ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. ii.

An Act to enlarge the Term and amend the Powers and Provisions of an Act passed in the Seventh and Eighth Years of His late Majesty King *George* the Fourth, for making a Navigable Communication between the City of *Norwich* and the Sea, at or near *Lowestoft* in the County of *Suffolk*.

[20th *February* 1832.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining a* 7 & 8 G. 4.
Navigable Communication for Ships and other Vessels between the City c. 42.
of Norwich *and the Sea, at or near* Lowestoft *in the County of* Suffolk: And whereas it was by the said Act enacted, that in case the Canals and Navigation, and the several Works intended to be carried into effect, should not have been completed within the Space of Five Years from the passing thereof, then and from thenceforth all the Powers and Authorities given by the said Act should cease and determine as to all and such and so much of such Works as should not have been completed within such Time: And whereas the Company of Proprietors incorporated under the Provisions of the Act said have, at a very considerable Expence, made and opened a Harbour at *Lowestoft* aforesaid, fit for the Reception of Sea-borne Vessels, and executed

other Works of great Magnitude and Utility; but in order to complete the Works by the said Act authorized to be made and constructed, and to render the Works already executed more commodious and useful for the Public, and otherwise to effect the Purposes of the said Act, it is necessary that further Time should be granted for the Completion of the said Works, and that the said Act should be amended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the said Act, and all and every the Tolls, Rates, and Duties, Powers, Priorities, Provisoes, Exceptions, Penalties, Forfeitures, Rules, Remedies, Directions, Appointments, Payments, Provisions, Articles, Matters, and Things whatsoever therein contained, save and except so far as the same are altered, varied, or repealed, shall be and are hereby declared to be and continue in full Force and Effect, and shall be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in this Act.

Powers of recited Act declared in full Force.

Term for completing the Works enlarged.

Powers given by said recited Act and this Act to cease if Works not completed in Five Years.

II. And be it further enacted, That the Time for making, erecting, constructing, and completing the several Works by the said recited Act authorized to be made, erected, and constructed shall be and the same is hereby extended and enlarged for the further Term of Five Years, to commence and be computed from the passing of this Act: Provided always, that in case the several Works now remaining to be executed, and herein-before authorized to be completed, shall not have been made, erected, and constructed so as to be fit for the Purposes of Navigation within the said Space of Five Years, to commence and be computed as aforesaid, then and from thenceforth all the Powers and Authorities hereby given shall cease and determine as to all such and so much of such Works as shall not have been made, erected, and constructed, so as to be fit for the Purposes aforesaid, within such Time, but without prejudice to all or any of the Rights, Powers, and Privileges as to such and so much of the said Canals and Navigation, Port, Harbour, and Works, as shall have been made, erected, and constructed, so as to be fit for the Purposes aforesaid, within such Time, as can or may be made beneficial or available to the said Company, so that the said Company of Proprietors shall not be discharged from any Liability or Obligation to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, arising out of the Provisions herein contained.

Company empowered to proceed with the Works authorized by the recited Act.

III. And be it further enacted, That the said Company of Proprietors shall and they are hereby authorized and empowered to continue and proceed in the Prosecution of the several Works, Matters, and Things which by the said recited Act they are authorized and empowered to make, maintain, and construct, and which now remain to be made, erected, and constructed, so as to be fit for the Purposes aforesaid, and to continue and proceed in the Exercise of the Powers and Authorities given by the said Act as to all such Works, Matters, and Things as aforesaid, for the further Term herein-before mentioned; nevertheless, with, under, and subject to the several Powers, Provisoes, and Restrictions in the said recited Act contained.

IV. And

Power to borrow Money of Exchequer Bill Commissioners.

