ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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51 G. 3. c. 171. Year of the Reign of King *George* the Third, and intituled *An Act for completing and maintaining the* East Country *Dock at* Rotherhithe *in the County of* Surrey, and the second being passed in the Sixth 6 G. 4. c. 64. Year of the Reign of King *George* the Fourth, and intituled *An Act to amend an Act of His late Majesty, for completing and maintaining the* East Country *Dock at* Rotherhithe *in the County of* Surrey, *and to enlarge the Powers of the said Act*, and by the first of the *East Country* Dock Acts the Parties therein named or referred to were constituted a Joint Stock Company, under the Style of "The *East Country* Dock Company:" And whereas the *Commercial* Docks, and the *East Country* Dock, which adjoins thereto, have been for many years completed, and the Accommodation afforded by the *Commercial* Docks has proved of great Advantage to the Commerce of the Port of *London*, and it is expedient that such Accommodation should be extended, and that certain Restrictions imposed upon the *Commercial* Dock Company by their recited Acts should be removed: And whereas a Treaty has been entered into between the *Commercial* Dock Company and the *East Country* Dock Company for the Purchase by the *Commercial* Dock Company of the *East Country* Dock, and of all the Lands, Buildings, Warehouses, Fixtures, and Utensils of the *East Country* Dock Company, for the Sum of Forty thousand Pounds, subject to the Approbation of Parliament: And whereas the Dock, Buildings, Lands, and Hereditaments of the *East Country* Dock Company, or Parts thereof, are subject to Mortgage: And whereas the Enlargement and Improvement of the *Commercial* Docks, and the Addition thereto of the *East Country* Dock, and the Enlargement and deepening of the same and of the Entrance thereto, and also the Construction of a new Entrance or new Entrances from the *Thames* into the *Commercial* Docks, and of a Tramway from the said Docks to the *Deptford* Branch Railway, will respectively greatly increase the Accommodation afforded by the *Commercial* Docks, and give additional Facilities to the Trade of the Port of *London:* And whereas it is expedient that the *Commercial* Dock Company should be empowered to raise additional Capital, to enable them to accomplish the several Matters and Things by this Act authorized, and that the *Commercial* Dock Acts should be amended; but the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Provisions of recited Acts repealed.

I. Such Parts of the "*Commercial* Dock Acts" and "*East Country* Dock Acts" respectively as are herein-after specified, (that is to say,) the Seventy-first, Seventy-second, Seventy-third, Eighty-third, Eighty-fifth, Eighty-sixth, Eighty-seventh, Ninety-third, and Ninety-fourth Sections of the Act of the Fiftieth Year of the Reign of King *George* the Third, Chapter 207, and the Twenty-fifth, Twenty-sixth, Fifty-third, and Sixty-second Sections of the Act of the Fifty-first Year of the Reign of King *George* the Third, Chapter 171, as to the

Appointment of the Dockmaster, preventing Ships lying within One hundred Yards of the Entrance, Penalty on obstructing Entrance, and as to the Rights of the Mayor, Commonalty, and Citizens of the City of *London*, their Deputies, Meters, and Fellowship Porters, and as to Fines, Distresses, Convictions, Compensation for Damages, Recovery of Rates, and Limitation of Actions respectively, and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 25 of the Act of the Fifty-seventh Year of King *George* the Third, Chapter 62, as to raising Money, and the Sale of superfluous Lands, and the Payment of Costs, shall be and the same are hereby repealed.

Certain Provisions of 8 & 9 Vict. c. 18. and 10 & 11 Vict. c. 27. extended to this Act.

II. "The Lands Clauses Consolidation Act, 1845," (except the One hundred and twenty-seventh Section thereof, limiting the Time for Sale of superfluous Lands,) and also the following Clauses of "The Harbours, Docks, and Piers Clauses Act, 1847," that is to say, the Clauses with respect to the Construction of Docks, and with respect to the Construction of Works for the Accommodation of the Officers of Customs, and with respect to the Construction of Warehouses, Wharfs, and other Conveniences, and with respect to the Rates to be taken, except the Twenty-fifth and Twenty-sixth Sections, postponing Payment of Rates till the Completion of the Works, and except the Twenty-eighth Section as to Exemption from Rates, the Clauses with respect to the Collection and Recovery of Rates, except the Forty-seventh Section, requiring a List of Rates to be set up, the Clauses with respect to the Appointment of Dock-masters and their Duties, and with respect to the discharging of Vessels, and the Removal of the Goods, and with respect to the Protection of the Dock and the Vessels therein from Fire or other Injury, and with respect to the Police of the Dock, and with respect to the Appointment of Meters and Weighers, and with respect to the making of Byelaws, and with respect to the Tender of Amends, and with respect to the Recovery of Damages and of Penalties, and with respect to Access to the Special Act, and with respect to the saving of Rights, shall be incorporated with this Act, and shall extend and apply to the Works by this and the said recited *Commercial* Dock Acts authorized to be made or maintained.

