CHAPTER clxiii.

A.D. 1874.

An Act to authorise the Sutton Harbour Improvement Company to convert part of the harbour of Sutton Pool into a Dock, and for other purposes. [30th July 1874.]

WHEREAS by the Sutton Harbour Act, 1847, (in this Act called "the Act of 1847,") the Sutton Harbour Improvement Company (in this Act called "the Company,") were incorporated for the purpose of improving the harbour of Sutton Pool, in the port of Plymouth, and county of Devon, and making additional works connected therewith, and maintaining the said harbour, works, and conveniences, and for other the purposes of the said Act:

And whereas the original share capital of the Company was by the Act of 1847 declared to be forty thousand pounds, to be increased in a certain event, which has happened, to fifty-seven thousand pounds, with power to borrow nineteen thousand pounds, of which, until the said event had happened, the Company were only to borrow thirteen thousand three hundred and thirty-three pounds:

And whereas by the Act of 1847 the London and South-western Railway Company (in this Act called "the South-western Company") were empowered to subscribe towards and become shareholders in the undertaking of the Company to an extent not exceeding fifteen thousand two hundred pounds, and to appoint a director or directors of the Company:

And whereas the Company have created and issued the whole of their capital of fifty-seven thousand pounds (whereof the South-western Company have subscribed for and hold fifteen thousand two hundred pounds), and have borrowed eighteen thousand seven hundred pounds or thereabouts:

And whereas the conversion into a dock of part of the said harbour of Sutton Pool would be of great public advantage, and it is expedient that the Company be authorised for that purpose to make and maintain the dock wall or embankment by this Act

A.D. 1874.

authorised, and that in connexion therewith they be authorised to make and maintain the tramways herein-after described:

And whereas it is expedient that provision be made, as in this Act appearing, for the conversion into preferential stock of shares held by existing shareholders of the Company who may elect, in accordance with the provisions of this Act, to exchange such shares for preferential stock:

And whereas it is expedient that the Company be authorised to raise further moneys for the purposes of this Act, and that the South-western Company be empowered further to subscribe towards the undertaking of the Company, and that the Devon and Cornwall Railway Company (in this Act called "the Devon and Cornwall Company") be also empowered to subscribe towards the undertaking of the Company as by this Act provided:

And whereas it is expedient that the time limited by the Sutton Harbour (Tramways) Act, 1872, (in this Act called "the Act of 1872,") for the purchase of lands and for the completion of the works authorised by that Act be extended:

And whereas it is expedient that the Company on the one hand, and the South-western Company and the Devon and Cornwall Company (in this Act referred to as "the two companies") on the other hand, be empowered to enter into and carry into effect working and other agreements as by this Act provided:

And whereas it is expedient that such further powers as are herein-after contained be conferred upon the Company, and upon the other companies in that behalf in this Act mentioned:

And whereas plans and sections showing the lines and levels of the dock wall or embankment, tramways, and other works by this Act authorised, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required, or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerk of the peace for the county of Devon, and are herein-after respectively referred to as the deposited plans, sections, and books of reference:

And whereas the purposes of this Act cannot be effected 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:

Short title.

1. This Act may be cited as "The Sutton Harbour Act, 1874."

A.D. 1874.

Provisions of certain general Acts incorporated.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act; that is to say,

The provisions of "The Companies Clauses Consolidation Act, 1845,"

With respect to the distribution of the capital of the Company into shares;

With respect to the transfer or transmission of shares;

With respect to the payment of subscriptions and the means of enforcing the payment of calls;

With respect to the forfeiture of shares for nonpayment of calls;

With respect to the remedies of creditors of the Company against the shareholders;

With respect to the borrowing of money by the Company on mortgage or bond;

With respect to the conversion of borrowed money into capital;

With respect to the consolidation of the shares into stock;

With respect to the provisions to be made for affording access to the special Act by all parties interested:

Part I. (relating to cancellation and surrender of shares);

Part II. (relating to additional capital); and

Part III. (relating to debenture stock) of the Companies Clauses Act, 1863:

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869:

Part I. (relating to construction of a railway); and

Part III. (relating to working agreements) of the Railways Clauses Act, 1863:

Part II. (relating to construction of tramways) and Part III. (general provisions) of the Tramways Act, 1870, except the sections of that Act numbered 35 to 44 and 57 to 64 (all those numbers inclusive), and except so much of section 46 of that Act as empowers the local authority to make regulations as therein mentioned; and

