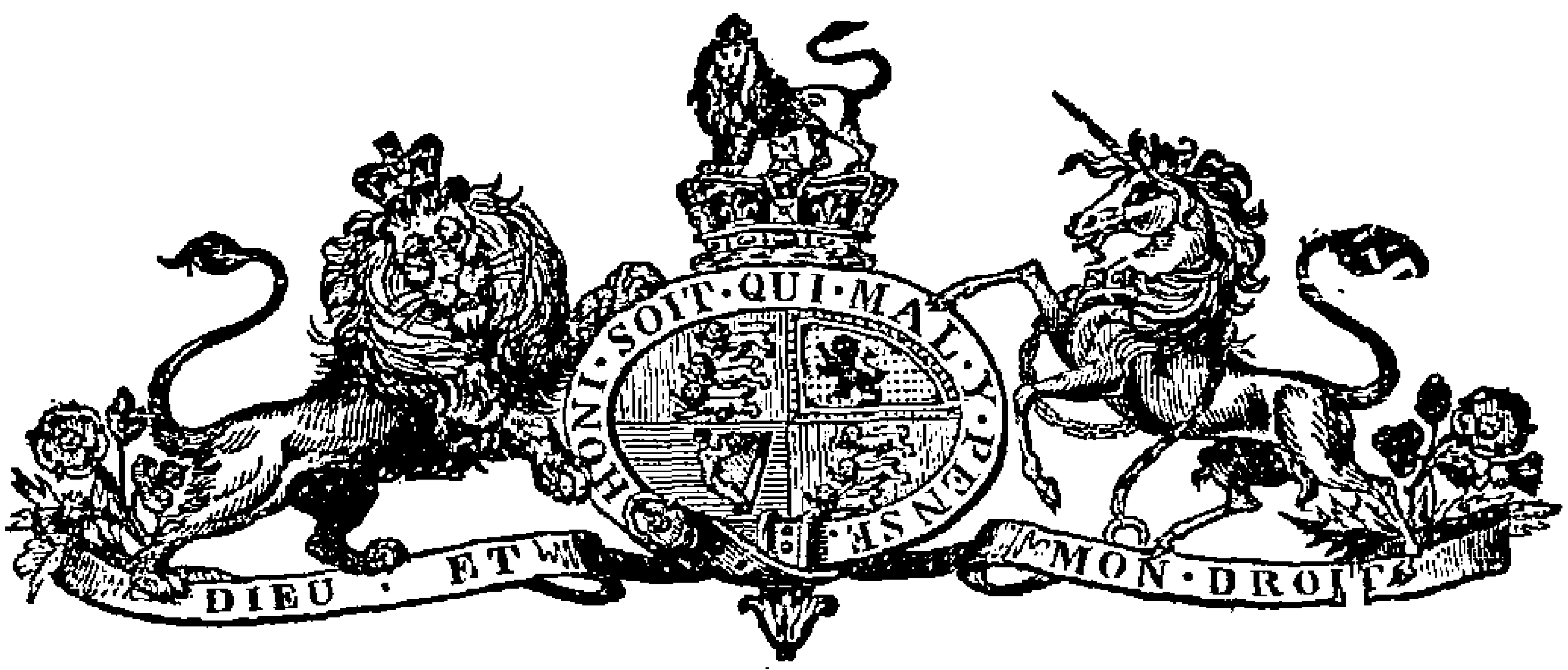


ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

****

Cap. lxxiv.

An Act for authorizing the *Grand Surrey* Docks and Canal Company to make additional Docks and other Works, and to raise further Monies; and for other Purposes. [14th *June* 1860.]

WHEREAS by "The *Grand Surrey* Docks and Canal Act, 1855," the prior Acts of Parliament relating to "the *Grand Surrey* Docks and Canal Company" (in this Act called the Company) and to their Undertaking were repealed, and some of the Provisions thereof were re-enacted, and with other Provisions were consolidated into One Act: And whereas the Company have under the recited Act and the Acts thereby repealed, or some of them, made a Canal and a Branch therefrom, and certain Docks, Basins, Quays, Wharfs, Warehouses, and other Works: And whereas the Docks and Works of the Company are in great Demand, and are insufficient for the Purposes for which they might with Advantage to the Public be made applicable, and it is expedient that the Company be authorized to make and maintain further Works for Dock Purposes: And whereas at the Time of the passing of the recited Act the paid-up Share Capital of the Company was One hundred and fifty-two thousand one hundred Pounds, in One thousand five hundred and twenty-one paid-up Shares of One hundred 18 & 19 Vict. c. cxxxiv.