Present Byelaws to cease within Six Months.

III. From and after the Expiration of Six Calendar Months next after the passing of this Act all the Byelaws of the said Company which shall have been made previously to the passing of this Act shall cease and determine.

Certain Provisions of 8 & 9 Vict. c. 20. incorporated with this Act.

IV. And with reference to the Tramway hereby authorized to be constructed, the Clauses of "The Railways Clauses Consolidation Act, 1845," with respect to the Construction of the Railway and Works connected therewith, except Sections 11, 12, 13, 14, and 15, limiting Deviations, and making Provisions as to Arches, Viaducts, and Tunnels, shall be incorporated with this Act.

Interpretation of Terms.

V. The Expression "the Directors" or "the said Directors" in this Act shall mean the Directors for the Time being of the *Commercial* Dock Company, and the Expression "the Company" or "the said Company"

Company" shall mean "The *Commercial* Dock Company," unless there be something in the Subject or Context repugnant to such Construction.

Power to purchase East Country Dock.

VI. It shall be lawful for the *East Country* Dock Company to sell, and for the *Commercial* Dock Company to purchase, the *East Country* Dock, and all the Lands, Buildings, Warehouses, Fixtures, and Utensils of the *East Country* Dock Company, upon and according to the Terms already agreed upon between the Directors of the said Companies respectively, which are hereby declared to be binding upon the said respective Companies; and for that Purpose it shall be lawful for the *East Country* Dock Company, by any Deed (duly stamped), in which the Purchase or Consideration Money for the same shall be fully and truly stated and set forth, and which may be expressed to be made between the said Companies, and may be under the Hands and Seals of any Three of the Directors of the said Companies respectively, to grant, convey, assign, and assure the *East Country* Dock, and all Lands, Buildings, Warehouses, Fixtures, and Utensils held by the *East Country* Dock Company or the Directors thereof, under their said Acts, of whatsoever Nature, Tenure, or Quality the same may be, and as to any Leasehold Premises for the Residue of the Term or Terms of Years for which the same may be holden respectively, and subject to the Rents and Covenants reserved and contained in the Leases thereof, unto the *Commercial* Dock Company absolutely; and any such Deed executed by such Directors as aforesaid shall be effectual to vest the said *East Country* Dock, and all the Lands, Buildings, Warehouses, Fixtures, and Utensils of the said *East Country* Dock Company in and by such Deed comprised and conveyed, with their respective Appurtenances, and it is hereby declared the same shall thenceforth continue to be legally and absolutely vested in the Directors for the Time being of the *Commercial* Dock Company, for all the Estate and Interest of the said *East Country* Dock Company or the Directors thereof in the same, freed and discharged from all the Powers and Provisions of the said *East Country* Dock Acts affecting the same, but as to any Leasehold Premises for the Residue of such Term or Terms of Years therein, and, subject as aforesaid, for the Purposes of this and the said recited *Commercial* Dock Acts; and it is hereby declared, that the Purchase Money for the same, or so much thereof as shall not be applied in or towards Satisfaction of any Mortgage or Mortgages for the Time being subsisting on the Premises to be sold, shall be paid to Three of the Directors for the Time being of the *East Country* Dock Company, and such Three Directors shall give a joint Receipt in Writing for the same, which Receipt shall be a sufficient Discharge to the *Commercial* Dock Company and the Directors thereof for the said Purchase Money, or for so much thereof as in such Receipt shall be acknowledged to be received, and shall fully exonerate the *Commercial* Dock Company from all Liability to see to the Application thereof.

Application of Purchase Money.

Mortgages not to be prejudiced.

VII. Provided always, That if the said *East Country* Dock, Lands, Buildings, Warehouses, and Premises, hereby authorized to be sold, shall

shall be sold without the Concurrence of any Mortgagee or Mortgagees thereof, the same shall be conveyed subject and without Prejudice to the Mortgage or Mortgages, and in such Case the Mortgagee or Mortgagees shall and may have and exercise all such Rights and Remedies for the Recovery of the Principal Monies and Interest due to them as they could or might have had or exercised if such Mortgage or Mortgages had been made pursuant to or under the Authority of this Act: Provided also, that if the Premises shall be sold with the Concurrence of any Mortgagee or Mortgagees thereof, then and in such Case a competent Part of the Purchase Money shall be applied in Payment in the first instance of the Principal Monies and Interest, Costs, Charges, and Expenses of such Mortgagee or Mortgagees.

On Completion of Purchase, Powers of East Country Dock Company to cease.

VIII. Provided also, That on the Completion of the said Purchase the Rights, Powers, and Privileges of the *East Country* Dock Company shall thenceforth cease and determine, except in so far as it shall be necessary for the same to continue for the Collection of the Credits and Assets, and Payment and Discharge of the Debts and Liabilities thereof, and upon and after such Collection, Payment, and Satisfaction the same Company shall thenceforth be dissolved and cease to exist.

Distribution of Purchase Money.

