ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. xlii.

An Act to improve the Town of *Harwich*, to reclaim Part of the Foreshore of *Harwich* Harbour, and to construct Quays and a Pier, and for other Purposes. [3d *July* 1851.]

WHEREAS it would be very advantageous that a Pier and Quay should be constructed at *Harwich*, that a Portion of the Foreshore of *Harwich* Harbour should be reclaimed, and that certain Improvements should be made in the Town and the Harbour of *Harwich:* And whereas an Act was passed in the Year One thousand eight hundred and nineteen, intituled *An Act for paving, lighting, and watching the Town of* Harwich *in the County of* Essex, *and supplying the same with Water*, the Powers of which Act are now vested in the Mayor, Aldermen, and Burgesses of the Borough of *Harwich*, and it is expedient that further Powers should be granted to them for like Purposes: And whereas the said Mayor, Aldermen, and Burgesses are willing to carry into execution the Powers and Provisions herein-after contained: But inasmuch as these Things cannot be done without the Authority of Parliament, may it 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, 59G.3.c.118.

in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 8 & 9 Vict. c. 18. and 10 & 11 Vict, c. 27. incorporated with this Act.

I. That "The Lands Clauses Consolidation Act, 1845," and "The Harbour, Dock, and Pier Clauses Consolidation Act, 1847," shall be incorporated with and form Part of this Act: Provided always, that it shall not be necessary for the said Corporation to have and maintain a Lifeboat.

Interpretation of Terms.

II. That the Expression "Quarter Sessions" in this Act and all Acts incorporated therewith shall mean the Quarter Sessions for the County of *Essex* holden at *Chelmsford;* the Expressions "the Corporation of *Harwich*" or "the said Corporation" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Harwich*, acting by the Council of the said Borough.

Short Title.

III. That in citing this Act it shall be sufficient to use the Expression "The *Harwich* Improvement, Quays, and Pier Act, 1851."

Corporation to put this Act into execution.

IV. That the Corporation of *Harwich* shall be the Undertakers for constructing the Quays, Pier, Works, and Improvements herein-after described, and for managing and regulating the same according to the Provisions of this Act and of the Acts incorporated therewith: Provided always, that it shall be lawful for the said Corporation to empower any other Persons to undertake any Part of the Works by this Act authorized; and the said Corporation may demise for a Term of Years to such Persons all or any Part of the Tolls or other Advantages to be derived from such Works, and may in like Manner demise for a Term of Years or sell to such Persons the whole or any Part of the Land which may be reclaimed by them under the Authority of this Act.

Quays, &c. to be according to deposited Plans, &c.

V. And whereas a Plan and Section of the Quays, Pier, and Works, showing the Situation and Levels thereof respectively, 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 Lands upon or through which the same are intended to be made, have been deposited with the Clerk of the Peace for the County of *Essex:* Be it enacted, That, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the said Corporation to make and maintain the said Quays and Pier in the Situation and upon the Lands delineated upon the said Plan and described in the said Book of Reference, and within the Limits aforesaid to dredge, deepen, and improve the Harbour of *Harwich*, and to make and maintain such Jetties, Floats, Stairs, Landing Places, Approaches, and other Works and Conveniences as they may think

necessary for the Purposes of the said Quays and Pier, and to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid.

Limits of Harbour.

VI. That this Act shall be put in force for improving the Harbour of *Harwich* within a Line commencing One hundred and twenty Yards to the North of the North-eastern Corner of the "proposed Quay" according to the said deposited Plans, and continued in a Line parallel to the said proposed Quay until it reaches the navigable Cut to the Cement Works at *Bathside*, *Harwich*; and within the Limits aforesaid it shall be lawful for the said Corporation from Time to Time to cause the said Harbour to be improved, cleansed, and deepened in such Manner and to such Extent as they shall deem expedient.

Period for Completion of Works.

VII. That the Quays and Pier shall be completed within Seven Years after the passing of this Act, and on the Expiration of such Period the Powers by this Act and the Acts incorporated herewith given to the said Corporation for constructing the Quays and Pier shall cease to be exercised, except as to so much of the Quays and Pier as shall be then completed.

Works not to deviate without Consent of the Admiralty.

VIII. That in constructing the said Quays, Pier, and Works no Deviation shall be made from the Black continuous Line shown on the Plan deposited at the Admiralty, where such Line occurs below High-water Mark at ordinary Spring Tides, without the previous Assent of the Lord High Admiral, or the Commissioners for exercising the Office of Lord High Admiral, such Assent to be signified in Writing under the Hand of the Secretary of the Admiralty.

