ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

****

Cap. lxii.

An Act for extending the Time for making a Dock or Docks at *Southampton*. [4th *July* 1838.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making and maintaining a Dock or Docks at* Southampton, whereby the Persons therein mentioned and described were united into a Company, and made One Body Corporate, by the Name and Style of "The *Southampton* Dock Company," and were authorized and empowered to design, lay out, make, complete, and maintain One or more Navigable Dock or Docks, Basin or Basins, Lock or Locks, Cut or Cuts, with Entrances into and from the same, to communicate with the *Southampton* Water and the River *Itchen*, or either of them, together with all and every Quay or Quays, Wharf or Wharfs, Inclined Planes or Slips, Cranes, Sheds, Engines, Bridges, Buildings, Works, and other Matters and Things necessary and proper for carrying into effect the Purposes of the said Act; and it was thereby enacted, that if a good and sufficient Sea Wall or Embankment should not be made for shutting out the Sea from the Land thereby authorized to be taken within Seven Years from the passing of the said Act, then and in such Case the Lands so taken by the said Company for the Purposes of the said Act should revert to and vest in the Mayor, Aldermen, and Burgesses of the

6 & 7 W. 4. c. 29.

Borough of *Southampton*, and their Successors, as of their original Right; provided nevertheless, that no such Reverter of Right should accrue unless and until such Notice should have been given as therein mentioned; and it was further enacted, that in case the Docks and Works intended to be made under the Authority of the said Act should not have been completed so as to answer the Objects of the said Act within the Space of Seven Years from the passing thereof, then and from thenceforth all the Powers and Authorities given by the said Act should cease and determine, save only as therein mentioned: And whereas the said Company have agreed for and caused to be valued and paid for, as in the said Act is mentioned, the whole of the Lands which they are by the said Act authorized to take or use, and which are necessary and proper for the Purposes of making the Dock or Docks and Works by the said Act authorized; and the said Company have made various Arrangements for the making of the said Dock or Docks and Works, and the Preparations for the same are in a State of great Forwardness; but inasmuch as the Period by the said Act limited for the completing the said Dock or Docks and Works, and the making a Sea Wall or Embankment as directed by the said Act, will expire on the Nineteenth Day of *May* One thousand eight hundred and forty-three, within which Time it is estimated that the same cannot be completed, it is expedient that the said respective Terms should be extended and enlarged; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Powers Provisions, Authorities, and other Matters and Things therein respectively contained (except such Parts thereof as are by this Act varied or altered), shall extend to this Act, and shall remain and continue in full Force and Effect, and be as good, valid, and effectual, to all Intents and Purposes, for carrying this Act into execution, as if the same had been repeated and re-enacted in this Act.

The Powers of recited Act extended to this Act.

So much of recited Act as relates to the Erection of a Sea Wall within Seven Years repealed.

II. And be it further enacted, That so much of the said recited Act whereby it was enacted that if a good and sufficient Sea Wall and Embankment should not be made for shutting out the Sea from the Land thereby authorized to be taken within Seven Years from the passing of the said Act, then and in such Case the Lands so taken by the said Company for the Purposes of the said Act should revert to and vest in the Mayor, Aldermen, and Burgesses of the Borough of *Southampton*, and their Successors, as of their original Right, shall be and the same is hereby repealed.

Extending the Time for making the Sea Wall and Docks.

III. And be it further enacted, That the Term granted by the said recited Act for the Completion of the said Dock or Docks and Works, and the making a Sea Wall or Embankment as directed by the said Act, shall be extended and enlarged from the Expiration of the Term of Seven Years granted by the said recited Act for the further Term of Three Years.

IV. And

If the Sea Wall not erected within Ten Years from the passing of the recited Act the Lands to revert to the Corporation.