IX. The Purchase Money to be paid by the *Commercial* Dock Company as aforesaid shall, as soon as conveniently may be after the Completion of the said Purchase, and after Payment of any such Mortgages as aforesaid, be applied by the Directors of the said *East Country* Dock Company, together with the other Assets of the same Company, in discharge of the general Debts and Liabilities of the *East Country* Dock Company, and, subject thereto, shall be divided among the Shareholders thereof rateably in proportion to their respective Interests in the Capital and Stock of the said Company.

East Country Dock Company not bound to regard Trusts.

X. The *East Country* Dock Company and the Directors thereof shall not be bound to see to the Execution of any Trust, expressed, implied, or constructive, to which any Money made divisible among the Shareholders as aforesaid may be subject, but the Receipts of the Persons in whose Names any Stock shall stand in the Books of the said Company shall be a sufficient Discharge to the said Company and the Directors thereof for any Monies payable to such Persons in respect of such Stock, notwithstanding any Trusts to which the same may then be subject, and whether or not the said Directors have had Notice of such Trust; and the said Directors shall not be bound to see to the Application of the Money paid, and for which any such Receipt shall be given, nor be answerable for any Loss or Misapplication thereof.

Property now vested in Trustees to vest in Directors for the Time being.

XI. And whereas the Docks, Buildings, Warehouses, aud Fixtures of the *Commercial* Dock Company, and divers Lands and Hereditaments, and undivided Parts and Shares of Lands and Hereditaments, which have been from Time to Time purchased by the said Company, are now

now legally vested in *William R. Robinson* of *Austin Friars* in the City of *London*, Merchant, *George Grote* of *Threadneedle Street* in the City of *London*, Banker, and *George Marten* of the *Commercial* Sale Rooms, *Mincing Lane*, in the City of *London*, Gentleman, and their Heirs, in trust for the said Company, and it is expedient that the same, as well as the Dock and Premises to be acquired under this Act, should be vested in the Directors of the said *Commercial* Dock Company: Be it enacted, That from and after the passing of this Act all the Docks, Buildings, Warehouses, and Fixtures, Lands and Hereditaments, and Parts and Shares of Lands and Hereditaments, now legally vested in the said *William R. Robinson*, *George Grote*, and *George Marten*, in trust for the said *Commercial* Dock Company, shall from and after the passing of this Act be and the same are hereby legally and absolutely vested, and it is hereby declared that the same shall henceforth continue to be vested, in the Directors for the Time being of the said *Commercial* Dock Company, for the general Purposes of this and the said recited *Commercial* Dock Acts, in the same Manner as if such Docks, Buildings, Warehouses, and Fixtures, Lands and Hereditaments, and Parts and Shares of Lands and Hereditaments, had been taken and purchased by the said Company under this Act, and had been duly conveyed to the said Company by the said *William R. Robinson*, *George Grote*, and *George Marten*, for their whole Estate and Interest therein, in manner herein-after provided with respect to Lands which shall be taken and purchased by the said Company under this Act.

Power to sell superfluous Lands.

XII. It shall be lawful for the Company at any Time or Times hereafter absolutely to sell and dispose of any superfluous Lands, Buildings, or Hereditaments which may at any Time hereafter be purchased by or for the Use of the said Company, or which may for the Time being be vested in the Directors thereof under this Act, and which shall not be wanted for the Purposes of this or the said recited *Commercial* Dock Acts, in such Manner as provided by the Clauses herewith in that Behalf incorporated of the "Lands Clauses Consolidation Act, 1845."

Power to make Partition.

XIII. It shall be lawful for the *Commercial* Dock Company from Time to Time and at any Time after the passing of this Act to make and concur in the Partition of any Lands or Hereditaments any undivided Share or Shares of which shall be vested in the Directors for the Time being of the said Company, or which shall otherwise be or have been purchased or contracted to be purchased by or for the Use of the said Company under this or any of their said recited Acts, and for that Purpose to give or receive any Monies for Equality of Partition, as Occasion may require, and the Receipt of the Treasurer for the Time being of the said Company shall be a sufficient Discharge for any Monies to be received by the said Company; and it shall be lawful for any Two of the Directors for the Time being of the said Company, the Chairman or Deputy Chairman for the Time being of the Court of Directors being One of such Two Directors, to execute all such Deeds and Assurances as shall be requisite or deemed expe-

dient to effect any such Partition, and for conveying the Hereditaments in respect of which Partition shall be made in such Manner as shall be thought proper; and every Conveyance of any Hereditaments which shall be made to the said Company pursuant to this present Power shall be effectual to vest the Hereditaments thereby expressed to be conveyed to the said Company for the Estate thereby conveyed in the Directors for the Time being of the said Company, absolutely, for the Purposes of this and the said recited *Commercial* Dock Acts.

Power to construct Works according to deposited Plans.

