CHAPTER cv.

An Act to alter and extend the powers of the Trustees of the Port and Harbours of Greenock in relation to the warehousing of goods and for other purposes. A.D. 1895.

[6th July 1895.]

WHEREAS the Trustees of the port and harbours of Greenock (herein-after called "the Trustees") are incorporated and various powers are conferred upon them by the Greenock Port and Harbours Act 1866 and by the Greenock Harbour Act 1888 (herein-after called "the Act of 1888") and the other Acts and Orders relating to the port and harbours of Greenock specified in the First Schedule to the Act of 1888 and the said Acts and Orders are in this Act referred to as the Trustees' former Acts: 29 & 30 Vict. c. clvi. 51 & 52 Vict. c. cxiii.

And whereas it is expedient that the powers of the Trustees with reference to the warehousing or depositing of goods should be enlarged as by this Act provided:

And whereas it is expedient that the period prescribed by the Act of 1888 at the expiration of which it should be lawful for any holder of Greenock Harbour B debenture stock to apply to the sheriff for the appointment of a judicial factor should be extended:

And whereas the holders of the said B debenture stock to the extent of three fourths and upwards in value have consented in writing to the provisions of this Act with reference to the appointment of a judicial factor:

And whereas it is expedient that the Trustees' former Acts should be amended and further powers granted to the Trustees as by this Act provided:

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

A.D. 1895.

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 be cited as the Greenock Harbour Act 1895 and the Trustees' former Acts and this Act may be cited together for all purposes as the Greenock Harbour Acts 1866 to 1895.

Acts to be read together as one Act.

2. Save as otherwise provided by this Act the Trustees' former Acts as each is respectively amended by any other of such Acts and by this Act and this Act shall be read together and have effect and be carried into execution as if they were one Act.

Interpretation.

3. In this Act—

"The Trustees" means the Trustees of the port and harbours of Greenock;

"The Trustees' former Acts" means the Greenock Port and Harbours Act 1866 the Greenock Harbour Act 1888 and the other Acts and Orders relating to the port and harbours of Greenock specified in the First Schedule to the Act of 1888;

"The sheriff" means the sheriff of Renfrew and Bute or his substitute at Greenock.

Trustees may give certificates of deposited goods.

4. The Trustees from time to time at the request of any person warehousing or depositing goods in any warehouse shed yard pond or other premises belonging to or rented by the Trustees or entitled to any goods so warehoused or deposited may if the Trustees think fit issue and deliver to him a certificate in a form approved by the Trustees of such goods having been so warehoused or deposited.

Trustees may issue warrants for delivery of goods.

5. On delivery to the Trustees of any such certificate to be cancelled the Trustees may issue to the person delivering up the certificate a warrant for the delivery of all or any goods specified in the certificate Provided that if the warrant be for the delivery of part only of the goods the Trustees shall issue to the person delivering up the certificate a new certificate with respect to the goods not specified in the warrant.

Effect of certificate or warrant.

6. Every such certificate and warrant shall be deemed to be a document of title to the goods specified therein and shall be transferable by indorsement and any holder of such certificate or warrant whether the person named therein or the indorsee thereof shall have the same right to the possession and property of such goods as if they were deposited in his own warehouse.

Every such certificate or warrant shall state on the face thereof the effect of this section and that it is issued under the powers of this Act.

Certificate or warrant not to be given till freight rates &c. paid.

7. No such certificate or warrant shall be given unless and until all liens and claims for freight and all other liens and claims whatsoever to which the goods were liable while on board any vessel and before the warehousing or depositing of the same and of which the Trustees have had notice in writing and all rates rents charges and expenses payable to the Trustees with respect to the said goods or for services performed by them in respect thereof are paid or discharged.

Warrants &c. signed by duly authorised officers sufficient.

8. All certificates delivery warrants transfer certificates and other documents relating to goods in the custody of the Trustees or to the management of the business of their harbours if signed and issued by any officer or officers duly authorised in that behalf shall be effectual in law and binding on the Trustees and all other parties interested without any other signature and without any seal.

Nomination of bondholders' trustees.

9. Sub-sections 3 and 4 of section 37 of the Act of 1888 and the Seventh Schedule to that Act are hereby repealed and in lieu thereof the following provisions shall have effect:—

(1.) Fourteen days at least prior to the day of election of bondholders' trustees the returning officer shall convene a meeting of the electors for the purpose of nominating bondholders' trustees and shall give notice of such meeting and of the time and place at which it is to be held by advertisement in some one or more of the newspapers published in Greenock Glasgow and Edinburgh and by causing a copy of such notice to be sent by post to each elector at least seven days before such meeting and a certificate by him that such notices have been sent shall be evidence of the fact;

(2.) The returning officer shall preside and regulate the proceedings at such meeting and shall decide whether any nomination herein-after provided for is valid and his decision shall be final;

(3.) At any such meeting as aforesaid any qualified person may if he consent thereto be nominated as a bondholders' trustee by any elector and seconded by any other elector and a nomination paper in the form set forth in the schedule to this Act subscribed by them in which shall be set forth the christian name and surname with the place of abode and designation of the candidate nominated and of his proposer and seconder shall immediately be delivered to the returning officer;

(4.) When more than six candidates are proposed any of such candidates may withdraw from his candidature by notice signed by him and delivered to the returning officer not later than four o'clock in the afternoon of the day immediately succeeding that on which the nomination was made.

A.D. 1895.

Providing for appointment of judicial factor.

