going to the River *Gipping*, or any other inland Navigation which hereafter may be made to communicate with the said Dock or the River *Orwell*, with the Rates and Duties allowed by this Act, provided the Cargo in such Barge, Boat, or other Vessel coming from or going to the said River *Gipping*, or other inland Navigation as aforesaid, shall be landed or loaded within the Port of *Ipswich*, or put on board or taken out of some Ship or Vessel lying in the said Dock or the River *Orwell*.

LV. And be it further enacted, That all Ships and Vessels trading to and from the said Port, liable to the Duties of Tonnage by this Act imposed, shall pay the said Duties according to the Admeasurement contained in the Certificate of Registry belonging to such Ship or Vessel, and the said Duties of Tonnage shall be thereby computed and collected accordingly; and all Foreign Vessels shall be measured by the Surveyor of the Customs at the said Port of *Ipswich*, and the several Duties of Tonnage shall be computed and collected according to such Admeasurement; and such Surveyor shall be paid such Sum or Sums of Money as the said Dock Commissioners, or any Ten or more of them, shall think a proper Compensation for the Trouble such Surveyor may have.

LVI. And be it further enacted, That the Masters and Owners of all Ships, Hoys, Barks, or Vessels entering and using the said River, and liable to the Payment of the Rates and Duties by this Act imposed, that shall be unregistered, or who shall refuse or decline to produce their Registers, shall suffer and permit the said Ships, Hoys, Barks, or Vessels to be

be measured by the said Surveyor, and shall pay the Rates and Duties aforesaid according to such Measurement; and that every Owner or Master aforesaid who shall refuse to produce such Register, or to have his, her, or their Ship, Hoy, Bark, or Vessel measured as aforesaid, shall for every such Offence respectively forfeit and pay any Sum not exceeding Fifty Pounds to the said Dock Commissioners.

LVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree, by the Year or otherwise, with any Proprietors or Masters of Steam Boats, Pleasure Boats, or other Vessels engaged in transporting Passengers only, and of Vessels under Fifteen Tons Burthen Register Tonnage, whether engaged in transporting Passengers or carrying Goods, for the Tolls or Dues payable by or in respect of the same, and to accept and take such Sum or Sums of Money in lieu of such Tolls or Dues as they the said Commissioners shall from Time to Time think proper, every such Sum of Money nevertheless to be paid in advance: Provided always, that in case the said Commissioners shall at any Time or Times compound and agree in manner aforesaid with any Proprietor or Master of a Steam Boat, or of any Vessel under Fifteen Tons, for such Tolls or Dues as aforesaid, it shall be lawful for all other Proprietors and Masters of Steam Boats engaged in transporting Passengers, and of other Vessels under Fifteen Tons, to compound for the Tolls or Dues payable by them upon the like Terms as any other Proprietor or Master of a Steam Boat, or of any such Vessel under Fifteen Tons Burthen, shall for the Time being have compounded and agreed under the Power and Authority herein-before contained, Respect being had to the Tonnage of the same Vessel and the proportionate Rates hereby imposed thereon; and the Commissioners are hereby required to accept such Composition as last aforesaid, to the Intent that such Tolls or Dues may not be compounded for partially or in favour of any particular Person or Party, except that Steam Boats not belonging to the Port of *Ipswich* shall pay One Half more than such as belong to that Port.

LVIII. And be it further enacted, That it shall be lawful for the said Dock Commissioners, and they are hereby authorized and empowered, to lessen and reduce, and again to raise and advance, all and every the Tolls and Dues herein-before authorized to be taken, and to order the same to be again raised, levied, and taken in such Manner as they shall appoint: Provided always, that such Tolls or Dues shall not be increased so as to exceed the respective Rates in the said Schedule mentioned and specified; and such Tolls or Dues so lessened and reduced shall be paid and payable and recoverable in such and the like Manner as the Tolls and Dues hereby authorized to be taken.

LIX. Provided always, and be it further enacted, That the several Rates, Tolls, and Sums by this Act authorized to be taken shall at all Times be charged equally and after the same Rate in respect of the same Description of Shipping, and no Reduction or Advance in the said Rates, Tolls, and Sums shall, either directly or indirectly, be made partially or in favour of any particular Person or Party; but every such Reduction or Advance of Rates, Tolls, and Sums upon any particular Kind or Description of Shipping shall extend to all Persons whomsoever, any thing to the contrary thereof in anywise notwithstanding.

[*Local.*]

29 A

LX. And

Duty on
Coals.

LX. And be it further enacted, That from and immediately after the passing of this Act there shall be paid to the said Dock Commissioners, or to their Collector, or to such Person or Persons as they shall from Time to Time appoint to collect and receive the same, the Duty or Sum of One Shilling for every Ton Weight of Coals, Coke, and Cinders, and so on in proportion for any less Quantity, which shall or may be imported or landed within the River *Orwell* or Town of *Ipswich* aforesaid, or the Harbour thereof, or otherwise brought or delivered within the Limits of this Act ; such Rate or Duty to be paid in addition to all other Duties and Impositions payable or to become payable in respect thereof by any Law or Statute whatsoever.

Penalty on
evading
Rates.

LXI. And be it further enacted, That if any Master, Owner or Owners, or Persons having the Charge or Command of any Ship or other Vessel, or any Owner or Owners, Consignee or Consignees, or any other Person or Persons owning or having Charge of any Coals, Coke, or Cinders imported into the said Port as aforesaid, shall by any Means whatever at any Time or Times elude or evade the Payment of the Rates and Duties hereby made payable on Ships or Vessels, and Coals, Coke, and Cinders respectively, or any Part thereof, each and every Person eluding and evading Payment as aforesaid shall stand charged with and forfeit and pay, over and besides such Rates and Duties, a Sum of Money equal to the Rates or Duties so eluded or evaded ; and which Sum shall and may be recovered from such Master, Owner or Owners, Consignee or Consignees, or other Person or Persons respectively by the same Ways and Means and in such Manner as are herein-after directed for levying and recovering any of the Penalties and Forfeitures by this Act authorized to be imposed.

Regulations
for Payment
of Coal Du-
ties.

LXII. And be it further enacted, That the said Duty on Coals, Coke, and Cinders shall be paid and payable under and according to the following Regulations ; (that is to say,) that an Entry of the Quantity of the Coals, Coke, and Cinders imported into the said Port, Town, or Harbour in any Vessel as stated in the Invoice or Invoices thereof shall be first exhibited to the Collector of the said Coal Duties or his Deputy, and the Duty payable thereon shall be paid according to the Quantity stated in such Entry and Invoice, and on such further Quantity as the Master, Owner, or Importer shall think fit, if he have Cause to believe that the Invoice does not state the full Quantity thereof ; and the said Collector of the said Duty, or his Deputy, shall have Power to demand the Production of the said Invoice, and of a Certificate of the Quantity of Coals shipped in such Vessel ; and unless the Master, Owner, or Importer shall produce the same Invoice and Certificate to the said Collector or his Deputy upon such Demand, for any and every Neglect therein such Master, Owner, or Importer shall forfeit the Sum of Ten Pounds, to be recovered in like Manner as any other Penalty by this Act is made recoverable ; and the said Commissioners or their Collector are hereby empowered to require that the said Coals, Coke, or Cinders be weighed by One or more of the Meters herein-after mentioned ; and in case the Quantity thereof when weighed shall be found to exceed the Quantity on which the Duty shall have been paid by upwards of Three Tons in One hundred Tons, and so in proportion for every or any Quantity less than One hundred Tons, the Master, Owner, and Importer thereof shall

be subject and liable to the Payment of all the Expences attending the weighing the same Coals, Coke, and Cinders, and also shall pay the Penalty or Sum of Twenty Shillings for every Ton that the Quantity ascertained by Weight shall exceed the Quantity whereon the Duty shall have been paid, as well as the Duty payable on such Excess; which Expences and Penalty shall and may be recovered and levied in like Manner as any other Penalty is by this Act made recoverable and leviable: Provided always nevertheless, that the said Dock Commissioners may and they are hereby empowered to remit such Expences of weighing and Penalty, in case they are satisfied and determine that no Fraud was intended by or existed on the Part of the Persons liable to or making Payment of such Duties.

LXIII. And be it further enacted, That if any Shipper of Coals, Master or Owner of a Vessel, Importer of Coals, or other Person do make out or deliver or exhibit to the said Dock Commissioners, or their Collector or Lessee, a false or incorrect Invoice, or a false or incorrect Copy or Extract of, or Statement purporting to be a Copy or true Extract of, the Invoice of any Coals, Coke, or Cinders imported into, brought, or delivered within the said Town or Port, or the Harbour thereof, with Intent to defraud the said Dock Commissioners of the Duty payable on such Coals or any Part thereof, such Person so offending, and being lawfully convicted thereof, shall be deemed guilty of a Misdemeanor, and shall be punished accordingly.

Falsification
of Invoice to
be a Mis-
demeanor.

LXIV. And be it enacted, That it shall be lawful for the said Dock Commissioners from Time to Time to nominate and appoint such Number of Persons as they may think proper to be Coal Meters and Weighers for the Purposes of this Act, and from Time to Time to remove such Meters and Weighers and appoint others in their Stead, and also to fill up Vacancies therein as they shall occur, and to make such Regulations and Rules for the weighing and measuring of such Coals, Coke, and Cinders as may be imported into the said Port as they the said Dock Commissioners shall think fit; and that such Coal Meters and Weighers shall have full Power and Authority, with all necessary Assistants, to go on board all Ships or Vessels laden with or having on board any Coals, Coke, or Cinders liable to the aforesaid Duty hereby imposed, to ascertain and measure or weigh the Quantity of such Coals, Coke, or Cinders on board such Ship or Vessel, or on the Deck thereof, as the Commissioners shall direct, in order that the said Rate or Duty may be duly collected and paid thereon; and every such Coal Meter and Weigher shall deliver to the said Dock Commissioners or their Collector a true Account of the Quantity of such Coal, Coke, or Cinders; and every Person so appointed shall, before he shall be capable of acting as such Meter or Weigher, make a Declaration before some Justice of the Peace for the said Town for the due and faithful Performance of his Duty.

Power to
Dock Com-
missioners to
appoint Coal
Meters and
Weighers.

LXV. And be it enacted, That every Coal Meter and Weigher to be appointed under the Authority of this Act, shall take or receive, from the Owner or Master or other Person having the Rule, Government, or Command of any Ship or Vessel laden with or having on board any Coal, Coke, or Cinders liable to the aforesaid Rate or Duty, such Sum for all Coal, Coke, or Cinders weighed or inspected by him as the said Dock

Coal Meters
to receive
Meterage
from the
Owners of
Vessels.

Dock Commissioners shall direct, not exceeding the Sum of Two-pence for every Ton Weight thereof.

On Refusal to
pay Duties
Collectors
may seize the
Vessels.

LXVI. And be it further enacted, That on any Neglect or Refusal to pay any of the Rates or Duties by this Act granted, it shall be lawful for the Person entitled to collect or receive such Rates or Duties to seize and detain the Ship, Vessel, Boat, Barge, Lighter, Craft, or Raft, or Coals, Coke, or Cinders whereon the same shall be payable; and if within Three Days such Rates or Duties shall not be paid and satisfied it shall be lawful for such Person to sell such Ship, Vessel, Boat, Barge, Lighter, Craft, Raft, Coals, Coke, or Cinders, or so much thereof as shall be sufficient for the raising such Rates and Duties and the Expences of compelling Payment thereof, rendering the Overplus (if any), after deducting the said Rates, Duties, Costs, and Charges of recovering the same, to the Owner or Owners, Consignee or Consignees of such Ship, Vessel, Boat, Barge, Craft, Lighter, Raft, or Coals, Coke, or Cinders respectively.