XIV. And whereas Plans and Sections of the Works by this Act authorized, showing the Situation and Levels thereof, and the Limits within which the same are to be constructed, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Land upon or through which the Works are intended to be made, have been deposited with the respective Clerks of the Peace for the Counties of *Surrey* and *Kent:* It shall be lawful for the *Commercial* Dock Company to make and maintain the Works hereinafter particularly described, or any or either of them, in the Situations and upon the Lands delineated upon the said Plans and described in the said Book of Reference, and within the Limits aforesaid to make and maintain all such Cuts, Locks, Gates, Bridges, Quays, Works, and Conveniences connected with their Docks as they may think necessary, and to enter, upon, take, purchase, and use such of the said Lands as they shall deem necessary for the Purposes of this Act.

Land belonging to Grand Surrey Canal Company not to be taken without Consent.

XV. Provided always, That nothing in this Act contained shall enable the said Company to take any of the Lands which are inserted in the said Book of Reference as belonging to the *Grand Surrey* Canal Company, without the previous Consent in Writing of that Company, under its Common Seal, first had and obtained.

Lands purchased to be vested in Directors.

XVI. All Lands which shall be taken and purchased by the said Company under this Act may be conveyed to the said Company in manner provided by "The Lands Clauses Consolidation Act, 1845," or as near thereto as Circumstances shall permit; and every such Conveyance shall be effectual to vest the Lands therein comprised for the Estate which shall have been so purchased by the said Company in the Directors for the Time being of the said Company, for the general Purposes of this and the said recited *Commercial* Dock Acts.

Description of the new Works.

XVII. The Works authorized to be constructed under the Powers of this Act are as follow; (that is to say,)

A new Cut or Entrance from the River *Thames* at or near *Lavender* Dock into the *Commercial* Dock, marked in the said Plan No. 5, in the Parish of *Saint Mary Rotherhithe* in the County of *Surrey:*

A new Cut or Entrance from the River *Thames* through Land formerly the Ship Yard of *Edward George Barnard* Esq., but now

now the Property of the said Company, into their Dock, marked in the said Plan No. 3, in the Parish of *Saint Mary Rotherhithe:*

The Enlargement and deepening of the *East Country* Dock and the Entrance thereto from the *Thames* in the Parish of *Saint Mary Rotherhithe* and also in the Parish of *St. Paul Deptford* in the County of *Kent:*

A Tramway to connect the Docks of the Company with the *Deptford* Branch Railway of the *London and Brighton and South Coast* Railway Company, to commence in the Parish of *Saint Mary Rotherhithe* on Land belonging to the *Commercial* Dock Company near to the *Thames*, and to terminate by a Junction with the said *Deptford* Branch near the Railway Bridge over the *Grand Surrey* Canal in the Parish of *Saint Paul Deptford.*

Power to deepen Entrances to Docks.

XVIII. And for better effecting the Purposes of this Act it shall be lawful for the said Company from Time to Time, by their Servants, Agents, and Workmen, to enter upon and deepen and scour out the Beach and Bed of the River *Thames* at the Entrances to the Docks, and for ever after to maintain and preserve at the Entrance or Entrances from the River to the said Docks the same or a greater Depth of Water than may be on the Sills of the Docks or the Entrances thereto.

Company to makeBridges over the new Cuts or Entrances.

XIX. The Company shall construct over each of the new Cuts or Entrances which shall be made under the Authority of this Act from the River *Thames* into their Docks No. 3 and 5 respectively One Swing or Swivel Bridge, and shall also construct over One of the Dock Gates at each of the said Cuts or Entrances, at a Distance not exceeding Two hundred Feet from such Bridge, a Platform or Footway for Passengers; and such Bridge and Platform or Footway shall not be allowed to remain open together and at the same Time (except in Cases of unavoidable Necessity); and the Inclined Planes leading to the said Bridges respectively shall not be steeper than is laid down and stated in that Behalf on the Plans and Sections so deposited as aforesaid.

Regulating theConstruction of such Bridges.

XX. Each Swing or Swivel Bridge which shall be so constructed over the said new Cuts or Entrances hereby authorized to be made as aforesaid shall be made with good sound Materials, with a Road or Way over the same for Foot Passengers, Carriages, Horses, and Cattle, and such Road or Way shall be of the Width of Twenty Feet at least in the clear, Ten Feet whereof shall be set out and appropriated for Two Paths or Causeways for Foot Passengers, of the Width of Five Feet each, and the rest shall be appropriated for the Carriage Road and Fenders to the same; and the said Bridges, when so constructed, shall at all Times afterwards be maintained and kept in good and sufficient Repair by and at the Costs of the said Company; and the said Company shall place and maintain a Glass Lamp with proper Burners at each End of each of the said Bridges, and cause the same to be lighted and kept alight from the Time of Sunset to the Time of Sunrise throughout the Year.

XXI. The

Provision as to keeping Bridges open, &c.