Plans to be submitted to Admiralty previously to Commencement of Works.

IX. That previously to commencing to construct the said Quays, Pier, and Works connected therewith the said Corporation shall deposit at the Admiralty Office detailed Plans, Sections, and Working Drawings of the said Quays, Pier, and Works connected therewith, and of the Sites thereof respectively; and such Quays, Pier, and other Works shall be constructed only according to such Plans, Sections, and Working Drawings as shall have been previously approved of by the said Lord High Admiral or the said Commissioners, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and in case the said Quays, Pier, and Works, or any Part thereof, shall be commenced or completed without such Approval, or not in conformity therewith, then the said Lord High Admiral or the said Commissioners shall be at liberty to abate and remove or alter the same, at the Cost and Charge of the said Corporation, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly, with Costs of Suit.

X. That

If Admiralty deem fit, they may order a Survey, at the Expense of the Corporation.

X. That if, after Working Drawings of the Works hereby or otherwise authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works, or of the intended Site thereof, the said Corporation shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the said Corporation, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the said Corporation.

Persons deprived of Water Frontage entitled to Compensation.

XI. And whereas the Construction of the said Quays may interfere with certain existing Water Frontages or other Easements: Be it enacted, That all Persons who may have been deprived of a Water Frontage by means of the Works made under this Act shall be entitled, in addition to any other Compensation to which they may be entitled under the Provisions of this Act or of any Act incorporated herewith, to Compensation for any Loss or Injury they may sustain by means of such Deprivation; and the Amount of such Compensation may be deducted by any Person entitled to the same from and out of the Value of any Portion of the Quay which may be purchased by him under the Provisions herein-after contained.

Power to Corporation to set out and sell Wharfs, &c. to those Persons deprived of Water Frontages.

XII. That when the said Quays are completed, or with respect to so much thereof as may from Time to Time be completed, the said Corporation shall be empowered to set out and shall offer for Sale to such Persons as shall have been deprived of a Water Frontage by means of the Works authorized by this Act, or to the Representatives of such Persons, (provided the said Persons did before that Construction use and enjoy such Water Frontage,) so much of the Quays, and of the Lands to be reclaimed under the Authority of this Act, as may (as nearly as may be) correspond in Dimensions and Position with and be nearly equivalent in available Frontage to the Water Frontage which those Persons had before used and enjoyed, and of the Use of which they had been deprived; and if the said Corporation and such Persons cannot agree as to the Value of the Portion of Quay so offered, the same shall be determined by Arbitration in the Manner prescribed by "The Lands Clauses Consolidation Act, 1845," for settling by Arbitration Cases of disputed Compensation: Provided always, that before so disposing of any Part of the said Quays and Land the Corporation shall have reference to and shall in the first instance provide for the general Improvement of the Town of *Harwich*, and the public Purposes contemplated by this Act, and shall also reserve the Rights granted to the *Eastern Union* Railway Company by "The *Eastern Union and Harwich* Railway and Pier

Before selling Quays, &c., Reference to be had to the general Improvement of Harwich.

Pier Act, 1847," and "The *Eastern Union* Railway Amendment Act, 1850."

So much of Quays, &c. so purchased vested in Purchasers, on certain Conditions.

XIII. That upon the Execution by the Corporation of a Deed of Conveyance under their Common Seal, and duly stamped, in which Deed the Consideration for the same shall be fully and truly stated and set forth, so much of the Quays as shall have been so purchased shall vest in the Persons who shall have so purchased the same, and in their Heirs, for their separate and exclusive Use; and such Persons shall be entitled to land and ship Merchandize and Goods belonging to them respectively on and from such Quays, without Payment of any Toll or Rate reserved in this Act for such landing and shipping: Provided always, that it shall not be lawful for the Persons in whom the said Quays are so vested as aforesaid to permit any other Person to use, or for any such other Person to use, the Portion of the Quays so purchased, for the landing or embarking of Passengers, or for the landing or shipping of Goods, Animals, or Merchandize not the Property of the Person in whom the said Quays or Portion of Quays shall be so vested as aforesaid, or in any other Manner to evade the Tolls and Charges which would be payable under the Provisions of this Act for the landing, embarking, and shipping of Passengers, Animals, Goods, or Merchandize not belonging to the Persons who shall have so purchased the said Quays or Parts thereof; and provided also, that there shall be perpetually maintained as a public Thoroughfare along the whole Front of the said Quay towards the Water a Space of not lest than Forty Feet in Width.

Power to Corporation to contract with Eastern Union Railway Company as to the Pier and Works.

