CHAPTER clxxiv.

An Act to provide for the Conservancy of the River Medway, and for the Regulation, Management and Improvement thereof. A.D. 1881.

[11th August 1881.]

WHEREAS the preservation and improvement of the River Medway is of great national importance:

And whereas the Queen's most Excellent Majesty, in right of her Crown, is or claims to be seized of the bed soil and foreshore of the River Medway:

And whereas the mayor, aldermen and citizens of the city of Rochester (in this Act referred to as "the corporation") are or claim to be owners of the bed, soil and foreshore of that part of the River Medway which is herein-after defined and referred to as "the river," and to be empowered to demand and take tolls or dues in respect of the river and the navigation thereof within the port of the said city of Rochester, which is co-extensive with the river (as so defined) and with the limits of the said city by water: and are or claim to be Conservators of the river to the exclusion of all Admiralty jurisdiction:

And whereas the corporation are willing that all their estate, right, title and interest in the bed, soil and foreshore of the river, and all their rights, powers and authorities as Conservators of the river should be transferred to a Conservancy Board, constituted as by this Act prescribed, for the consideration, upon the terms and subject to the conditions in this Act contained, and so that from and after such transfer as aforesaid all tolls, rates and dues leviable, and all rents, fines and payments from time to time payable in respect of the river or the navigation thereof should, after payment of all charges affecting the same under this Act, be applied towards the conservancy and improvement of the river and the navigation thereof, and in carrying the provisions of this Act into execution as by this Act provided:

And whereas it is expedient that a Conservancy Board should be constituted as by this Act prescribed, and should, subject to the

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provisions of this Act, be empowered to dredge, cleanse, scour, buoy and light the river and to preserve the navigation of the same, and for such purposes to levy and collect tolls, rates and dues, to borrow money and to exercise the powers, authorities and jurisdiction by this Act conferred:

And whereas it is expedient that provisions, such as are in this Act contained, should be made with respect to the bed, soil and foreshore of the river:

And whereas an absolute majority of the whole number of the council of the city, at a meeting held on the twenty-seventh day of January, one thousand eight hundred and eighty-one, after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Rochester and Chatham Journal a local newspaper published or circulating in the city, such notice being in addition to the ordinary notices required for summoning such meeting, resolved that the expenses in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate:

And whereas such resolution was published twice in the said Rochester and Chatham Journal, and has received the approval of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council of the city at a further special meeting held in pursuance of a similar notice on the twenty-second day of February, one thousand eight hundred and eighty-one, being held not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the city, by resolution in the manner provided in the Third Schedule of the Public Health Act, 1875, have consented to the promotion of the Bill for this Act:

38 & 39 Vict. c. 55.

And whereas the purposes aforesaid cannot be effected without the aid of Parliament:

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

Short title.

1. This Act may be cited for all purposes as the Medway Conservancy Act, 1881.

Incorporation of Acts.

2. The following enactments (as far as the same are applicable for the purposes of, and not varied by or inconsistent with, this Act) shall be incorporated with this Act (that is to say):—

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The provisions of the Commissioners Clauses Act, 1847, with respect to the following matters :— 10 & 11 Vict. c. 16.

The contracts to be entered into and deeds to be executed by the Commissioners :

The liabilities and legal proceedings by or against the Commissioners :

The appointment and accountability of officers of the Commissioners :

The mortgages to be executed by the Commissioners :

The accounts to be kept by the Commissioners :

Giving notices and orders, and

Access to the special Act :

The clauses in that Act being construed as if the expression "the Conservators" had been inserted therein, instead of the expression "the Commissioners :"

The provisions of the Railways Clauses Consolidation Act, 1845, with respect to the recovery of damages not specially provided for, and of penalties and the determination of any other matters referred to justices, the clauses in that Act being construed as if the expression "the Conservators" had been inserted, instead of the expression "the Company :" 8 & 9 Vict. c. 20.

The following provisions of the Harbours, Docks and Piers Clauses Act, 1847 (so far as the same are applicable to the rates and dues leviable by this Act) namely :— 10 & 11 Vict. c. 27.

Section 28 and sections 34 to 48, both inclusive (with respect to the collection and recovery of rates), the clauses in that Act being construed as if the word "Conservators" had been inserted, instead of the expression "the Undertakers," and as if the expression "within the limits of this or the special "Act," had been inserted instead of the expression "within "the limits of the harbour, dock or pier," and the expression "the special Act" in the provisions of that Act incorporated with this Act, shall mean and apply to this Act :

The Lands Clauses Consolidation Acts, 1845, 1860 and 1869, except so much and such parts of the Lands Clauses Consolidation Act, 1845, as relate to the purchase and taking of lands, otherwise than by agreement, and to the entry upon lands by the promoters of the undertaking, and to the sale of superfluous land. And in construing the said Act the Conservators of the river shall be deemed the promoters of the undertaking for which such lands are required. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 32 & 33 Vict. c. 18.

Interpretation of terms.

3. In this Act the following words, terms and expressions shall have the several meanings hereby assigned to them, unless there be

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something in the subject or context repugnant to such construction (that is to say):—

The word "person" shall include corporation:

The word "vessel" shall mean any ship, lighter, keel, barge, boat, wherry, raft or craft, or any other kind of vessel whatsoever, whether navigated by steam or otherwise: but shall not include any vessel belonging to the Royal Navy, or for the time being employed by any department of the Government as a hired transport:

The word "master," when used in relation to any such vessel, shall mean any person whether the owner, master or other person lawfully or wrongfully having or taking the command, charge or management of the vessel for the time being:

The word "ballast" shall include every kind of gravel, sand, chalk and soil, and every commodity or thing commonly used for the ballasting of vessels:

The words "the city" shall mean the city of Rochester:

The words "the corporation" shall mean the mayor, aldermen and citizens of the city:

The words "the local board" shall mean the Local Board of Health for the district of Chatham Extra in the county of Kent:

The words "the Conservators" shall mean the Conservators of the River Medway incorporated by this Act:

The words "license of the Conservators" shall mean a license under the seal of the Conservators of the River Medway:

The words "permission of the Conservators" shall mean permission in writing signed by the secretary of the Conservators:

The word "shore" shall mean the shores of the river so far as the tide flows and reflows between high and low water marks at ordinary tides:

The word "goods" shall include all wares, merchandise and articles of every description:

The word "tolls" shall mean the rates or dues by this Act authorised:

The expression "electors" shall mean the persons entitled to vote in the election of Conservators under this Act, and the expression "register of electors" shall mean the register of the names and addresses of the electors made in pursuance of this Act:

The word "wharf" shall include any bank, wall or building adjoining the river as herein-after defined, other than property belonging to Her Majesty in right of her Crown, or vested in any body or persons for the public service

The words "the Admiralty" shall mean the Lord High Admiral of the United Kingdom or the Commissioners for executing the office of Lord High Admiral:

Words, terms and expressions to which meanings are assigned in enactments incorporated with this Act, or which have therein special meanings, have in this Act the same respective meanings, unless there be something in the meaning or context repugnant to such construction, and in this Act and for the purposes of this Act in any enactment incorporated with this Act the term "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which it is used was a simple contract debt, and not a debt or demand created by statute, and the term "superior court" shall include any court of competent jurisdiction.

Application of Act to part of River Medway.

4. This Act shall apply to that part of the River Medway between an imaginary line drawn across the said river from Garrison Point, Sheerness, to Dolly Bank, and an imaginary line drawn at right angles across the said river from the stone at Hawkwood, in the parish of Burham, in the county of Kent, on which stone there is inscribed, "God Preserve the City of Rochester. This Mayoralty "Stone was erected in 1799, and re-visited in 1824 and 1825," or to that effect and all arms, creeks, streams and indraughts of the said river, on both sides thereof, as far as the waters of the said river flow, but excluding the Harbour of Queenborough and West Swale, southwards of an imaginary straight line drawn from Minster Church tower, in the Isle of Sheppey, to Swale otherwise Queenborough Spit, and shown on the map or plan signed in duplicate by Sir Wilfrid Lawson, Bart., the Chairman of the Committee of the House of Commons, to whom the Bill for this Act was referred (one copy of which is deposited in the Private Bill Office of the House of Commons,) and all which part of the said river and arms, creeks, streams and indraughts constitute the limits and bounds of the said city of Rochester by water, and are in this Act referred to as and included in the expression "the river."

Constitution of Conservators of River Medway.

5. There shall be seventeen Conservators for carrying this Act into execution, and such Conservators shall be a body corporate by the name of "The Conservators of the River Medway," and by that name shall have perpetual succession and a common seal, and shall have power to take, purchase and hold lands, tenements and hereditaments, goods, chattels and other property for any of the purposes of this Act, subject to the restrictions herein contained.

Six Conservators to represent the corporation.

6. Six Conservators shall represent the corporation, that is to say, the mayor of the city for the time being, and five persons being either aldermen or town councillors of the city, to be appointed from time

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to time by the town council of the city as by this Act provided, and such six Conservators are in this Act referred to collectively as "nominated Conservators," and each of them is referred to individually as a "nominated Conservator."

Two Conservators to represent local board.

7. Two persons not being members of the corporation shall as soon as may be after the passing of this Act be appointed Conservators by the local board to represent the district of the local board. Such persons shall be either members of the local board or possessed of the requisite qualification to be members. In this Act such two Conservators are referred to collectively as "Local Board Conservators," and each of them is referred to individually as a "Local Board Conservator."

Six Conservators to be elected by importers, &c., of goods.

8. Six Conservators shall be elected by importers, exporters and consignees of goods, as by this Act provided, and such six Conservators are in this Act referred to collectively as the "elected Conservators," and each of them is referred to individually as an "elected Conservator."

Two Conservators to be appointed by the Admiralty.

9. Two Conservators shall be appointed from time to time by the Admiralty, as by this Act provided, and such two Conservators are in this Act referred to collectively as "Admiralty Conservators," and each of them is referred to individually as an "Admiralty Conservator."

One Conservator to be appointed by proprietors of Lower Medway Navigation.

10. One Conservator shall be appointed from time to time by the Company of Proprietors of the Lower Navigation of the River Medway as by this Act provided, and such Conservator is in this Act referred to as "Lower Medway Conservator."

First nominated Conservators.

11. The following five persons shall, with the mayor of the city be the first nominated Conservators, that is to say, John Ross Foord, James Gouge Naylar, Francis Flint Belsey, John Smith Benton and Nathaniel Elgar Toomer; and the said nominated Conservators (other than the mayor) shall retire from office on the third Wednesday in the month of January, one thousand eight hundred and eighty-two.

Meetings for appointment of nominated Conservators.

12. On the third Wednesday in the month of January, in the year one thousand eight hundred and eighty-two, and on the third Wednesday in the month of November, in the year one thousand eight hundred and eighty-five, and in every subsequent third year, and as soon as may be after any vacancy occurs in the office of nominated Conservators, the town council shall meet for the appointment of nominated Conservators under this Act.

Triennial retirement of nominated Conservators.

13. On the third Wednesday in the month of January, in the year one thousand eight hundred and eighty-two, and on the third Wednesday in the month of November, in the year one thousand

eight hundred and eighty-five, and in every subsequent third year the nominated Conservators, other than the mayor, shall retire from office, and the vacancies occasioned by every such retirement shall be supplied by the appointment of nominated Conservators in their stead, as by this Act is provided, but every such nominated Conservator so retiring as aforesaid shall be eligible for re-appointment.

Appointment of Local Board Conservators.

14. At the first ordinary meeting of the local board, in the month of January, in the year one thousand eight hundred and eighty-two, and at the first ordinary meeting of the local board in the month of January in every subsequent third year, the local board shall appoint the Local Board Conservators, and each of the Local Board Conservators shall continue in office for three years if he shall so long live and continue qualified, and every retiring Local Board Conservator shall, if qualified, be eligible for re-appointment.

Provision in case of incorporation of Chatham Extra.

15. If at any time hereafter the district of the local board be constituted a municipal borough, and whatever be the limits of the borough so constituted, then on and for ever after such constitution thereof, the right under this Act of the local board to appoint Conservators for the purposes of this Act shall cease, and thenceforth the Conservators for the said district shall be from time to time appointed by the council of the borough so constituted; and the provisions of this Act relating to the appointment of Local Board Conservators shall extend and apply mutatis mutandis accordingly to the council of the borough so constituted, and the appointment and qualification of the Conservators for such borough.

First elected Conservators.

16. The following persons shall be the first elected Conservators under this Act, that is to say, William Lee, Henry Peters, John Andrew Anderson, Archibald David Robertson, William Porter and Samuel Lee Smith, and the said elected Conservators shall hold office until the third Wednesday in the month of January, one thousand eight hundred and eighty-two.