XXI. The said Swing or Swivel Bridges respectively may be from Time to Time opened for the Passage of Vessels into or from the said Docks, but neither of the said Bridges shall be permitted to remain open so that the Passage over the same may be prevented or hindered beyond the Space of Fifteen Minutes at any One Time; and immediately after the Expiration of such Fifteen Minutes the said Bridges respectively shall be properly closed and fastened, and shall not be again opened when any Carriages, Horses, or Cattle shall be waiting to pass over the same until the Expiration of Ten Minutes next after the Time when the same shall have been so closed and fastened as aforesaid.

Penalty for Neglect.

XXII. If the said Company, or their Servants or Workmen, shall permit or suffer the said Bridges or either of them to remain open for a greater Length of Time than Fifteen Minutes at any One Time, or shall at any Time, when any Carriage, Horse, or Cattle shall be waiting to pass over the same, open or re-open either of the said Bridges before the Expiration of Ten Minutes next after the Time when the same shall have been so closed and fastened as aforesaid, or if the said Company, their Servants or Workmen, shall not properly close and secure the same for the free, safe, and commodious Passage of Foot Passengers, Carriages, Horses, and Cattle over the same, or if the Swing or Swivel Bridge, and the Platform or Footway, over either of the said new Cuts or Entrances, shall be permitted to remain open together and at the same Time, contrary to the Provision herein-before in that Behalf contained, then and in every such Case the said Company shall, for every such Offence, Neglect, or Omission, forfeit and pay to any and every Person or Persons who, or whose Carriage, Horse, or Beast, shall be stayed or hindered in passing over the same, any Sum of Money not exceeding Five Pounds nor less than Twenty Shillings, at the Discretion of any Justice of the Peace for the County of *Surrey*.

Gates to be erected across the Tramway.

XXIII. When the Tramway shall cross any public Carriage Road the Top of the Rails shall be upon a Level with the Surface of such Road, or the Rails shall be countersunk; and the Company shall erect and at all Times maintain good and sufficient Gates across the said Tramway on each Side thereof, at every Place where such Tramway shall so cross any such Road, and shall employ proper Persons to open and shut such Gates, and such Gates shall be kept constantly closed across the Tramway, except when Engines or Carriages passing along the same shall have Occasion to cross such Road; and such Gates shall be of such Dimensions and so constructed as when opened to fence in the Tramway, and prevent Cattle or Horses passing along the Road from entering upon the Tramway; and the Person intrusted with the Care of such Gates shall cause the same to be closed as soon as such Engines or Carriages shall have passed through the same, under a Penalty of Forty Shillings for every Default therein.

As to Junction with London, Brighton, and

XXIV. The Junction hereby authorized to be made with the *Deptford* Branch of the *London, Brighton, and South Coast* Railway,

and South Coast Railway.

and all such Openings in the Ledges or Flanches of such Railway as may be necessary or convenient for effecting such Junction, shall be made and effected under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the *London, Brighton, and South Coast* Railway Company, and shall be afterwards maintained and kept in Order and Repair by and at the Expense of the *Commercial* Dock Company.

Power to deviate to a certain Extent.

XXV. With reference to the Situation of the Works respectively marked upon the said Plans, and hereby authorized to be constructed, the said Company may, notwithstanding anything contained in any of the Acts any Clauses of which are herewith incorporated, deviate to the Extent of Fifty Yards, but not further, and in no Case beyond the Limits of Deviation marked upon the said Plans.

Land for extraordinary Purposes.

XXVI. The said Company may purchase by Agreement any Quantity not exceeding Twenty Acres of Land for extraordinary Purposes, in addition to the Lands which they are by their said recited Acts or by this Act authorized to purchase.

No other Entrances to be made into Docks than shown on deposited Plans, without Consent of the Admiralty.

XXVII. No other Entrances from the *Thames* to the Docks shall be executed than those shown on the Plans deposited at the Admiralty Office, without the previous Approval and Sanction of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, such Approval and Sanction to be in Writing under the Hand of the Secretary of the Admiralty.

East Country Dock and other purchased Lands to be subject to Commercial Dock Acts.

XXVIII. The *East Country* Dock, and all other Lands to be purchased or acquired under this Act, shall, after the same shall have been so purchased and acquired respectively, be taken to be Part of the *Commercial* Docks, and shall be subject to the Provisions of this and the said recited *Commercial* Dock Acts.

Period for the Completion of the Works.

XXIX. The Works herein-before authorized shall be completed within Ten Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing such Works shall cease to be exercised, except as to so much thereof as shall be then completed.

Limits within which Dock Master may exercise his Authority.

XXX. The Limits within which the Powers of the Superintendent and Dock Master for the Regulation of the Docks shall be exercised shall be the existing Docks, Works, and Premises of the Company, and the Dock and Premises to be acquired under this Act, and a Distance of One hundred Yards into the River *Thames* from each of the Entrance Gates into the said River, such Distance to be computed from the Centre of the outer Lock Gates of each of the Docks: Provided always, that the Power of the Lord Mayor as Conservator of the River *Thames*, and of the Harbour Masters of the Port of *London*, within the aforesaid Limits, shall not be prejudiced, lessened, or interfered with by this Act.