Commis-
sioners to
give Orders
how the
Money shall
be collected
and disposed
of.

LXVII. And be it further enacted, That the said Dock Commissioners, or any Ten or more of them, shall have full Power and Authority, and they are hereby authorized and empowered, to make such Orders and Rules and give such Directions for the collecting, receiving, and disposing of the said Sums of Money and Duties as they shall think most proper, necessary, and conducive to the End for which the same are hereby granted; and all and every the Sum and Sums of Money before mentioned shall from Time to Time be paid to and collected and received by such Person or Persons as, by Writing under the Hands of the said Dock Commissioners, or any Ten or more of them, shall be chosen by the said Dock Commissioners, at a Meeting to be held for the Election of Officers by virtue of this Act; and the Person or Persons so appointed to receive the Duties shall pay and dispose of the same to such Person or Persons and in such Manner and Proportion as shall be mentioned in such Writing, and for no other Use, Intent, or Purpose whatsoever.

Application
of Monies
raised under
the Act.

LXVIII. And be it further enacted, That the said Dock Commissioners shall and they are hereby authorized and required, out of the Sum of Twenty-five thousand Pounds Three *per Cent.* Consols, accumulated under the said recited Act as aforesaid, or the Proceeds thereof, to pay and defray the Charges and Expences attending the passing of this present Act and a certain other Act now before Parliament for amending several Acts relating to the Improvement of the Town of *Ipswich*, and then to pay and discharge the Debts (save and except such as are due by way of Annuity) now owing by the Commissioners acting in the Execution of a certain Act of Parliament made and passed in the Fifty-fifth Year of the

55 G. 3. c. 26.

Reign of His said late Majesty King *George the Third*, intituled *An Act for amending and enlarging the Powers of Two Acts of His present Majesty, for paving, lighting, cleansing, and improving the Town of Ipswich in the County of Suffolk, and removing and preventing Encroachments, Obstructions, and Annoyances therein, and for watching the said Town*, and of the said Two Acts therein recited, to an Extent not exceeding the Sum of Sixteen thousand Pounds; and the Remainder of such Sum of Twenty-five thousand Pounds Three *per Cent.* Consols, together with all Monies which may be borrowed and taken up at Interest under the Provisions of this Act

Act upon the Credit of the said Dock Rates and Duties as aforesaid, and all other Monies to be collected and received by the said Commissioners under the Authority of this Act, shall be by them applied in paying the Interest on the Money so to be borrowed, and in carrying into execution the Purposes of this Act, and in the making, erecting, building, constructing, finishing, and maintaining the aforesaid Docks, Quays, Quay Walls, Embankments, Sewers, Culverts, Roads, Cuts, Channels, Cranes, Sheds, Engines, Dredging Engines, Boats, Barges, Machines, Bridges, Buildings, Works, and other Matters and Things necessary or proper for carrying into effect the Purposes of this Act; and the Residue or Surplus which shall remain after such Application as aforesaid shall from Time to Time, whilst and so long as the reserved Fund next herein-after mentioned shall be kept up, be applied in or towards the Repayment of the Principal Monies which shall have been borrowed under this Act, until all such Principal Monies shall be repaid, and all Assignments of or Mortgages upon such Rates and Duties are paid off and discharged and redeemed: Provided always nevertheless, that after the first Three Years next after the opening of the said Dock no Sum exceeding Fifteen hundred Pounds, out of the said Rates and Duties and annual Income of the said Dock Commissioners, shall be laid out in any one Year in the deepening, widening, altering, cleansing, improving, maintaining, or repairing the said Dock and River, or any of the Works connected therewith, and otherwise in carrying this Act into execution, except in case of urgent Necessity, until and unless a reserved Fund of Six thousand Pounds, Three Pounds *per Centum* Consolidated Annuities, be accumulated and kept up as herein-after provided to meet Contingencies by Accident to the said Works; and the Surplus and Residue of such Rates and Duties shall be from Time to Time laid out and invested in the Names of Four Trustees for and on behalf of the said Dock Commissioners, to be by them nominated, in the Purchase of Stock in Three Pounds *per Centum* Consolidated Bank Annuities, until the Sum of Six thousand Pounds Three Pounds *per Centum* Consolidated Annuities shall have been purchased.

LXIX. And be it further enacted, That it shall be lawful for the said Dock Commissioners, from Time to Time as they shall think proper, to sell and dispose of all or any Part of the said reserved Fund and Stocks, and to convert the same into Money, for the Purpose of satisfying any Claims or Demands upon the said Dock Commissioners arising from Accident to the said Works, requiring an Expenditure exceeding Three hundred Pounds, which cannot be met by the ordinary Income of the said Dock Commissioners.

Power to sell Securities in which the reserved Fund is invested.

LXX. And be it further enacted, That when and so often as the Fund to be formed as aforesaid shall, by the Means aforesaid or from any other Cause, have been reduced below the Sum of Six thousand Pounds Three Pounds *per Centum* Consolidated Annuities, the Surplus of the net annual Income of the said Dock Commissioners, after expending any Sum not exceeding the Sum of One thousand five hundred Pounds in any One Year for the Purposes aforesaid, shall again in like Manner be set apart and invested, and the Interest and Dividends thereof in like Manner again to be allowed to accumulate at Compound Interest until such Fund shall again amount to the Sum of Six thousand Pounds Three Pounds *per Centum* Consolidated Annuities, and each reserved or accumulated Fund shall then

Reserved Fund when reduced below 6,000*l.* may be again accumulated.

[Local.]

29 B

thereafter

**Trustees may
sell out the
25,000l. for
the Purposes
of this Act.**

Trustees to transfer Stock in case of Removal, &c.

**Power to
raise Money.**

Form of Assignment.

And

And every such Assignment shall be good, valid, and effectual in the Law to all Intents and Purposes.

LXXIV. And be it further enacted, That in case the Interest of any Money lent or any Part thereof shall be behind, in arrear, and unpaid for the Space of Three Calendar Months next after the same shall respectively become due and shall have been demanded, then and in such Case it shall and may be lawful for the Creditor or Creditors, upon his, her, or their first giving Ten Days Notice in Writing to the Treasurer or Treasurers for the Time being acting under this Act, to commence an Action on the Case or of Debt in any of Her Majesty's Courts of Record at *Westminster*, against the said Treasurer or Treasurers, for the Recovery of the said Interest of any such Money; provided that the Venue of such Action be laid in the said Town of *Ipswich* or the County of *Suffolk*, and not elsewhere, and in such Action no Essoign, Privilege, Protection, or Wager of Law, or more than One Impar lance, shall be allowed.

Recovery of Interest.

LXXV. And be it further enacted, That it shall be lawful for the Person entitled to any of the Securities for the Money borrowed as aforesaid by Writing under their Hands indorsed thereon, such Deed or Writing being duly stamped, and setting forth the Conditions of the Transfer or Assignment thereby made, to transfer the same to any Person or Persons in the Words or to the Effect following; (that is to say,)

Securities may be transferred.

‘ I do hereby transfer the within Mortgage [*or a certain Mortgage, as the Case may be*], and all my Right and Title in and to the Principal Money and Interest and all Arrears now due thereon and thereby secured, unto Executors, Administrators, and Assigns. Dated the Day of .’

Form of Transfer.

And all Entries or Memorials of all Mortgages or Assignments which shall be made in pursuance of this Act and of all Transfers thereof, expressing in Words at Length the Names, Additions, Places of Abode, and other proper Descriptions of all such Persons as shall from Time to Time be entitled to the Principal and Interest secured, shall be entered in a Book to be kept for that Purpose by the Clerk to be appointed in pursuance of this Act, to which Book all Persons interested shall at all seasonable Times have Access, and shall have Liberty to inspect the same without Fee or Reward; and for the Entry of every such Assignment the said Clerk shall be paid Two Shillings and Sixpence, and no more; and every such Transfer shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security to be thereby transferred; and all Persons to whom such Mortgages or Assignments shall be made or who shall be entitled to the Monies thereby secured shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Duties, one with another, without any Preference in respect of the Priority of advancing such Money or the Dates of any such Mortgages or Assignments; all which Monies so to be borrowed shall be employed for and towards the Purposes of this Act.

Transfers to be entered by the Clerk.

LXXVI. And be it further enacted, That it shall be lawful for the said Dock Commissioners to treat and agree with the Mayor, Aldermen, and Burgesses of the Borough of *Ipswich*, and the Owners and Occupiers and all

Power to purchase Lands.

Persons
under legal
Disability
empowered
to sell and
convey
Lands.

all other Persons interested in any Lands, Grounds, Tenements, or Hereditaments situated, lying, and being on the Eastern Side of the River *Orwell*, between *Stoke Bridge* in the Town of *Ipswich* aforesaid and the Brook or Rivulet of Water passing or running through the Farmyard of a certain Messuage and Lands called *Greenwich Farm*, belonging to the said *Philip Bowes Vere Broke*, in the Parish of *Saint Clement* in the said Town of *Ipswich*, and falling into the said River, and any Lands, Grounds, Tenements, and Hereditaments situate, lying, and being on the Western Side of the said River between *Stoke Bridge* aforesaid and a certain other Bridge called *Bourne Bridge* in the Parish of *Wherstead*, except the Quay called the *Common Quay*, and all other the Lands, Grounds, Tenements, and Hereditaments which in the Schedule marked (B.) to this Act annexed or in the Plan herein-before referred to are mentioned or described, which the said Dock Commissioners shall think necessary to purchase, either for the constructing of the said Dock, or making the said new Cut or Channel, or erecting a new Ballast Wharf or any other Buildings, or for providing Store Yards or any other Convenience, or the widening and improving the present Quays or such as may be hereafter constructed, or for the erecting a Crane or Cranes, or constructing or putting down a Weighing Machine or Machines and Graving Docks, and for other the Purposes of this Act; and it shall be lawful for all Corporations, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated or not to be found, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in, and for all other Persons whatsoever seised or possessed of or interested in any such Lands, to contract for, sell, and convey the same or any Part thereof unto the said Commissioners; and all such Conveyances shall be made at the Expence of the said Commissioners, and may be, unless where they may be advised that the same is not applicable to the Circumstances of the Case, or where it may be necessary to insert particular Covenants, Conditions, and Agreements, according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will reasonably admit; namely,

Form of Con-
veyance.