Persons who may claim to be electors.

17. Every person, and all corporations or companies, who by a claim in writing, in the form A in the First Schedule to this Act, addressed to the Conservators and delivered at their office at the times and in the manner herein-after provided, has or have stated that he or they has or have, during the year immediately preceding the date of such claim, been and who has or have, during the said year, been in fact the importer or exporter, or consignee of any goods of the weight of not less than five hundred tons carried or conveyed into or out of, and loaded or unloaded within the river, in vessels, shall be entitled to be placed on the register of electors.

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Regulations as to register of electors.

18. The following regulations shall be made with respect to the register of electors (that is to say) :—

The Conservators shall give notice of their intention to cause a register to be made up and kept, by an advertisement inserted in each of two successive weeks in some newspaper published in the city, and the last of such advertisements shall be published not less than seven days before the first day of October, one thousand eight hundred and eighty-one. And such advertisements shall state in what manner claims to be entitled to vote at the election of Conservators are to be made, and within what time such claims are to be delivered at the office of the Conservators.

The Conservators shall on or before the first day of November in the year one thousand eight hundred and eighty-one, cause a register to be made and kept, in which shall be entered the names, addresses and qualifications of all persons, corporations and companies who, under the provisions herein-before contained, shall have claimed to be entitled to vote in the election of Conservators under this Act, and the names and addresses of all persons, corporations and companies who, under the provisions herein-after contained, from time to time claim to be entitled to vote in the election of Conservators under this Act, shall from time to time be placed upon the register so to be kept, and such register shall be in the form B in the First Schedule to this Act, or as near thereto as circumstances will admit. And such register shall be in alphabetical order, and shall be kept at the office of the Conservators, and be open to public inspection at all times between the hours of ten a.m. and four p.m. of every working day, and a copy thereof shall be fixed, three weeks at the least before the day appointed for revising the same, to the outer door of the office of the Conservators.

All claims to be entered on the register shall, after the year one thousand eight hundred and eighty-one, be made in writing and be signed by the party making the same, and in case of the claim of a corporate body under their common seal, or under the hands of any of their directors or trustees, and in case of any partnership the claim may be made in the name of one of the partners, or in the separate names of the individuals forming such partnership, and such claims shall be delivered at the office of the Conservators between the hours of ten a.m. and four p.m. on or before the first day of August in the year in which the claim is made.

In case any person not being resident in the United Kingdom be placed on the register of electors, he may from time to time appoint an agent resident in the United Kingdom, on whom all notices hereby required to be served on electors may be served, and he shall give notice of such appointment to the Conservators. The name and addresses of any agent so appointed shall be added on the list of electors to the name and address of the appointer.

Each partner in any firm (not being a joint stock company) shall be entitled to have his name placed on the register of electors if goods have, under the provisions herein-before contained as to the qualification of electors, been imported or exported into or out of the river to the weight of five hundred tons.

Revisors of register of electors to be appointed.

19. On or before the first day of October, one thousand eight hundred and eighty-one, and on or before the thirty-first day of March in every subsequent third year, the Conservators shall appoint two of their number to be two of the revisors of the register of electors. And these two Conservators before the sixth day of November, in the year one thousand eight hundred and eighty-one, and on the fifth day of the month of April in every subsequent third year, unless such last-mentioned day happens to fall upon a Sunday, in which case they shall, upon the next ordinary working day, appoint a third person being on the register for that year to be the third of the revisors, and to be their chairman, and in case such two Conservators shall fail to appoint such third revisor as aforesaid, the chairman of the Conservators shall, as soon as may be thereafter, appoint some person qualified as aforesaid to be the third of the revisors and to be their chairman, and if before the discharge of the duties by this Act imposed on such revisors, any revisor so appointed shall die or become incapable, or refuse, or for seven days neglect to act as such revisor, the persons or person by whom such revisor was appointed may appoint some other person to act in his place.

Revision of register of electors.

20. The revisors shall, during the fourteen days next after the first day of December, one thousand eight hundred and eighty-one, and seven days next after the twelfth day of April in every subsequent third year revise, at the Conservators' office, the register of electors, giving not less than three days' notice of their intention so to do, by advertisement in one or more newspaper or newspapers published in the city.

Claims and objections before revisors.

21. At any such revision, any importer, exporter or consignee of any goods of a weight of not less than five hundred tons carried or conveyed into or out of the river in vessels, whose name is not

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inserted in the register of electors may, in person or by his agent, claim to have his name inserted therein.

Revision of register.

22. The revisors may at any time and from time to time revise the register or any portion of the register, giving not less than three days' notice of their intention to do so by advertisement in one or more newspapers published in the city. Provided always that the revisors shall not so revise the register or any portion of the register, except as herein-before provided, except upon the receipt of a notice of objection to the name or names of any person inserted in the register, such notice being given as herein-after provided, and shall then only revise so much of the register as is so objected to, and provided that a copy of so much of the register as is so objected to shall be fixed, at least three weeks before the day appointed for the revising of the same, to the outer door of the office of the Conservators.

Objections to persons named as electors.

23. The revisors shall hear all objections to the name or names of any person or persons inserted in the register of electors: Provided nevertheless that no person shall be entitled to object to the name of any person, unless the objector shall himself be on the register of electors, and no objection shall be heard except upon the appearance of the person whose name shall be objected to, or, if he shall not appear, on due proof of the notice of objection having been served upon him. Such notice may be served personally or by leaving the same, or by sending it through the post in a registered letter addressed to the person whose name shall be objected to, at the place appearing on the register of electors as his place of abode, ten days before the first day of December, one thousand eight hundred and eighty-one, and ten days before the twelfth day of April in every subsequent year.

Revisors may summon witnesses.

24. The revisors, for the purpose of investigating the right of any person to vote, may summon before them any witness or witnesses other than officers of Her Majesty's Customs or other persons in the employ of the Government, and examine him or them on oath, but no person shall be compelled to attend, unless the reasonable charges for his attendance shall have been paid or tendered to him, and no person shall be compelled in obedience to such summons to travel more than ten miles from his place of abode. And any person who shall wilfully destroy any such summons, or shall refuse to appear or answer any question put to him by the revisors for the purpose of the investigation of such right as aforesaid, shall for such offence incur a penalty not exceeding five pounds.

Revisors to correct the register of electors.

25. The revisors shall retain in any register of electors any name objected to if the objection is not established to their satisfaction, and shall insert therein the name of any importer, exporter or consignee of any goods of a weight of not less than five hundred tons carried or conveyed into or out of the river in vessels, shown to their satisfaction to be entitled to have his name inserted therein, and shall strike out therefrom the name of every person, firm or body corporate shown to their satisfaction to be no longer living or in existence, or not to be entitled to have his or their name inserted therein.

Revisors to sign register of electors.

26. The decision of the revisors or a majority of them with respect to the register of electors shall be final and conclusive, and the revisors shall forthwith, after every revision sign their names at the foot of each list revised, and deliver or forward the same to the secretary to the Conservators.

No person entitled to vote unless his name appears on register.

27. No person shall be entitled to vote at the election of Conservators for any year unless his name shall appear on the register of electors then in force.

Production to revisors of books, &c.

28. For the revision of the register of electors, the Conservators shall produce at their office, to the revisors, such of the books and accounts of the Conservators and the written claims of exporters, importers and consignees of goods as may be requisite to enable the revisors to revise the register, and shall afford to them all reasonable and proper facilities for so doing.

Evidence of revised register of electors.

29. Every register of electors purporting to be a register of electors revised and signed as by this Act provided, shall be evidence of the same being a register of electors duly made, revised and signed until the contrary is shown.

Continuance of revised registers.

30. Every revised register of electors shall be in force until the next revision, and the persons, firms and bodies corporate whose names appear in the revised register of electors from time to time in force shall be the electors entitled to vote at elections of Conservators under this Act.

Revised register of electors to be printed and published.

31. Every revised register of electors shall forthwith, after the revision, be printed and published by the Conservators, and a copy thereof shall be delivered to any person requiring it on payment of such sum as the Conservators shall think reasonable not exceeding sixpence for each copy.

Meetings for election of elected Conservators.

32. On the third Wednesday in the month of January, in the year one thousand eight hundred and eighty-two, and on the third Wednesday in the month of November, in the year one thousand eight hundred and eighty-five and of every subsequent third year,

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and as soon as may be after any vacancy occurs in the office of elected Conservators, the electors shall meet for the election of elected Conservators under this Act.

Triennial retirement of elected Conservators.

33. On the third Wednesday in the month of January in the year one thousand eight hundred and eighty-two, and on the third Wednesday in the month of November, in the year one thousand eight hundred and eighty-five, and in every subsequent third year, the elected Conservators shall retire from office and the vacancies occasioned by every such retirement shall be supplied by the election of elected Conservators in their stead, as by this Act is provided, but every such Conservator so retiring as aforesaid shall, if otherwise duly qualified, be eligible for re-election.

Time of meeting for election.

34. Every such meeting shall be held at such time between the hours of ten a.m. and four p.m. and at such convenient place within the city as the Conservators may from time to time appoint, and the secretary to the Conservators shall give not less than fourteen nor more than twenty-one days' notice, by advertisement in one or more newspaper or newspapers published in the city, specifying the time, place and object of such meeting.

Procedure at the meetings.

35. At every such meeting the electors present at the commencement of the meeting, personally or by proxy, appointed in writing, shall forthwith appoint a chairman, and the person so appointed shall receive the votes and shall act in all other respects as chairman of the meeting, and the only business to be transacted or discussed at any such meeting shall be the election by the meeting of elected Conservators under this Act.

Printed copies of register of electors to be conclusive.

36. The secretary to the Conservators shall cause to be supplied to each such meeting printed copies of the register of electors qualified to vote thereat, with his signature appended thereto, in writing or in print, and such copies shall for all purposes of the meeting be conclusive evidence of the matters therein appearing.

Qualification of elected Conservator.

37. No person shall be qualified to be an elected Conservator unless he shall either in his own name or as the nominee of some corporate body, be or be entitled to be on the register of electors, under the provisions and conditions herein contained, and no member of the corporation shall be qualified to be an elected Conservator.

Nomination of candidates.

38. No person shall be eligible as an elected Conservator under this Act, unless twelve clear days at least before the day of election, he has been proposed by an elector and seconded by another elector, and has intimated his willingness to be elected in writing signed by his proposer, seconder and himself, and delivered at or sent by

registered letter to the office of the Conservators, and four clear days at least before the day appointed for the election, the Conservators shall publish the names of the candidates, by advertisement in one or more newspaper or newspapers published in the city.

Election to be by majority of votes.

39. The persons to be from time to time elected, as elected Conservators shall be the persons receiving the greatest number of votes of the electors present, personally or by proxy, at the meeting held for that purpose, and such votes shall be given in writing under the hands of the respective electors or their proxies, and in every case of an equality of votes the chairman of the meeting shall, when requisite to decide the election, have an additional or casting vote.

Regulations respecting proxies.

40. The appointment of a proxy shall be made by an instrument in writing (in the form given in the Second Schedule to this Act annexed with such variations as circumstances require) signed by the appointor, or if the appointor is a body corporate sealed by the common seal of the body corporate, and in all cases attested by one witness at least. An instrument appointing a proxy shall not be used at any election, unless it has been delivered at or sent by registered letter to the office of the Conservators not less than forty-eight hours before the time appointed for the election. An instrument appointing a proxy shall not be valid except for the election next after the date of its execution. No person shall be capable of acting as a proxy except an elector, or in case of a firm or body corporate, a member of such firm, or a member or officer of such body corporate.

Penalty for personating voter.

41. If any person shall personate any person entitled to vote in pursuance of this Act, or falsely assume to act in the name or on behalf of any person so entitled to vote, he shall for every such offence incur a penalty not exceeding twenty pounds.

Result of election to be communicated to secretary.

42. The result of every election shall, immediately after the conclusion of the meeting at which it takes place, be communicated in writing by the chairman of the meeting to the secretary to the Conservators.

Expenses of elections.

43. The expenses incurred by the Conservators or their secretary of and incident and preparatory to the obtaining and preparation of lists, the publication of advertisements and the holding of elections directed by this Act or otherwise relative thereto, shall be paid by the Conservators as part of their ordinary expenses.

Elected Conservator becoming a member of corporation to cease to be a Conservator.

44. Any elected Conservator, who after his election shall become a member of the corporation, shall thereupon ipso facto cease to be a Conservator.

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Quorum of Conservators.