Pounds each, and the borrowed Debt of the Company was One hundred and fifty thousand Pounds, secured by the Promissory Notes of the Company: And whereas by the recited Act the Company were authorized to raise an additional Share Capital of not exceeding One hundred and ninety-nine thousand Pounds, and to raise Money by borrowing, so that the borrowed Debt of the Company should not exceed in the whole One hundred and fifty thousand Pounds, and the Promissory Note Debt of the Company, amounting to One hundred and fifty thousand Pounds, was declared to be deemed to have been duly raised by the Company: And whereas of the additional Share Capital of One hundred and ninety-nine thousand Pounds so authorized the Company have created and issued One hundred and ninety-two thousand one hundred Pounds in Seven thousand six hundred and eighty-four Shares of Twenty-five Pounds each, with a fixed preferential Dividend in perpetuity of Five Pounds *per Centum per Annum*, all which Shares are fully called up, and the unissued Residue (to wit, Six thousand nine hundred Pounds,) of such additional Share Capital will be insufficient for the Purposes of this Act: And whereas the present borrowed Debt of the Company is the Promissory Note Debt of One hundred and fifty thousand Pounds referred to in the recited Act, and the Company have not borrowed any Money on Mortgage or Bond: And whereas it is expedient that the Company be authorized to raise further Monies by Shares and by borrowing, as by this Act provided: And whereas it is expedient that the recited Act should in some Particulars be altered and amended; but the several 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; to wit,

Short Title.

I. This Act may be cited for any Purpose as "The *Grand Surrey* Docks and Canal Act, 1860."

Interpretation of Terms.

II. The following Expressions have in this Act the following Meanings, unless such Meanings be repugnant to or inconsistent with the Subject Matter or the Context; to wit,

"The Docks" includes all such Parts of the Works of the Company as are from Time to Time used as Docks, and for Purposes connected with Docks:

"The Canal" includes all such Parts of the Works of the Company as are from Time to Time used as a Canal for the Conveyance of Goods by Water, and for Purposes connected with such Conveyance.

Same Meanings to Words in Acts incorporated as in this Act.

III. The several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, save so far as is by this Act otherwise

otherwise expressly provided, and save so far as such Meanings respectively are repugnant to or inconsistent with the Subject Matter or the Context.

IV. "The Lands Clauses Consolidation Act, 1845," save so far as any of the Clauses or Provisions thereof are by this Act varied, is incorporated with this Act. 8 & 9 Vict. c. 18. incorporated.

V. The following Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," save so far as the same are varied by this Act, are incorporated with this Act; (to wit,) Parts of 8 & 9 Vict. c. 16. incorporated.

"With respect to the Distribution of the Capital of the Company "into Shares;"

"With respect to the Transfer or Transmission of Shares;"

"With respect to the Payment of Subscriptions, and the Means of "enforcing the Payment of Calls;"

"With respect to the Forfeiture of Shares for Nonpayment of Calls;"

"With respect to the Remedies of Creditors of the Company against "Shareholders;"

"With respect to the borrowing of Money by the Company on Mort- "gage or Bond;"

"With respect to the Conversion of borrowed Money into "Capital;"

"With respect to the Consolidation of the Shares into Stock;" and those Clauses and Provisions shall respectively apply to all Shares created, and all Mortgages and Bonds granted, and all Monies borrowed under this Act.

VI. "The Harbours, Docks, and Piers Clauses Act, 1847," save so far as the Clauses or Provisions thereof are by this Act excepted or varied, is incorporated with this Act: Provided always, that the following Sections of that Act are not incorporated with this Act; to wit, Parts of 10 & 11 Vict. c. 27. incorporated.