‘ *A. B.* of in consideration
‘ **I** of the Sum of to me paid by the
‘ do hereby, by virtue of the Powers contained in an Act passed in the
‘ First Year of the Reign of Queen *Victoria*, intituled [*here insert the*
‘ *Title of this Act*], grant and convey [*or assign, as the Case may require,*]
‘ to the said Commissioners all [*describing the Premises to be conveyed*],
‘ with the Appurtenances, and all my Right, Title, and Interest in and
‘ to the same and every Part thereof, to hold to the said Commissioners
13 ‘ and

‘ and their Successors for ever, by virtue and according to the true Intent
 ‘ and Meaning of the said Act. In witness whereof I have hereunto set
 ‘ my Hand and Seal the Day of in the Year of
 ‘ our Lord ,

And all such Conveyances shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed or aliened, except where the said Commissioners shall have express Assignments or other Dispositions made of such Terms for their Benefit, and to bar and destroy all Estates Tail and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the same; and also to confer on the said Commissioners and their Assigns such Rights to the Production to them, at their own Costs, of any Deeds or Instruments relating to the Lands therein comprised which shall not be delivered to the said Commissioners as the Vendor of the said Lands, being the absolute Owner thereof, could secure by his express Covenants to the Vendees, so often as the same shall be reasonably required for the Manifestation or Defence of the Title of the said Commissioners; but although Terms shall be merged, they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the Commissioners, and to attend the Reversion and Inheritance.

LXXVII. And be it further enacted, That all Corporations, Trustees, and other Persons herein-before enabled to sell or convey Lands, and any other Owner and the Occupier of any Lands through, in, or upon which the said Dock, Quays, and other Works hereby authorized shall be made, may accept and receive Satisfaction for the Value of such Lands, and also Compensation for the Damages to be sustained by making or completing the said Dock, Quays, and Works herein-before directed to be made and given in gross Sums; and in case the said Commissioners and the Parties interested in such Lands cannot agree as to the Amount or Value of such Satisfaction and Compensation, the same shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after directed.

Satisfaction
to be made
for Lands
taken.

LXXVIII. And be it further enacted, That in case of any Difference or Dispute between the said Commissioners or their Agents, and any Corporation, Trustee, or other Person interested in or entitled to any Lands to be taken or used for the Purposes of this Act, relative to the Price or Value, Damages or Recompence to be given for the same, and in case such Price or Value, Damages or Recompence cannot be settled, adjusted, or agreed for by and between the said Commissioners and such Proprietors of or Persons interested in the said Lands, or if any such Corporation, Trustee, or any other Person interested or entitled as aforesaid shall refuse to receive, upon due Tender thereof made, such Purchase Money or Recompence as shall be offered to be paid by the said Commissioners, or shall for the Space of Twenty-one Days next after Notice in Writing given to the principal Officer of any such Corporation, or to such Trustees or Persons respectively, or left at the last or usual Place of his or their Abode, or with the Tenant or Occupier of any Lands required for the Purposes of this Act, neglect or refuse to treat, or if any Person shall by Absence or otherwise be prevented from treating, and shall not within the before-mentioned

Differences
respecting
the Price of
Land or Da-
mage to be
settled by a
Jury.

mentioned Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which he is or shall be in Possession of and to the Interest which he claims therein, then and in every such Case it shall be lawful for the said Commissioners, or any Three of them, and they are hereby empowered and required, to issue a Warrant under their Hands to the Sheriff of the County of *Suffolk*, or in case such Sheriff or his Under Sheriff shall be one of the said Commissioners, or enjoy any Office of Trust or Profit under them, or shall be in anywise interested in the Matter in question, then to some One of the Coroners of the said County who shall not be so interested as aforesaid, commanding such Sheriff or Coroner to impanel, summon, and return a Jury; and the said Sheriff or Coroner is hereby required accordingly to impanel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before such Sheriff or Coroner at such Time and Place as in such Warrant shall be appointed; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff or Coroner shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff or Coroner is hereby empowered and required to summon or call before him every Person who shall be thought necessary to be examined as a Witness touching the Matter in question, and may order and authorize the said Jury to view the Place or Matter in controversy; and such Jury upon their Oaths, (which Oaths, as well as the Oaths of such Persons as shall be called upon to give Evidence, the said Sheriff or Coroner is hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, or the Recompence to be made for the Damage which shall or may be sustained as aforesaid, and the said Sheriff or Coroner shall accordingly give Judgment for such Purchase Money or Recompence so to be assessed by such Jury; which said Verdict and the Judgment thereupon shall be binding and conclusive to all Intents and Purposes against all Corporations, Trustees, and all other Persons whomsoever: Provided always, that in all Proceedings before any Jury the Person claiming Compensation shall be deemed Plaintiff, and shall be entitled to all the Rights, Privileges, and Advantages to which Plaintiffs are entitled.

Penalty on
Sheriff,
Jurors, or
Witnesses
making
default.

LXXIX. And be it further enacted, That if such Sheriff or his Deputy or other Person so directed to summon and return a Jury as aforesaid shall make default in the Premises, he shall for every such Offence forfeit the Sum of One hundred Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear without sufficient Excuse, or appearing shall refuse to be sworn or give his Verdict, or in any other Manner wilfully neglect his Duty contrary to the true Intent of this Act; or if any Person so to be summoned to give Evidence shall not appear without sufficient Excuse after having been paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, examined, or give Evidence, or being a Quaker shall refuse to make his solemn Affirmation, or to be examined or to give Evidence, then and in

every such Case every Person so offending shall forfeit and pay, for the Benefit of the Party for whom or on whose Account such Jury or Witnesses shall be summoned, any Sum not exceeding Ten Pounds, to be levied by virtue of a Warrant under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus (if any), after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

LXXX. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be liable and subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster*; and every Person who in any Examination to be taken by virtue of this Act upon Oath or Affirmation shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, or Coroner, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

Jurors to be under the same Regulations as those of the Superior Courts.

LXXXI. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for the same or a greater Sum of Money than shall have been previously offered by or on behalf of the said Commissioners as a Recompence or Satisfaction for any such Lands as aforesaid, or for any Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person as aforesaid, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, or in anywise consequent thereon, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act; and in case such Costs, Charges, and Expences shall not be paid to the Person entitled to receive the same within Twenty-one Days after Demand made thereof from the said Commissioners, then the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners, or of any Goods and Chattels of the Treasurer of the said Commissioners, (in case such Treasurer shall refuse or neglect to pay such Costs, Charges, and Expences out of any Money then in his Hands belonging to the said Commissioners, or if such Treasurer shall not then have any Money belonging to the said Commissioners then in his Hands, then out of the first Monies of the said Commissioners that shall then afterwards come into his Hands, but not unless he shall so refuse or neglect, all which Payments the said Treasurer is hereby authorized to make,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said Town and Borough of *Ipswich*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by the Person entitled to receive such Costs, Charges, and Expences; and in every Case where a Verdict shall be given by any such Jury for less Money than shall have been previously offered by or on behalf of the said Commissioners as such Recompence or Satisfaction as aforesaid, then the said Costs, Charges,

By whom Expences of Jury, &c. are to be paid.

Charges, and Expences shall be borne in equal Proportions by the Person refusing or neglecting to treat or agree as before mentioned and by the said Commissioners; but in Cases where any Person shall have been prevented by Absence from treating with the said Commissioners, the Costs, Charges, and Expences so incurred shall be borne by the said Commissioners; and in all Cases where any Difference shall arise touching the Amount of the Costs, Charges, and Expences, the same shall be settled and ascertained by the Sheriff or other Person before whom the Inquiry may have been held, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where any Costs shall be payable by the Person having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Person as so much Money advanced for his Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment or Tender of the whole Money awarded and adjudged to such Person; or otherwise, if such Costs, Charges, and Expences be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners from the Person liable to the Payment thereof by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

Compensation for Damages.

LXXXII. And be it further enacted, That if any Person shall sustain any Damage in his Land or Property by reason of the Execution of any of the Powers given by this Act, or by reason of any of the Works hereby authorized to be made, then and in every such Case full Compensation and Satisfaction shall be made by the said Commissioners for all such Damages, which Damages shall be awarded and assessed in manner hereinbefore mentioned: Provided always, that before the said Sheriff shall be required to issue his Warrant for summoning such Jury as aforesaid, the Person claiming Compensation as aforesaid shall enter into a Bond to the Treasurer of the said Commissioners, and at the Expence of the said Commissioners, conditioned in the Penalty of One hundred Pounds, for the Payment of all Costs and Expences attending the Inquiry before such Jury to which the Party so claiming Compensation may be liable as aforesaid.

Compensation Money to be apportioned by the Jury.

LXXXIII. And be it further enacted, That every Jury shall and is hereby empowered to settle what Shares and Proportions of the Purchase Money and Compensation for Damages which shall be agreed, determined, or assessed in manner aforesaid shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises for such his Interest therein.

Verdicts to be recorded.

LXXXIV. And be it further enacted, That all the said Verdicts and Judgments shall be kept by the Clerk of the Peace for the said County among the Records of the Quarter Sessions for such County, and shall be deemed Records to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and also to take and make
Copies

Copies thereof, paying for each Copy after the Rate of Sixpence for every One hundred Words.

LXXXV. And be it further enacted, That the said Commissioners shall not nor shall any of them be obliged or compelled by virtue of this Act to receive or take notice of any Complaint to be made by any Person whomsoever for any Injury or Damage by him sustained or supposed to be sustained by virtue or in consequence of the Execution of any of the Powers of this Act, unless such Complaint shall be made to the said Commissioners within the Space of Six Calendar Months after the Time such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Notice of Injury to be given to Commissioners before Complaint made.

LXXXVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, for the Purchase of any such Lands, or as a Compensation for Damages, or of the Balance of such Purchase Money or Compensation which shall remain after the Deduction of any such Proportion of Costs and Charges which shall be payable by such Party, and shall have been so ascertained as aforesaid, to the Proprietor of such Lands, or to such other Person as shall be interested therein, or entitled or enabled as aforesaid to receive such Money or Compensation respectively, at any Time within Six Calendar Months after the same shall have been so agreed for, determined, or awarded, or in case of Refusal to accept the same, then upon Payment of the said Sum of Money into the Bank of *England* as herein-after directed and required, for the Use of the Person entitled thereto, it shall and may be lawful to and for the said Commissioners, and their Agents, Workmen, and Servants, immediately to enter upon such Lands respectively, and then and thereupon such Lands, together with the yearly Proceeds thereof, and all the Estate, Use, Trust, and Interest of any Person therein, shall thenceforth be vested in and become the sole Property of the said Commissioners to and for the Purposes of this Act for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion or Remainder of his, her, or their Issue, and of every other Person whomsoever therein, in respect of whose Interests such Purchase Money or Compensation shall have been made: Provided nevertheless, that before such Payment as aforesaid it shall not be lawful for the said Commissioners or any Person acting under their Authority to dig, cut, take, or use the Lands of the Person entitled to such Payment for the Purposes of this Act without the Consent in Writing of such Person, or of the Person herein-before enabled to receive the same respectively.

Power to enter and take possession of Lands &c. on Payment or Tender of Purchase Money.

LXXXVII. And be it further enacted, That every Tenant at Will or Lessee for a Year, Tenant from Year to Year, or any other Person in Possession of any Lands or any Part thereof which shall be required by the said Commissioners to be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall deliver up the

Tenants at Will, or for Years, to quit Lands, &c. after Notice.

[*Local.*]

29 D

Possession

Possession of such Premises to the said Commissioners, or to such Person as they shall appoint to take possession of the same, upon having Six Calendar Months Notice to quit such Possession from the said Commissioners, or from the Person so authorized by them; and such Person in Possession shall, at the End of the said Six Calendar Months, whether such Notice be given with reference to the Time of such Tenant's holding or not, or so soon after as he shall be required, peaceably and quietly deliver up the Possession of the Premises to the said Commissioners, or to the Person authorized by them to take possession thereof; and in case any such Person so in Possession as aforesaid shall refuse to give such Possession as aforesaid, it shall be lawful for the said Commissioners to issue their Precept to the Sheriff of the County of *Suffolk* to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue by or on account of the issuing and Execution of such Precept on the Person so refusing to give Possession as aforesaid by Distress and Sale of his Goods.