XXXI. It

Power to appoint Weighers and Measurers.

XXXI. It shall be lawful for the Company to appoint and license a sufficient Number of Persons to be Meters and Weighers within the Docks.

Docks to form Part of Port of London.

XXXII. The Docks, Quays, and Wharfs by this and the said recited Acts authorized to be made or maintained shall be deemed and held to be within and Part of the Port of *London*.

Works on the Thames to be approved by the Corporation of London.

XXXIII. All Works to be executed under the Authority of this Act in or immediately connected with the River *Thames* shall be constructed according to a Plan to be approved by the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, and to be deposited at the Office of the Town Clerk of the said City, and such Works shall be executed and performed to the Satisfaction of the Clerk of the Works for the Time being employed in the *Thames* Navigation.

Saving Rights of the Corporation of London.

XXXIV. Provided always, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames* or otherwise, did or might lawfully claim, use, or exercise.

Saving of Rights of Corporation of London in respect of Metage, &c.

XXXV. Provided also, That nothing in this Act contained shall extend or be construed to extend to prevent or hinder the Mayor and Commonalty and Citizens of the City of *London*, or their Deputies, Meters, and Fellowship Porters, (otherwise *Billingsgate* Porters,) from exercising and enjoying within the said Docks and other Works the Right of Measurage and Porterage of all Coal, Corn, Grain, and Seed, of what Kind soever, and of all Fish, Salt, Fruit, and Roots to be eaten, and of all other Merchandises measurable or to be measured, at the Rates and Prices as regulated and settled or to be regulated and settled by the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, in such and the same Manner in every respect as they now lawfully enjoy and heretofore have enjoyed such Right of Measurage and Porterage in the Port of *London*.

Saving Rights of Commissioners of Sewers.

XXXVI. Notwithstanding anything herein-before contained, no Works shall be made or constructed under the Powers of this Act which shall in any way interfere with any Sewers, Drains, or Watercourses under the Control of the Metropolitan Commissioners of Sewers, or which shall impede, obstruct, or prejudicially affect the Drainage of the District in or near to which such Docks are or may be situate, nor shall any new Sewers, Drains, or Watercourses, or Works of Drainage, be made or constructed under the Powers

of

of this Act, unless the same shall have been previously approved by the said Metropolitan Commissioners of Sewers, and the same shall be carried out and completed under the Direction and Control of the said Commissioners and their Officers, and shall thenceforth remain subject in all respects to the Jurisdiction of the said Commissioners; and nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the said Commissioners of Sewers, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

For Protection of Kent Waterworks and Phœnix Gas Companies.

XXXVII. It shall not be lawful for the *Commercial* Dock Company, for the Purpose of constructing any Works by this Act authorized to be made, to remove or displace any of the Mains or Pipes, Cocks, Plugs, or other Works belonging to the Company of Proprietors of the *Kent* Waterworks, or the Mains, Pipes, Cocks, Plugs, or other Works belonging to the *Phœnix* Gas Company, or to do anything by which the free Passage of Water or Gas into or through the Mains or Pipes of the said respective Companies may be impeded, unless and until good and sufficient Mains or Pipes, Cocks, Plugs, and all other Works necessary or proper for continuing the Supply of Water and Gas as sufficiently as the same respectively were supplied by the Mains, Pipes, and Cocks proposed to be removed or displaced, shall, at the Expense of the *Commercial* Dock Company, have been first made and laid down in lieu thereof, and be ready for Use in a Position as little varying from that of the respective Pipes, Mains, and Cocks proposed to be removed or displaced as shall be consistent with the Construction of the Works by this Act authorized to be made, and to the Satisfaction of the respective Engineers of the said Gas and Waterworks Companies, and it shall not be lawful for the said Dock Company to lay down any such Pipes as aforesaid contrary to the Regulations of the Acts of Parliament relating to the said Waterworks and Gas Companies respectively; and if the said Dock Company shall in the Construction of the said Works raise or lower any Road or Place wherein any Main or Pipe, Cock, Plug, or other Apparatus belonging to the said Waterworks Company or the said Gas Company shall lie, the said Dock Company shall at the same Time, at their own Expense, if required by the said Waterworks Company or Gas Company, and under the Superintendence and to the Satisfaction of the Engineer or Engineers of the Company or Companies requiring the same, raise or lower and relay such Main, Pipe, Cock, Plug, or other Apparatus so and in such Manner that the Depth of the same from the Surface of the Road shall not be greater or less than it was before such Road or Place was raised or lowered; and the said Dock Company shall, at their own Expense, provide any new or extra Pipe or Apparatus that may be required for preserving the Continuity and Efficiency of such Pipe or Apparatus when so raised or lowered.