The Harbours, Docks, and Piers Clauses Act, 1847:

Provided always, that the provisions of the Harbours, Docks, and Piers Clauses Act, 1847, with respect to lifeboats and with respect to keeping a tide or weather gauge shall not be in force under or for the purposes of this Act, nor (notwithstanding anything contained in the Act of 1847) for the purposes of that Act, unless and until and except only so far as the Board of Trade, by notice in writing under the hand of one of the secretaries of that board to

A.D. 1874.

the Company, require the Company to conform, either wholly in part, to those provisions respectively.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction. The expression "the dock" means the dock to be formed by the construction of the dock wall or embankment and works connected therewith by this Act authorised; the expression "the tramway" means the tramways by this Act authorised; and the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act, or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Power to make works.

4. Subject to the provisions of this Act, and of the provisions incorporated herewith of the Tramways Act, 1870, the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the works herein-after described, and may enter upon, take, and use such of the lands delineated on the said plans, and described in the deposited books of reference, as may be required for that purpose, and the Company may also enter upon, take, and use all or any part or parts of the lands delineated on the said plans, and described in the deposited books of reference, and included within the limits shown on the said plans, and therein called "limits of additional lands to "be acquired under the Bill." The works herein-before referred to, and authorised by this Act, are—

(*a.*) The conversion of part of the harbour of Sutton Pool into a dock, by means of the construction of a dock wall or embankment, commencing at or near Smart's Quay, and terminating at or near the eastern end of North Quay, with an entrance or lock about two hundred yards northward from the east pier of the entrance to the said harbour:

(*b.*) So much but so much only of the tramway (No. 1) shown on the deposited plans as lies between the point at which on those plans it is shown as terminating by a junction with the tramway No. 1 authorised by the Act of 1872, about two chains to the westward from the eastern end of North Quay, and the point of commencement, as shown on the said plans, of the tramway No. 3 herein-after mentioned:

(*c.*) So much but so much only of the tramway (No. 2) shown on the deposited plans as lies between the point of

termination, as shown on the said plans, of the said tramway No. 3 and the point of termination shown on the deposited plans of the said tramway No. 2, at or near the north-eastern corner of Smart's Quay :

(*d.*) A tramway (No. 3), four chains in length, commencing by a junction with tramway No. 1 by this Act authorised, and terminating by a junction with tramway No. 2 at a point about two chains northward from the north-east corner of Marrowbone Slip :

(*e.*) The dredging, scouring, and deepening the bed and shores of the said harbour of Sutton Pool, and the approaches thereto :

(*f.*) The making, providing, and maintaining, in connexion with the aforesaid works, or any of them, or any portions thereof, or on any of their lands aforesaid, of all necessary and convenient shipping places, wharves, depôts, warehouses, sheds, custom houses, watch houses, staiths, jetties, landing places, stages, quays, slips, gates, entrances, locks, cranes, hydraulic lifts, drops, gridirons, dolphins, buoys, moorings, stations, roads, approaches, tramways, sewers, drains, and other works and conveniences :

Provided always, that it shall not be lawful for the Company, without the consent in writing of the Council of the Borough of Plymouth under the corporate common seal, to enter upon, take, or use any land belonging to the mayor, aldermen, and burgesses of the said borough, or vested in or under the control of the urban sanitary authority for the district of the borough of Plymouth lying on the south side of the southern boundary of the dock wall or embankment to be constructed in the said harbour of Sutton Pool under the authority of this Act, or lying on the inner or land side of the line of demarcation A, B, C, D, E, F, G, H, I, K, L, and M, coloured red on a plan marked X, dated the fifth day of May one thousand eight hundred and seventy-four, and signed by John Gilbert Talbot, Esquire, the Chairman of the Committee of the House of Commons to which the Bill for this Act was referred. The said plan marked X shall, within three months after the passing of this Act, be deposited in the office of the Clerk of the Parliaments, and a duplicate or copy thereof with the clerk of the peace for the borough of Plymouth, at his office, and he shall receive and retain the same, and permit all persons interested to make copies and extracts of and from it in like manner as is by the Act of the first year of the reign of Her present Majesty, chapter eighty-three, provided with respect to the documents therein specified.

A.D. 1874.

Saving the rights of the Duchy of Cornwall.