XIV. And whereas by "The *Eastern Union and Harwich* Railway and Pier Act, 1847," (the Powers of which Act were prolonged by "The *Eastern Union* Railway Amendment Act, 1850,") the *Eastern Union* Railway Company were authorized to construct at *Harwich* a Pier and other Works, which might be rendered wholly or in part unnecessary by the Works authorized by this Act: Be it enacted, That it shall be lawful for the said Corporation and Company mutually to contract, for such Considerations as may be agreed on, touching the Pier and Works or any Part of the Pier and Works to be constructed under the Authority of the Two last-named Acts.

Agreement with Eastern Union Railway Company to be approved by Admiralty.

XV. That any Contract to be entered into by the said Corporation with the *Eastern Union* Railway Company for or with respect to any Works below High-water Mark at ordinary Spring Tides shall be subject to the Approval of the said Lord Admiral or the said Commissioners, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and shall be subject to the same Restrictions and Provisions as are mentioned or contained in Sections

16, 17, and 18 of "The *Eastern Union and Harwich* Railway and Pier Act, 1847."

Corporation not to delegate Powers of Conservancy.

XVI. That the said Corporation shall not delegate or transfer to any Company, or to any Person or Persons whomsoever, any Powers of Conservancy over *Harwich* Harbour hereby or otherwise conferred upon the said Corporation.

Land redeemed may be disposed of pursuant to 5 & 6 W. 4. c. 76., with Consent of Treasury.

XVII. And whereas the Land intended to be reclaimed under the Powers of this Act may be rendered useful and ornamental to the Town of *Harwich:* Be it enacted, That it shall be lawful for the Corporation, with the previous Approbation of the Lords Commissioners of Her Majesty's Treasury, obtained in the Manner and after the Notices prescribed in the Ninety-fourth Section of the "Act "to provide for the Regulation of Municipal Corporations in *England* "and *Wales*," to sell and dispose of that Land, or contract for the Sale and Disposal thereof, or to demise the same for long Terms of Years, for building or for other Purposes to be prescribed by them, and either before or after the said Land may have been redeemed, and either for a Price in Money or in consideration of Services to be performed about the Works authorized by this Act.

If Works constructed over tidal Waters are abandoned, they may be removed by the Admiralty at Expense of Corporation.

XVIII. That if any Work to be constructed by the said Corporation in any tidal Water or navigable River, or if any Portion of the Work which affects any such Water or River or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the said Corporation, and the Amount thereof shall be a Debt due from the said Corporation to the Crown, and be recoverable accordingly, with Costs of Suit.

Power to Corporation to levy Rates on Vessels.

XIX. That it shall be lawful for the Corporation to demand for every Vessel using the said Quays, other than Vessels belonging to Persons Owners of Portions of the Quays as aforesaid, and using those Portions, and for all Vessels using the said Pier, or lying in the said Harbour within the Limits aforesaid, after the same shall have been dredged and deepened, or lying within that Part of the Harbour which may under the Provisions of this Act have been so deepened, any Sum for every Ton Measurement of such Vessel not exceeding Threepence; and every such Rate shall be payable by the Master of such Vessel: Provided always, that for all Vessels laden with Coal, and discharged in Ballast, only One Half of the

said Rate shall be payable: Provided also, that such Rates shall not be charged upon Steam Passenger Vessels landing or embarking Passengers at the said Pier.

Power to Corporation to levy Rates mentioned in Schedule (A.)

XX. That, subject as herein-before mentioned to the Rights of Persons purchasing or otherwise lawfully acquiring the Use of Parts of the said Quays, it shall be lawful for the Corporation to demand for all Passengers landing and embarking, and for all Animals and Goods mentioned in the Schedule (A.) hereunto annexed, which shall be shipped or unshipped, received or delivered within the Limits of the Quays and Pier to be constructed by the Authority of this Act, any Sums not exceeding the several Rates in the said Schedule (A.) specified; and as to all such Goods as shall not be specified in the said Schedule, the Corporation may demand a Rate equal to the Rate for the Time being payable in respect of Goods of a similar Nature, Package, and Quality, and every such Rate shall be payable by the Owner of the Goods: Provided always, that nothing in this Act contained shall authorize the said Corporation to demand and receive any Toll or Charge for landing or embarking at the said Quays and Pier from any Person whilst actually employed on Her Majesty's Service: Provided also, that nothing in this Act contained shall authorize the Corporation to demand or take any Rate or Sum of Money from any Person landing or embarking at the said Pier in respect of his personal Luggage, or of any Bundle or Thing conveyed by him, if the said Luggage, Bundle, or other Matter does not exceed Fifty-six Pounds in Weight.