45. All powers vested in the Conservators under this Act may be exercised by any five or more of the Conservators present at any conservancy meeting holden in pursuance of this Act, and no business shall be transacted at any conservancy meeting, unless five or more of the Conservators shall be present at such meeting, and all questions at any meeting shall be decided by a majority of the votes of the Conservators present, and in case of an equal division of votes the chairman shall have a second or casting vote in addition to his vote as a Conservator.

Conservators appointed by the Admiralty to hold office for five years.

46. The Admiralty Conservators shall be appointed by the Admiralty as soon as may be after the passing of this Act, and from time to time thereafter as occasion may require, in writing, signed by the Secretary to the Admiralty for the time being, and the Admiralty Conservators so appointed from time to time shall continue in office for five years after their appointment, unless they shall sooner be removed by the Admiralty, and any such Admiralty Conservator going out of office at any quinquennial day of appointment shall be eligible to be re-appointed by the Admiralty.

Conservator appointed by proprietors of Lower Medway Navigation to hold office for five years.

47. The Lower Medway Conservator shall be appointed by the Company of Proprietors of the Lower Navigation of the River Medway as soon as may be after the passing of this Act, and from time to time thereafter as occasion may require, under their common seal, and the Conservator so appointed from time to time shall continue in office for five years after appointment unless he shall sooner be removed by the said proprietors, and any such Conservator going out of office at any quinquennial day of appointment shall be eligible to be re-appointed.

Vacancies in office of Conservators to be filled up.

48. Any vacancy in the office of nominated Conservators, Local Board Conservators, elected Conservators, Admiralty Conservators, or Lower Medway Conservator occasioned by death, resignation, removal, disqualification, or any other cause whatever, shall be filled up with all convenient speed by the nomination, election or appointment, as by this Act provided, of a Conservator, by the persons or body by whom or which the Conservator whose vacancy is to be filled up may have been originally nominated, elected, or appointed, and shall hold office as long only as the Conservator in whose stead he is nominated, elected, or appointed, would have been entitled to continue in office.

Nominated Conservator to cease to be such when no longer a member of town council.

49. When any nominated Conservator ceases to be an alderman or town councillor of the city, he shall cease to be a nominated Conservator, and whenever any nominated Conservator becomes mayor of the city a vacancy in the office of nominated Conservators shall be thereby created.

No bankrupt to be a Conservator.

50. No bankrupt and no person who has compounded with his creditors or submitted his affairs to liquidation shall be capable of being or continuing a Conservator.

No person holding office under or concerned in any contract with the Conservators to be a Conservator.

51. No person holding any office or place of trust or profit under the Conservators, or interested in any contract with the Conservators shall be capable of being a Conservator, and if at any time subsequent to the appointment, election or nomination of any Conservator he shall accept or continue to hold any office or place of profit under the Conservators, or be concerned in any contract or participate in any manner in any work to be done under the authority of this Act, or shall derive or be entitled to any benefit directly or indirectly therefrom, such person shall cease to be a Conservator, and his office thereupon shall become vacant. Provided always that no person being a shareholder or member of any joint stock company shall be disqualified from acting as a Conservator by reason of any contract entered into between such company and the Conservators. Nevertheless it shall not be lawful for any such shareholder or member to act or vote as a Conservator in any matter relating to any contract entered into between the Conservators and such company.

A fit office to be provided for meetings of Conservators.

52. It shall be lawful for the Conservators from time to time to provide and maintain a fit and convenient public office, within the city, for holding the meetings of the Conservators and transacting the business of the conservancy and for the use of their officers, and for transacting such other business as the Conservators shall from time to time think fit to allow or direct to be transacted therein, and for such purpose to purchase or hire any messuage or tenement or land which shall by the Conservators be considered necessary, of and from any person who shall be willing to sell or let the same, and to cause any new erection or building to be made upon any land or ground which shall be purchased or hired under the provisions of this Act.

First meeting of Conservators.

53. The Conservators shall meet and assemble at the Guildhall in the city, or at some other convenient place, upon the first Tuesday in the month of September next after the passing of this Act, at the hour of two o'clock in the afternoon, for the purposes of this Act. And the Conservators may from time to time adjourn such meeting to such day as they think fit, and hold such adjourned meeting at the said place, or at any other convenient place, and at such hour as may from time to time be appointed by them, or by the majority of the votes of the Conservators present at such meeting.

Annual meeting of Conservators.

54. A conservancy meeting shall be held on the first Wednesday in the month of February, in the year one thousand eight hundred

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and eighty-two, and in every subsequent year, on the first Wednesday in the month of January, or on such other day as may from time to time be appointed by the Conservators in that behalf, and such meeting shall be called the annual conservancy meeting.

Periodical meetings to be held.

55. The Conservators shall hold such periodical meetings as shall from time to time be appointed by them for any of the purposes of this Act, and shall from time to time fix the days and times for holding such periodical meetings, a list of such days and times of meeting being duly fixed and continued in some conspicuous part of the usual place of meeting of the Conservators, and upon any such day and time being fixed the Conservators for the time being are required to attend such periodical meetings without any notice.

Meetings of Conservators to be styled conservancy meetings.

56. Every meeting of Conservators under the authority and for the purposes of this Act shall be styled a conservancy meeting.

Election of chairman.

57. At the first meeting of the Conservators they shall, by the majority of the votes of the Conservators present, elect one of their body to be their chairman until the next annual conservancy meeting, and at every subsequent annual conservancy meeting the Conservators shall in like manner elect a chairman for the ensuing year, and in every case the chairman going out of office shall be eligible for re-election, and in case the chairman die, or resign, or cease to be a Conservator, or otherwise become disqualified to act as such, the Conservators present at the meeting next after the occurrence of such vacancy shall choose some other of their body to fill such vacancy, and the chairman so elected shall continue in office so long only as the person in whose place he was elected would have been entitled to continue chairman; and if at any meeting of the Conservators the chairman be not present one of the Conservators present shall be elected chairman of such meeting.

No extraordinary business at periodical meetings unless notice be given.

58. No new rules or regulations shall be adopted, nor any extraordinary business be transacted at the periodical meetings unless due notice thereof has been given at a prior meeting, and the subject of such business been notified to each Conservator by means of written or printed notices delivered or left in the same manner as herein required for special meetings.

Special meetings of Conservators.

59. It shall be lawful for the Conservators to hold special meetings, and any three or more of the Conservators may require a special meeting to be held, but no such meeting shall be held unless two days' notice thereof at the least shall be given, except in cases of emergency.

How notices of meetings of the Conservators to be given.

60. All notices of any adjourned meeting or special meeting to be held under the authority of this Act shall be in writing or print, or partly in writing and partly in print, and shall be delivered and

sent by the secretary, by post or otherwise, to the usual place of abode or place of business of each of the Conservators two days at the least previous to such meeting, except as aforesaid, and every notice shall specify the time and place of meeting, and in case of a special meeting shall specify the object thereof, and no business shall be transacted at any special meeting except such as is stated in the notice thereof.

Certain questions to be decided by standing arbitrator.

61. Where at any meeting of the Conservators in relation to any question, all the nominated Conservators present at such meeting give their votes on one side and all the elected Conservators present at such meeting give their votes on the other side, such question, as the same was submitted to such meeting shall forthwith, if any Conservator present at such meeting so require, be referred by the Conservators to the standing arbitrator appointed under the provisions of this Act: Provided always that in any case of such division of votes as aforesaid, it shall be lawful for any Conservator present at such meeting to require that the consideration of such question be adjourned, and thereupon the consideration of such question shall be adjourned to a special meeting of the Conservators to be held not less than six days after such first-mentioned meeting, and in such case such question shall not be referred to the standing arbitrator as aforesaid, unless all the nominated Conservators present at such special meeting give their votes on one side and all the elected Conservators present at such special meeting give their votes on the other side in relation to such question.

Appointment of standing arbitrator.

62. The Board of Trade shall, before the first day of October, in the year one thousand eight hundred and eighty-one, and before the first day of October, in every third succeeding year, by writing, signed by a secretary or an assistant secretary of the said Board, appoint a standing arbitrator and fix the remuneration to be paid to him, and every person so appointed shall continue in office for three years from such first day of October in such years respectively. Any standing arbitrator may be removed from his office by the Board of Trade by writing signed by a secretary or an assistant secretary of the said Board. If any standing arbitrator during his term of office dies, or resigns or is removed from office, the Board of Trade shall in manner aforesaid, within one month after notice of his death, or resignation or removal, appoint another person to be a standing arbitrator in his place, and the person so appointed shall continue in office so long only as the person in whose place he is appointed would have been entitled to continue in office.

Remuneration of standing arbitrator.

63. The remuneration of the standing arbitrator shall be paid by the Conservators.

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Declaration of standing arbitrator.

64. Before any standing arbitrator enters upon the duties of his office, he shall in the presence of a justice, make and subscribe the following declaration (that is to say):—

"I, A.B., do solemnly and sincerely declare that I will faithfully "and honestly, and to the best of my skill and ability, hear "and determine all matters which may from time to time "be referred to me under the provisions of the Medway "Conservancy Act, 1881."

And if any standing arbitrator, having made such declaration, wilfully acts contrary thereto, he shall be guilty of a misdemeanor.

References pending on resignation, &c., of standing arbitrator.

65. If any reference is pending before a standing arbitrator at the time when he resigns or goes out of office by effluxion of time, it shall, on the request of the Board of Trade, in writing signed by a secretary or an assistant secretary of the said Board, made within one month thereafter, be proceeded with by him, and his decision shall have the like effect as if he had not resigned or gone out of office, and otherwise every reference pending before any standing arbitrator when he dies, resigns or goes out of office in any manner, shall be deemed to be discontinued, but the same may be re-commenced.

Proceedings before standing arbitrator.

66. The standing arbitrator shall appoint a time and place for the hearing of any matter coming before him, and shall cause six days' previous notice thereof to be given in such manner as he shall think proper, and at such time and place shall consider such matter, and hear any of the Conservators desiring to be heard, and any other person he may think fit.

Decisions, awards, &c. of standing arbitrator.

67. In case no nominated Conservator or no elected Conservator appears at the time and place appointed for the hearing of any matter by the standing arbitrator, the standing arbitrator may, nevertheless, proceed with the consideration of such matter. And the decision of the standing arbitrator in any arbitration under this Act shall be final and binding upon the Conservators. No award made by the standing arbitrator in accordance with this Act, shall be set aside for any irregularity or informality.

Conservators to provide daily attendance at an office.

68. The Conservators shall take care that the secretary, or some person duly authorised by them in that behalf, shall attend at their office daily (Sundays, Christmas Day and Good Friday and days appointed for any general fast, public holiday, or thanksgiving alone excepted) for the purpose of receiving notices and transacting the ordinary business of the Conservancy, and due notices of the situation of the office of the Conservators and of the hours during which attendance is given there shall be published by the Conservators in

such manner as they shall think proper, so that the same may be fully and generally known.

Committees may be appointed.

69. It shall be lawful for the Conservators present at any conservancy meeting to appoint a committee or committees for any purposes which in the discretion of the Conservators would be better regulated and managed by means of such committee and at any meeting to continue, alter, or discontinue such committee: Provided always that the acts of every such committee shall be submitted to the general body of Conservators for their approval.

Mode of proceeding of committees.

70. 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 three members of the committee are present, and at all meetings of the committee one of the members present shall be appointed chairman, and all questions at any meeting of the committee shall be determined by the votes of the members present, and in case of an equal division of votes the chairman shall have a second or casting vote in addition to his vote as a member of the committee.

No resolution of the Conservators to be revoked at a subsequent meeting unless under certain circumstances.

71. No resolution or other act at any conservancy meeting shall be revoked or altered at any subsequent meeting unless such subsequent meeting be called expressly for such alteration or revocation by notice given by the secretary fourteen days at least previous to the holding thereof, nor unless such revocation or alteration be determined upon by a majority consisting of two thirds of the Conservators present and voting at such subsequent meeting.

Acts of the Conservators not to be invalidated by reason of vacancies.

72. No act or proceeding of any of the Conservators acting under the authority of this Act shall be invalidated or be illegal in consequence only of there being any vacancy in the number of Conservators at the time of doing or executing such act or proceeding.

Service of notices.

73. Any notice which by this Act may be required to be given to any person may lawfully be served by delivering the same to such person, or by delivering the same to his wife, or servant, or any inmate at his usual place of residence or business, or, in case such place is not known, by affixing or leaving the same on or at his last known place of residence or business.

Proceedings to be entered in a book and to be evidence.

