ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

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CAP. XXXVI.

An Act to appropriate certain Portions of Land lying between High and Low Water Mark, situate in the Parishes of *Shoebury* and *Wakering* in the County of *Essex*, as Ranges for the Use and Practice of Artillery.

[17th *July* 1862.]

WHEREAS certain Lands in the Parish of *Shoebury* in the County of *Essex* have been purchased in Fee, and certain other Lands therein and in the Parish of *Wakering* in the same County have been acquired for certain Terms of Years under the "Defence Act, 1842," and the "Ordnance Board Transfer Act, 1855," and are now vested in and possessed by Her Majesty's Principal Secretary of State for the War Department in trust for Her Majesty, the Particulars of which Premises and of his Estate and Interest therein are mentioned and set forth in the Schedule to this Act, and are shown and delineated on the Map or Plan made thereof and to be deposited with the Lords Commissioners of the Admiralty: And whereas the said Lands and Premises have been used and appropriated for the Establishment of a School of Gunnery and the Practice of Artillery, and large Sums of Money have been expended in the Erection of Barracks and Quarters for Officers and Soldiers at *Shoebury* aforesaid:

5 & 6 Vict. c. 94.
18 & 19 Vict. c. 117.

said: And whereas it is alleged that Portion of the Lands and Premises which lies between High and Low Water Mark is subject to the Rights of Passage and Anchorage of Vessels in the Water or Sea flowing over the same, and at Low Water to certain other Rights of Grounding thereon: And whereas such alleged Rights, if suffered to continue, would very much interfere with and impede the useful Purposes intended to be effected by the Acquisition of the said Lands and Premises and by the Establishment of the School of Gunnery aforesaid, and would be highly detrimental to the Public Service; and for the Reasons aforesaid it is expedient that the same should be forthwith partially extinguished and the said Premises be kept free from all the Anchorage or Grounding of Vessels, Barges, and other Craft: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Spaces for the Practice of Artillery to be kept free and open, and to be marked by Buoys, &c.

1. So long as the Lands and Premises mentioned in the Schedule to this Act shall remain vested in or be possessed by Her Majesty's Principal Secretary of State for the War Department in trust as aforesaid, he shall from Time to Time, as Occasion may require, cause to be marked out and distinguished by Buoys, or other sufficient Marks to be erected or fixed upon the said Lands and Premises, such Spaces or Distances thereon as he may judge necessary to be kept free from all Anchorage or Grounding of Vessels of any Kind, and to order and direct that the several Spaces or Distances so marked out and distinguished shall be and remain as Ranges for Artillery Practice, freed from all Rights of Anchorage or Grounding thereon.

Rights of Anchorage and Grounding to cease, and Notice to be given to the Admiralty, and advertised in Newspapers, and on Church Doors.

2. Whenever the said Principal Secretary shall have marked out and appropriated any Spaces or Distances for Ranges as aforesaid, all Rights (if any) of Anchorage and Grounding over or upon the same shall absolutely cease and determine, and a Notification thereof shall be made to the Lords of the Admiralty, and be published in the *London Gazette*, and by Advertisement in some Morning Newspaper and in some local Newspaper circulated in the said County of *Essex*, and by affixing the same on the Church Doors of the said several Parishes aforesaid.

No Vessel or Person to pass over Ranges marked out pursuant to this Act.

3. If any Vessel, Barge, or other Craft, unless forced to remain thereon by Stress of Weather or other unavoidable Accident, shall anchor or ground upon any Range marked out in pursuance of this Act, then the Owner or Master of such Vessel, Barge, or other Craft, as the Case may be, shall on Conviction thereof before any Justice or Justices of the Peace forfeit and pay such a Sum, not

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less than Forty Shillings and not exceeding Five Pounds for every Offence, as may be awarded against him, and such Penalty, and also the reasonable Costs attending the Prosecution, shall be duly ascertained and awarded, and shall be enforced and recovered as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to Summary Convictions and Orders.*

Penalty for for Offences to be recovered as in 11 & 12 Vict. c. 43.

4. Nothing in this Act contained shall be construed to prevent the Entry of the Lords or Ladies of the Manors of *South Shoebury* and *Wakering*, their respective Servants or Agents, upon the Beach or Shore for the Purpose of exercising their Manorial or other Rights thereon, and of recovering or removing therefrom all Wrecks of the Sea, Jetsam, Flotsam, and Lagan Goods, Merchandise, or Effects whatsoever, or from exercising any other Rights reserved to the Lords or Ladies or either of them in and by any Lease or Leases granted by or on behalf of them or either of them, or by any Conveyance or Assurance to the Secretary of State for the War Department: Provided always, that no Part of the Lands lying East and North of the Line marked A., B., and C. on the said Map or Plan shall ever be appropriated for any Range under the Provisions of this Act; and that nothing herein contained shall be deemed to repeal or alter any Enactments relating to Wreck, Jetsam, Flotsam, or Derelict contained in the Merchant Shipping Act, 1854, or in any Act amending the same.

Saving Rights of Lords and Ladies of the Manors of South Shoebury and Wakering.

5. This Act may be cited for all Purposes as "The Artillery Ranges Act, 1862."

Short Title.

THE

THE SCHEDULE.

All the Land and Foreshore situate between High and Low Water Mark in the Parishes of North and South Shoebury and Wakering, in the County of Essex, being the South-western Part of certain Lands called the Maplin Sands, and lying in front of and abutting in Part upon Lands belonging to Her Majesty's Principal Secretary of State for the War Department, in other Part upon Lands belonging to the Lord of the Manor of Shoebury, in other Part upon Lands belonging to G. A. W. Welsh, Esq., and in other Part upon Lands belonging to Sir John Tyssen Tyrell, Bart., which said Lands and Foreshore are shown and delineated on the Map or Plan made thereof and deposited with the Lords Commissioners of the Admiralty by the Colours Red, Black, Green, and Brown respectively; the Lands coloured Red having been purchased by and being now vested in the said Principal Secretary and his Successors in Fee; the Lands coloured Black being held by the said Principal Secretary under a Lease bearing Date the First Day of March One thousand eight hundred and sixty-two, for the Term of Forty Years from the Twenty-fifth Day of March One thousand eight hundred and fifty-two; the Lands coloured Green being held by the said Principal Secretary under a Lease bearing Date the Fifth Day of May One thousand eight hundred and sixty, for the Term of Thirty-one Years from the Fifth Day of April One thousand eight hundred and sixty; and the Lands coloured Brown being held by the said Principal Secretary under a Lease bearing Date the Thirteenth Day of September One thousand eight hundred and fifty-four, for the Term of Fifty Years from the Twenty-fifth Day of March One thousand eight hundred and fifty-one.

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