IV. And be further enacted, That it shall be lawful for the said Company of Proprietors, or the Directors for the Time being of the said Company, to borrow of and from the Commissioners for carrying into execution an Act passed in the First and Second Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act to amend several Acts passed for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts,* or from any other Person or Persons who shall be willing to advance and lend the same, any Sum or Sums of Money, not exceeding in the whole the Sum of Fifty thousand Pounds, as the said Company of Proprietors or the said Directors for the Time being may deem expedient for the Purposes of the said recited Act and this Act, upon Mortgage or Assignment of the said Undertaking, subject nevertheless, as to such Sum or Sums of Money as have been or shall be advanced and lent to the said Company by the said Commissioners, to such of the Provisoes and Conditions particularly mentioned and expressed in the said Act of the First and Second Years of the Reign of His present Majesty King *William* the Fourth, and the Acts therein recited or referred to, and in such Form as the said Commissioners shall direct and appoint.

Mortgages to the Commissioners to have Priority.

V. And be it further enacted, That any and every Mortgage or Assignment which shall be given or made by the said Company of Proprietors to the said Commissioners for the Issue of Exchequer Bills shall have Priority over and shall precede all other Mortgages and Securities which have been or which shall or may be granted by the said Company under or by virtue of the said recited Act or of this Act; any thing contained in the said Act or this Act, or in any Mortgage or Security which has been or shall be granted under the Powers thereof or hereof, to the contrary in anywise notwithanding.

Harbour Master empowered to cut Ropes, &c. in case of need.

VI. And be it further enacted, That in case any Master, Mate, Pilot, Owner, or Commander, or any other Person on board of any Ship or Vessel which shall be moored or fastened within the said Harbour, or within the Lake called *Lake Lothing*, or within Three hundred Yards of either End of the Sea-lock and Sluice erected and constructed by the said Company at *Lowestoft* aforesaid, shall at any Time refuse or neglect, upon Demand of the Harbour Master or his Deputy, to unloose or slacken the Rope or Ropes, Chain or Chains, by which such Ship or Vessel shall be so moored or fastened, or shall refuse or neglect to remove his Ship or Vessel from any one Part, Place, or Berth to any other Part, Place, or Berth within the Places or Limits herein-before immediately described, which, in the Judgment of the Harbour Master or his Deputy, shall be considered as more proper and commodious; or in case there shall be no Person on board of any such Ship or Vessel so moored or fastened who shall answer to the Call of the said Harbour Master or his Deputy for the Purpose aforesaid, in every such Case it shall and may be lawful for the said Harbour Master or his Deputy to cut the Rope or Ropes, or to break or slacken the Chain or Chains, by which any Ship or Vessel shall

Harbour Master, in case no Person is on board, before cutting Rope, &c. to put a Person on board.

shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master or his Deputy shall cut any Rope or Ropes, or break or slacken any Chain or Chains, by which any Ship or Vessel shall be moored or fastened, having no Person on board, or who shall not answer to the Call of the said Harbour Master or his Deputy for the Purpose aforesaid, the said Harbour Master or his Deputy shall and he is hereby authorized to put on board such Ship or Vessel such Person or Persons as either of them may think proper, for the Protection and Security from Injury of such Ship or Vessel, and that all reasonable Charges and Expences which shall be thereby incurred, to be ascertained and determined by One or more Justice or Justices (in case of Dispute) acting in and for the said County of *Suffolk*, shall be forthwith paid by the Master or Owner of such Ship or Vessel; and in default of Payment of such Charges and Expences the same shall and may be levied, together with the Costs of levying the same, by Distress and Sale of the Goods and Chattels of such Master or Owner, or by Distress and Sale of the Tackle, Apparel, and Furniture of such Ship or Vessel, or any Part thereof, either on board or on shore, in the same Manner and Form as is provided in the before-recited Act in case of Refusal to pay all or any of the Rates and Duties by that Act authorized and empowered to be taken, exacted, or levied by the said Company.

Costs of obtaining this Act.

VII. And be it further enacted, That all Costs, Charges, and Expences of and incident to the obtaining and passing this Act, and of carrying the same into effect, or otherwise relating thereto, shall be defrayed and paid by the said Company of Proprietors out of the Money received or to be received by them under the Authority of the said recited Act, in preference to any other Payments.

Public Act.

VIII. And be it further enacted, That this Act shall be deemed and taken to a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1832.