Interest of
such Tenants
may be
settled by a
Jury.

LXXXVIII. Provided always, and be it further enacted, That where any such Tenant or Lessee being Tenant or Lessee from Year to Year shall be required to deliver up the Possession of any Premises so occupied by him to the said Commissioners, or to the Person authorized by them to take possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Commissioners shall and they are hereby directed to make or tender unto such Tenant or Lessee Satisfaction or Compensation for the Value of his unexpired Term or Interest in the Premises; which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in manner herein-before directed with regard to any other Satisfaction or Compensation in and by this Act provided for and directed to be made and assessed.

Mortgages to
be conveyed
to the Com-
pany after
Tender of
Principal
and Interest.

LXXXIX. And be it further enacted, That every Person who shall have any Mortgage on such Lands or any of them, or any Part thereof, and whether in Possession thereof by virtue of such Mortgage or not, shall, on the Tender of the Principal Money and Interest due thereon by the said Commissioners or by such Person as they shall appoint, immediately convey, assign, and transfer such Mortgage to the said Commissioners, or to such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from the said Commissioners, or from such Person as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee shall convey, assign, and transfer his Interest in the Premises to the said Commissioners, or to such Person as shall be appointed in Trust for them; and in case such Mortgagee shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Principal Sum due upon any Mortgage with all Interest due thereon shall amount to more than the real Value of the Premises to be taken and made

use of for the Purposes of this Act, and which shall be ascertained in manner herein-before directed, then the said Commissioners shall not be liable to pay to the said Mortgagee more than the real Value of such Premises so ascertained as aforesaid, or the Residue thereof after such Allowance and Payment thereout to any Lessee or Tenant, as herein-before directed: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England* for the Use of the Mortgagee within Six Calendar Months after such Refusal, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee, and of every Person in Trust for him, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage to all Intents and Purposes whatsoever.

XC. And be it further enacted, That it shall and may be lawful to and for the said Dock Commissioners, if they see fit, to contract and agree with the Mayor, Aldermen, and Burgesses of the said Town and Borough, and their Tenants, according to their respective Interests, to purchase of them, and to and for the said Mayor, Aldermen, and Burgesses, and their Tenants, according to their respective Interests, to sell to the said Dock Commissioners, the Custom House, Town House, Crane House, and Warehouses adjoining to be pulled down, at such Price or Prices as shall be ascertained to be the Value thereof by a Jury, in like Manner as is provided relative to Proceedings before Juries for ascertaining the Value of any other Lands, Tenements, and Hereditaments which the said Dock Commissioners are empowered to purchase by this Act; and the said Dock Commissioners shall and may pay the Sum fixed as the Price or Consideration to be paid for the Interest of the said Mayor, Aldermen, and Burgesses therein by the Means aforesaid to the Treasurer for the Time being of the Borough Fund, to be by him applied for the general Purposes of the said Borough; and on such Payment being made to the said Treasurer, and on Payment being made to the said Tenants of the same awarded to them respectively, the said Dock Commissioners may and they are hereby required to pull down the said Custom House, Town House, Crane House, and Warehouses, and add the Sites thereof to the common Quay.

Power to purchase the Custom House, &c. to pull down.

XCI. Provided always, and be it further enacted, That no Sale, Conveyance, Demise, or Lease of any Part of the Lands of the Bailiffs, Burgesses, and Commonalty of the Town or Borough of *Ipswich* shall be valid, nor shall the said Land or any Part thereof be taken for the Purposes of this Act, unless and until the Approval of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, shall have been obtained.

No Sale of Lands belonging to the Borough to be made without Consent of Treasury.

XCII. Provided always, and be it further enacted, That if the same Dock Commissioners shall not within the Space of Three Years next after the passing of this Act agree for or cause to be agreed as herein-after mentioned, and purchase the Houses, Buildings, Lands, or Tenements,

Power of purchasing limited to Three Years.

ments which they are by this Act empowered to purchase as aforesaid, then and from thenceforth all such Right of compelling the Owners of such Houses, Buildings, Lands, or Tenements to sell the same as aforesaid shall cease, determine, and be utterly void and of no Effect, any thing herein contained to the contrary notwithstanding.

Application
of Compen-
sation Money
when
amounting
to 200*l.*

XCIII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Grounds, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability and Incapacity, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Dock Commissioners for executing this Act, or any Three or more of them, to the Intent that such Money shall be paid, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Grounds, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Grounds, Tenements, or Hereditaments standing settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Grounds, Tenements, or Hereditaments which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Premises which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Proceeds of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Grounds, Tenements, or Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

Application
when Com-
pensation is
less than
200*l.* and
exceeds 20*l.*

XCIV. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Grounds, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for
the

the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians or Committee in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Dock Commissioners, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

XCV. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before is mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Dock Commissioners or any Five or more of them shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use of such Person or Persons so entitled respectively.

Application when the Money is less than 20^l.

XCVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Grounds, Tenements, or Hereditaments to be purchased by virtue of this Act shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Dock Commissioners, or any Ten or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Grounds, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Ten or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Grounds, Tenements, or Hereditaments, (describing them,) subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest of the Person or Persons making claim thereunto, and to make such other Order in the

In case of not making out Titles.

[*Local.*]

29 E

Premises

Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession of Lands shall be deemed entitled.

XCVII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Grounds, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Grounds, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Grounds, Tenements, or Hereditaments in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Grounds, Tenements, or Hereditaments according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Grounds, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Commissioners.

XCVIII. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause, the Purchase Money for any Lands or Hereditaments, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Lands, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Re-investment of the same or the Government or Real Securities purchased therewith in the Purchase of other Lands and Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders and all other Proceedings for such Purposes, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money or of the Government or Real Securities aforesaid, to be paid by the said Commissioners;

missioners; and the said Commissioners shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

XCIX. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Commissioners for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Commissioners may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Commissioners may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Commissioners; and the said Commissioners, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or, in case there shall be any Dispute about the same, shall obtain such Order as herein-after mentioned, and shall deposit for the Purpose of paying the same in such Manner as herein mentioned the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands shall be purchased or taken: Provided always, that the said Commissioners shall not be prevented from entering into Possession of the Lands so purchased by reason of the Non-payment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Commissioners, deliver a Bill of their said Costs, Charges, and Expences to the said Commissioners.

Costs of making out Titles to be paid by the Commissioners

C. And be it further enacted, That if the said Commissioners and the Party or Parties aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Commissioners, to order and direct that such Costs, Charges, and Expences shall be referred to one of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party or Parties aforesaid; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Commissioners to the Person or Persons from whom such Lands shall have been purchased or taken, shall be paid to the Person or Persons as aforesaid: Provided always, that the said Commissioners shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Commissioners shall have deposited in the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The *Ipswich* Dock Commissioners," pursuant to the Method prescribed in the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King

How such Costs are to be taxed.

King *George* the Fourth, which Sum shall be applied under the Order of the said Court in payment of the said Costs, Charges, and Expences : Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Commissioners, unless One Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Person or Persons from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Commissioners out of the said Sum so deposited by them as aforesaid.

Commis-
sioners to sell
superfluous
Lands.

CI. And be it further enacted, That the said Commissioners shall and they are hereby required, within Ten Years after the passing of this Act, to sell and convey all such Lands as they may have purchased under the said recited Act of the Forty-fifth Year of the Reign of King *George* the Third or this Act, and which may not be required for the Purposes hereof, subject nevertheless to any Lease or Leases which may heretofore have been granted by the Commissioners acting under the said recited Act of any Lands purchased by them under the Powers of the same ; and all such Sales and Conveyances from the said Commissioners acting under this Act shall be valid and effectual to all Intents and Purposes : Provided always, that the said last-mentioned Commissioners, before they shall dispose of any such superfluous Lands, shall first offer to sell the same to the Person or Persons from whom the same were originally purchased, such Persons respectively being in *England*, and conveniently to be found, and being capable of entering into a Contract for the Purchase of such Lands ; and such respective Persons, in case they shall be desirous of purchasing the same, shall signify such their Desire and Intention in that Behalf to the said Commissioners within Thirty Days after such Offer of Sale shall have been made ; and in case such Persons shall decline to avail themselves of such Offer, or shall neglect to signify their Desire and Intention to purchase such Lands for the Space of Thirty Days, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer of Sale shall cease, and a Declaration in due Form of Law made before some Master or Master Extraordinary of the High Court of Chancery, or before any Justice of the said Town and Borough of *Ipswich*, by some Person not interested in such Lands, stating that the Person entitled to such Right of Pre-emption was not in *England*, or was not found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said Commissioners, and that such Offer was refused, or was not accepted by the Person to whom the same was made within the Space of Thirty Days from the Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was refused, or was not accepted within the Time aforesaid (as the Case may be) by the Person to whom such Offer was made ; and in case any such Person as aforesaid shall be desirous of purchasing any such Lands, and such Person and the said Commissioners shall not agree as to the Price thereof, then the same shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Lands to be taken or used by the said Commissioners ; and the Expence of hearing and determining such Difference shall be paid and borne in like Manner, as by this Act is directed with respect to the disputed Value of Lands

to

to be taken or used by the said Commissioners, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Commissioners of such Lands as aforesaid shall be applied to the Purposes of this Act; and all Conveyances which shall be made by the said Commissioners pursuant to the Authority by this Act reposed in them shall be adjudged sufficient to vest such Estate in the Purchaser as shall have been agreed for, or shall be expressed or meant and intended to be conveyed and granted by any such Conveyance: Provided always, that in case the said Commissioners shall not in manner aforesaid sell the said superfluous Lands within the Time limited for that Purpose, then the same shall revert to the Owners of the Lands immediately adjoining, in proportion to the Extent to which their respective Properties may so adjoin the same.

CII. And be it further enacted, That in all Conveyances to be made by the said Commissioners under or by virtue or in pursuance of the several Powers and Authorities to them hereby given, the Word "grant" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to Grantees or other Purchasers, their Heirs, Executors, Administrators, or Assigns, from the said Commissioners, for themselves and their Successors, that they the said Commissioners, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, freed from all Incumbrances, and for quiet Enjoyment thereof against the said Commissioners and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances or any of them; and such Purchasers or Grantees, their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action to be brought, assign a Breach or Breaches thereupon as they might do in case such Covenants were respectively inserted in such Conveyances.

The Word "grant" in Conveyances made by the Commissioners to be effectual.

CIII. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments for Land Tax; be it therefore enacted, That for preventing the same the said Commissioners shall, from and after they shall become seised and possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Commissioners shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good to or in aid of any Parish wherein such Premises may be situate, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within such Parish by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings; or Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of passing this Act; and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments.

Provision for Deficiencies of Land Tax.

Dock Masters
to be ap-
pointed.