"With respect to Life Boats;"

"With respect to keeping a Tide and Weather Gauge;"

"With respect to Buoys, Lighthouses, and Beacons;"

Sections XXV. and XXVI. touching Rates;

Section XLVII. as to List of Rates;

Sections LXXIV., LXXV., and LXXVI. as to Damage done to Works;

and the Words "Harbour Master" in that Act include the Superintendent of the Company, and the Words "Piers or Quays" in the LXVIIIth Section of that Act include Timber Ponds, Yards, and Warehouses of the Company, and other Places of the Company for storing Goods.

VII. Subject

Power to raise additional Share Capital.

VII. Subject to the Provisions of this Act, the Company may from Time to Time, in addition to the Share Capital of the Company authorized by the recited Act, raise a further Share Capital not exceeding in the whole Forty-nine thousand Pounds, for the Execution of the Works by this Act authorized, and other the general Purposes of the Company, and a further Share Capital not exceeding in the whole One hundred and fifty thousand Pounds for the Extinction of the borrowed Debt of the Company, or Part thereof.

As to Creation of Preference Shares for raising not exceeding Forty-nine thousand Pounds.

VIII. Subject to the Provisions of this Act, the Company, for the raising of the further Share Capital not exceeding Forty-nine thousand Pounds for the Execution of the Works by this Act authorized, and other the general Purposes of the Company, may from Time to Time, with the Approbation of Three Fifths at least of the Votes of the Shareholders present, personally or by Proxy, at any General Meeting held for that Purpose, create and issue new Shares, upon such Terms and Conditions, and either of One Class and with the like Privileges, or of several Classes and with different Privileges, and respectively with any fixed, fluctuating, contingent, preferential, perpetual, terminable, or other Dividend not exceeding the Rate of Five Pounds Ten Shillings *per Centum per Annum*, as the Company from Time to Time think fit, and may from Time to Time fix, as they think fit, the Amount and Times of Payment of the Calls on the new Shares, and the Preference Shares so from Time to Time created shall be called "Preference Shares No. 2.:" Provided always, that all the Shares of the same Class shall be of the like Amount, and all the Shares of the same Class shall confer like Privileges and bear like Dividend: Provided also, that if in any Year ending on the Thirty-first Day of *December* after the Year One thousand eight hundred and seventy there shall not be Profits of the Company available for the Payment of the full Amount of the Dividend for that Year on the Preference Shares created and issued under this Act, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Saving for existing Preference Shares.

IX. Provided also, That any Preference or Priority in the Payment of Interest or Dividend which may be granted in respect of any Shares created under this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Share heretofore granted by the Company under or in pursuance of or confirmed by any Act of Parliament passed before the passing of this Act, or which may from Time to Time be otherwise lawfully subsisting.

As to Calls on new Shares.

X. Except as is by this Act otherwise provided, the Amount of a Call shall not exceed One Fifth Part of the nominal Amount of each Share, and the Interval between successive Calls shall be at least Two Months, and

and the aggregate Amount of all Calls on any Share in any One Year shall not exceed Three Fourths of the nominal Amount of the Share.

If old Shares at a Premium, new Shares to be offered to existing ordinary Shareholders.

XI. If at the Time of raising any Capital for the Execution of the Works by this Act authorized, and other the general Purposes of the Company, any of the then existing ordinary Shares be at a Premium, the new Capital to be then raised shall be divided into Shares of such Amount as will conveniently allow their being apportioned among the then Holders of the ordinary Shares in proportion to the then existing ordinary Shares held by them respectively, and such new Shares shall be offered to them at Par in such Proportion, and such Offer shall be made by Letter under the Hand of the Secretary given to every such Shareholder, or sent by Post addressed to him according to his Address in the Share Register Book, or left for him at his usual or then last known Place of Abode in *England*, and every such Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter in due Course of Delivery ought to reach the Place to which it is addressed.

Vesting of new Shares.

XII. The new Shares so offered shall vest in and belong to the Shareholders who accept them.

As to Disposal of unaccepted Shares.