Personal Luggage to a certain Amount not to be charged for.

Further Tonnage Rates for Vessels remaining in Harbour longer than a certain Period.

XXI. That if any Vessel using the Quays, except as aforesaid, or lying within the Harbour within the Limits herein-before defined, or using the said Pier, whether the same Vessel shall previously have paid or been liable to pay Tonnage Rates or not, shall remain within the said Limits or alongside the said Pier, or, except as aforesaid, alongside the said Quays, for any longer Space of Time than Fourteen Days, the Corporation may demand for every such Vessel a further Rate of One Penny *per* Ton for every Four Weeks, and so in proportion for any Period less than Four Weeks, during which any such Vessel shall remain as aforesaid beyond the said Period of Fourteen Days, in addition to the Tonnage Rates payable by virtue of this Act: Provided always, that such additional Rates shall not be payable for any Vessel which shall have been prevented from leaving the Harbour by Stress of Weather.

Rates for the Use of Cranes, &c.

XXII. That it shall be lawful for the Corporation to demand for the Use of any of their Warehouses, Wharfs, Cranes, and Weighing Machines, of and from the Owner or Person having the Charge of any Goods deposited therein, or loaded, unloaded, or weighed by means

means thereof, such reasonable Rates as the Corporation shall from Time to Time appoint.

Limits within which Piermaster may exercise his Authority.

XXIII. That the Limits within which the Powers of the Piermaster for the Regulation of the Pier may be exercised shall be One hundred Yards from any Part of the said Pier.

Power to appoint Weighers and Measurers.

XXIV. That it shall be lawful for the Corporation to appoint and license a sufficient Number of Persons to be Meters and Weighers on the said Quays and Pier.

Penalties on Toll Collectors for certain Offences.

XXV. That every Toll Collector who shall commit any of the following Offences shall forfeit a Sum not exceeding Five Pounds for every such Offence; (that is to say,)

If he do not place on the Front or on some other conspicuous Part of the Toll House or other Place where he shall be on Duty his Christian and Surname in legible Characters, and continue the same so placed during the whole Time he is on Duty:

If he either refuse to permit any Person to read or in any way hinder any Person from reading the Inscription on such Board:

If he refuse to tell his Christian Name and Surname to any Person demanding the same who shall have paid or tendered the Tolls demanded of him, or if he give a false Name to any such Person:

If he demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, and the Orders of the Corporation made in pursuance thereof:

If, upon the legal Toll being paid or tendered, he do unnecessarily detain or wilfully hinder any Carriage or any Person from passing upon the Pier:

If he make use of any scurrilous or abusive Language to any Passenger upon or to any Person lawfully using the Pier.

Certain Provisions of 10 & 11 Vict. c. 16. incorporated with this Act.

XXVI. That all the Clauses and Provisions of "The Commissioners Clauses Consolidation Act, 1847," with respect to the following Matters, (that is to say,)

With respect to the Contracts to be entered into and the Deeds to be executed by the Commissioners;

With respect to the Appointment and Accountability of the Officers of the Commissioners;

With respect to Mortgages to be executed by the Commissioners;

With respect to the making of Byelaws;

With respect to the giving of Notices and Orders, and with respect to the Recovery of Damages not specially provided for, and of Penalties,

Penalties, and to the Determination of any other Matter referred to Justices,

Shall, so far as the same are not varied by the Provisions of this Act, be incorporated with this Act; and such Clauses shall apply to the Quays, Pier, and Works authorized thereby, and to the said Corporation, and shall be construed as if the Expression "the Mayor, Aldermen, and Burgesses of the Borough of *Harwich*" had been inserted therein instead of the Word "Commissioners," or where any Act is required or authorized to be done by or to a certain Number of the Commissioners as if the Word "Council" had been inserted therein instead of the Word "Commissioners."

Power to Corporation to appoint Committees.

XXVII. That the said Corporation may appoint out of their own Body from Time to Time such and so many Committees, consisting of such Number of Persons as they shall think fit, for all or any of the Purposes of this Act which in the Discretion of such Corporation would be better regulated and managed by means of such Committees, and may fix the Quorum of such Committees: Provided always, that the Acts of every such Committee shall be submitted to the Corporation for their Approval.

Quorum of Committee.

XXVIII. That every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment, but no Business shall be transacted at any Meeting of the Committee unless the Quorum of Members (if any) fixed by the Corporation, and, if no Quorum be fixed, Three Members, be present; and at all Meetings of the Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a Casting Vote, in addition to his Vote as a Member of the Committee.