CIV. And be it further enacted, That for the further Convenience and Accommodation of the Trade of the said Port it shall be lawful for the said Dock Commissioners, or any Ten or more of them, and they are hereby authorized and required, from Time to Time as Occasion shall require, to nominate and appoint a proper Person or Persons to be Dock Master or Dock Masters of and in the said Port, and to remove or dismiss any such Dock Master or Dock Masters when they shall think proper, which Person or Persons to be appointed as Dock Master or Dock Masters of or for the said Port or River shall order and direct every Person having the Charge or Command of any Ship or Vessel lading or unlading any Goods, Wares, or Merchandize, or any light Ship or Vessel, or any Hoy, Boat, Barge, Lighter, or other Craft entering into or lying within the said River, or any Person who may be on board having the Care of the same respectively, to station or moor such their Ships or Vessels at or in such proper Place or Places as such Dock Master or Dock Masters shall assign or direct for such Purpose; and in case of Refusal or Disobedience on the Part of such Person or Persons having the Charge or Command of such Ship or Vessel, Hoy, Boat, Barge, Lighter, or other Craft as aforesaid, or in case there shall not be any Person on board such Ship or Vessel or other Craft, it shall be lawful for such Dock Master or Dock Masters, and his or their Assistants, and he and they is and are hereby required, to moor or unmoor, move or remove such Ship or Vessel or other Craft, or cause the same to be moored in such Berth as he or they may think proper; and the Charges and Expences thereof respectively, together with any Sum not exceeding Five Pounds for each Offence, shall be paid by such Commander or other Person having the Charge of such Ship or Vessel or other Craft as aforesaid, to be recovered and applied as herein directed; and in case any Master, Commander, Mate, Pilot, or other Person taking the Command of any Ship or Vessel, or the Owner, Agent, or Consignee, or any other Person or Persons whomsoever, shall obstruct or hinder the mooring, unmooring, moving, or removing of any Ship or other Vessel in the said Port or Dock, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds nor less than Five Pounds, to be recovered and applied as herein prescribed; and the said Dock Master or Dock Masters shall have full Power and they are hereby empowered to enforce and carry into effect all Bye Laws and Regulations which shall be made in pursuance of this Act, as fully as if the same were herein and hereby enacted and specified.

Dock Master
to direct Ves-
sels coming
into or going
out of Docks.

CV. And be it further enacted, That such Harbour Master or the several Dock Masters of the said Docks whom the said Dock Commissioners shall appoint, and their Assistants, shall have full Power and Authority to direct the Time or Times and Manner of any and every Ship or Vessel coming into or going out of any of the said Docks, and also the Time and Times of opening or shutting the several Dock Gates; and every Master, Pilot, or other Person having the Care or Command or Charge of any Ship or Vessel who shall act contrary to the Directions or neglect to obey the Orders of any such Harbour Master or Dock Master, or his Assistants, in relation to the Manner of coming into or going out of the said Docks, or shall obstruct or hinder him or them in the opening or shutting of any such Dock Gates as aforesaid, shall for every such Offence forfeit a Sum not exceeding Twenty Pounds.

CVI. Provided always, and be it enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons who may hereafter be appointed to be Dock Master to any Dock or Basin now built or hereafter to be built within the Port of *Ipswich* to exercise the Trade, Calling, or Employment of Ship Chandler, Ropemaker, or Ship Carpenter, or any Business connected with the Outfit of Ships; but that every Person, upon being appointed to the Office of Dock Master, shall enter into a Bond that during his Continuance in such Office he shall not exercise such Trade, Calling, or Employment, under the Penalty of One hundred Pounds for every such Offence, one Moiety whereof to go to the Informer.

Dock Masters not to exercise the Trade or Business of Ship Chandlers, &c. or any Business connected with the Outfit of Ships.

CVII. And be it further enacted, That if any Master or other Person having the Command of any Ship or Vessel entering or intending to enter any of the said Docks shall give false Information of the Draught of Water of any Ship or Vessel to the Harbour Master or to any of the said Dock Masters or Pilots, every Person so offending shall for every such Offence forfeit a Sum not exceeding Ten Pounds, to be recovered and levied in the same Ways and Means as any of the said Penalties under this or any of the said former Acts are recoverable or leviable.

Penalty on giving a false Draught of Water.

CVIII. And be it further enacted, That if any Person shall, without the Authority of the Harbour Master or the respective Dock Masters appointed by the said Commissioners, open or shut any Dock Gate, Sluice, or Clew or Drawbridge of any such Docks, then and in every such Case, except that of the Drawbridge, every Person so offending shall forfeit and pay a Sum not exceeding Twenty Pounds, and in case of the Drawbridge a Sum not exceeding Five Pounds.

Penalty on opening Dock Gates, &c. without Authority.

CIX. And be it further enacted, That every Owner, Consignee, or other Person whatsoever landing or causing to be landed and laid any Goods or Merchandize, Timber or Wood of any Kind, Masts, Yards, Pumps, Boats, Anchors, Cables, Casks, Guns, Paving Stones, Limestones, Dung, or Manure, or any other Thing whatsoever (other than and except Materials for the necessary Repairs of the Docks and Piers and other Works belonging thereto) upon any of the public Quays of the said Docks, Basins, or such other Works as aforesaid, shall, within Six Hours next after the Time on which the same shall have been so landed or laid, wholly remove the same from off such Quays, on pain that such Owner, Consignee, or other Person shall forfeit a Sum not exceeding Five Shillings for each and every Hour that such Goods, Merchandize, or other Things, or any Part thereof, shall remain upon any of such Quays beyond the said Times before specified; and no such Goods or Merchandize or other Things last aforesaid, and no Waggon, Carts, Carriages, Trucks, Barrows, or other Things, shall be so laid, placed, or left so as to block up the Roadways and Passages herein-before provided, or any of them.

Penalty for Non-removal of Goods from the Dock Quays.

CX. And for the better keeping the said Dock and River clear, be it further enacted, That from and after the Second *Tuesday* next after the passing of this Act no Person or Persons whomsoever shall presume to throw or empty into the said Dock or River any Ballast or Dust, Ashes, Earth, Rubbish, or Stones, except such as may be necessary for the Sup-

No Ballast, &c. to be emptied into the Dock or River.

port

port of the Banks of the said River, or for making a Road or Hardway, so as the same do not injure or affect the Navigation of the said River, or do any other Act to the Annoyance of the said River; the Matter of Complaint respecting which Annoyance shall be examined and determined by any Two of Her Majesty's Justices of the Peace of the said Town and Borough of *Ipswich* for the Time being, who are hereby empowered to impose such Fine or Fines upon any Person or Persons so offending as they in their Discretion shall think proper, not exceeding the Sum of Five Pounds for each Offence.

Masters of
Vessels to
provide
Cloths on
loading or
unloading
Ballast, &c.

CXI. And be it further enacted, That the Masters and Owners or other Persons having the Care of any Ship, Lighter, or other Vessel being in any Part of the aforesaid River shall and he is hereby required, before and during all the Time that any Ballast, Coals, Cinders, Stones, Bricks, Tiles, Dung, or any other loose Matter or Thing shall be loading or unloading into or from any such Ship, Lighter, or Vessel, to cause a Canvass or other Cloth, Shoot, or Shoots to be nailed, fixed, or otherwise fastened to such Ship, Lighter, or other Vessel, which Canvass or Cloth or Shoot shall extend from such Ship, Lighter, or other Vessel into or upon the Ship or Vessel, Wharf or Quay, to or from which such Loading or Unloading is or shall be conveying or conveyed, as the Case shall happen to be, so as in such Manner to prevent any Part of the Loading or Unloading from passing or falling into the said Dock or River or any Part thereof; and when and as soon as any such Ballast, Coals, Cinders, Stones, Bricks, Tiles, Dung, or other Matter is or shall be landed from such Ship, Lighter, or Vessel, the same shall be by such Owner, Master, or other Person as aforesaid laid and placed, or caused to be laid and placed, at least Six Feet distant from the Edge of such Wharf or Quay; and in case any Master, Owner, or other Person having the Care of any such Ship, Lighter, or Vessel shall neglect or refuse to fix such Canvass or Shoot, or to lay and place such Ballast, Coals, Cinders, Stones, Bricks, Tiles, Dung, or other Matter in manner aforesaid, such Master, Owner, or other Person shall, for every Day after which he or they shall so neglect or refuse, forfeit and pay any Sum not exceeding Five Pounds.

Ballast to be
purchased
of the Com-
missioners.

CXII. And be it further enacted, That from and immediately after the passing of this Act every Owner, Master, Mate, or other Officer of any Ship or Vessel navigating above *Levington Creek*, taking in Ballast within the said Port or River, shall purchase the same of and from the Commissioners appointed under this Act, if such Commissioners can furnish the same from the Soil arising from the Improvements to be made in the said River between *Stoke Bridge* and *Downham Reach*, paying for the same *per* Ton at such Rate as shall be fixed on by a Meeting of Commissioners empowered to make Bye Laws, so as the Charge for the same do not exceed Two Shillings *per* Ton at the Wharf; and the Money to be received for such Ballast shall be applied to and for the Purposes of this Act.

Damages
done to the
Wharfs or
other Works
to be ascer-

CXIII. And be it further enacted, That in case any Ship or Vessel shall be wilfully or negligently run or be driven against any other Ship or Vessel on the said River, or against any of the Locks, Walls, Gates, Bridges, Wharfs, Buildings, Banks, or other Works now erected or to be erected

erected as well by the said Commissioners as by Individuals, so as to break, damage, or injure the same, the Person having the Government or Charge of such Ship or Vessel, or acting as such, so wilfully or negligently offending, shall be liable to answer and make good the Damage or Injury done to the said Ship or Vessel, Locks, Walls, Gates, Bridges, Wharfs, Buildings, Banks, or other Works, to be settled and ascertained in a summary Way by any Two of Her Majesty's Justices of the Peace for the said Town and Borough of *Ipswich*; and in case the Person so offending shall not have compounded or settled the said Damage or Injury with the said Commissioners or other Persons whose Property shall be so injured which they are hereby required to do, or shall refuse to pay the Sum or Sums of Money to be awarded by the said Justices for or in respect of such Damage or Injury, it shall be lawful for the said Justices and they are hereby required, by Warrant under their Hands and Seals, to cause such Ship or Vessel to be seized and distrained, together with the Tackle, Furniture, or Apparel thereof, until due Payment thereof, together with the reasonable Charges of such Seizure and Distress; and if such Ship or Vessel shall not be redeemed within Seven Days next after the same shall be so seized or distrained, it shall be lawful for the Person or Persons so seizing or distraining the same to sell so much of the Tackle, Furniture, or Apparel of or belonging to such Ship or Vessel as shall be sufficient to answer and make good the said Damage or Injury, and all Costs and Charges in consequence thereof, rendering the Overplus to the Owner of such Ship or Vessel.

tained by
Two Justices.

CXIV. And be it further enacted, That the Master or Owner of any Ship, Boat, or Barge, or other Vessel frequenting, coming to, or lying or being in the said Port shall be and is hereby made answerable for any Damage, Spoil, or Mischief that shall be done by his Ship, Boat, Barge, or other Vessel, or by any of the Sailors, Boatmen, Watermen, or others belonging to or employed in or about the same, unto any of the Ships or Vessels in the said River, or to any of the Wharfs, Buildings, or other Works abutting upon or adjoining to the said River, or for any Trespass whatsoever, the Amount or Value of such Damage, Spoil, or Mischief or Trespass to be ascertained by any Two of the said Justices of the said Town and Borough if the same shall be under Twenty Pounds, and to be recovered in like Manner as any Penalty is herein mentioned or directed to be recovered, or if above the Value of Twenty Pounds, then to be recovered by Action in any of Her Majesty's Courts of Record at *Westminster*; and in case the Owner of any such Ship or Vessel, Boat or Barge as aforesaid shall be compelled to pay any Penalty or to make Satisfaction for any Damage or Trespass by reason of any wilful Act or Default done or committed by his Servant or Servants, every such Servant shall be liable to repay such Penalty or the Money paid for any such Damage or Trespass to such Owner; and in case of Nonpayment thereof upon Demand the same, if under Twenty Pounds, shall be recovered by such Owner in like Manner as any Penalty is herein authorized or directed to be recovered, or by Action at Law as aforesaid if above Twenty Pounds.