74. The Conservators shall cause entries of the names of all the Conservators who shall attend any conservancy meeting and notes, minutes or copies, as the case may require, of all appointments made or contracts entered into by or on behalf of the Conservators, and of the orders and proceedings of all conservancy meetings and of all meetings of committees to be duly entered in books to be from time to time provided for that purpose which shall be kept under the superintendence of the Conservators, and every such entry shall

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be signed by the person who was in the chair at any such meeting, and such entry so signed shall be received as evidence in all courts and before all judges, justices and others without proof of such respective meetings having been duly convened or held or of the persons making such orders being Conservators or members of such committee respectively, or of the signature of the chairman or of the fact of his having been chairman, all of which last-mentioned matters shall be presumed to be correct until the contrary be proved and all such books shall at all reasonable times be open to the inspection of the Conservators.

On payment of 65,000*l.* by Conservators to corporation, estate, &c., of corporation to vest in Conservators.

75. The Conservators shall on the twenty-fifth day of March, one thousand eight hundred and eighty-two, or as soon as may be thereafter, pay to the corporation the sum of sixty-five thousand pounds and upon such payment the corporation shall give a receipt in writing under their common seal for the said sum, and thenceforth all the estate, right, title and interest of the corporation in the bed and soil and shores of the river and all their rights, powers and authorities as Conservators of the river except as herein-after provided shall (subject to all leases, licenses and tenancies at any time granted or created by the corporation and then subsisting of or in respect of the river or the bed, soil or shores thereof, or any part of the same) by virtue of this Act and of the deed herein-after mentioned from and after the date of such receipt as aforesaid be and the same are hereby transferred to and vested in the Conservators, and from and after the date of such receipt as aforesaid all the estate, right, title and interest of the Lord Mayor, commonalty and citizens of the city of London (if any), in the bed and soil and shores of the river shall be and the same are hereby transferred to and vested in the Conservators, and all the estate, right, title and interest to which Her Majesty is entitled in right of her Crown of, in, and to the bed and soil and shores of the river, and of, in, and to all encroachments, embankments and enclosures therefrom and thereupon, except as in this Act provided, shall be and the same are hereby transferred to and vested in the Conservators: Provided always that the portion of the bed or soil or shores of the river, or any encroachment, embankment, or inclosures therefrom or thereupon, in front of or immediately adjacent to any lands, buildings or hereditaments, whereof or whereto Her Majesty, or any person or body in trust for Her Majesty, is seized or entitled in possession, reversion or remainder, or which is the property or under the control of any department of Her Majesty's Government, or in the possession of any such department, or any officers of the same shall not be vested in the Conservators, but shall continue vested in or in trust for Her Majesty, or in or in trust for such department or officers, and

be subject to the exercise therein of the same powers, authorities, rights and privileges as if this Act had not been passed: Provided also that the corporation shall out of the said sum of sixty-five thousand pounds pay the sum of three thousand five hundred pounds to William Lee, Henry Peters, John Andrew Anderson, Archibald David Robertson, Samuel Lee Smith and William Porter, towards the costs, charges and expenses incurred by them in the promotion of a Bill introduced into Parliament last session called the "Medway Conservancy Bill," and of a Bill introduced by them into Parliament in the present session called the "Medway Conservancy (No. 2) Bill." The transfer from the corporation to the Conservators shall be evidenced by a deed of conveyance duly stamped with the ad valorem stamp duty in respect of the amount of consideration, and within three months from the date of vesting the Conservators shall produce such deed duly stamped as aforesaid to the Commissioners of Inland Revenue. In default of such production the ad valorem stamp duty, with interest thereon at the rate of five pounds per centum per annum from the date of vesting to the day of payment, shall be recoverable from the Conservators, with full costs of suit and all costs and charges attending the same.

Following provisions of Act to take effect after transfer.

76. From and after such transfer and vesting as aforesaid, the following provisions of this Act shall be in force and take effect.

Powers of the Queen and the corporation, &c., vested in the Conservators.

77. Subject to the provisions of this Act all the powers and authorities, rights and privileges, immediately before such transfer and vesting as aforesaid, vested in or which may have been or may be exercised by Her most Excellent Majesty in right of her Crown, and all the powers and authorities, rights, and privileges at any time before such transfer and vesting as aforesaid, given or granted to or which at the passing of this Act are vested in or which have been or may be exercised by the corporation, by prescription, usage, charter or Act of Parliament or otherwise with regard or relation to the conservancy, and the preservation and regulation of the river, and the bed or soil and shores thereof shall be and the same are hereby vested in the Conservators, to be by them exercised in the same manner and under and subject to the same restrictions as the same are now respectively legally exercised by Her Majesty or by the Lord Mayor and commonalty and citizens of the city of London (if any), or by the corporation, or by the town council, or by the mayor of the city, save only and except so far as the same may be modified by or be inconsistent with the provisions herein contained, and particularly that nothing herein contained shall prejudice or affect the free use and enjoyment and power of disposition by Her Majesty or any department of Her Majesty's Government, entitled thereto of those parts of the bed, soil and shores of the river, and the

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embankments, encroachments, and inclosures thereupon, which are in this Act reserved and excepted from the operation of this Act, or shall authorise the Conservators in any manner to interfere therewith.

Corporation to cease to levy tolls.

78. The corporation, and any person or persons on their behalf, shall cease to levy or demand any tolls or dues for, upon or in respect of the river or the navigation thereof, and all jurisdiction, powers, rights or privileges enjoyed or exercised, or claimed to be enjoyed or exercised, by the corporation, in, over or affecting the river, or the bed, soil or shores thereof, shall except as by this Act specially provided, cease to exist, and the same are hereby abolished, extinguished and repealed.

Incumbrances on tolls charged on corporation property.

79. Any moneys which may have been raised by the corporation upon the security of any tolls, rates or duties which the corporation may have levied or claimed to levy in respect of the river, shall be and are hereby declared to be a charge upon the revenues of the corporation.

Owners of land may embank with license of Conservators.

80. It shall be lawful for the Conservators to grant to the owner or occupier of any land fronting and immediately adjoining the river a license to make any dock, basin, pier, jetty, wharf, quay, landing stage or wall, or other work immediately in front of his land, and into the body of the river, upon payment of such fair and reasonable consideration as is by this Act directed, and under and subject to such other conditions and restrictions as the Conservators shall think fit to impose.

No erection without permission of Conservators.

81. Except as in this Act provided it shall not be lawful for any person whomsoever to erect, build or make any embankment or any erection, building or work in or upon the bed or shore of the river, or to drive any piles therein, without the permission of the Conservators.

Conservators empowered to grant licenses for the formation of recesses or docks and dwarf wharfing.

82. And as there may be cases in which the formation of the embankments may not be suitable for the trade and convenient enjoyment of the premises adjoining the river, which would be better accommodated by the formation of recesses, docks, or beds for boats and barges, and also cases where, in consequence of the deepening and regulating of the navigable channel of the river by the removal of shoals, and otherwise a protection by means of stone, or piles, or dwarf wharfing will be required it shall be lawful for the Conservators, upon the payment of a fair and reasonable consideration, and subject to such rules, regulations, and restrictions, as the Conservators may think proper, to grant licenses for the formation of such recesses or docks and dwarf wharfing, and the driving of such piles and other works as shall be required for the convenient use, protection and improvement of premises, and the placing and

mooring of vessels in such line and at such levels as shall appear to them requisite for the above purposes, without injurious interference with the navigation of the river.

Conservators may grant licenses for the erection of piers and jetties.

83. It shall be lawful for the Conservators from time to time, upon such terms and upon the payment of a fair and reasonable consideration (such consideration to be either a sum in gross or an annual rent, or partly a sum in gross and partly an annual rent, and when a sum in gross, such sum to be paid at the time of granting the license) and under, and subject to such rules, regulations and restrictions, as they shall think fit to impose, to license the erection by the owners or occupiers of lands adjoining the river at the places where the piers or landing-places herein-after mentioned are to be erected at any convenient places of piers or landing-places of such form and construction as the Conservators shall consider most advantageous to the public, and as causing the least obstruction to the navigation of the river, and also to license the driving of piles and the formation of dwarf wharfing, ways and other conveniences to the adjoining premises, and also from time to time to cause the form and construction of such piers and landing-places, and the position of such piles and the mode of forming such dwarf wharfing, ways and other conveniences to be altered at the expense of the owners of, or persons licensed to erect, drive, or form the same, and also from time to time to cause any such piers or landing-places, piles, dwarf wharfing, ways and other conveniences to be removed and taken away at the expense of the owners thereof, or of the persons licensed to erect, drive, or form the same, and in case such pier, or landing-place, piles, dwarf wharfing, way, or other convenience, shall not be altered or removed within seven days after notice from the Conservators to alter or remove the same shall have been given to the owner thereof, or to the person licensed to erect, drive, or form the same, or shall have been left upon or affixed to such pier or landing-place, or any part thereof, such pier or landing-place, piles, dwarf wharfing, way or other convenience, shall be liable to be abated and removed by the Conservators in the same manner as any other nuisance may be abated or removed under the authority of this Act.

Consideration for licenses to be previously approved of.

84. The consideration for any license or permission which may be granted by the Conservators under the authority of this Act, either for making, forming, erecting, building or maintaining any embankment, or any erection, building or work, or any dock or basin, or any recess or bed for boats or barges, or any wharf or quay, or any dwarf or other wall, or any jetty, pier or landing-place, or for laying down any mooring chains, or for driving any piles on any part of the bed or soil or of the shores of the river, shall be such as in the

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judgment of some competent person to be once in every year appointed by the Conservators, and shall be deemed to be the true and fair worth or value thereof to the person obtaining such license and no such license or permission shall be granted by the Conservators without a previous valuation being made by such competent person as aforesaid, and every such valuation shall be signed and certified by the person making the same, to be true and accurate to the best of his judgment and belief.

Works for the public service may be constructed without consent of Conservators.

85. Notwithstanding anything in this Act to the contrary, it shall be lawful for Her Majesty or for any person or body in trust for Her Majesty, and for any department of Her Majesty's Government, at any time and from time to time, with the consent of the Lords Commissioners of the Admiralty, but without the consent of any other body or person, to construct, alter or vary any permanent or temporary works for the public service, or carry on any military or naval experiments or operations, whether in time of peace or war, anywhere on the bed, soil or foreshore of the river, nor shall any compensation in respect thereof be payable to the Conservators or to the corporation by Her Majesty, or by any person or body in trust for Her Majesty or by Her Majesty's Government. The expression "works" within the meaning of this section, shall include moorings and other conveniences and appliances, the dredging of the river and the deposit within the river or foreshore of any substances or material.

No works affecting Crown property to be constructed without consent. 29 & 30 Vict. c. 62.

86. Notwithstanding anything in this Act to the contrary, no works whatsoever shall be constructed, altered or varied on the bed, soil or foreshore of the river in front of or immediately adjacent to any lands described in section twenty of the Crown Lands Act, 1866, or in front of any other lands or works belonging to the Crown, without the previous consent of the Lords Commissioners of the Admiralty, to be signified in writing under the hand of the secretary to the Admiralty. And no works other than works to be executed by the Conservators shall be constructed, altered or varied elsewhere on the bed, soil or foreshore of the river without the previous consent of the Admiralty, to be signified in writing under the hand of the secretary to the Admiralty and of the Conservators: Provided always that no works whatever shall be executed by the Conservators which, in the opinion of the Admiralty, would injuriously affect the navigation of the river or the interest of Her Majesty's service. If any works be constructed, altered or varied at any time, contrary to the provisions of this Act, the Lords of the Admiralty and the Conservators, or either of them, may enter upon, abate and remove the same, and restore the site as nearly as may be to its former condition, and the expenses of such abatement,

removal and restoration shall be deemed to be a debt due to the Crown or to the Conservators, as the case may be, from the person or persons by whom such works shall have been constructed, altered or varied and shall be recoverable accordingly.

Conservators may erect piers and landing-places.

87. Subject to the provisions of this Act, it shall be lawful for the Conservators from time to time as they shall deem necessary for the convenience of the public, to erect at any convenient places piers or landing-places, of such form and construction as they shall deem most advantageous to the public and causing the least obstruction to the navigation of the river; and also from time to time to alter and vary the form and construction of such piers or landing-places, and also from time to time to shut up or take away and remove any such piers or landing-places, without being obliged to erect or provide any other pier or landing-place in lieu of any so shut up, removed or taken away.

Conservators may let on lease, piers and landing-places.