XIII. If any Shareholder fail for One Month after such Offer of new Shares to accept them, the Company may dispose of such Shares to any other Persons: Provided always, that the Directors, if they think proper, but not otherwise, may permit any Shareholder who from Absence abroad or other Cause satisfactory to the Directors omits to signify within such One Month his Acceptance of the new Shares offered to him, to accept them notwithstanding that Time have elapsed.

General Power to dispose of new Shares.

XIV. Except as is by this Act provided with respect to offering new Shares to existing ordinary Shareholders, the Company may from Time to Time dispose of the new Shares to such Persons and on such Terms and Conditions as the Company think fit.

Power to cancel unissued new Shares.

XV. If after having created any new Shares the Company determine not to issue the whole of such new Shares, they may cancel the unissued new Shares, and from Time to Time thereafter may, under any of the Powers of this Act, create in lieu thereof other new Shares of an aggregate Amount not exceeding the aggregate Amount of the new Shares so cancelled.

Surrender of forfeited Shares.

XVI. Whenever the Directors have declared any Share forfeited, the Holder of such Share at any Time thereafter, by Agreement with the Directors, and with the Sanction of a General Meeting, may surrender such Share to the Company, and the Company shall forthwith cancel all such

such surrendered Shares, and from Time to Time thereafter may, under any of the Powers of this Act, create in lieu thereof other new Shares of an aggregate Amount not exceeding the aggregate Amount of the unpaid Portion of the Shares so surrendered and cancelled.

Allotment of new Shares in satisfaction of Debt.

XVII. For the raising of the further Share Capital not exceeding One hundred and fifty thousand Pounds for the Extinction of the borrowed Debt of the Company, the Company from Time to Time may create and issue new Shares ranking *pari passu* with the present ordinary Shares of the Company, and by Agreement with any Mortgagee or Bondholder or Promissory Noteholder of the Company may allot to him any new Shares so created in satisfaction of all or such Part as is mutually agreed on of his Mortgage or Bond or Promissory Note Debt, and upon any such Allotment the new Shares so allotted shall be deemed fully paid up, and the Mortgages or Bonds or Promissory Notes in respect whereof those new Shares are so allotted shall thereupon be extinguished, and the borrowing Powers under the recited Act of the Company shall, to the Extent of the Principal Money secured by the Mortgages, Bonds, or Promissory Notes so extinguished, cease to be exercised: Provided always, that the Company shall not allot to any Mortgagee or Bondholder or Promissory Noteholder any new Shares of a nominal Amount exceeding the Amount of the Principal Money due on his Mortgages or Bonds or Promissory Notes in satisfaction whereof such new Shares are so allotted to him.

New Share Capital to a be Part of General Share Capital.

XVIII. The new Capital from Time to Time raised by the Company under this Act by new Shares shall be Part of the General Capital of the Company, and, except as is by this Act otherwise expressly provided, all such Rights, Privileges, Liabilities, and Incidents shall attach to and be conferred by the Capital raised under this Act and the Shares thereof respectively as to and by the Company's present Capital and the Shares thereof respectively.

Power to borrow to a certain Extent.

XIX. The Company from Time to Time, with the Authority of a General Meeting, may raise by borrowing any Sums of Money not exceeding in the whole at any One Time an Amount equal to One Third of the aggregate Amount of the Promissory Note Debt of One hundred and fifty thousand Pounds which shall from Time to Time, under the Authority of the recited Act and this Act, or either of them, have been extinguished by the Company by the Allotment of Shares in satisfaction thereof.

Receiver for Mortgagees.

XX. The Mortgagees under this Act of the Company may enforce the Payment of the Arrears of the Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Ten thousand Pounds.

XXI. The

Application of Monies.

XXI. The Monies from Time to Time raised by the Company by Shares and by borrowing shall be applied only for Purposes by the several Acts from Time to Time relating to the Company respectively authorized: Provided always, that all Monies raised under this Act by Shares for the Extinction of the borrowed Debt of the Company shall be applied by the Company in the Extinction of their borrowed Debt, and for no other Purpose.

Power to execute Works, and take Lands compulsorily for the Purpose.