Masters or
Owners of
Vessels an-
swerable for
Damages.

CXV. And be it further enacted, That in case any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy or injure any Rope or other Thing by which any Ship or other Vessel lying in the said Dock or River shall be moored and fastened, such Person or Per-

Penalty for
destroying
the Ropes of
Vessels.

Proviso.

sons shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds: Provided always, that nothing herein contained shall hinder or restrain any Dock Master or Masters to be appointed in pursuance of this Act, or his or their Assistant or Assistants, from exercising in a due and reasonable Manner any of the Powers and Authorities hereby vested in them, or to hinder or restrain the Owner or Owners, Occupier or Occupiers of any of the Quays or Wharfs from casting off any Rope or Ropes that may be fastened to any Post or Posts or other Fixture or Fixtures on such Quays or Wharfs, without the Licence and Consent of such Owner or Owners, Occupier or Occupiers for that Purpose first had and obtained.

Vessels to land Gunpowder upon their coming within warping Reach of the Quays; any other combustible Matter to be removed within Twenty-four Hours.

CXVI. And be it further enacted, That all Ships, Lighters, Barges, Boats, and other Vessels which shall respectively have on board any Gunpowder exceeding the Quantity of One Pound shall respectively, before coming within the said Dock or within warping Reach of any of the Quays in the said River, land and discharge all their Gunpowder, and unload and clear their Guns; and that no Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or combustible Matter of any Kind shall be suffered to be or remain on the present Quays or Wharfs, or the Quays or Wharfs at any Time hereafter to be built in or near the said Dock or River as aforesaid or any Part thereof, or upon the Deck of any Ship or other Vessel in the said River, or any of them, above the Space of Twenty-four Hours; and that in case the Owner or Owners of such Goods, Matters, or other Things, or the Commander, Master, or Mate of any such Ship or other Vessel, shall make default herein, every such Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds.

Regulations for preventing Accidents by Fire.

CXVII. And for preventing Accidents by Fire in the said Dock and River, or in the Warehouses or other Works adjoining thereto or abutting thereupon, be it further enacted, That no Person whomsoever shall have or keep, or cause to be had or kept, any Fire, Candle, or Lamp lighted on board any Ship or Vessel within the same at any Time or Times whatever above *Bourn Bridge* (except Candles or Lamps in a Lantern or Lanterns), upon pain of forfeiting for every Offence any Sum not exceeding Ten Pounds, unless such Person shall first obtain the Licence and Consent of any Ten or more of the said Commissioners in Writing for that Purpose.

Masters and Owners liable to a Penalty for keeping Lights, &c. on board Ships.

CXVIII. Provided always, and be it further enacted, That if any such Person who shall have or keep or cause to be had or kept any Fire, Candle, or Lamp (except as aforesaid) lighted on board any such Ship or Vessel aforesaid cannot be discovered, then and in such Case the Master or Owner of such Ship or Vessel shall be and is hereby declared to be subject and liable to a Penalty of any Sum not exceeding Five Pounds.

No combustible Matter to be melted on board any Ship or

CXIX. And be it further enacted, That no Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter shall at any Time hereafter be boiled or heated on board any Ship or other Vessel, Lighter, Craft, or Boat lying in the said Dock or River, or upon any Wharf or Quay or other

other Works, or any of them, nor in any Place or Places within Fifty Yards of the said Wharf, except in such Place or Places, at such Distances, and in such Manner as shall be specially appointed by the said Commissioners, or any Ten or more of them, for that Purpose, upon pain that every Master, Commander, or Owner of every Ship or Vessel or other Person so offending in manner aforesaid shall forfeit for every Offence any Sum not exceeding Twenty Pounds.

CXX. And be it further enacted, That the Owner or Master of any Ship or Vessel coming into the said River or Port for the Purpose of receiving or delivering a Cargo or any Part thereof at the Quays of the said Dock or Works, whose Tonnage or Draft of Water in the Judgment of the Dock Master will not prevent such Ships or Vessels from being navigated to the said Dock at Spring Tides, shall bear and pay and be charged with the Expence of Lighterage of such Goods, Wares, or Merchandize as shall be taken from or carried on board such Ship or Vessel, provided the Owner or Master of such Ship or Vessel shall have first refused to navigate or cause to be navigated such Ship or Vessel up to the Quays or Wharfs appointed by the Importer or Importers, Exporter or Exporters of such Goods, Wares, or Merchandize, without the same Lighterage being deemed or taken as a Port Charge; and in case any Difference shall arise respecting the Decision of the said Dock Master, then the same shall be referred to any Three or more of the said Commissioners to determine the same.

CXXI. And whereas it is expedient that proper and skilful Persons should be licensed and appointed Pilots of the said Port of *Ipswich* and the adjoining Coasts; be it therefore declared and enacted, That it shall and may be lawful for the Corporation of *Trinity House* of *Deptford Strond* and they are hereby required to appoint from Time to Time (as often and for such Periods as they in their Discretion shall think fit) proper and competent Persons (not to exceed Five nor to be less than Three Persons), resident within the Port of *Ipswich*, to act as Sub-Commissioners of Pilotage for the said Port, and who shall be called Sub-Commissioners of Pilotage, and shall take the Oath prescribed by the Act of Parliament passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage; and also for the better Preservation of Floating Lights, Buoys, and Beacons*, and set forth in the Schedule marked (C.) to the said Act annexed, for the faithful Discharge of their Duty; and such Persons so to be appointed shall examine, and they are hereby authorized (so long as their Deputation or Appointment shall not be revoked or superseded) to examine, into the Qualification of Persons to act as Pilots for the said Port and the adjoining Coasts; and it shall be lawful for the said Corporation, upon their receiving a satisfactory Certificate under the Hands of any Three of the Persons so to be appointed Sub-Commissioners as aforesaid if the whole Number shall consist of Four or Five, and of any Two if the whole Number shall consist of Three, that any such Person so examined as aforesaid is duly qualified to act for such Port and the adjoining Coasts, to give a Licence to such Person to act as a Pilot within the particular Limits (describing the same) for which he shall have passed such Examination; and when and so soon as the said Corporation

Vessel within the Dock, &c.

Vessels, where Tonnage will not prevent their being navigated to the Dock at Spring Tides, to bear the Expence of Lighterage.

The Corporation of *Trinity House* of *Deptford Strond* shall appoint Sub-Commissioners to examine Pilots, and on their Certificate of Qualification may grant Licences.

6 G. 4. c. 125.

Corporation shall have licensed any Pilot or Pilots for the said Port and the adjoining Coasts they shall cause such Notice thereof to be given, and in such Manner and Form and so to be published as a Notice directed to be given by the said Act of Parliament passed in the Sixth Year of His said late Majesty's Reign, in the case of Licences granted by the said Corporation under the Authority of that Act to Pilots for any particular Port or Ports and the Coasts near the same; and from and after a Time or Times to be limited in the said Notice (which shall not in any Case or in relation to any Ships or Vessels whatsoever be less than Six Weeks from the Publication thereof as aforesaid, and shall be proportionably more, at the Discretion of the said Corporation, in relation to Ships and Vessels engaged in Foreign Voyages at the Time of such Publication,) all Ships and Vessels sailing, navigating, or passing into or out of the said Port or upon the Coasts thereof, save and except under such Circumstances as are saved and excepted in and by the said Act of Parliament, shall be conducted and piloted by such Pilots only as shall be so licensed as aforesaid, and by no other Pilots or Persons whomsoever.

Licences to be granted in same Form as Licences under 6 G. 4. c. 125, and the Provisions of that Act to apply to all Pilots, Masters, &c. as if such Pilots had been licensed under the same.

CXXII. And be it further enacted, That the Licences to be granted by the said Corporation under the Authority of this Act shall be granted in such Form, and for such Period, and subject to such Power of Renewal and Suspension, Amendment, or Revocation, as the Licences granted under the said Act of Parliament so passed in the Sixth Year of His said late Majesty's Reign; and such Pilots, when so licensed as aforesaid under the Authority of this Act, shall, for all Purposes and to all Intents whatsoever, be deemed and taken to be Pilots licensed under the said Act so passed as last aforesaid; and all and every the Enactments, Protections, Provisions, Forfeitures, Penalties, Matters, and Things contained in that Act of Parliament, or conferred or imposed thereby, and all Bye Laws made by the said Corporation in pursuance thereof, shall be deemed and taken to apply to Pilots so to be licensed as aforesaid under the Authority of this Act, and to all Masters and Owners of Ships and Vessels and other Persons whatever in the same Manner and to the same Extent; and the said Forfeitures and Penalties shall be recovered and applied in the same Way as if the said last-mentioned Pilots had been duly licensed under the said Act of Parliament so passed as aforesaid in the Sixth Year of the Reign of His said late Majesty.

Masters of Vessels Inward or Outward bound refusing to take Pilots who offer to be liable to full Pilotage.

CXXIII. And be it further enacted, That in case the Master or Commander of any Ship or Vessel Inward or Outward bound shall refuse to take on board and employ a Pilot so to be licensed as aforesaid, who shall offer his Service (except such Vessel shall be under the Burthen of Fifty Tons Register Tonnage), such Master or Commander shall pay or cause to be paid, to the Pilot who first or who only shall offer his Services and shall be so refused, the full Pilotage according to the different Rates and Prices herein-after directed to be paid, as if the said Pilot had been received and employed in conducting or piloting such Ship or Vessel into or out of the Port: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to compel such Master or Commander to take Pilots further than from the Quays to *Downham Reach* Outward bound, or than from *Downham Reach* to the Quays Inward bound,

CXXIV. Pro-

CXXIV. Provided always, and be it further enacted, That this Act shall not extend to prevent or hinder the Master or other Persons having the Command of any Ship or Vessel being under the Burthen of Fifty Tons by the Certificate of Registry in the Coasting Trade from conducting or piloting his said Ship or Vessel into or out of the said Port, nor to hinder any Person or Persons from assisting any Ship or Vessel in Distress, nor to subject any such Person or Persons to any of the Penalties of this Act, any thing herein contained to the contrary in anywise notwithstanding.

Masters of Coasting Traders under Fifty Tons Burthen may pilot their own Vessels, &c.

CXXV. And it is hereby further enacted, That every Pilot so to be licensed as aforesaid who shall take upon himself the Charge of any Ship or Vessel sailing in or out of the said Port shall and is hereby required to conduct or pilot any such Ship or Vessel Inward bound up to the Dock Entrance, and to conduct every such Ship or Vessel Outward bound so far as *Harwich* Harbour, if the Master or Commander or other Person having the Charge or Command of such Ship or Vessel shall require the same, before such Pilot shall relinquish the Care or Charge of any such Ship or Vessel; and upon Refusal in either Case such Pilot shall not be entitled to any of the Rates or Prices hereby directed to be paid for Pilotage, and shall and may forfeit his Licence or Warrant at the Discretion of the said Commissioners.