88. It shall be lawful for the Conservators from time to time, if they shall think fit so to do, to let on lease to any person who may be willing to take the same for such time not exceeding three years, and at such rent as may be mutually agreed upon, any such pier or landing-place and the right to receive such tolls as the Conservators shall have previously appointed to be taken at such pier or landing-place, and every such lessee shall have the same rights, powers and authorities for taking and receiving and recovering such tolls as are by this Act given to the Conservators or to any collector or other officer.

Notice to be given previously to the erection or licensing of any pier.

89. Before the Conservators shall erect or shall grant any license for the erection of any pier or landing-place they shall give one month's notice of their intention so to do by advertisement in two newspapers published in the city, and shall also cause like notice of such intention to be served upon the person in charge of any pier or landing-place established by Act of Parliament which shall be within the limits of this Act, and upon the person in charge of any pier or landing-place existing in the river at the passing of this Act which shall be within three hundred feet of the pier or landing-place proposed to be erected: Provided always that nothing herein contained nor anything done in pursuance of the directions herein contained shall be deemed or construed to give to any person owning or having charge of any pier existing on the river previously to the passing of this Act any rights, power, or authority beyond those possessed by him before the time of the passing of this Act.

Free public stairs or landing-places to be provided in

90. Whenever the Conservators shall shut up, remove or take away, or in any manner obstruct the free use and enjoyment of any existing public stairs or landing-place, they shall cause some equally

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convenient free public stairs or landing-place to be erected or provided in the place or stead of the stairs or landing-place so shut up, removed or taken away, or the free use and enjoyment of which may be in any manner obstructed.

lieu of those taken away by the Conservators.

Piers to be kept in repair, lighted and cleansed.

91. It shall be lawful for the Conservators to provide proper approaches and avenues to each pier or landing-place, and to cause such piers, landing-places, avenues and approaches to be kept in good repair, and well and sufficiently lighted, watched and cleansed.

Persons may be appointed to preserve order, &c., at piers.

92. It shall be lawful for the Conservators to appoint a sufficient number of persons to preserve order on or at such piers or landing-places and the avenues and approaches thereto, and to prevent the intrusion thereon of improper persons, or persons who have no intention of embarking on board any vessel from such piers or landing-places, or to remove any persons who may unnecessarily linger or loiter on or about such piers or landing-places, and to assist any vessel in making fast to such piers or landing-places.

Conservators may take tolls from steamboats using the piers.

93. It shall be lawful for the Conservators from time to time to erect and maintain such toll-house or other conveniences on or near each pier or landing-place erected by them as they shall think fit, and tolls not exceeding the tolls following shall and may be demanded and taken at each such pier or landing-place so erected as aforesaid, by such persons as the Conservators shall from time to time appoint before any vessel shall be permitted to make fast to, or to moor or touch at any such pier or landing-place for the purpose of landing or embarking passengers or goods (that is to say):—

On steam and other passage vessels, other than those belonging to the Royal Navy or for the time being in the employment of any department of the Government, which shall embark any passengers or goods at or from any pier or landing-place, for each and every time of calling at the same for every passage sixpence, such toll to be paid by the master of each vessel.

Tonnage of registered British vessels to be ascertained by register; that of other vessels by admeasurement.

94. The registered tonnage of all British vessels liable to the payment of dues under this Act, and duly registered according to law, shall be ascertained according to the certified tonnage in the register of such vessels, and the tonnage of all other vessels, which shall not have been so registered, shall be ascertained according to the rules of admeasurement for the time being established by law for regulating the admeasurement of the tonnage and burthen of the merchant shipping of the United Kingdom, and the words "register ton," when used in this Act, shall mean the tonnage so ascertained.

River tolls.

95. The Conservators may from time to time, in respect of the conservancy and improvement of the river and the regulation and navigation thereof, demand and take in respect of the vessels mentioned or referred to in the Third Schedule to this Act, the several river tolls respectively specified in that schedule, and those tolls shall be payable from the transfer and vesting aforesaid; but this section shall not apply to any ship or vessel belonging to the Royal Navy or for the time being employed by any department of the Government as a hired transport.

In case tolls not paid, vessels may be prevented from using pier.

96. It shall be lawful for the collector of the said tolls at any such pier or landing-place to prevent any vessel, the master of which shall neglect or refuse to pay the proper amount of toll payable by him for mooring or touching at such pier or landing-place from using such pier or landing-place.

Enforcing the payment of tolls.

97. And for enforcing the payment of tolls, as well in respect to steam vessels using the said piers or landing-places as the other tolls authorised by this Act, it shall be lawful for any collector of the said tolls to seize and detain the vessel, or the goods and chattels of any person who shall neglect or refuse to pay the proper amount of toll payable by him and found upon the vessel in respect of which such toll is payable. And in case the said toll shall not be fully paid and satisfied, together with all reasonable costs and charges of making, detaining and keeping such distress within the space of five days, the said collector shall and may sell the same rendering the overplus (if any), after deducting such costs and charges of making, detaining, keeping and selling such distress, to the owner thereof. Provided always that no collector shall be answerable for any loss, injury or damage which may happen to such distress while in his custody, unless the same shall happen through his wilful or gross negligence, act or default.

Disputes respecting tolls and charges to be settled by a justice.

98. If any dispute shall arise about the amount of toll due or the costs and charges of distraining, keeping or selling any distress, it shall be lawful for the collector or person so distraining to detain the distress or the money arising from the sale thereof until the amount of toll due or the charges of distraining, keeping and selling the distress, as the case may be, shall be ascertained by some justice who upon application made to him for that purpose shall examine the said matters upon the oath of the parties or other witnesses and shall determine the amount of toll due and shall also assess the charges of such distress and sale and all other reasonable costs all which sums so determined or assessed shall be paid to the collector before he shall be obliged to return the said distress or the overplus after the sale thereof, or of any part thereof.

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Power to vary tolls.

99. The Conservators may from time to time vary the tolls charged by them under this Act in such manner as they think expedient by reducing or raising the same, provided that the tolls do not in any case exceed the amount authorised by this Act and provided also that the tolls are charged equally to all persons under similar circumstances.

Notice of tolls to be given.

100. Provided always, that the said tolls shall not be levied nor shall any increase be at any time made in the amount thereof unless four weeks' notice of such tolls or of such intended increase shall have been advertised in two newspapers published or circulated in the city: Provided also, that a statement of the amount of toll so from time to time to be levied shall be placed in some conspicuous part of the office of the Conservators.

Toll collectors to put up their Christian and surnames painted on boards in front of toll-houses.

101. Every collector of the aforesaid tolls shall place his Christian and surname painted on a board, in white letters on a black ground, in fair legible characters of such size as the Conservators shall direct, in front of the toll-house where he shall be stationed to collect the said tolls, immediately upon his coming on duty, and shall continue the same so placed during the whole time he shall be upon duty. And if any collector of tolls shall not place such board as aforesaid in the manner and during the time aforesaid, or shall demand or take a greater or less toll from any person than he shall be authorised to do by virtue of the powers of this Act, or shall refuse to permit or suffer, or shall in anywise hinder any person from reading such Christian or surname, or shall refuse to tell his Christian or surname to any person who shall demand the same upon having paid the said toll, or shall give a false name upon such demand, then and in every such case every such collector shall forfeit and pay any sum not exceeding ten pounds for every such offence, and such penalty shall be recovered and applied as other penalties are by this Act directed to be recovered and applied.

Penalty for counterfeiting toll tickets.

102. If any person shall forge, counterfeit or alter, or shall deliver to or receive of any other person any note or ticket, with intent to avoid the payment of any toll or any part thereof, then and in every such case, every such person shall for every such offence forfeit and pay any sum not exceeding five pounds, to be recovered in like manner as any other penalties or forfeitures can or may be recovered by virtue of this Act, one moiety whereof shall be paid to the informer, and the other moiety shall be applied in such manner as other penalties and forfeitures are by this Act directed to be applied.

Conservators may appoint and dismiss

103. When and so often as any collector of tolls shall neglect or refuse to perform, or become incapable of performing his duty, or

shall abscond or absent himself, it shall be lawful for the Conservators to discharge such collector so neglecting or refusing to perform or becoming incapable of performing his duty, or absconding or absenting himself, and in case of such or any other vacancy, to appoint some other person to be a collector of the said tolls; and if any collector of the said tolls who shall be discharged from his said office by virtue of this Act, or the wife or widow or any of the children, family or other representatives of any collector who shall die or be discharged, or any other person who may have the possession of any toll-house, shall neglect or refuse to deliver up the possession thereof for the space of twenty-four hours next after demand thereof made by notice, in writing, for that purpose given to such collector or other person, or left at any such toll-house then and in any of the said cases it shall be lawful for any justice by warrant under his hand and seal to order a constable or other peace officer with such assistance as shall be necessary to enter such toll-house in the daytime, and to remove the persons who shall be found therein, together with their goods out of such house, and to put the Conservators or their new appointed collector in possession thereof.

collectors and appoint others; if collector, &c. refuse to give up toll-house justices may give possession.

104. It shall be lawful for the Conservators to sell and dispose of any toll-house to be erected by virtue of this Act, when it shall be considered by the Conservators unnecessary for the purpose of this Act, in the same manner and under the same regulations as are contained in the Lands Clauses Consolidation Act, 1845, with respect to lands acquired by the promoters of the undertaking under the provisions of that or the special Act or any Act incorporated therewith, but which shall not be required for the purposes thereof, and for the purposes of this section, this Act shall be deemed the special Act.

Conservators may sell toll-houses, &c., when not wanted.

105. It shall be lawful for the Conservators, from time to time, to lease or demise all or any of the said tolls for any term of years not exceeding three years at any one time, to take effect in possession and not in reversion for such rent, payable at such times and under such covenants as they shall think fit, which rent shall be applied for the purposes of this Act.

Conservators empowered to lease the tolls.

106. In case any person shall resist or make forcible opposition against any person employed in the due execution of this Act, or shall assault any surveyor, engineer or agent, or any collector of tolls, in the due execution of his office, or shall forcibly use any pier or landing-place to be erected by virtue of this Act, without having paid the said toll, every such person shall for every such offence forfeit and pay any sum not exceeding five pounds.

Penalty for assaulting collectors, &c.

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Amount of tolls to be fixed to every pier or landing-place.

107. The Conservators shall from time to time cause to be painted on boards, or printed or written on paper in large and legible characters, and affixed and continued on some conspicuous part of every such pier or landing-place the amount of the tolls to be taken thereat under the authority of this Act, and no toll shall be payable by or required of any person during such time as such board or paper shall not be continued to be affixed thereon: Provided always that if any such board or paper shall be destroyed, injured, or obliterated, such tolls shall continue payable during such time as may be reasonably required for the restoration or reparation of such board or paper in the same manner as if the same had continued affixed, or in the state required by this Act.

Conservators may make byelaws for the regulation of the river.

108. The Conservators shall have full power and authority from time to time to make such byelaws as to them shall seem right and proper for the regulation, management and improvement of the river and the navigation thereof, and for compelling vessels, at anchor or otherwise, to carry or exhibit lights from sunset to sunrise, and for the government good order and regulation of vessels in or upon the river, and of persons navigating the same or using the piers, landing-places, or any of the works connected therewith, also for the regulation of the time, place and mode of loading and unloading vessels, also for the mooring of timber, and for the government and regulation of the officers, servants and workmen in their employ as the Conservators shall think proper, and from time to time to alter, vary or repeal such byelaws, or any of them, as they shall think fit, so that no such byelaw be contrary to the laws of England or to the provisions of this Act, and so as the same be reduced into writing and shall be under the common seal of the Conservators: Provided always that no such byelaw shall come into operation until it has been sanctioned by the Board of Trade and approved by the Admiralty.

Penalties may be imposed by byelaws.

109. It shall be lawful for the Conservators by any such byelaws to impose and inflict such reasonable fines not exceeding in any case five pounds for the breach or non-observance of such byelaws or any of them as they shall think fit: Provided always that such byelaws shall be so framed as to allow the justices, before whom any penalty imposed thereby may be sought to be recovered, to order the whole or a part of such penalty to be paid.

Expenses of witnesses to be allowed.

110. It shall be lawful for the Conservators in any case where they shall see fit so to do, to order and allow the reasonable expenses of witnesses, and of or attending the production of any books, maps, plans, agreements, accounts, documents, or writings or copies thereof to or before the Conservators, and such expenses shall be considered

as part of the incidental expenses attending the execution of this Act, and be paid accordingly.

Penalties imposed by county justices.

111. Notwithstanding anything in this Act provided, any fine or penalty imposed by a justice or justices of the peace for the county of Kent, or a stipendiary magistrate therein, for an offence against this Act or any byelaw made under the provisions of the same, shall, except such portion, not exceeding one half of such fine or penalty, as the said justice, justices or magistrate shall think fit to direct to be given to the informer or complainant, be paid to the county treasurer of Kent, in aid of the county rate of the said county.