XXII. Whereas Plans and Sections showing the Lines, Situation, and Levels of the intended new Works, and a Book of Reference to such Plans, containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in and through which those Works are intended to be made, have been deposited with the Clerk of the Peace for the County of *Surrey*: Therefore, subject to the Provisions of this Act, the Company from Time to Time may make and maintain those Works in the Lines or Situations and in and through the Lands respectively delineated on those Plans and described in that Book of Reference, and according to the Levels shown on those Sections, and for the Purposes of this Act may enter upon, take, and use such of those Lands as the Company from Time to Time think fit, including Lands to which the *Commercial* Dock Company claim to be entitled, under an Agreement dated the Nineteenth Day of *May* One thousand eight hundred and fifty-five, between the *Commercial* Dock Company of the First Part, *Alexander Sim*, *Edmund Brandt*, and *Henry James Prescott* of the Second Part, and the Company of the Third Part.

Act not to affect certain Properties.

XXIII. It shall not be lawful for the Company to purchase the Lands numbered respectively 17a, 20, and 21 in the Parish of *Rotherhithe* on the said Plans or any of them, and nothing in this Act contained shall prejudice or affect any Easement, Estate, Right, or Interest (if any) which *William Lipscomb* of *Gedling Street*, *Dockhead*, in the County of *Surrey*, his Executors, Administrators, or Assigns, now have or but for the passing of this Act might have acquired in or over the Properties numbered on the said Plans in the said Parish 17 and 18.

Powers for compulsory Purchases limited.

XXIV. The Powers by this Act granted to the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act.

Lands for extraordinary Purposes.

XXV. The Company from Time to Time may purchase by Agreement for extraordinary Purposes, and in addition to the Lands which they are by the recited Act or this Act authorized to take compulsorily or purchase by Agreement, any Quantity not exceeding Five Acres of the Lands situate between the *Deptford Lower Road* and the Works of the Company authorized by the recited Act and this Act.

XXVI. The

Works authorized.

XXVI. The Works by this Act authorized comprise the following Works; (to wit,)

Firstly, a Cut or Entrance commencing at a Point on the Upper Dock of the Company, Sixty Yards or thereabouts North of the Canal Lock of the Company, and thence extending in a Westerly Direction, and terminating at the Dock or Pond secondly described;

Secondly, a Dock or Pond from the Western End of the Cut or Entrance first described, and thence extending over and upon Lands in part the Property of the Company, in other Part the Property of the *Commercial* Dock Company, and in other Part the Property of Sir *William Maynard Gomm*;

Thirdly, a Cut or Entrance commencing on the Northern Side of the Dock or Pond secondly described, and thence extending in a Northerly Direction, and terminating at the present Dock or Pond of the Company usually called No. 2;

Fourthly, a Cut or Entrance commencing on the Western Side of the Dock or Pond secondly described, and thence extending in a Westerly Direction, and terminating at the present Timber Pond of the Company usually called No. 1;

Fifthly, a Cut or Entrance commencing at the Western Side of the Dock or Pond secondly described, and thence extending in a Westerly Direction, and terminating at the Dock or Pond sixthly described;

Sixthly, a Dock or Pond from the Western End of the Cut or Entrance fifthly described, and thence extending over and upon Lands the Property of Sir *William Maynard Gomm*;

Seventhly, a Cut or Entrance commencing at the Northern Side of the Dock or Pond sixthly described, and thence extending in a Northerly Direction, and terminating at the present Dock or Pond of the Company usually called No. 1;

And, eighthly, all such Embankments, Works, Wharfs, Quays, Yards, Stages, Gates, Jetties, Landing Places, Warehouses, Sheds, Cranes, Bridges, Dams, Sluices, Culverts, Drains, Sewers, and other Works and Conveniences in connexion with those several Works as may be necessary for effecting the Purposes of this Act;

All which intended Works will be situate wholly within the Parish of *St. Mary Rotherhithe* in the County of *Surrey*.

Deviation in Execution of new Works.

