CHAPTER xvii.

An Act to revive and extend some of the powers of the Sutton Bridge Dock Company to make further provisions with respect to their unissued capital and for other purposes. [21st May 1896.]

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WHEREAS the Sutton Bridge Dock Company (herein-after called "the Company") were incorporated by the Sutton Bridge Dock Act 1875 (herein-after called "the Act of 1875") and were by that Act and the Sutton Bridge Dock Act 1876 and the Sutton Bridge Dock Act 1880 (herein-after respectively referred to as "the Act of 1876" and "the Act of 1880") authorised to make and maintain the dock cut or lock railway and works in those Acts described and which now constitute the undertaking of the Company and to raise by means of shares and borrowing the capital in the said Acts respectively mentioned:

And whereas of the capital so authorised to be raised the Company have raised by means of ordinary and preference shares and loans the sum of one hundred and sixty-nine thousand seven hundred and forty pounds and have expended upon their undertaking the sum of one hundred and seventy thousand four hundred and sixty-nine pounds:

And whereas of the said sum of one hundred and sixty-nine thousand seven hundred and forty pounds the Great Northern Railway Company (herein-after called "the Great Northern Company") have under the powers conferred on them by the Great Northern Railway (Transfer) Act 1878 (herein-after called "the Act of 1878") subscribed twenty thousand pounds of the ordinary share capital of the Company and under the powers conferred upon them by the Act of 1880 have advanced on mortgage to the Company a sum of thirty-five thousand pounds:

And whereas the dock and cut or lock authorised by the Acts of 1875 and 1880 and the railway authorised by the Act of 1876 were in 1881 constructed and opened for public traffic but extensive works

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still remained necessary for the full completion and development thereof:

And whereas the said dock and cut or lock were very shortly after the opening thereof in 1881 partially destroyed and rendered unfit for use and the resources of the Company under their then existing powers for raising capital being insufficient for the restoration thereof the Company by the Sutton Bridge Dock Act 1882 (herein-after referred to as "the Act of 1882") were authorised to raise further moneys for that purpose by the creation and issue of additional share and loan capital:

And whereas by the Sutton Bridge Dock Act 1884 (herein-after referred to as "the Act of 1884") provision was made for the restoration and completion of the dock and cut or lock so destroyed as aforesaid and for facilitating the raising of the capital authorised by the Act of 1882 the Company were authorised to assign a priority thereto over the whole of the share and loan capital of the Company previously authorised and certain borrowing powers then unexercised were cancelled:

And whereas by the Great Northern Railway (Various Powers) Act 1890 (herein-after called "the Act of 1890") the powers granted to the Company by the Act of 1876 and the Act of 1884 for the construction or restoration and completion of the works therein referred to were revived and extended but the same have since expired:

And whereas it is expedient to further revive and extend the powers granted to the Company by the recited Acts for restoring completing and rendering the dock and cut or lock and railway available for traffic and for raising capital for that purpose:

And whereas the Great Northern Railway Company and the other holders of debenture stock and preference shares in the Company have signified their consent in writing to the provisions of this Act:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and 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 Sutton Bridge Dock Act 1896.

Revival and extension of time for completion of works.

2. The powers granted to the Company by the recited Acts for the restoration and completion of the dock and cut or lock and railway by those Acts respectively authorised shall be and the same

are hereby revived continued extended and enlarged until the thirty-first day of December one thousand nine hundred and one.

Restriction on taking houses of labouring class.

3. The Company shall not under the powers of any Act revived or extended by this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purpose of this section the expression "labouring class" means and includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Application of sections 3 and 6 of Act of 1884 to the purposes of this Act.

4. The powers of raising money granted to the Company by sections 3 and 6 of the Act of 1884 shall be and the same are hereby made applicable and shall apply for the purposes of this Act and for the purpose of paying the costs charges and expenses of and incidental to the preparing and applying for and the obtaining and passing of this Act and notwithstanding anything contained in any of the recited Acts.

Postponement of interest on mortgages&c. for a definite period.

5. All interest due at the passing of this Act upon all mortgages and debenture stock of the Company is hereby postponed in favour of the interest upon any loan capital to be created under the last preceding section Provided always that the postponement of such interest shall not take effect for a longer period than ten years from the date of this Act.

For protection of Great Northern Railway Company.

6. In case the powers given by section 3 of the Act of 1884 and made applicable to this Act shall be exercised the following provisions for the protection of the Great Northern Company shall have effect (that is to say) :—

(1) In this section the word "dock" means and includes the said authorised dock and cut or lock and all works appurtenant thereto;

(2) The Company not less than three months before they commence any works for the restoration reconstruction or completion of or otherwise in relation to the dock shall submit to the Great Northern Company for their consideration plans sections working drawings and full specifications and estimate

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of cost of the intended works and the Company shall not commence any such works until they have received the approval of the Great Northern Company of the said plans sections working drawings specifications and estimate Provided that if the Great Northern Company do not signify their approval or disapproval thereof within two months after the submission of the same they shall be deemed to have approved thereof;

(3) The Company shall not execute any works in connection with the dock except such as shall have been approved by the Great Northern Company as aforesaid and all such works shall be so executed in accordance in all respects with plans sections drawings and specifications so approved;

(4) The Company shall not create or issue any share capital nor raise any loan capital under or according to the provisions of this Act unless and until the said plans sections drawings specifications and estimate have been so as aforesaid approved by the Great Northern Company.

For the protection of the Postmaster-General.

7. The said dock and cut or lock and railway shall for the purposes of section 6 of the Telegraph Act 1878 be deemed to be an undertaking authorised by Act of Parliament passed after the first day of January one thousand eight hundred and seventy-eight and the Postmaster-General shall have the same rights powers and authorities in under upon along over and across such undertaking as are conferred upon him by that section with respect to undertakings mentioned or referred to in such section.

Interest not to be paid on calls paid up.

8. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

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

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

Provision for Merchant Shipping Acts.

10. Nothing in this Act contained shall exempt the dock or the Company from the provisions of the Merchant Shipping Act 1894

or any general Acts relating to docks or dues on shipping or on goods carried in ships now in force or which shall be passed during the present or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the dock rates or duties authorised to be taken by the Company.

Provision as to general Railway Acts.

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

Costs of Act.

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

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