Power to appoint harbour masters and deputy harbour masters.

112. It shall be lawful for the Conservators from time to time to appoint such harbour-masters and deputy harbour-masters as they shall from time to time think necessary, and at pleasure to remove such harbour-masters and deputy harbour-masters.

Harbour masters and deputy harbour masters to be approved by the Trinity House who may procure them to be removed.

113. No person shall be appointed by the Conservators to execute the office of harbour-master or deputy harbour-master under and by virtue of this Act, unless such person shall, after being duly examined by the master wardens and assistants of the Corporation of the Trinity House, of Deptford Strond, produce a certificate from them of the proper qualification of such person to execute the said office, and if at any time after any person shall be so appointed it shall be certified by three or more of the Elder Brethren of the Trinity House to the Conservators that the person so appointed has neglected his duty, or has not properly conducted himself in the execution thereof, such person shall from thenceforth be discharged from the said office, and shall be incapable of being again restored thereto without the consent and approval of three or more of the Elder Brethren of the Trinity House, but the Conservators shall, within a convenient time, appoint another person as herein-before is directed, to execute the said office instead of the person so discharged, and in order to enable the Elder Brethren of the Trinity House to certify any neglect of duty or improper conduct in the persons so appointed as aforesaid, every person so appointed shall, and he is hereby directed to attend the said Elder Brethren whenever he shall be required so to do by writing under the hands of any three or more of them.

Powers of harbour-masters.

114. Subject to the provisions of this Act, it shall be lawful for the harbour-masters for the time being, to give directions for all or any of the following purposes (that is to say):—

For regulating the time and manner in which any vessel shall enter into, go out of or lie in the river, and the position, mooring or unmooring, placing or removing any vessel within the same:

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For regulating the manner in which any vessel shall take in, or discharge its cargo, or any part thereof, or shall take in or deliver ballast within the river:

Provided always that it shall not be lawful for such harbour-master to interfere with any ship, vessel or boat belonging to Her Majesty or for the time being employed by any department of Her Majesty's Government or with any of the officers or crews of such ships, vessels or boats, nor to direct that any vessel shall lie, or be within any part of the river where by any Act of Parliament it shall, or may be directed that no vessel shall lie or be, nor to unmoor or remove from any part of the river duly appointed as a boarding, landing, or quarantine station, any vessel moored or placed there under the authority of the Commissioners of Customs, nor to moor or place any vessel within low-water mark of, or alongside any quay, custom house station, or other place appropriated to the service of the customs, nor to do or direct to be done any act, matter or thing whereby the entrance and approaches to the Harbour of Queenborough or West Swale may be obstructed.

Penalty on not complying with the directions of the harbour-master.

115. Except as in this Act provided, the master of every vessel within the river shall regulate such vessel according to the directions of the harbour-master for the time being made in conformity with this Act, and any master of any vessel who, after notice in writing, or partly printed or partly in writing, signed by the said harbour-master, of any such direction served upon him, shall not forthwith regulate such vessel according to such direction, shall be liable to a penalty not exceeding five pounds.

Power of harbour-masters to remove vessels.

116. If the master of any vessel within the limits of this Act shall not moor, unmoor, place or remove such vessel according to the directions of the said harbour-master for the time being in writing given to the said master, it shall be lawful for any such harbour-master to cause such vessel to be moored, placed or removed according to the directions aforesaid, and to employ a sufficient number of persons for that purpose, and the expenses attending such mooring, unmooring, placing or removing shall be paid by such master, and shall, together with the costs of ascertaining and recovering the same, be ascertained and recovered from any such master in the same manner as any damages for the ascertaining and recovering of which no special provision is contained in this Act, are hereby directed to be ascertained and recovered.

Penalty on master for obstructing harbour master.

117. If any master of any vessel within the river or any person on board the same shall hinder the said harbour-master or any person employed by him in mooring, unmooring, placing or

removing such vessel in manner aforesaid, such master or other person shall forfeit for every such offence a sum not exceeding five pounds.

Harbour-master may slacken ropes.

118. If any master or other person on board any vessel which shall be moored or fastened within the river shall not upon demand of the said harbour-master unloose or slacken the rope or chain by which such vessel shall be moored or fastened, or if there shall be no person on board of any such vessel so moored or fastened, it shall be lawful for the said harbour-master to unloose or slacken the rope or chain by which such vessel shall be so moored or fastened as aforesaid, and to cause if necessary a sufficient number of persons for the protection of the same to be put on board such vessel, and all expenses thereby incurred shall be paid by the master of such vessel.

Conservators may give gratuities and pay superannuation allowances.

119. It shall be lawful for the Conservators if they shall think fit so to do from time to time to pay such annual or other sum of money as to them shall seem fit and reasonable to any officer or person in their employ in addition to the usual salary or wages of such officer or person for any extra or unusual service, or as a compensation for any accident, injury, loss or damage which may happen to or be sustained by such officer or person and also to any officer or person in their employ by way of retiring, or superannuation allowance for length of service, and also to the widow or children of any officer or person in the employ of the Conservators or engaged in the execution of any work for them. Provided always that the scale for retiring or superannuation allowances shall from time to time be approved by the Lords Commissioners of Her Majesty's Treasury.

Vessels sunk or stranded to be raised and sold to defray expenses.

120. When and so often as any vessel shall be sunk or stranded in the river it shall be lawful for the Conservators, and they are hereby required in case the master of such vessel shall refuse or neglect to weigh and raise the same after notice in writing requiring him so to do, and within the time to be mentioned in such notice to cause any such vessel to be weighed and raised, or if it shall be found impracticable to weigh and raise the same (of which impracticability the Conservators shall be the sole judges) to cause such vessel to be blown up or otherwise destroyed so as to clear the river therefrom, and in case such vessel shall be weighed and raised, to cause the same and the furniture, tackle and apparel thereof or of any part thereof respectively, and also all or any part of the goods, wares, merchandise, chattels and effects which may be found on board the same to be sold by public auction or otherwise, and by and out of the proceeds of such sale to pay the charges and expenses

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of weighing and raising such vessel or the blowing up or otherwise destroying the same and clearing the river therefrom, and also the charges and expenses of such sale rendering any overplus to the owner or other person who by law shall be entitled to the same, and in case the proceeds of such sale shall be insufficient to defray the charges and expenses of weighing and raising such vessel or of the blowing up or otherwise destroying the same and clearing the river thereof, the deficiency shall be paid to the Conservators by the master or owner of such vessel upon demand, and in default of payment may be recovered in the same manner as any penalty imposed by this Act is directed to be recovered.

Obstructions may be removed.

121. Subject to the provisions of this Act the Conservators may remove any obstruction to the river, and also any floating timber which impedes the navigation thereof, and the expense of removing any such obstruction or floating timber shall be repaid by the owner of the same, and the Conservators may detain such floating timber for securing the expenses, and on non-payment of such expenses on demand may sell such floating timber and out of the proceeds of such sale pay such expenses, rendering the overplus, if any, to the owner on demand.

Buoys and beacons.

122. It shall be lawful for the Conservators from time to time to place and lay down such buoys and beacons as shall be necessary and convenient for the navigation of the river: Provided that such buoys and beacons in no way interfere with the moorings of the ships or vessels of the Royal Navy, or for the time being employed by any department of Her Majesty's Government or with the access to Her Majesty's dockyards.

Conservators may purchase private mooring chains.

123. It shall be lawful for the Conservators from time to time to agree with any person, being the owner of any private mooring chains, for the purchase of any such mooring chains, and to pay to such person such purchase money or compensation as may be agreed upon.

No mooring chains to be laid down without permission of the Conservators.

124. No mooring chains, except for or in connexion with the public service, shall be put down or placed in any part of the river without the permission of the Conservators previously obtained, and every such mooring chain which shall be so put down or placed shall be continued only during the pleasure of the Conservators; and the Conservators may at any time, by giving one week's notice in writing, require such mooring chains to be removed, and in case default shall be made in such removal beyond the time to be mentioned in such notice, such mooring chain may be treated by the Conservators as a nuisance and removed accordingly.

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All private mooring chains in the stream or tideway may be removed.

125. It shall be lawful for the Conservators to remove any private mooring chains within the stream or tideway of the river, making compensation to the owners thereof for any loss or damage which they may sustain in consequence of such removal, such compensation to be ascertained in the manner provided for the taking of land by the Lands Clauses Consolidation Act, 1845.

Banks may be cut.

126. It shall be lawful for the Conservators to cut the banks of the river for the purpose of making, enlarging or repairing any dock or canal, or any drain, sewer, or watercourse, or altering, laying down, or repairing any suction or other pipe, or for any other purpose whatsoever, or to permit and suffer any person to cut the banks for any of the purposes aforesaid under such restrictions and upon such terms and conditions as the Conservators shall think proper to impose.

Wharves to be repaired.

127. When in the opinion of the Conservators any wharf or any portion thereof shall be out of repair or insecure so as to be dangerous to any person passing along the river, or to any vessel either moored alongside of or passing by the same, or is in any manner injurious or likely to be injurious to the river, or to the free navigation thereof, it shall be lawful for the Conservators, by notice in writing, given to the owner or occupier of such wharf, or if such owner or occupier cannot be found, left upon, or affixed to such wharf, to require the owner or occupier thereof to repair such wharf to the satisfaction of the surveyor for the time being of the Conservators within a time to be limited in such notice, and in case the owner or occupier of such wharf shall refuse, or fail, or neglect to repair such wharf to the satisfaction of such surveyor within the time to be limited as aforesaid, then, and in such case, it shall be lawful for the Conservators to put such wharf into repair and to recover the expenses incurred thereby from the owner or occupier thereof, and such owner or occupier shall also forfeit a sum not exceeding ten pounds for every day during which such wharf shall continue out of repair after the expiration of the time limited in the notice for the repair thereof.

Broken piles, &c., to be removed.

128. It shall be lawful for the Conservators from time to time to remove any broken, dangerous or useless piles or mooring chains and other nuisances and to order the removal or shortening of any waterways, causeways, stairs or other projections injurious to the navigation of the river.

Conservators empowered to dredge, cleanse, and scour the river.

129. It shall be lawful for the Conservators, and they are hereby authorised and empowered for the purposes of maintaining and improving the navigation of the river, from time to time, as occasion may require to dredge, cleanse, and scour the river, and to

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alter, vary, deepen, restrict, cleanse, dredge, cut, enlarge, diminish, contract, shorten, widen, straighten, and improve the bed and channel of the river, and to reduce or remove any banks or shoals whatsoever within the river, and to abate, and remove, or cause to be abated and removed all impediments, obstructions, and annoyances, and all nuisances and abuses whatsoever in the river, or on the banks and shores thereof, which may now or at any time hereafter be injurious to the river, or obstruct, or tend to obstruct the free navigation thereof.

Conservators to build, &c., vessels for dredging, &c.

130. The Conservators may, from time to time, build, purchase, hire and use such vessels to be worked by steam or otherwise, at their discretion, for dredging, scouring, cleansing and deepening the bed of the river, and such other machinery or apparatus for those purposes as they may think fit.

Power to shorten bends.

131. It shall be lawful for the Conservators, from time to time to remove, scour and take away any shoal, mud, bank or other accumulation which shall impede the navigation of the river, and also to shorten any bend or remove any angle in the course of the river, and for such purpose to enter into agreements with the owners of land adjoining or in or near to the river for the purchase of land or otherwise to enable them to effect the same.

Humane apparatus and assistants may be provided.

132. It shall be lawful for the Conservators to purchase, provide and maintain all such apparatus, matters and things as may appear to them to be necessary to assist in searching for drowned persons and restoring animation to persons apparently drowned, and to employ and reward assistants therein in such manner as to the Conservators shall seem expedient.

Penalty on throwing ballast out of vessels into the river.

133. No ballast shall be unladen or thrown from or out of any vessel into the river, and the master of any vessel in the river who may throw or cause or suffer to be thrown any ballast out of any such vessel into the river, or shall place or cause or suffer to be placed any such ballast on any shore or ground below the high-water mark in the river, shall forfeit for every such offence any sum not exceeding twenty pounds.

Penalty on throwing rubbish, &c., into the river.

134. Every person who shall unload, put or throw into any part of the river or on any shore or ground below the high-water mark of the river any rubbish, earth, ashes, dirt, mud, soil or other matter, or allow any offensive matter to flow into the river, shall forfeit for every such offence any sum not exceeding twenty pounds.

Punishment for causing offences against Act.