Appointment of Treasurer and Clerk.

XXIX. That the Treasurer and Town Clerk of the Borough of *Harwich* shall be the Treasurer and Clerk for the Purposes of this Act.

Books of Account to be kept, and to be open to Inspection; and to be audited pursuant to 5 & 6 W. 4. c. 76.

XXX. That the said Treasurer shall, in Books to be kept for that Purpose, enter true Accounts of all Sums of Money by him received and paid by virtue of this Act, and of the several Matters for which such Sums shall have been received and paid, and the Books of Account shall at all reasonable Times be open to the Inspection of any Ratepayer of the said Borough; and all the Accounts, with all Vouchers and Papers relating thereto, shall, in the Months of *March* and *September* in every Year, be submitted by the Treasurer of the Borough to the Auditors elected in pursuance of the Act of the Fifth and Sixth Years

Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, and to such Member of the Corporation as the Mayor shall name, in pursuance of the said last-mentioned Act, on the First Day of *March* in every Year, or in case of extraordinary Vacancy within Ten Days next after such Vacancy, for the Purpose of being examined and audited from the First of *September* in the Year preceding to the First Day of *March*, and from the First Day of *March* to the First Day of *September* in the Year in which the said Auditors were elected and named; and if the said Accounts shall be found to be correct the Auditors shall sign the same; and after such Accounts shall be so examined and audited in the Month of *September* in every Year the Treasurer shall make out in Writing, and shall cause to be printed, a full Abstract of the Account for the Year, and a Copy thereof shall be open to the Inspection of every Mortgagee and other Creditor of the said Mayor, Aldermen, and Burgesses, by virtue of this Act, and to all the Ratepayers of such Borough, and Copies thereof shall be delivered to all Persons applying for the same, on Payment of a reasonable Price for each Copy.

If Accounts found correct an Abstract, to be printed and published.

XXXI. That no Byelaw made under any of the Powers for that Purpose herein or in any Act incorporated herewith contained (except such as relate only to the Officers and Servants of the said Mayor, Aldermen, and Burgesses,) shall be of any Force until the Expiration of Forty Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the Mayor, Aldermen, and Burgesses, to One of Her Majesty's Principal Secretaries of State, and shall have been published twice in a Newspaper circulating in the County of *Essex*; and if at any Time within the said Period of Forty Days Her Majesty, with the Advice of Her Privy Council, shall disallow the same Byelaws or any Part thereof, such Byelaws, or the Part thereof disallowed, shall not come into operation: Provided also, that it shall be lawful for Her Majesty, if She think fit, at any Time within the said Period of Forty Days, to enlarge the Time within which any Byelaw (if allowed) shall come into force, and no such Byelaw shall in that Case come into force until after the Expiration of such enlarged Time.

No Byelaws to be of any Force until confirmed by Secretary of State.

XXXII. That a Copy of any such Byelaw, under the Seal of the Mayor, Aldermen, and Burgesses, (with a Declaration thereon, signed by the Mayor of the Borough, that the same hath been sent, sealed as aforesaid, to One of Her Majesty's Principal Secretaries of State, and published twice as aforesaid, and that no Part thereof hath been disallowed by such Secretary of State, and that the same is in force,) shall be received as Evidence of any such Byelaw, and of

Evidence of Byelaws.

the sending and publishing thereof as aforesaid, in all Courts of Law and Equity, and before all Justices.

Byelaws to be printed and published.

XXXIII. That all Byelaws made in pursuance of this Act, or any Act incorporated herewith, except such as relate only to the Officers and Servants of the said Corporation, shall be printed, and a Copy thereof shall be affixed and continued in every Justice Room or Office in which any Justice shall sit for the Administration of Justice in the said Borough; and Copies of such Byelaws shall be delivered by the Town Clerk to any Person who may apply for the same, on the Payment of such Sum as the Corporation shall think fit to fix as the Price of such Byelaw.

Penalty on the Town Clerk refusing to give Copies of Bye Laws.

Penalty on Persons refusing Inspection of Bye Laws affixed in Police Office.

XXXIV. That if the Town Clerk shall not, upon the Payment and Tender of such Sum as the Corporation shall direct to be paid for the same, deliver to any Person applying for the same at the Office of the Town Clerk a printed Copy of all or any Byelaws made in pursuance of this Act, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds; and if the Person for the Time being having the Care of any Police Office or any Justice Room wherein any Justice shall sit for the Administration of Justice shall not permit the printed Copy of any Byelaws affixed in such Office or Room to be inspected at all reasonable Times by any Person who may require to be permitted to inspect the same, the Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Power to borrow Money on Mortgage.