XXVII. In the Execution of the Works by this Act authorized the Company may deviate from the several Lines and Levels respectively shown on the Plans and Sections deposited for the Purposes of this Act laterally to any Extent not exceeding the Limits of Deviation shown on those Plans, and vertically to any Extent not exceeding Three Feet from the Levels shown on those Sections.

Period for Completion of Works.

XXVIII. The Works by this Act authorized shall be completed within Five Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing those

those Works or otherwise in relation thereto shall cease to be exercised, except as to so much of those Works as are then completed: Provided always, that this Act or anything therein contained shall not restrain the Company from making from Time to Time any Improvements or Alterations of any existing Works or Conveniences, or from making any new Works or Conveniences, which, if this Act were not passed, they lawfully might make.

For Protection of Sewers of Metropolitan Board.

XXIX. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of, or so as prejudicially to interfere with, any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or with any Sewers or Works to be made or executed by the said Board, or shall or may in any way prejudicially affect the Sewerage or Drainage of the District under their Control, the Company shall not commence such Work until they shall have given to the said Metropolitan Board Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Board for the Time being, with a Plan and Section showing the Course and Inclination thereof and other necessary Particulars relating thereto, and until such Board shall have signified their Approval of the same (unless such Board do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Sections, and Particulars as aforesaid); and the Company shall comply with and conform to all Directions and Regulations of the Board in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as such Board may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board against all and every the Expense to be occasioned thereby; and all such Works shall be done to the Satisfaction of the Engineer of the said Metropolitan Board at the Costs, Charges, and Expenses in all respects of the Company; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Costs, Charges, or Expenses of the Company, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Board as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Board or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

New Docks and Works to form Part

XXX. Except as is by this Act otherwise expressly provided, the Docks and Works by this Act authorized shall, for the levying and recovering of Tolls, Rates, and Charges, and for all other Purposes whatsoever,

of Undertaking.

soever, be deemed Part of the Docks of the Company, in like Manner as if the same had been Part of the Docks authorized by the recited Act.

Docks to be Part of Port of London.

XXXI. The Docks by this Act authorized shall be within and Part of the Port of *London*.

New Docks included withinLimits of Dock-master's Authority.

XXXII. The Limits within which the Powers of the Dock-master of the Company may be exercised under the recited Act shall, from and after the passing of this Act, include the Docks by this Act authorized.

Dock-master's Authority limited to Docks and Part of Thames.

XXXIII. The Limits within which the Powers of the Dock-master of the Company for the Regulation of the Docks and of Vessels shall be exercised, shall be the Docks and all Parts of the River *Thames* within the Distance of One hundred and fifty Yards Radius into the River *Thames* from every present and future Entrance from that River to the Docks, such Radius to be measured in every Case from the Point where the central Line of the Entrance Lock intersects the Northern Front of the Wing Walls of the Entrance, and no Vessels shall be anchored or moored in that River within those Limits: Provided always, that this Act shall not prohibit any Vessel from lying at or alongside of any Wharf on the River *Thames* within those Limits, in such Manner as such Vessel might lawfully do if this Act were not passed.

Saving of Rights on the Thames within those Limits.

XXXIV. Provided always, That the Powers of the Conservators of the River *Thames* and of the Harbour-masters of the Port of *London* respectively within those Limits shall not be lessened, prejudiced, or interfered with by this Act, save that no Vessel may be moored nor any Moorings be placed within the Radii aforesaid without the Consent of the Company.

Officers of Customs to have free Access to Docks without Payment of Toll.

XXXV. All Officers of Customs, being in the Execution of their Duty, shall have free Ingress and Egress into and out of the said Docks and Premises, and through the Gates and Entrances of the same, and may freely pass and repass, with their Vessels and Boats, through the Locks and Water Communications of the said Docks, and at all Times, (provided the State of the Tide and Water Communications of the said Docks and Premises will admit of such passing,) without Payment of any Toll or Sum for so doing.

Provision with respect to Removal of the Mill Hole Lower Tier, and as to User Entrance into River Thames.