135. Where the doing of any act or thing is made punishable by this Act, or by any of the byelaws to be made in pursuance thereof with any penalty, fine or forfeiture, the causing or procuring

such act or thing to be done, shall be punishable in the usual manner.

Works, &c., to be approved by the Admiralty.

136. No works upon the bed or shores of the river below the high-water mark shall at any time be commenced or executed under the direction or with the sanction or permission of the Conservators, without the same having been previously approved of by the Admiralty such approval to be from time to time signified in writing under the hand of the secretary to the Admiralty, or if such approval be not previously obtained without proper conditions being made to provide for the immediate removal of all such works upon notice from the Admiralty, under the hand of the said secretary requiring the same to be removed.

Admiralty may order local survey.

137. If at any time or times it shall be deemed expedient by the Admiralty to order a local survey and examination of any work upon the bed or shores of the river below high-water mark or of the intended site thereof, the Conservators shall defray the costs of every such local survey and examination and the amount thereof shall be a debt due to Her Majesty from the Conservators as aforesaid, 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 under this Act.

Power to purchase land for the purposes of this Act.

138. It shall be lawful for the Conservators from time to time as they shall think fit to purchase from any person who may be willing to sell the same any land not exceeding in the whole twenty acres, which the Conservators shall require for any purposes of this Act.

Enabling the Conservators to sell lands not wanted.

139. In case the Conservators under the powers of this Act acquire more land than they require for the purposes of this Act, it shall be lawful for the Conservators to contract for, and to sell for such considerations as they may deem reasonable, and by any deed under their corporate seal to convey to the purchasers thereof any part of such superfluous lands or any estate or interest purchased by the Conservators in such lands, or any part thereof, in such manner as they shall deem most advantageous, and such contracts, sales and conveyances from the Conservators shall be valid and effectual to all intents and purposes, and the money produced by the sale which may be made by the Conservators of such land as aforesaid shall be added to the conservancy revenue fund.

Appointment and payment of auditor.

140. In lieu of the auditors to be appointed under section ninety-two of the Commissioners Clauses Act, 1847, it shall be lawful, previously to the meeting so to be held for examining and passing the accounts of the Conservators, for the Board of Trade to appoint some fit person to be auditor of the accounts of the

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Conservators for the preceding year, and every such auditor shall be paid by the Conservators not exceeding five guineas for every day he is fully employed in such audit, and all expenses he is put to in the conducting of such accounts, provided such payment shall not exceed fifty guineas.

Powers to Conservators to contribute to undertaking of Medway Docks Company.

141. The Conservators may, if they think fit, from time to time contribute to the undertaking of the Medway Docks Company any sums not exceeding in the whole the sum of fifty thousand pounds; and they may for such purposes take and hold shares or stock or debenture stock in the capital of the said company for the whole or any part of such sums, or lend the whole or any part of the said sum of fifty thousand pounds to the said company on the security of mortgages granted by the said company under the authority of the Medway Docks Act, 1866, and the Acts amending the same.

29 & 30 Vict. c. ccxxix.

Power to Conservators in certain events to appoint a director or directors of the Medway Docks Company.

142. Notwithstanding anything in the Medway Docks Act, 1866, and the Acts amending the same contained, if the Conservators under the authority of this Act contribute to the capital of the Medway Docks Company or lend to the Medway Docks Company any moneys amounting in the whole to a sum of not less than twenty-five thousand pounds, they may yearly appoint any person they may think fit to be a director of the Medway Docks Company, and if under such authority as aforesaid they contribute to the capital of the Medway Docks Company or lend to the Medway Docks Company any moneys amounting in the whole to a sum of not less than fifty thousand pounds, they may yearly appoint any two persons they think fit to be directors of the Medway Docks Company, but neither of the said persons so appointed need be shareholders of the Medway Docks Company, and if either or both of the said persons who shall be so appointed a director or directors shall die, resign, or become incapable of discharging the duties of a director, the Conservators may from time to time fill up any such vacancy, but any failure on the part of the Conservators to appoint a director or directors, as the case may be, or to supply any such vacancy, shall not affect the acts or deeds of the other directors of the Medway Docks Company, and every such member so appointed a director shall be qualified to vote at all meetings of the Medway Docks Company for or on behalf of the Conservators in respect of the capital contributed by or on behalf of the Conservators under the authority of this Act, but neither of such directors shall have any vote in the election of any other director or directors of the Medway Docks Company. The directors from time to time appointed by the Conservators under this Act shall be in addition to the directors from time to time elected by the shareholders under the Medway Docks Act, 1866, and the Acts amending the same,

and shall together with such last-mentioned directors constitute the directors of the Medway Docks Company. A.D. 1881.

Conservators to raise money for the purposes of this Act.

143. For the purpose of defraying the expenses of carrying this Act into execution it shall be lawful for the Conservators from time to time to borrow and take up at interest any sum of money which together with any sum previously borrowed by the Conservators, shall not at any one time exceed the sum of one hundred and fifteen thousand pounds, on the credit of the fines, rents, tolls and other dues and other profits by this Act given to, vested in, or authorised to be received by the Conservators and in the event of all or any part of such moneys being repaid by the Conservators, to re-borrow the same, and so toties quoties, but so nevertheless that there shall not be owing on the security aforesaid under the authority of this Act any more than the said sum of one hundred and fifteen thousand pounds in the whole at any one time, and for securing the repayment of the moneys so to be borrowed with interest, the Conservators may assign over the said fines, rents, tolls and other dues and profits or any of them, or any part thereof respectively to the person who shall lend or advance such money, or his trustees as a security for the repayment of the money so to be borrowed, together with interest for the same.

Arrears may be enforced by appointment of a receiver.

144. The mortgagees under this Act may enforce the payment of the arrears of principal or interest, or principal and interest due to them by the appointment of a receiver. The amount in arrear to authorise a requisition for a receiver shall not be less than five thousand pounds.

Sinking fund to be provided.

145. The Conservators shall provide for the discharge within sixty-five years after borrowing of the same of all moneys borrowed by them for the purposes of this Act by the creation of a sinking fund, and for that purpose they shall, at the expiration of five years from the borrowing of any moneys out of moneys to be derived under this Act (other than borrowed money or the proceeds of the sale of surplus lands) annually set apart such sums as shall be required by the Board of Trade as a sinking fund for that purpose, which sinking fund shall be from time to time invested in the name of the Conservators in any securities, in which by law trust moneys may from time to time be invested, and shall be accumulated in the way of compound interest or otherwise, and the Conservators shall from time to time apply the sums so set apart in repayment of the principal moneys so borrowed: Provided always, that whenever any of such principal moneys have been so paid off, the Conservators shall thenceforward until the whole of such principal moneys have been paid off, pay into the sinking fund every year in addition to the other sums herein-before required to be set

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apart and appropriated, a sum equal to the annual interest of the principal money so paid off: Provided further, that whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of the principal moneys then due and outstanding, the Conservators may in lieu of investing the said yearly income apply the same in payment of such interest, and may during such periods discontinue the payment to the sinking fund of the yearly sums herein-before required to be paid thereto.

Application of sinking fund.

Annual return to Board of Trade with respect to sinking fund.

146. The secretary of the Conservators shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act transmit to the Board of Trade a return in such form as may be prescribed by that Board, and verified by statutory declaration if so required by them showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund, or any interest thereof have been applied during the same period, and the total amount remaining invested at the end of the year, and in the event of any wilful default in making such return the secretary of the Conservators shall be liable to a penalty not exceeding twenty pounds. If it appear to the Board of Trade by such return or otherwise that the Conservators have failed to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act, the Board of Trade may, by order, direct that a sum, not exceeding double the amount in respect of which such default shall have been made, shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus.

Application of money borrowed.

147. All moneys raised under the authority of this Act shall be appropriated to the purposes for which it is borrowed, and shall be expended exclusively on works or objects on which capital may properly be expended, and not in defraying the expenses of maintenance of any works, or other ordinary current expenses of or connected with any work or establishment; and all other moneys received on capital account shall be applied exclusively to purposes to which capital is properly applicable.

Tolls, licenses, &c. to form the Conservancy Revenue Fund.

148. All moneys which may be received by the Conservators from tolls, licenses, rent, fines and any other source or fund whatsoever (and not properly applicable as capital) legally applicable to the conservancy and improvement of the river shall be carried to a fund to be called the Conservancy Revenue Fund, and any moneys

raised by mortgage as aforesaid or otherwise received on capital account, and any moneys carried to the conservancy revenue fund shall be applicable to and be applied by the Conservators in the first place in paying the expenses of obtaining and passing this Act, or incident thereto, and afterwards in carrying this Act into execution.

Surplus of conservancy revenue fund to be applied in reduction of the moneys raised, and thereafter in reduction of tolls.

149. After the expiration of three years from the transfer and vesting aforesaid, if it shall at any time appear at any annual audit of the accounts of the Conservators, that the moneys received by them from any source within the previous year, and which shall be applicable to the purposes of the conservancy shall have been more than sufficient to pay the expenses of the Conservators within such year then such surplus shall be applied in paying off any moneys which may have been raised by the Conservators under the authority of this Act, and also any moneys, which for the time being may be due and owing on the credit of the fines, rents, tolls, and other dues and profits by this Act given to or vested in or authorised to be received by the Conservators. When all the moneys which may have been raised by the Conservators under the authority of this Act, and which for the time being shall be due and owing on the credit of the fines, rents, tolls and other dues and profits by this Act given to or vested in or authorised to be received by the Conservators shall have been repaid with all interest which may have accrued due in respect thereof, the surplus of the conservancy revenue fund shall be applied in reduction of such of the tolls and dues by this Act authorised to be taken as the Conservators shall from time to time think it expedient to reduce; and in case there shall be any surplus of the said fund after the said tolls and dues should have been reduced to such extent as the Conservators shall think fit, such surplus shall be applied to and for such purposes, and in such manner as Parliament shall direct.

Accounts to be yearly laid before Parliament.

150. There shall be yearly laid before both Houses of Parliament an account duly audited and certified of the receipts and application of the moneys which shall be received and applied by virtue of this Act.

Compensation to officers, &c., of corporation.

151. The Conservators shall pay annually by way of Compensation to any officer, collector or servant of the corporation whose office or employment under the corporation is abolished or rendered unnecessary by reason of this Act, or whose salary and emoluments at the time of the passing of this Act are thereafter reduced or discontinued by the corporation in consequence of the duties or employment in respect of which the same were payable having ceased or become unnecessary by reason of this Act, such allowance in respect of the actual loss sustained by such officer, collector or

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servant by reason of the abolition or cesser of his office or employment, or the reduction or discontinuance of his salary and emoluments by reason of this Act as shall be agreed upon between the Conservators and the corporation, or as in case of difference shall be settled on the application of either party or of such officer, collector or servant by the Board of Trade: Provided that no such allowance shall be payable to any officer, collector or servant of the corporation in respect of any such office or employment unless such officer or servant shall be actually holding such office or shall be in such employment immediately before the twenty-fifth day of March, one thousand eight hundred and eighty-two and shall have been in the service or employment of the corporation for a continuous period of not less than ten years previous to such twenty-fifth day of March, one thousand eight hundred and eighty-two and no such allowance shall be payable to any such officer, collector or servant absolutely ceasing to be in the service of the corporation by reason of this Act if he refuses to discharge the same duties or services under the Conservators, which immediately previous to the said twenty-fifth day of March, one thousand eight hundred and eighty-two, he discharged under the corporation, or duties of a similar nature. Such allowance shall be payable in each year by two equal half-yearly payments, the first of such payments to be made at the expiration of six months from the twenty-fifth day of March, one thousand eight hundred and eighty-two. Provided always that the Conservators may at any time agree with any such officer, collector or servant for the commutation of such allowance. Any difference arising between the Conservators and the corporation as to whether or not any person is entitled to any allowance by way of compensation under this enactment, shall be settled on the application of such person or of the corporation, or the Conservators by the Board of Trade.

Abolishing jurisdiction over the river.

152. From and after the passing of this Act all jurisdictions, powers, rights, or privileges enjoyed or exercised by any corporation, commissioners, or company, or any person or persons whomsoever, in, over or affecting the river or which would in any way interfere or be inconsistent with the objects and provisions of this Act, shall, except as by this Act expressly provided, cease to exist, and the same are hereby abolished, extinguished and repealed except as in this Act appearing: Provided always that nothing in this Act contained shall by implication or otherwise extend or be construed to extend, to defeat, lessen, prejudice, alter, impair, take away, or affect any of the rights, privileges, powers, authorities or jurisdictions, vested in or enjoyed by any harbour or pier master or any other person or corporation under any Act of Parliament.