IV. And be it further enacted, That if a good and sufficient Sea Wall or Embankment shall not be made for shutting out the Sea from the Land by the said recited Act and this Act authorized to be taken within Ten Years, to be computed from the passing of the said recited Act, then and in such Case the Lands taken by the said Company for the Purposes of the said recited Act and of this Act shall revert to and vest in the Mayor, Aldermen, and Burgesses of the Borough of *Southampton*, and their Successors, as of their original Right: Provided nevertheless, that no such Reversion of Right shall accrue to the said Mayor, Aldermen, and Burgesses unless and until the said Mayor, Aldermen, and Burgesses shall have given to the said Company Six Calendar Months Notice of their Claim to such Lands by delivering such Notice under their Common Seal at the Office of the said Company at *Southampton*, if any such there be, and by advertising a Copy of such Notice Three several Times in some public Newspaper usually circulated in the Town of *Southampton*.

If Docks not made within Ten Years from the passing of the recited Act Powers to cease, except as to any Part completed.

V. And be it further enacted, That in case the said Dock or Docks and Works shall not be completed so as to answer the Objects of the said recited Act and of this Act within the Space of Ten Years, to be computed from the passing of the said recited Act, then and from thenceforth all the Powers and Authorities given by the said recited Act and this Act shall cease and determine, save only as to such or so much of such Works as shall have been completed within such Time, and save only as to such Matters as shall have been transacted and such Agreements as shall have been made in pursuance of the Powers contained in the said recited Act and this Act.

Directors to be hereafter chosen to hold Twenty-five Shares each.

VI. And whereas it was by the said recited Act further enacted, that the Business and Concerns of the said Company should from and after the First General Meeting of the said Company under the said recited Act be carried on under the Management of Sixteen Directors, or a reduced Number of Directors, to be chosen from Time to Time from amongst the Proprietors for the Time being of the said Company qualified by holding Fifteen Shares or upwards each, in manner in the said recited Act directed: And whereas it is expedient that the Qualification of the Directors of the said Company to be hereafter chosen should be increased to Twenty-five Shares; be it therefore further enacted, That so much of the said recited Act whereby it is enacted that the Directors hereafter to be chosen from Time to Time from amongst the Proprietors for the Time being of the said Company shall be qualified by holding Fifteen Shares or upwards shall be and the same is hereby repealed; and that from and after the passing of this Act all Directors to be chosen from Time to Time from amongst the Proprietors for the Time being of the said Company for the carrying on and Management of the Business and Concerns of the said Company, at the Times and in the Manner in the said recited Act mentioned, shall be qualified by holding Twenty-five Shares or upwards each in the Capital Stock or Effects of the said Company.

Proviso that One Half of the Directors

VII. And whereas it was by the said recited Act enacted and provided, that until the said Docks should be completed and opened for

shall be resident in or near Southampton repealed.

for the Reception of Vessels, one Half of the Directors for the Time being, exclusive of the Director (if any) to be nominated by the Council of the Borough of *Southampton* in manner in the said recited Act mentioned, should be Proprietors residing in or near the Town of *Southampton*, and the other Half should be Proprietors not residing in or near the Town of *Southampton*, and that after the said Docks should be completed and opened for the Reception of Vessels One Half at least of the Directors for the Time being should be Proprietors residing in or near the Town of *Southampton*, and the other Half might be Proprietors residing or not residing in or near the Town of *Southampton*: And whereas it is expedient that the said Proviso should be repealed; be it therefore further enacted, That the said Proviso shall be and the same is hereby repealed.

For paying the Expences of the Act.

VIII. And be it further enacted, That all the Costs, Charges, and Expences of applying for, obtaining, and passing this Act, and all other Costs, Charges, and Expences incident thereto, shall, in the first place and in preference to all other Payments whatever, be paid by and out of any Money now in the Hands of the said Company, or of the Treasurer or Treasurers thereof, or out of the first Money which shall be raised or received under or by virtue of the said recited Act and this Act, or either of them.

Public Act.

IX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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