Limiting the Distances to which Vessels are to be piloted.

CXXVI. And be it further enacted, That no Pilot or Pilots to be licensed as aforesaid shall on any Account whatsoever be permitted or suffered to keep a Tavern, Public House, or other House as a Dealer in or Retailer of Wines or Liquors of any Kind within the Town and Port of *Ipswich*, under the Penalty of forfeiting his Licence, unless he shall first have obtained the Consent in Writing of Ten or more of the said Commissioners for that Purpose.

Pilots not to keep Public Houses.

CXXVII. And be it further enacted, That the Master or Commander of every Ship or Vessel to be piloted or conducted into or out of the said River shall and is hereby required to declare and give a true Account to the Pilot employed in conducting or piloting such Ship or Vessel of the Draught of Water such Ship or Vessel shall draw; and in case the Pilot so employed shall suspect the Truth of such Declaration, such Pilot is hereby authorized to admeasure or cause such Ship or Vessel to be admeasured, in order to find the true Draught of Water such Ship or Vessel shall then draw; and if on such Admeasurement it shall appear that such Master or Commander gave a false Account wilfully and fraudulently, such Master or Commander shall not only forfeit a Sum equal to Double the Amount of Pilotage according to the Rate or Rates hereafter mentioned, but also all the Expences of the Admeasurement as aforesaid, and be subject to a Fine, at the Discretion of the said Commissioners, in any Sum not exceeding Ten Pounds nor less than Forty Shillings, together with all Expences incurred in the Recovery thereof.

Every Master to give the Pilot a true Account of the Draught of Water of his Ship, and the Pilot authorized to admeasure.

CXXVIII. And be it further enacted, That if any of the Pilots so to be licensed as aforesaid shall be requested by the Master, Commander, Owner, Agent, or Consignee of any Ship or Vessel Outward bound to take the Charge or Conduct of such Ship or Vessel, it shall be lawful for such Pilot, previous to his taking such Charge or Conduct, to demand a

Pilots may demand Security for Pilotage Rates.

[*Local.*]

29 H

sufficient

sufficient Security from such Master, Commander, Owner, Agent, or Consignee for the Payment of such Pilotage Outward according to the Rates and Prices herein-after directed to be paid; and if such Master, Commander, Owner, Agent, or Consignee shall refuse to give Security, then and in such Case such Pilot may refuse to conduct or pilot such Ship or Vessel, and shall not be subject to any of the Penalties inflicted by or in pursuance of this Act on Pilots refusing to take the Charge or Conduct of such Ship or Vessel.

On Nonpay-
ment of
Pilot's Rates
the Justices,
&c. may dis-
train.

CXXIX. And be it further enacted, That in case any Owner or Master or any other Person having or taking upon himself or appearing to have or take Command, Charge, Agency, or Consignment of any Ship or Ships, Vessel or Vessels charged or chargeable with the said respective Rates or Prices of Pilotage hereby directed to be paid shall refuse to pay the same, then and in such Case it shall be lawful for any Two of Her Majesty's Justices of the Peace for the said Borough, on Complaint and Proof thereof on Oath being made by such Pilot, and preferable to and notwithstanding any Right of Hypothecation, Attachment, Arrestment, or other Right whatsoever claimable by or due to any Person or Persons whomsoever, to seize, take, and distrain any of the Goods, Guns, Ropes, Tackle, Furniture, and Apparel of or belonging to any such Ship or Vessel, and the same to distrain and keep until the Sum or Sums of Money due for piloting or conducting such Ships or Vessels into or out of the said River according to the said Rates or Prices, and reasonable Charges for taking such Distress, shall be paid and satisfied; and in case of any Neglect or Delay in Payment of such Sum or Sums of Money and Charges for the Space of Seven Days next after such seizing, taking, or distraining, then it shall be lawful for any Two of the said Justices of the Peace for the said Borough to cause the same to be appraised by any Two sufficient Persons or Appraisers of the said Borough of *Ipswich*, and afterwards to sell and dispose of the said Goods so taken and appraised, and thereout to satisfy the said Rates or Prices of Pilotage so due and unpaid, with all reasonable Charges of such taking, seizing, distraining, appraising, and selling, rendering the said Rates and Prices so due and unpaid to the Pilot or Pilots entitled thereto, and the Overplus (if any there be after the said Charges deducted), upon Demand, to the Masters or Owners, Agents or Consignees thereof.

Pilotage
Rates.

CXXX. And be it further enacted, That from and after the Expiration of One Calendar Month after the passing of this Act the following Rates only shall be paid to Pilots for conducting Ships and Vessels up and down the River *Orwell*; (that is to say,)

From the Dock Entrance to *Downham Reach*, or from *Downham Reach* to the Dock Entrance, for every *British* Sloop or Vessel with One Mast One Shilling and Three-pence *per* Foot for every Foot of Water such Sloop or Vessel shall draw:

For every other *British* Vessel with Two or more Masts One Shilling and Sixpence *per* Foot for every Foot of Water such Vessel shall draw:

From *Downham Reach* to *Levington Creek*, or from *Levington Creek* to *Downham Reach*, for every *British* Ship or Vessel Nine-pence *per* Foot for every Foot of Water such Ship or Vessel shall draw:

From

From *Levington Creek* to *Harwich Harbour*, or from *Harwich Harbour* to *Levington Creek*, for every *British Ship* or Vessel Sixpence *per Foot* for every Foot of Water such Ship or Vessel shall draw :

For every *British Ship* coming Inwards from *Harwich Harbour* to *Downham Reach* One Shilling and Three-pence *per Foot* for every Foot such *British Vessel* shall draw :

For every *British Vessel* Outward bound from *Downham Reach* to *Harwich Harbour* One Shilling and Three-pence *per Foot* of Water such Vessel shall draw :

And for every Foreign Ship or other Vessel Double the aforesaid Rates of and from such Part of the said River *Orwell* as such Foreign Ship or Vessel shall be piloted :

Provided nevertheless, that it shall be lawful for the said Commissioners or any Ten or more of them, with the Consent of the Corporation of the *Trinity House* of *Deptford Strond*, by Writing under their Common Seal, or under the Hand of their Clerk for the Time being, at any Time or Times after the Expiration of One Month from the passing of this Act, to alter, vary, or reduce any of the aforesaid Rates of Pilotage, and so often as they shall think proper again to advance the same, so as that such Rates shall not at any Time exceed Double the Rates hereinbefore mentioned, and that such Rates so altered, varied, reduced, or again advanced may be recovered as such Rates as aforesaid may be recovered : Provided also, that the said Rates shall not be altered, varied, or reduced partially, but shall be so fixed as that the same shall be taken from all Persons alike under the same or similar Circumstances.

Commis-
sioners em-
powered to
alter Rates,
with the
Consent of
the Trinity
House.

CXXXI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized to build, purchase, or hire any Steam Tugs or Steam Boats for the Purpose of towing any Vessel or Ships into or out of the said Dock or Docks from or to the River *Orwell* or any Part thereof, and to defray the Expences of building, purchasing, hiring, repairing, maintaining, and working the same out of the Rates, Rents, and Sums hereby authorized to be received and taken.

Steam Tug
Boats may be
provided for
towing Ves-
sels into or
out of the
Docks and
Port.

CXXXII. And be it enacted, That when any Action or Suit shall be brought by Order of the said Dock Commissioners against any Person or Persons in pursuance or by virtue of this Act, the same may be brought in the Name of their Clerk or Treasurer on behalf of the said Commissioners, and that no such Action or Suit shall abate or be discontinued by the Death or Removal of such Clerk or Treasurer, or by any Act of such Clerk or Treasurer done without the Consent of the said Commissioners for the Time being.

Actions to
be brought in
Name of the
Clerk or
Treasurer.

CXXXIII. Provided always, and be it further enacted, That all Costs and Expences which shall be incurred by or on behalf of the said Dock Commissioners, or any Person or Persons employed by them, in prosecuting or defending any Action or Suit or Prosecution touching the Execution of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of this Act.

Expences of
Commis-
sioners to be
paid out of
the Rates.

CXXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect, prejudice,

Saving the
Rights of all
Persons.

prejudice, alter, abridge, or take away any Rights, Estates, Powers, Jurisdictions, Immunities, Exemptions from Toll, Wharfage, or Cranage at the common Quay, or any other Exemptions and Advantages or Privileges whatsoever belonging or appertaining to the Mayor, Aldermen, and Burgesses of the said Borough, or the Freemen of the said Town and Borough, and their Successors, or to any other Person or Persons whomsoever (except such as are hereby expressly taken away or altered,) but that all such Rights, Estates, Powers, and Privileges shall continue in full Force and Effect, and may be exercised and enjoyed in as full and ample a Manner, to all Intents and Purposes, as if this Act had not been made; any thing herein contained to the contrary in anywise notwithstanding.

Damages and Charges, in case of Dispute, to be settled by a Justice.

CXXXV. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice of the Peace by or before whom any Offender shall be convicted of any such Offence, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner hereby directed for levying of any Penalties and Forfeitures.

In case of Nonpayment of Compensation for Damages, &c.

CXXXVI. And be it further enacted, That when and so often as any Sum of Money shall be directed or ordered by any Justice of the Peace to be paid, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Commissioners, or any Person acting under or by their Authority, and such Sum of Money shall not be paid by the said Commissioners to the Party entitled to receive the same within Ten Days after Demand in Writing shall have been made from the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer (for the Time being), in case such Treasurer shall refuse or neglect to pay the same out of any Money then in his Hands belonging to the said Commissioners, or if the said Treasurer shall not then have any Monies in his Hands belonging to the said Commissioners, then out of the first Monies of the said Commissioners that shall then afterwards come into his Hands, but Distress and Sale of the Goods and Chattels of such Treasurer shall not be made unless he shall so refuse or neglect as aforesaid, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal on Application to him made for that Purpose by the Party entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such

Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners, or to their Treasurer for the Time being, as the Case may be.

CXXXVII. And be it further enacted, That if any Person who shall be summoned as a Witness to attend to give Evidence before any Justice of the Peace touching any Matter or Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed (having been paid or tendered a reasonable Sum for his Costs and Expences) without a reasonable Excuse for his Refusal or Neglect of appearing, or shall refuse to be examined upon Oath (or, in case of a Quaker, on solemn Affirmation), and to give Evidence before such Justice of the Peace or at any General or Quarter Sessions, or Adjournment thereof, then and in either of the said Cases such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Compelling
Witnesses to
attend.

CXXXVIII. And be it further enacted, That if any Person shall, on Examination on Oath or Affirmation before any Justice or Judge in any Cause or Matter arising out of this Act, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to Penalty and Punishment as by any Law in force Persons guilty of wilful and corrupt Perjury are subject and liable to.

Persons
giving false
Evidence to
be deemed
guilty of
Perjury.