XXXVI. And whereas by "The *Grand Surrey* Docks and Canal Act' 1855," (Section 93.) it is enacted, that the Company should not use the new Entrance for Ships by that Act authorized, or exercise any of the Powers granted to the Dock-master of the Company in relation to that new Entrance, or the Extension of the Radius of the then Entrance, until the *Thames* Navigation and Port of *London* Committee of the Corporation of *London* (and who are now represented by "The Conservators of the River *Thames*," incorporated by and acting under the "*Thames* Conservancy Act, 1857,") should have previously provided, in such Situation as should not interfere with or interrupt the general Navigation

Navigation of the River, or the necessary Berthage of Vessels therein, an equally good and convenient Space in the River *Thames* for the mooring and unloading of at least Eighteen Collier Vessels with due Depth of Water between the *Regent*'s Canal Entrance and the *Wapping* Entrance to the *London* Docks, and that the Company should pay such Compensation to the said Committee as would enable the said Committee to provide by dredging or otherwise such Space as aforesaid: And whereas the said Conservators have removed the *Lower Mill Hole* Tier referred to in that Section, and in lieu thereof have provided Two convenient Spaces in the River *Thames*, with due Depth of Water for the mooring and unloading of Eighteen Collier Vessels: And whereas the said Conservators have required the Company to pay to them the Sum of One thousand four hundred Pounds, being the estimated Cost of providing Accommodation for Vessels in the River rendered necessary by the Construction of the new Entrance to the *Grand Surrey* Docks and the Extension of the Radius therefrom, and the Company have paid that Sum to the said Conservators accordingly: Therefore Section 93. of the recited Act shall from and after the passing of this Act be repealed.

Section 119. of recited Act repealed, and this Enactment in lieu thereof.

XXXVII. On the passing of this Act, Section 119. of the recited Act, with respect to the Recovery of Rates, is hereby repealed, and in lieu thereof be it enacted, That if after the passing of this Act any Person liable to pay any Rate by the recited Act authorized to be demanded and taken by the Company in respect of the Use of the Canal fail to pay the same to the Person appointed by the Company to collect the same, the Company, in addition to any other Remedies by the recited Act granted, may seize the Vessel laden with the Goods in respect whereof the Rate ought to be paid, or from which such Goods have been discharged, and detain such Vessel and Goods until the Rate due and the Cost of such Seizure and Detention be paid, or may seize any other Vessel using or entering on any Part of the Canal, Docks, or Works of the Company, and laden with Goods belonging or consigned to the Person so making default, and may land such last-mentioned Goods, and detain them until the Rate due, and the Costs of such Seizure, Detention, and Landing, be paid; and if such Vessel and Goods so detained and such Goods so landed and detained be not redeemed within Five Days after Seizure, the Company may cause the same to be appraised by Two or more sworn Appraisers, and afterwards sell the same, and pay themselves the Rate, and the Costs of such Seizure, Detention, Landing, and Sale respectively, rendering the Surplus (if any) to the Owner, on Demand.

Byelaws for certain Purposes.

XXXVIII. Subject to the Clauses and Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to the Byelaws to be made by the Undertakers, the Company may from Time to Time, under the Authority of this Act, make, alter, and repeal such Byelaws, Rules, and Regulations as they think fit for the Control and Regulation of all Persons entering into the Canal of the Company, or using or entering

entering upon the Banks or Towing-paths of the Canal of the Company, and for the general Protection and Preservation of the Works of the Company.

Company not exempt from Merchant Shipping Acts and General Acts.

XXXIX. Nothing in this Act contained shall be deemed to exempt the Company, or the Docks under their Jurisdiction, from the Provisions of "The Merchant Shipping Law Amendment Act, 1853," "The Merchant Shipping Act, 1854," or of any General Act relating to Docks, Harbours, or Dues on Shipping, or on Goods carried in Shipping, now in force or which shall be passed during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Rates or Charges by this Act authorized.

Saving Rights of the Conservators of the River Thames.

XL. 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 Conservators of the River *Thames*, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Conservators did or might lawfully claim, use, or exercise.

Protecting Rights of the Corporation of London in respect of Metage and Porterage.

XLI. 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, or 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 Merchandise 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 any Part of the Port of *London*.

Saving Rights of the Corporation of London.

XLII. 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.

Expenses of Act.

XLIII. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

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