XXXV. That it shall be lawful for the said Corporation, with the Approbation of the Lords Commissioners of Her Majesty's Treasury, to borrow on Bond, or on Mortgage of the Rates and Property of the Borough, and of the Rates and Tolls to be levied and the Property to be created by virtue of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Eighteen thousand Pounds.

Not to mortgage, sell, or appropriate Land without Consent of Treasury.

XXXVI. That nothing in this Act contained shall extend or be construed to extend to enable the said Corporation to sell, demise, mortgage, or alienate, for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, any Messuages, Lands, Tenements, or Hereditaments which they could not have sold, demised, mortgaged, or alienated without such Approbation before the passing of this Act, anything in this Act to the contrary notwithstanding.

Corporation may contract for Supply of Gas:

XXXVII. And whereas the Forty-eighth, Forty-ninth, and Fiftieth Sections of the first-recited Act give to the Commissioners appointed under

under the said Act certain Powers as to the lighting of the Town of *Harwich*; but it has been found that the said Provisions are insufficient: Be it enacted, That the said Corporation may contract with any Persons for the Supply of Gas to the public Streets, for any Period not exceeding Ten Years; and the Sections One hundred and nineteen and One hundred and twenty of "The Towns Improvement Clauses Act, 1847," "with respect to the lighting the Town or District," shall be for that Purpose incorporated with this Act, the said Corporation being substituted for "the Commissioners," and the Period for which the Contract shall be made being a Term not exceeding Ten Years.

and for Supply of Water.

XXXVIII. And whereas by the Sixty-second Section of the first-recited Act Power is given to the Commissioners appointed under that Act to bring Water into the Town, according to the Conditions and with the Powers contained in subsequent Sections of the same Act; but these Provisions have been found insufficient, and it would contribute to the Health and Comfort of the Inhabitants of *Harwich* if the said Corporation had further Powers for that Purpose: Be it enacted, That it shall be lawful for the said Corporation, for the Purpose of providing the said Town and the Inhabitants thereof with Water, to contract with any Person whomsoever, or to take upon lease, hire, and maintain Waterworks; and any Person may contract with the said Corporation to supply Water to the said Town and Inhabitants, or to lease any Waterworks to the said Corporation.

Saving Rights of the Crown.

XXXIX. That nothing contained in the said recited Acts or in this Act shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs and Successors.

Expenses of Act.

XL. That the Expense of applying for and obtaining this Act and incidental thereto shall be defrayed by the said Corporation out of the Borough Funds, in preference to all other Payments whatsoever.

The

The SCHEDULE A. to which this Act refers.

	s.	d.
For every Person who shall land or embark at the Pier - -	0	0½
For every Person who shall use the Pier as a Walk, per Day -	0	0½
,, ,, per Month -	1	0
For every Horse or Mule - - - - - -	2	0
For Cattle, per Head - - - - - -	1	0
Sheep, Lambs, and Pigs, per Head - - - -	0	1
Calves, per Head - - - - - -	0	2
One-Horse Carriages - - - - - -	1	6
Two-Horse Carriages - - - - - -	4	0
For every Quarter of Wheat, Oats, Rye, Barley, Malt, Beans, Peas, Tares, Mustard Seed, Canary, and Seeds of every Denomination -	0	2
Anchor, per Hundredweight - - - - -	0	3
Ashes, per Barrel - - - - - -	0	1
Alum, per Hundredweight - - - - -	0	1
Anchovies, per Barrel - - - - -	0	1
Anchor Stock, per Foot Run - - - - -	0	1
Apples and Pears, per Sack of Three Bushels - - -	0	2
Asparagus, per Basket - - - - - -	0	2
Ale, Porter, Beer, Cyder, or Perry, per Butt - - -	0	4
,, ,, per Cask - - -	0	1
,, ,, per Hogshead - -	0	2
,, ,, per Half Hogshead or other less Quantity - - -	0	1
,, ,, in Bottles, per 12 Dozen -	0	2
Bran or Pollard, per Eight Bushels - - - -	0	1
Beer, Table, per Nine Gallons - - - - -	0	1
Beef or Pork, contained in any Cask, per Hundredweight -	0	1
Barrel Boards or Staves, per Thousand - - - -	0	9
Butts Staves, per Hundred - - - -	1	0
And all other Staves in proportion.		
Battens, Petersburgh, per Hundred - - - -	0	6
Boards or Battens, close, per Hundred - - - -	0	4½
Billiard Table - - - - - - -	2	6
Bedstead, Mahogany - - - - -	0	3
,, every other - - - - -	0	2
Bricks, per Thousand - - - - - -	0	4½
Barilla, per Ton - - - - - -	1	0
,, per Seron - - - - - - -	0	2