Saving as to Rochester fisheries.

153. The oyster and floating fisheries in the river within the jurisdiction of the corporation and of the Admiralty Court of the corporation immediately before the passing of this Act, and the jurisdiction of the corporation, and of the said Admiralty Court over the said fisheries, and all estate, rights, interests, titles, powers and privileges of the corporation and of the said Admiralty Court, and of any corporation or person in or in relation to the said fisheries or any of them shall be undisturbed and unaffected by this Act, and shall continue as though this Act had not been passed; and nothing in this Act contained shall alter, abridge or affect the provisions of the Act 2nd George II., chapter 19, or of the Rochester Oyster Fishery Act, 1865, or of the Rochester Oyster Fishery (Borrowing Powers) Act, 1867, or the Medway Regulation Continuance Act, 1868, or any estate, right, title, interest, power or privilege acquired thereunder or saved thereby.

28 & 29 Vict. c. ccxxvii. 30 & 31 Vict. c. lxxii. 31 & 32 Vict. c. 53.

Saving rights of Commissioners of Sewers.

154. Nothing in this Act contained shall by implication or otherwise extend or be construed to extend, to defeat, lessen, prejudice, alter, impair, take away, or affect any of the rights, privileges, powers, or authorities vested in or enjoyed by the Commissioners of Sewers for the limits extending from Gravesend Bridge to Sheerness, and thence along the River Medway to Penshurst in the county of Kent.

Saving rights of Rochester Bridge wardens.

155. Nothing in this Act contained shall prejudice, affect, or interfere with any lands or foreshore of the Rochester Bridge wardens or any rights of the said bridge wardens, connected with the said lands or foreshore or with any other of their existing rights, privileges or powers.

Saving rights of Company of Proprietors of Lower Navigation of River Medway.

156. Nothing in this Act contained shall by implication or otherwise extend or be construed to extend to defeat, lessen, prejudice, alter, impair, take away or affect any right, privilege or power vested in or enjoyed by the Company of Proprietors of the Lower Navigation of the River Medway.

Conservators not to take tolls, &c., in respect of vessels proceeding to or from Queenborough and the Swale.

157. Nothing in this Act contained shall extend or be construed to extend to empower the Conservators or their officers to demand or take any toll, rate, due or other payment whatsoever in respect of any vessel proceeding to or from the harbour of Queenborough or the East or West Swale (including Milton Creek) into or from the Thames or seaward, or in respect of any goods, merchandise or things conveyed in any such vessel and not discharged within the river, or save and except so far as may be necessary for securing the safe navigation of the river to interfere with or control any such vessel.

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Saving rights of the Corporation of Queenborough and trustees of Queenborough Fishery.

158. Nothing in this Act contained shall extend or be construed to extend to defeat, lessen, prejudice, injure, impair, take away, alter or affect any of the estates, rights, privileges, powers, duties or authorities vested in or exerciseable or enjoyed by the mayor, jurats, bailiffs and burgesses of the borough of Quinborowe (otherwise Queenborough) in the county of Kent, or the trustees of Queenborough Fishery respectively.

Saving rights of Sheerness Pier Commissioners.

159. Nothing in this Act contained shall, by implication or otherwise, extend or be construed to extend to defeat, lessen, prejudice, alter, impair, take away or affect any estate, property, right, title, interest, privilege or power in anywise vested in or enjoyed by the Commissioners of the Sheerness Pier, nor alter, abridge, or affect any of the provisions of the Act of 10 George IV., cap. 120, or any estate, property, right, title, interest, privilege or power acquired or enjoyed by or vested in the said commissioners under or by the said Act.

Conservators not to levy tolls in respect of Sheerness Pier, except those specified in Third Schedule.

160. Notwithstanding anything in this Act contained, or that a right to make, levy or collect any such tolls, dues, duties, rates or impositions as are herein-after mentioned may have been or been claimed to be vested in any person, by custom, prescription or otherwise, the Conservators shall not make, levy or collect any tolls, dues, duties, rates or other impositions whatsoever, upon or in respect of any passengers or other persons, vessels, goods or baggage embarking, disembarking, loading or unloading, being laden or unladen at, frequenting, resorting to or otherwise using, the Sheerness Pier or the causeway thereunto belonging, or any part of the said pier or causeway, or otherwise upon or in respect of the said pier or causeway, or any other place within the limits of the said pier, other than and except the tolls, rates and duties mentioned in the Third Schedule to this Act.

Saving rights of Ecclesiastical Commissioners for England.

161. Nothing in this Act shall prejudice, affect or interfere with any lands or foreshore of the Ecclesiastical Commissioners for England, or any rights of the said Ecclesiastical Commissioners connected with the said lands or foreshore.

Saving rights of the Earl of Darnley.

162. This Act shall not operate to take away or abridge such right, title or interest (if any) as the Right Honourable John Stuart Earl of Darnley may have in, to or over the foreshore within the limits of this Act: Provided always that nothing herein contained shall be held to recognise or confirm any right, title or claim of the said Right Honourable John Stuart, Earl of Darnley, to the foreshore aforesaid; but the right and title to the said foreshore shall remain in the same state as if this Act had not passed.

Saving rights of the London Chatham and Dover Railway Company.

163. Nothing in this Act contained shall by implication or otherwise extend or be construed to extend, to defeat, lessen, prejudice, alter, impair, take away or affect any of the rights, powers, privileges or authorities in reference to the pier or landing place at Queenborough, and the accesses thereto from the river, now vested in or enjoyed by the London, Chatham and Dover Railway Company, under and by virtue of any license granted to them by the Corporation of Rochester, or by the Corporation of Queenborough respectively, or of any Act of Parliament relating to the portions aforesaid of the undertaking of that company: Provided that nothing in this section shall prevent the Conservators from dredging, scouring and deepening the river at or near the entrance to the West Swale to any extent which they may think fit, or from exercising any of the powers by this Act conferred upon them in any manner not inconsistent with the provisions of sections 13 and 14 of the London Chatham and Dover Railway Act, 1876, or of any other such Act as aforesaid.

39 & 40 Vict. c. lxxxiv.

Saving rights of Hundred of Hoo Railway Company. 43 & 44 Vict. c. cxvii.

164. Nothing in this Act contained shall by implication or otherwise extend, or be construed to extend to defeat, lessen, prejudice, alter, impair, take away or affect any right, privilege or power, vested in or enjoyed by the Hundred of Hoo Railway Company, under the Hundred of Hoo Railway Extension Act, 1880, or to prejudice or interfere with the said company in the construction, maintenance, working and user of the railway, jetty, pier, or landing-place, or any of the works or conveniences connected therewith by that Act authorised.

Saving rights of Corporation of Rochester.

165. Except as is hereby expressly provided, nothing in this Act contained shall prejudice, affect or interfere with any lands of the mayor, aldermen and citizens of the city of Rochester, or any rights of the said mayor, aldermen and citizens, connected with the said lands, or with any of their existing rights, privileges or powers.

Saving rights of Wenman Aubrey Wykeham Musgrave, Esq.

166. This Act shall not operate to take away or abridge such right, title or interest (if any) as Wenman Aubrey Wykeham Musgrave or other the lord for the time being of the manor of Milton next Sittingbourne, may have in, to or over any lands or foreshore, bed, soil, sole and several fishery oyster grounds or rights within the river or any parts thereof: Provided always, that nothing herein contained shall be held to recognise or confirm any right, title or claim of the said Wenman Aubrey Wykeham Musgrave or other the lord for the time being of the said manor to any foreshore, bed, soil, sole and several fishery oyster grounds or rights as aforesaid; but the right and title to such foreshore, bed, soil, sole and several

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fishery oyster grounds and rights shall remain in the same state as if this Act had not passed.

Saving rights of South-eastern Railway Company.

167. Nothing in this Act contained shall by implication or otherwise extend or be construed to extend, to defeat, lessen, prejudice, alter, impair, take away or affect any of the rights, powers, privileges or authorities now vested in or enjoyed by the South-eastern Railway Company under and by virtue of any license granted to them by the corporation, or of any Act of Parliament relating to the undertaking of that company (including their basin at Strood), or otherwise howsoever.

Saving rights of owners of foreshore.

168. Nothing in this Act shall be deemed or construed to extend to prejudice or affect any right of property or title belonging to or any of the rights, privileges or powers vested in the owners of the foreshore of the river: Provided always, that no such right, privilege or power shall be exercised by such owners to the injury of the navigation of the river: Provided further that nothing herein contained shall be held to recognise or confirm any right, title or claim of any person to the foreshore aforesaid; but the right and title to the said foreshore shall remain in the same state as if this Act had not passed.

Saving in respect of departmental property.

169. Nothing in this Act contained shall be deemed or construed to extend to prejudice or affect any right of property or title belonging to, or any of the rights privileges powers or authorities vested in or enjoyed by Her Majesty, or by any person or body in trust for Her Majesty, or by any department of Her Majesty's Government, or any officers of the same, for the public service in the dockyard port of Chatham and Sheerness, or in any foreshore, bed soil or other premises, or hereditaments, which may at any time be vested in or be in the possession of the Crown, or any department or office aforesaid.

Saving rights of Her Majesty.

170. Nothing in this Act contained shall be deemed or construed to affect or prejudice any right, title, privileges power or authority of the Queen's most Excellent Majesty, her heirs or successors, into or over the bed or soil of the River Medway, or the foreshores and shores thereof outside the limits of the city of Rochester by water.

The SCHEDULES referred to in the foregoing Act. A.D. 1881.

THE FIRST SCHEDULE.

Form A.

THE MEDWAY CONSERVANCY ACT, 1881.

To the Medway Conservators.

I of

hereby give you notice that I have been the importer, exporter or consignee of goods to the weight of tons and upwards, exported from or imported into and loaded or unloaded within the River Medway as defined by the above Act, during the year immediately preceding this notice, and I claim to be entered on the register of electors under the above-mentioned Act, and the particulars of my claim are as hereunder described.

Dated this day of 18 .

Signed
Address
Description

Name.	Address.	Description.	Weight in Tons of Goods landed at or shipped in the River Medway.	Dock, Wharf or Place at or from which Goods were landed or shipped.

Form B.

MEDWAY CONSERVANCY ACT, 1881.

Register of Electors for the Medway Conservators.

No.	Name of Elector.	Address.	Weight in *Tons of Goods* landed or shipped.	Dock, Wharf or Place at or from which Goods have been landed or shipped.

THE SECOND SCHEDULE.

FORM OF PROXY.

THE MEDWAY CONSERVANCY ACT, 1881.

I [A.B.] of [ ]
being entitled to vote at the election of an elected Conservator [or elected Conservators] at the election to be held on the day of 18 , by this writing appoint [C.D.] of [ ]
to be my proxy to vote on my behalf at that election.

Signed A.B.

Witness
X.Y.

THE THIRD SCHEDULE.

	s.	*d.*
For every vessel laden wholly or partly with coals brought by water to and unloaded within the river, per register ton, any sum not exceeding the sum of - - - - -	0	5
For every vessel from any port out of the United Kingdom, laden wholly or partly with oats brought by water to and unloaded within the river, per register ton, any sum not exceeding the sum of -	0	10
For every vessel from any port out of the United Kingdom, laden wholly or partly with grain or seeds other than oats, and brought by water to and unloaded within the river, per register ton, any sum not exceeding the sum of - - - - -	0	7
For each and every vessel of above 50 tons register using the moorings of the Conservators - - - - -	2	0
For the anchorage of each and every vessel of above 50 tons register within the river - - - - -	2	0
For harbour dues of each and every vessel anchored and moored within the river for any period exceeding two weeks, at the rate of per registered ton, per month - - - -	0	0½

THE FOURTH SCHEDULE.

Form of Conviction.

To wit. Be it remembered that on the day of in the year of our Lord or [if the offender's name be unknown here describe his person] is convicted before me or before us and] one [or two] of Her Majesty's justices of the peace for for that [here describe the substance of the offence and the time and place when and where committed [contrary to the Medway Conservancy Act, 1881, and I [or we] and] do adjudge the said [or the person so described] as aforesaid to forfeit and pay for such offence [or for the damage or injury aforesaid if the offence is to be subject to a fine] the sum of [insert the penalty and state if it be to be paid forthwith and when] together with the sum of for cost of this conviction [or if to be imprisoned] do adjudge the said to be committed to the [naming the gaol] for the space of [insert the time and if the confinement be for nonpayment of a penalty then add] unless the sum of be sooner paid.

Given under my hand and seal [or our hands and seals] the day and year first above written.

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1881.