CXXXIX. And be it further enacted, That all Penalties and Forfeitures for all the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, or against any Rules, Bye Laws, or Orders made in pursuance of this Act, shall be adjudged by and recovered before any Justice or Justices of the Peace for the Town and Borough of *Ipswich* in a summary Way, who is and are hereby authorized and empowered to convict the Offender upon Information by the Oath or Affirmation of any Person or on the Confession of the Party offending (which Oath and Affirmation any One such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on Demand, to the Party whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and the said Penalties and Forfeitures, when recovered, shall be paid to the said Commissioners, unless such Penalties and Forfeitures shall be incurred by the said Commissioners, in which Case one Moiety thereof shall be paid to the Informer, and the other Moiety shall be paid to the Overseers of the Poor of the Parish wherein the Offence shall be committed, to be applied to the Use of the Poor of such Parish; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice and he is hereby authorized and required to order the Offender so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before such Justice on such Day as shall be appointed for the Return

Recovery and
Application
of Penalties.

ment at *Ipswich* in and for the said County of *Suffolk*, first giving Ten Days Notice of such Complaint or Appeal to the Clerk of the said Commissioners, and entering into a Recognizance before some Justice of the Peace for the said County, conditioned to try such Appeal, and abide the Order of the said Court therein; and the said Justices at such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of such Appeal, and to award such Costs and Charges to the Party in whose Favour such Appeal shall be determined, as the Justices in their said Sessions shall order and direct; which Orders and Judgments respectively shall be final and conclusive to all Parties, and shall not be removed or removeable by any Writ or Writs of Certiorari or otherwise into any of Her Majesty's Courts of Record at *Westminster*.

CXLIII. And be it further enacted, That no Order, Conviction, Judgment, Warrant, or other Proceedings before any Justice or Justices of the Peace to be had or made in pursuance of this Act shall be quashed or vacated for Want of Form; and that in all Cases wherein any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act the Distress itself shall not be deemed to be unlawful, nor shall the Parties making the same be deemed a Trespasser or Trespassers *ab initio* on account of any Defect or Want of Form in the Summons, Conviction, or Warrant of Distress, or other Proceedings relating thereto, done by the Party or Parties distraining, but the Person or Persons aggrieved by any such Irregularities shall and may recover Satisfaction for the special Damage in every Action upon the Case, the Venue whereof shall be laid in the said Town and Borough of *Ipswich*, but not elsewhere; but no Plaintiff shall recover in any Action for any such Irregularity, Trespass, or other wrongful Proceedings in case proper Tender of Amends is made for the same; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action or Actions, by Leave of the Court where such Action or Actions shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions wherein the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for Want of Form.

CXLIV. And be it further enacted, That no Proceeding to be had touching the Conviction of the Offender or Offenders against this Act, or any Order made or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be removed by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary in anywise notwithstanding.

Proceedings not to be removed by Certiorari.

CXLV. And be it further enacted, That no Action at Law shall be commenced against any Person or Persons for any thing done or to be done by virtue of this Act until after Fourteen Days Notice thereof shall have been given or left at the usual Place of Abode of the Person or Persons against whom such Action is intended to be brought, thereby setting forth the particular Cause of such Action, nor after Tender of sufficient Amends hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed or Cause of such Action

Limitation of Actions.

Action shall have arisen ; and in every such Action the Venue shall be laid in the said Town and Borough of *Ipswich* in the County of *Suffolk*, and not elsewhere, and shall not be changed ; and the Defendant or Defendants in every such Action shall or may plead the General Issue, and give this 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 this Act ; and if upon the Trial of such Action it shall appear to have been so done, or that such Action shall be brought before the Expiration of Fourteen Days next after such Notice given or left as aforesaid, or after sufficient Tender of Amends shall 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 shall have arisen, or if the Venue of such Action shall be laid otherwise than as aforesaid, then and in every of the said Cases the Jury on the Trial of such Action or Actions shall 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 shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs therein, then and in every such Case the Defendant or Defendants in such Action shall have Treble Costs, and shall have the like Remedy for recovering the same as Defendants have for recovering their Costs in any other Case by Law.

Prescribing
Form of
Declaration
in lieu of
Oath.
5 & 6 W. 4.
c. 62.

CXLVI. And be it further enacted, That in every Case in which by this Act a Declaration is required to be made, the same shall be made in the Form, or as near thereto as the Circumstances of the Case will admit, prescribed in the Schedule to an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled ' An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits ;'* and that all Declarations required by this Act to be made shall be made in Form aforesaid, and shall be as valid and effectual as an Oath or Affirmation ; and if any Declaration so made shall be false or untrue in any material Particular the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

Saving the
Rights of
the Trinity
House.

CXLVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Rights or Privileges, Jurisdiction or Authority of the said Corporation of *Trinity House of Deptford Strond*.

Public Act.

CXLVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE (A.)

RATES OF TONNAGE DUTY ON SHIPPING.

Ipswich Vessels Outwards and Inwards, whether Coastwise or otherwise:—

							<i>s.</i>	<i>d.</i>	
Under 50 Tons	-	-	-	-	-	-	0	1	per Ton.
From 50 to 60	-	-	-	-	-	-	0	1½	—
— 60 to 70	-	-	-	-	-	-	0	2	—
— 70 to 80	-	-	-	-	-	-	0	3	—
— 80 to 90	-	-	-	-	-	-	0	4	—
— 90 to 100	-	-	-	-	-	-	0	5	—
— 100 to 110	-	-	-	-	-	-	0	6	—
— 110 to 130	-	-	-	-	-	-	0	7	—
— 130 to 150	-	-	-	-	-	-	0	8	—
— 150 to 175	-	-	-	-	-	-	0	9	—
— 175 to 200	-	-	-	-	-	-	0	10	—
— 200 to 250	-	-	-	-	-	-	0	11	—
— 250 to 300	-	-	-	-	-	-	1	0	—
300 Tons and upwards	-	-	-	-	-	-	1	6	—

British Vessels not belonging to the Port of Ipswich Outwards and Inwards, whether Coastwise or otherwise, the above-mentioned Rates or Duties and Half as much more.

Foreign Shipping Outwards or Inwards, Double the first-specified Rates or Duties.

Ipswich Vessels bringing Coals only, and departing in Ballast, to pay only Half the above-mentioned Tonnage Duties respectively.

Ipswich Coal Vessels bringing other Goods to be charged full Tonnage Duty for the Quantity of Goods on board in the Proportion the same Goods bear to the Register Tonnage of such Vessels.

SCHEDULE (B.)

Owners.	Occupiers.	Description of Property.
---------	------------	--------------------------

Parish of St. Mary Stoke, Ipswich.

Corporation of Ipswich - | John Chiney - - - | Marsh Land.

Parish of St. Peter, Ipswich.

George Tovell - -	William Whitehead -	Cottages, Sheds, Stables, Yards, Gardens, and Lands.
John Barns - -	John Barns, George Irvine, and William Symonds.	Cottages, Yards, Gardens, and Land.
Corporation of Ipswich	George Tovell - -	Mill, Mill-pond, Land, and Ooze.
George Tovell -	The said George Tovell, Robert Freurr, and Charles Colchester.	Cottages, Yards, Warehouses, and Sheds.
William Webster -	The said William Webster, John Naunton, and Henry Hart.	Messuages, Cottages, Warehouses, Yards, Quays, and Wharf.
George Bayley -	Messieurs Read and Page -	Shipyard, Sheds, Counting-house, and Warehouses.
Ditto - -	John Clements - -	Garden.
John Thorne - -	John Thorne and Tenant -	Ditto.
Miss Sheldrake -	George Irwine - -	Cottage and Garden.
Nathaniel Byles Byles -	N. B. Byles - -	Maltings, Warehouses, Yards, Quay, and Wharf.
Corporation of Ipswich -	- - - -	Road or Way to St. Peter's Dock, South Side.
Ditto - -	William Clarke Rouse and Jonathan Waspe.	Mill, Cottage, Wharf, and Quay.
Jonathan Waspe - -	Jonathan Waspe - -	Malting Warehouse, Quay, and Wharf.
John Hearsum - -	John Hearsum - -	Malting Warehouses, Quay, Wharf, and Messuage.
William May - -	William May - -	Quay, Wharf, and Messuage.
Late Robert Denham, now George Tovell.	Robert Denham - -	Ditto.
Coporation of Ipswich -	William Brown and Co. -	St. Peter's Dock, Quay, and Wharf.
Robert Scarlett - -	Thomas Dunningham -	Warehouses, Wharf, and Quay.
Nathaniel Byles Byles -	Nathaniel Byles Byles -	Maltings, Warehouses, Wharf, Quay, Messuages, and Yards.
Samuel Alexander - -	Messieurs Alexander and Co.	Ditto.

Parish of St. Mary at the Key, Ipswich.

Messieurs Alexanders -	New Shipping Company -	Warehouses, Wharf, Quay, and Yards.
Thomas Thorndike and Thomas Edwards.	J. Thorndike and John Hunt Cuthbert.	Warehouses, Malting Wharf, Quay, Yard, and Messuage.
Bacon's Trustees - -	Henry Aldrich - -	Ditto.
Henry Aldrich - -	Ditto - -	Ditto.
Samuel Webber - -	Samuel Webber and New Shipping Company.	Ditto.
Messieurs Cowell - -	Messieurs Cowell - -	Ditto.

Owners.	Occupiers.	Description of Property.
Corporation of Ipswich -	Old Shipping Company, and Collector of Customs, and James Thorndike.	Common Quay, Crane, and Warehouses, and Custom House.
John May - - -	John May - - -	Warehouses, Quay, and Wharf
F. F. Seekamp - -	F. F. Seekamp - -	Ditto.
Henry Bucke's Mortgagees in Possession.	John Wretts and J. Hannah	Ditto.
Late Jacob Garrett's Heirs -	John Christie and Garrett Garrett.	Ditto.

Parish of St. Clement, Ipswich.

John Cobbold - - -	James Pinner - - -	Wherry, Inn, and Quay.
Ditto - - -	John Cobbold - - -	Maltings, Warehouses, Wharf, Quay, and Messuages.
Messieurs Alexanders -	William Pollard and Charles Kersey Coe.	Ditto.
Samuel Alexander - -	Samuel Alexander - -	Ditto.
Thomas Prentice - -	Thomas Prentice - -	Ditto.
Captain Brown's Heirs -	Samuel Rogers and — Pickers	Ditto.
Barnard Byles - -	Nathaniel Byles Byles -	Ditto.
Daniel Sheppard - -	Daniel Sheppard and John Cobbold.	Ditto.
H. G. and W. Ridley -	H. G. and W. Ridley -	Ditto.
Thomas B. Ross - -	— Ross and Henry Bennett	Warehouses, Wharf, and Quay.
William Clarke Rouse -	William Archer - - -	Malting Warehouses, Wharf, Quay, and Message.
Owen Roe's Trustees -	John Day - - -	Malting Warehouses, Wharf, Quay, and Messuages.
John Cobbold - - -	John Cobbold - - -	Malting Warehouses, Wharf, and Messuages.
B. B. Catt - - -	B. B. Catt, and William Horn, and their Tenants at Will.	Malting Warehouses, Wharf, and Shipyard.
John Cobbold - - -	William Bayley - - -	Shipyard, Wharf, Quay, Message, &c.
River Commissioners -	Enos Page, Lessee - -	Malting Wharf, Quay, &c.
Ditto - - -	William Colchester and Company, Occupiers; Benjamin G. Hamblin, Lessee.	Messuages, Yards, and Sheds.
Ditto - - -	River Commissioners -	Ballast Wharf and Docks.
Ditto - - -	Gas Company - - -	Dock and Wharf.
Gas Company - - -	Ditto - - -	Wharf and Buildings.