	s.	d.
Bolt of Canvas, No. 1, 2, 3, - - - - - -	0	0½
„ every other - - - - -	0	1
Butt, Pipe, or Puncheon, entire or in Staves, each - - -	0	1
Bottles, empty, per Doz. - - - - - -	0	1
Bale, every Box, Truss, Trunk, Case, Chest, Bundle, or Parcel containing Goods not enumerated in Schedule, per Cubic Foot -	0	0½
„ „ per Hundredweight -	0	1
Basket or Maund, containing Goods not enumerated in Schedule -	0	4
„ smaller, each - - - - -	0	3
„ empty, per Doz. - - - -	0	1
Beef or Pork, per Tierce - - - - - -	0	1
„ per Barrel - - - - -	0	1
Butter, per Barrel - - - - - -	0	1
„ or Cheese, per Hundredweight - - - -	0	1
Biscuit, per Bag - - - - - -	0	1½
Beans and Peas, per Sack - - - - - -	0	1
Bottles, full, in Hampers, per Doz. - - - -	0	2
Brooms, Hair, and Mops, per Doz. - - - -	0	0½
Bacon, per Side - - - - - - -	0	1
Beef, per Hundredweight - - - - -	0	1
Bedding, Seamen's - - - - - -	0	1
Currants or Raisins, per Hundredweight - - - -	0	1
Coffee, per Hundredweight - - - - - -	0	1
Copper or Brass, wrought or unwrought, per Hundredweight -	0	1
Chalk Stones, rough or hewn, per Ton - - - -	0	4
Cordage, per Hundredweight - - - - -	0	1½
Clover Seed, per Sack - - - - - -	0	1
Calf Skins, per Dozen - - - - -	0	3
Colours, per Firkin - - - - - -	0	1
Carboys, each - - - - - - -	0	2
Coals, Culm, Splint, Coke, or Cinder, per Ton - - -	0	6
Chest of Drawers, double - - - - - -	0	8
„ single - - - - - -	0	5
Chairs, per Dozen - - - - - -	0	6
Chairs, each - - - - - - -	0	1
Chimney Pots, each - - - - - -	0	1
Cabbages, per Dozen - - - - -	0	1
Carrots, per Hundred - - - - -	0	1
Deals, per Load containing 50 Cubic Feet - - -	0	9
Dogs, each - - - - - - -	0	2
Earthenware, per large Crate - - - - -	0	6
„ per small Crate - - - -	0	3
Fish, per Pot, Prickle, or Pad - - - - -	0	1
„ per Ton - - - - - -	1	0
„ per Trunk - - - - - -	0	1
„ per Bushel or Sieve - - - - -	0	1

	s.	*d.*
Fruit, per Bushel or Sieve	0	1
Flour, per Sack of Five Bushels	0	1
Faggots, per Hundred	0	3
Firewood, per Cord	0	3
Feathers, per Hundredweight	0	1
Foxes, each	0	6
Fowls, and every other Sort of Poultry, per Head	0	1
Flint Stones, per Ton	0	1
Glass Ware, per large Crate	0	6
„ per small Crate	0	3
„ Window, per Crate	0	4
Grindstones, each	0	1
Grate or Range, large	0	6
„ small	0	3
Gunpowder, per Barrel	0	6
Garden Stuff, per Bushel or Sieve	0	1
Hay, per Load of Thirty-six Trusses	0	6
Hops, per Bag	0	3
„ per Pocket	0	2
Hams, Bacon, or Tongues, per Hundredweight	0	1
Herrings, Red, per Barrel	0	2
Hogshead packed with Goods not enumerated in Schedule	0	6
Hoops, per Bundle	0	1
Hurdles, per Hundred	0	10
Harpsichord	1	0
Harps, each	0	8
Hemp, per Hundredweight	0	1
Hares, Pheasants, and all other Game, per Head	0	1
Hides, raw or tanned	0	1
Iron, per Hundredweight	0	1
„ per Ton	1	0
„ Pots, each	0	1
Kelp, per Ton	0	6
Laths, per Twenty Bundles	0	3
Lathwood, Six Feet per Fathom	0	6
„ Five Feet ditto	0	4
Lead, per Hundredweight	0	1
„ per Ton	0	1
Lime, per Load of Twenty-eight Bushels	0	1
Leather, per Hide	0	3
Leeks, per Dozen Bundles	0	1
Lumber, and every other Article not specified before in this Table, per Foot Cube	0	1
„ Dosser, Hundredweight	0	1