Dock Company to make

XXXVIII. The said Dock Company shall make good all Damage done to the Mains, Pipes, Cocks, Plugs, or other Property of the said Water-

Waterworks Company, or to the Mains, Pipes, Cocks, or other Property of the said Gas Company, by the Disturbance of the said Mains, Pipes, Cocks, or Plugs respectively, and shall make full Compensation to the said respective Companies, and their respective Customers, for any Loss or Damage which they respectively may sustain by reason of any Interference with the said respective Mains, Pipes, Plugs, or other Property, or with the private Service Pipes of any Person supplied by the said Companies respectively.

goodDamage to Works of such Companies.

XXXIX. The said Dock Company shall, at their own Expense, construct and maintain, for the exclusive Use of the said Waterworks and Gas Companies respectively, and of the said Dock Company for their own Purposes, under each and every of the new Entrances or Communications which shall be made by them from the River *Thames* into the said Docks where the same shall intersect any Line of Main or Pipe belonging to the said Waterworks Company or communicating with their Works, an Iron Culvert of not less Diameter in any Case than Three Feet, and shall, at their own Expense, and to the reasonable Satisfaction of the Engineer of the said Waterworks Company, lay, place, and secure therein new Iron Pipes communicating with the respective Lines or Main on each Side of such new Entrances, sufficient and proper for continuing the Supply of Water and Gas respectively by means of the same through such Iron Culvert; and every Culvert to be so constructed shall at all Times thereafter be maintained and kept in Repair and Efficiency by the said Dock Company at their own Expense; but the Agents and Servants of the said Waterworks and Gas Companies respectively shall at all Times have Access to such Culverts, and the Pipes therein, for the Purposes of the said Companies.

Dock Company to maintain Culverts.

XL. If by reason of any Works to be constructed by the said Dock Company under the Authority of this Act, or by reason of any Neglect or Default of the said Dock Company to construct or maintain any Culvert or other Work which they are by this Act required to construct or maintain, the Supply of Water from the Works of the said Waterworks Company shall be interrupted, the said Dock Company shall forfeit Twenty Pounds for every Day during which such Supply shall be so interrupted; and such Penalty may be recovered and enforced against the said Dock Company in such Manner as any Penalty or Forfeiture may be recovered or enforced under or by virtue of "The Companies Clauses Consolidation Act, 1845," and for that Purpose the Clauses of the last-mentioned Act with respect to the Recovery of Penalties shall be incorporated with and taken to be Part of this Act: Provided always, that no Penalty or Forfeiture shall be recoverable against the said Dock Company under this Act or the said incorporated Clauses for or by reason of any temporary Interruption of such Supply of Water during the Execution of the Works authorized by this Act, unless the same shall happen by the Neglect or Default of the said Dock Company.

Penalty on Dock Company for not maintaining Culverts.

Docks may be made Legal Quays under Provisions of 10 & 11 Vict. c. 27.

XLI. Nothing in the *Commercial* Dock Acts or any of them contained shall be deemed or taken to prevent the Quays of the *Commercial* Docks being made Legal Quays for the shipping and unshipping of Goods, subject to the Provision of the Twenty-fourth Section of "The Harbours, Docks, and Piers Clauses Act, 1847," herewith incorporated, requiring the Approval of the Commissioners of Her Majesty's Treasury and of the Commissioners of Her Majesty's Customs; and for insuring the Safety of the Goods which may be landed at the Quays of the *Commercial* Docks, and the Collection of the Revenue thereon, it shall be lawful for the Company, at any Time hereafter, to surround their Docks or any of them with a Stone or Brick Wall or other sufficient Inclosure, to be built of such a Height and in such Manner as may be prescribed by the Commissioners of Her Majesty's Treasury and the Commissioners of Her Majesty's Customs respectively, and also to build such additional Warehouses and other Conveniences as may from Time to Time be considered expedient.

Companies may erect Walls to protect their Docks.

Power to levy Rates on Vessels.

XLII. It shall be lawful for the Company to demand and take under this Act, for the Dockage of Ships or Vessels, and for the receiving, warehousing, and storing of Timber, Wood, and other Merchandize by the *Commercial* Dock Acts authorized to be received, warehoused, and stored, the Rates and Charges made payable by the said Acts or the Schedules thereto, and for all Goods, Articles, and Things not authorized by the said Acts to be received, warehoused, and stored, and which shall, after the Approbation of the aforesaid Commissioners shall have been obtained, be shipped or landed, received or delivered, within the Limits of the said Docks, pursuant to this Act, any Sums not exceeding the several Rates usually paid in the Port of *London* with respect to such Goods, Articles, or Things; and the said Company may demand and take, for the Use of their Cranes, and Weighing and Measuring Machines, such reasonable Rates as they shall from Time to Time appoint.

Exemption from Rates.

XLIII. All Lighters and Craft entering into the said Docks, Basins, or Cuts, to discharge or receive Ballast or Goods to or from on board any Ship or Vessel, shall be exempted from the Payment of any Rate, and also all such Ballast or Goods so discharged or received shall be exempt from any Rates, Dues, or Charges whatsoever.

