CHAP. cli.

An Act for extending the time for the completion of the authorised works of the Burnham Tidal Harbour Company. [1st August 1870.] A.D. 1870.

WHEREAS by the "Burnham Tidal Harbour Act, 1860," (in this Act called the Act of 1860,) the Burnham Tidal Harbour Company (in this Act called the company) were incorporated, and (section five) were authorised to raise a capital of thirty-seven thousand pounds, in three thousand seven hundred shares of ten pounds each, and (section seven) to borrow on mortgage twelve thousand three hundred pounds, and to make and maintain the works by that Act authorised, which works comprised a harbour, river wall or quay or landing-place, and other works, including, if thought expedient, the laying down, maintaining, and using of lines of railway as sidings, in connexion with the Somerset Central Railway, and (section forty) the period limited by the reciting Act for the completion of the works shown on the plans deposited as in that Act mentioned, and therein called the deposited plans, was five years from the passing of that Act:

And whereas by "The Burnham Tidal Harbour Act, 1865," (in this Act called the Act of 1865,) the Company were (section five) authorised to raise by shares an additional capital not exceeding two hundred and twenty-five thousand pounds, and (section nine) to borrow on mortgage additional sums not exceeding seventy-five thousand pounds, and to make and maintain the works by the reciting Act authorised, which works comprised the following; (that is to say,)

(1.) The making and maintaining a dock or docks at or near the Highbridge Harbour, in the parish of Burnham, in the county of Somerset;

(2.) The altering and diverting the course of the channel of the river Brue, in the parish of Huntspill, in the said county, between a point on the south bank of that river fifty-seven chains or thereabouts from the Highbridge Clyse, and a

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point nearly opposite to the northern termination of the masonry sea-wall facing the river Parrett;

(3.) The making and maintaining an embankment in the parishes of Burnham and Huntspill from the north or Burnham side of the river Brue, to a point in the present river wall facing the river Parrett, and the reclaiming of the lands enclosed by that embankment;

(4.) The diversion of water from the rivers Brue and Parrett into the intended docks, and into the intended altered and diverted channel;

(5.) The dredging, scouring, and deepening from time to time the bed and shore of the river Brue, and part of the bed and shore of the river Parrett, and also all channels from time to time forming a means of access to the intended docks and works;

And other incidental works;

And (section twenty-two) the period limited for the completion of the works by the reciting Act authorised, shown on the plans deposited as in that Act mentioned, and therein called the deposited plans, was five years from the passing of that Act:

And whereas by the Act of 1865 (section twenty-six) the Company were required to abandon the construction of the sidings authorised to be constructed by the Act of 1860:

And whereas by the Act of 1865 (section twenty-three), the time limited by the Act of 1860 for the completion of the works thereby authorised, was extended for a period of five years from the passing of the reciting Act:

And whereas the Company have proceeded to put the Act of 1860 and the Act of 1865 in execution:

And whereas it is expedient that the time limited by the Act of 1860, and extended by the Act of 1865, for the completion of the works by the Act of 1860 authorised (except the sidings required to be abandoned by the Act of 1865), be further extended, and that the time limited by the Act of 1865 for the completion of the works by that Act authorised be extended:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may for all purposes be cited as "The Burnham Tidal Harbour Act, 1870."

Interpretation of terms.

2. In this Act the expressions following have the meanings following; (that is to say,)

"The Company" means the Burnham Tidal Harbour Company;

"The Act of 1860" means the "Burnham Tidal Harbour Act, 1860;"

"The Act of 1865" means "The Burnham Tidal Harbour Act, 1865."

Extension of period for completion of works authorised by Acts of 1860 and 1865.

3. The period limited by the Act of 1860 and extended by the Act of 1865 for the completion of the works by the Act of 1860 authorised, is by this Act further extended, and the period limited by the Act of 1865 for the completion of the works by that Act authorised, is by this Act extended to the period of five years after the passing of this Act, and on the expiration of that period the powers by the Act of 1860 and the Act of 1865 and this Act respectively granted to the Company for the execution of those works, or otherwise in relation thereto, shall cease to be exercised except as to so much thereof as is then completed.

Existing contracts and notices to take lands not to be affected.

4. The extension of time by this Act authorised shall not affect any contract entered into or notice given by the Company before the passing of this Act for purchasing, taking, or using any lands which under the Act of 1860 and the Act of 1865 respectively the Company were authorised to purchase, take, or use; but every such contract and notice respectively shall be construed and take effect, and the same proceedings may be had thereunder, and all parties thereto shall be entitled to the same rights and remedies in respect thereof at law and in equity as if the extension of time had not been granted.

Parties aggrieved by extension of time may have compensation for additional damage.

5. The justices, arbitrators, umpires, or juries, as the case may be, who award or assess the compensation to be made by the Company to the owners or occupiers of, or other persons interested in lands taken or used for the purposes of the works by the Act of 1860 and the Act of 1865 respectively authorised, or injuriously affected by the construction thereof, shall, in estimating the amount of such compensation, have regard to and assess compensation for the additional damage (if any) sustained by those owners, occupiers, or other persons by reason of the extension of time by this Act granted.

Saving rights of Company.

6. Except as is by this Act expressly provided, nothing in this Act shall take away, lessen, prejudice, alter, or affect any of the estates, rights, powers, privileges, or authorities of the Company, or of any other company, body, or persons to which the Act of 1860 and the Act of 1865 respectively relate.

Company not exempt from pro-

7. Nothing in this Act shall exempt the Company or their undertaking from the provisions of the "Merchant Shipping Act,

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visions of general Acts.

1854," or any other general Act relating to merchant shipping, or from any present or future general Act relating to harbours, piers, or docks, or to tolls, dues, and charges on shipping, or goods carried in ships, or the audit of the amounts thereof, or to pilotage, or from any future revision or alteration under the authority of Parliament of the tolls, dues, and charges by the Acts relating to the Company authorised to be taken in respect of the harbour, quay, and docks by those Acts respectively authorised, or of the limits of the harbour.

Expenses of Act.

8. All the costs, charges, and expenses of and incident to the preparing, applying for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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