10. Section twenty-two of the Act of 1888 is hereby repealed and in lieu thereof the following provision shall have effect:—

In the event of the trustees failing at any time to make payment of the interest due at the expiry of any half year it shall be lawful for any holder of A debenture stock and after the expiration of a period of ten years from the passing of this Act for any holder of B debenture stock to apply to the sheriff for the appointment of a judicial factor in manner provided by section seventy of the Greenock Harbour Act 1880.

Power to vary rates on vessels.

11. The Trustees may from time to time vary the rates leviable by them under the authority of the Trustees' former Acts or any of them on vessels coming from or going to foreign ports in such manner as they may think expedient Provided that such rates do not in any case exceed the amount authorised by such Acts and provided also that such rates be at all times charged equally to all persons in respect of vessels coming from or going to the same port but no variation in such rates shall be made except by a resolution passed by a majority of at least two thirds of the Trustees present at a meeting of the Trustees of which notice specifying the intention to propose such resolution has been duly given.

Costs of Act.

12. The costs charges and expenses of preparing for obtaining and passing this Act and incident thereto shall be paid by the Trustees out of the rates and revenues of the Trustees.

SCHEDULE referred to in the foregoing Act.

GREENOCK HARBOUR.

NOMINATION OF BONDHOLDERS' TRUSTEES.

We A.B. (*here insert name and designation*) and C.D. (*here insert name and designation*) hereby nominate (*here insert name and designation of candidates*) for election as bondholders' trustees.

Given under our hands this day of

A.B.
C.D.

To

Clerk to the Greenock Harbour Trustees.

Printed by EYRE and SPOTTISWOODE,
FOR
T. DIGBY PIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
90, WEST NILE STREET, GLASGOW; or
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

CHAPTER cvi.

A.D. 1895.

An Act to further revive the Powers for the compulsory Purchase of Lands and to further extend the time limited for the completion of certain of the Railways authorised by the Kingstown and Kingsbridge Junction Railway Act 1887 and for other purposes.

[6th July 1895.]

WHEREAS by the Kingstown and Kingsbridge Junction Railway Act 1887 (in this Act called "the Act of 1887") the Kingstown and Kingsbridge Junction Railway Company (in this Act called "the Company") was incorporated with power to raise three hundred thousand pounds by shares and to borrow any sum not exceeding one hundred and fifty thousand pounds on mortgage and was authorised to construct railways from the Dublin Wicklow and Wexford Railway to join the Great Southern and Western Railway and the Midland Great Western Railway:

And whereas by the Kingstown and Kingsbridge Junction Railway (Extension of Time) Act 1892 (in this Act called "the Act of 1892") the Company was empowered to abandon Railway No. 4 authorised by the Act of 1887 and the powers for the compulsory purchase of lands for other the purposes of the Act of 1887 were revived and the time for the exercise thereof was extended for a period of two years from the eighth day of August one thousand eight hundred and ninety-two and the period limited by the Act of 1887 for the completion of the works not authorised to be abandoned was also extended for a period of three years from the eighth day of August one thousand eight hundred and ninety-two:

And whereas the time extended by the Act of 1892 for the compulsory purchase of lands for the purposes of the said railways expired on the eighth day of August one thousand eight hundred and ninety-four and the time limited for the completion of the railways will expire on the eighth day of August one thousand eight hundred and ninety-five and it is expedient that the powers of the

A.D. 1895.

Company for the compulsory purchase of lands for the purposes of the Railways Nos. 1 2 and 3 described in section 5 of the Act of 1887 should be revived and further extended and that the time for the completion thereof should be further extended in manner herein-after provided:

And whereas the purposes of this Act 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:—

Short title.

1. This Act may be cited as the Kingstown and Kingsbridge Junction Railway (Extension of Time) Act 1895.

Incorporation of part of Railways Clauses Act 1863.

2. Part II. (relating to extension of time) of the Railways Clauses Act 1863 is incorporated with and forms part of this Act.

Revival and extension of time for the compulsory purchase of lands.

3. The powers granted to the Company by the Act of 1887 as extended by the Act of 1892 for the compulsory purchase of lands for the purposes of the railways authorised by the Act of 1887 in so far as the same are not authorised to be abandoned by the Act of 1892 are hereby revived and extended and may be exercised for a period of two years from the eighth day of August one thousand eight hundred and ninety-five.

Extension of time for construction of authorised railway.

4. The time limited by the Act of 1887 as extended by the Act of 1892 for the completion of the railways is hereby extended for the period of three years from the eighth day of August one thousand eight hundred and ninety-five and the Act of 1892 as amended by this Act shall be read and construed as if the period by this Act limited for the completion of the railways had been the period by that Act limited If the railways be not completed within the further extended period by this Act limited for their completion then on the expiration of that period the powers for making and completing the same and otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Sections 6 7 and 8 of Act of 1892 to apply as if re-enacted in this Act.

5. Sections 6 7 and 8 of the Act of 1892 the marginal notes whereof are respectively "Providing for release of deposit money" "Providing for release of deposit fund" and "Restrictions on displacing persons of labouring class" shall respectively apply and have effect as fully and effectually as if such sections had been specifically re-enacted in this Act.

Deposits for future Bills not to be paid out of capital.

6. The Company shall not out of any money which they are by any Act authorised to raise pay or deposit any sum which by any Standing Order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Provision as to general Railway Acts.

7. Nothing in this Act contained shall exempt the Company or the railways of the Company from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the Company.

Expenses of Act.

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

Printed by Eyre and Spottiswoode,

FOR

T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.