A Table of Rates to be kept open for Inspection.

XLIV. A List or Table of the Rates and Charges for the Time being payable under this and the said recited *Commercial* Dock Acts shall be kept at the principal Office of Business of the Company at the said Docks, and shall be open at all reasonable Times to the Inspection of any Person or Persons liable to pay any such Rates or Charges, without Fee or Reward.

Power to increase the Number of Directors.

XLV. Whereas under the said recited *Commercial* Dock Acts the Number of Directors is limited to Ten, and it is expedient that

that

that Number should be increased: It shall be lawful for the Company from Time to Time to increase the Number of Directors, provided that such Number shall never be more than Eighteen or less than Twelve, and any Three of the said Directors shall be a Quorum capable of acting, and are hereby empowered to act at the Meetings of the said Directors.

Power to increase the Capital of the Company.

XLVI. And whereas the present paid-up Capital Stock of the *Commercial* Dock Company amounts to Three hundred and thirteen thousand seven hundred and fifty Pounds, and by the third-recited *Commercial* Dock Act the Company were empowered to borrow the Sum of Seventy-six thousand two hundred and fifty Pounds on Mortgage, but all Sums borrowed by the said Company under the said Power have been duly discharged, and no Monies are now due or owing by way of Mortgage from the said Company: And whereas the estimated Expense of the Works by this Act authorized is Four hundred thousand Pounds: It shall be lawful for the said Company at any Time or Times hereafter to raise, by the Creation of new Stock, in addition to their existing Capital, any Sum and Sums of Money not exceeding in the whole Three hundred thousand Pounds.

New Stock to be considered the same as original Stock.

XLVII. The new Stock so to be created shall be considered as Part of the general Capital Stock of the Company, and shall be subject to the same Provisions with reference to the Payment of Calls, and the Forfeiture of Shares on Nonpayment of Calls, and otherwise, as if it had been Part of the original Capital Stock of the said Company.

If original Stock at a Premium, new Stock to be offered to the original Proprietors.

XLVIII. If at the Time of any Creation of new Stock the existing Capital Stock of the Company shall be at a Premium, or of greater actual Value than the nominal Value thereof, then the Stock so to be created shall be divided into such Amounts as will conveniently allow the same to be apportioned among the then Holders of Stock in proportion to the Amount of the existing Stock held by them respectively, and the new Stock shall be offered to the then Holders of Stock in the Proportion aforesaid, and the Offer shall be made by Letter delivered to each Holder of Stock, or sent by Post addressed to him by registered Letter, according to his Address in the Books of the Company, or left at his usual or last Place of Abode.

New Shares to vest in Persons who shall accept the same, or, if they decline, the Stock may be disposed of to other Parties.

XLIX. The said new Stock shall vest in and belong to the Persons who shall accept the same, and pay the Value thereof in manner prescribed by the Directors; and if any Holder of Stock shall fail for One Month after such Offer of new Stock to accept the same, and pay the Instalments, if any, called for by the Directors in respect thereof, it shall be lawful for the Directors to dispose of such Stock to any Person willing to become the Purchaser thereof, for such Sum as they shall think proper.

L. If

If old Stock not at a Premium, the new Stock may be issued as the Directors think fit.

L. If at the Time of any such Creation of new Stock the existing Capital Stock shall not be at a Premium, then the new Stock may be issued in such Manner and on such Terms as the Directors shall think fit: Provided always, that such new Stock shall not be guaranteed any Interest exceeding Five Pounds *per Centum per Annum*.

Power to borrow on Mortgage or Bond.

LI. It shall be lawful for the said Company from Time to Time to borrow on Mortgage or Bond the Sum of One hundred and four thousand and five hundred Pounds, being One Third of their present paid-up Capital Stock; and when and so often as any Part of the said Sum or additional Capital of Three hundred thousand Pounds shall be subscribed for, and One Half of the additional Capital which may be from Time to Time so subscribed for shall be paid up, it shall also be lawful for the said Company from Time to Time to borrow on Mortgage or Bond any Sum or Sums of Money not exceeding One Third of the Amounts which may be from Time to Time subscribed for as aforesaid.

Certain Provisions of 8 & 9 Vict. c. 16. as to borrowing extended to Monies borrowed under this Act.

LII. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money on Mortgage or Bond, and the Conversion of borrowed Money into Capital, shall extend to the Monies by this Act authorized to be borrowed, and shall be incorporated with this Act; and every Mortgage and Bond under this Act may be in the Form provided by the said last-mentioned Act, or as near thereto as may be, and may be under the Hand and Seals of any Two of the Directors for the Time being of the said Company.

Application of Monies to be raised.

LIII. The Monies to be raised by virtue of this Act shall be applied in the first instance in paying and discharging all Costs and Expenses incurred in obtaining this Act and incident thereto; and, secondly, in carrying the Purposes of the said recited Acts and of this Act into execution.

Short Title.

LIV. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *Commercial* Docks Act, 1851."

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