	s.	*d.*
Meal or Middlings, per Hundredweight	0	1
Mahogany in Logs or Planks, per Foot Cube	0	1
Masts, Ten Inches in Diameter, or upwards, each	2	0
,, under Ten Inches, each	0	9
Millstones, large, each	0	6
,, small, each	0	6
Molasses, per Puncheon	0	4
Mustard, per Thirty Pound Barrel	0	1
Marble, per Ton	1	0
Nails, per Bag	0	1
Nuts, per Bag	0	1
Oil Cakes, per Thousand	0	9
Oranges and Lemons, per Chest	0	3
,, ,, per Half Chest	0	2
Oil, Train or Fish, per Barrel, and so on in proportion for any greater or smaller Quantity	0	4
Oak or Elm Planks, per Load containing Thirty Cubic Feet	0	6
Oysters, per Bushel	0	1
,, per Firkin or smaller Barrel	0	1
Ovens, each	0	3
Ordnance, Pieces of Brass or Iron, per Hundredweight	0	2
Onions, per Bushel	0	1
Oatmeal, per Sack	0	1
Oil, per Pipe	0	6
,, per Hogshead	0	2
,, per Half Hogshead	0	1
,, per Jar	0	1
,, Chest	0	1
,, Half Chest	0	1
Potatoes, per Barrel	0	1
,, per Ton	0	9
,, per Sack of Three Bushels	0	1
Plums, per Box	0	1
Pale, cleft, per Thousand	0	9
Posts and Rails, per Load of Fifty Cubic Feet	0	6
Pewter, wrought, per Hundredweight	0	1
,, old	0	1
Pianofortes, each	2	0
Pitch and Tar, per Barrel	0	2
Straw, per Load	0	6
Sugar, Loaf, per Hundredweight	0	1
,, raw, per Hundredweight	0	1
Salt, per Hundredweight	0	1
Spars, per Score	0	3
Solder, per Hundredweight	0	1

	s.	d.
Sofas, each	0	6
Stone, per Ton	0	6
,, Paving, per Ton	0	6
Slate, per Ton, containing Twenty-four Cubic Feet	0	6
Stove, Register	0	4
,, other	0	3
Sedan Chairs, each	0	6
Salmon, per Kit	0	1
Skins, Goat, Dog, Calf, Sheep, or Lamb, per Dozen	0	4
Soap, per Hundredweight	0	1
Starch, per Hundredweight	0	1
Staves, Pipe, per Hundred	0	1
,, Hogshead, per Hundred	0	1
,, Barrel, per Hundred	0	1
,, Ends, per Hundred	0	1
Shot, per Bag	0	1
Salt Fish, per Hundredweight	0	1
Shrimp Baskets, each	0	$0\frac{1}{2}$
Tallow, Soap, or Candles, per Hundredweight	0	1
Tea, per Quarter Chest	0	2
And so in proportion for any greater or less Quantity than a Half Chest.		
Treacle, per Hundredweight	0	1
Timber, per Load containing Fifty Cubic Feet	0	6
Tables, Dining, per Set	1	1
,, other Dining Tables, each	0	6
,, Card or Pembroke, each	0	3
,, every other, each	0	3
Tombstones, each	1	6
,, Marble	2	6
Tiles, Plain, per Thousand	0	3
,, Hip or Gutter, per Thousand	0	4
,, Ridge or Pantiles, per Thousand	0	6
,, Mathematical, per Thousand	0	9
,, Paving, per Thousand	0	3
Turtle, each	0	10
Tobacco and Snuff, per Hundredweight	0	1
Tallow, per Hundredweight	0	1
Turbot, per Score	0	1
Trunk, Portmanteau, or Bundle, each	0	1
Vats packed with Goods not enumerated in Schedule, each Foot per Cube	0	1
,, ,, ,, per Hundredweight	0	1
Violins or Bass Viols, or other stringed Instruments (except Harps), each	0	2
Vinegar, per Hogshead	0	4

			s.	*d.*
Wool, Yarn, or Cotton, per Hundredweight			0	4
Wine (not British), Sweet Oil, or Spirits, for every Gallon contained in any Butt, Pipe, Puncheon, or Piece, or any Cask whatsoever			0	1
Oil or Spirits in Bottles, per Dozen			0	2
,,	,,	per Pipe	0	6
,,	,,	per Hogshead	0	3
,,	,,	per Half Hogshead	0	2

All Goods not enumerated in this Schedule to pay at the Rate of 1*d.* per Cube Foot or 3*d.* per Hundredweight.

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