5. Nothing contained in this Act shall extend to authorise the Company to take, use, enter upon, or interfere with any land, soil, or water, or any rights in respect thereof, belonging to Her Majesty, her heirs or successors, in right of the Duchy of Cornwall, without the consent in writing of some two or more of such of the regular officers of the said duchy, or of such other persons as may be duly authorised under the provisions of "The Duchy of Cornwall Management Act, 1863," sec. 39, to exercise all or any of the rights, powers, privileges, and authorities by the said Act made exerciseable or otherwise for the time being exerciseable in relation to the said duchy or belonging to the Duke of Cornwall for the time being, without the consent of such Duke, testified in writing under the seal of the Duchy of Cornwall, first had and obtained for that purpose, or to take away, diminish, alter, prejudice, or affect any property, rights, profits, privileges, powers, or authorities vested in or enjoyed by Her Majesty, her heirs or successors, in right of the Duchy of Cornwall, or in or by the Duke of Cornwall for the time being.

Company may apply funds, &c.

6. The Company may apply, for the purposes of this Act, any sum or sums of money which by any former Act or Acts they are authorised to raise by shares or stock, or by borrowing, and which may not be required for the special purposes (if any) for which the same were or was authorised to be raised.

Power for Company to raise additional capital.

7. The Company may, subject to the provisions of Part II. of the Companies Clauses Act, 1863, raise any additional capital not exceeding one hundred and sixty thousand pounds, by the issue at their option of new ordinary shares or stock, or new preference shares or stock, or wholly or partly by any one or more of those modes respectively; but the Company shall not issue any share of less nominal value than ten pounds, nor shall any share vest in the person or corporation accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Before any additional capital of Company created, notice to be given to existing shareholders.

8. One calendar month at least before the first meeting of the Company after the passing of this Act at which it is proposed that any part of the additional capital of the Company shall be created under this Act, the directors of the Company shall cause notice in writing to be given, under the hand of the secretary of the Company, to all the registered shareholders of the Company, addressed to them according to their respective addresses in the shareholders address book, or left at their usual or last known places of abode respectively, of the intention to create such additional capital, and of the provisions of the next following section of this Act.

A.D. 1874.

Who may elect to exchange their shares for preferential stock.

9. Any existing shareholder of the Company may, by writing under his hand, delivered or sent by post to the secretary of the Company ten days at the least before the holding of the first meeting of the Company after the passing of this Act at which it is intended to create any additional capital under this Act, elect to exchange his shares, or any of his shares, in the capital of the Company for preferential stock in the capital of the Company, to be created as herein-after mentioned, and if any shareholder shall so elect, the following provisions of this section shall have effect; (that is to say,)

(*a.*) At the meeting of the Company at which any additional capital of the Company shall be created under this Act, and before the creation of the same, the Company shall create a preferential stock equal in amount to the total nominal amount of the shares in respect of which shareholders shall have so elected:

(*b.*) The preferential stock so created is by this Act vested in the shareholders electing as aforesaid, in proportion to and in substitution for their shares in the capital of the Company at the time of the creation of the stock in respect of which they shall so have elected, and subject and liable to the same respective trusts, powers, provisions, declarations, agreements, charges, liens, and incumbrances as immediately before the creation of the stock affected the respective shares for which the same is substituted, and so as to give effect to and not revoke any testamentary disposition of or affecting the same:

(*c.*) The preferential stock so created shall be entitled to a preferential dividend of three pounds per centum per annum out of the profits of each year in priority to the ordinary shares or ordinary stock of the Company, and in priority also to any other preferential shares or stock of the Company created under this Act; but if in any year there are not profits available for the payment of the full amount of the said preferential dividend for that year, no part of the deficiency shall be made good out of the profits of any succeeding year, or out of any other funds of the Company; save as aforesaid, the preferential stock shall not entitle the holders thereof to any share in the profits of the Company:

(*d.*) The Company shall call in and cancel the existing certificates of shares for which preferential stock is by this Act substituted as aforesaid, and shall issue in lieu thereof certificates of proprietorship of the preferential stock, in

A.D. 1874.

the form and subject to the conditions prescribed by the Companies Clauses Consolidation Act, 1845, with regard to certificates of proprietorship of shares; but no holder of shares shall be entitled to any certificate of proprietorship of stock under this Act unless nor until he shall have delivered up to the Company to be cancelled the certificate of proprietorship issued to him before the creation of the preferential stock, or shall have proved to the reasonable satisfaction of the Company the loss or destruction thereof:

(*e.*) The terms and conditions to which the preference stock is subject shall be clearly stated on all the certificates thereof:

(*f.*) No holder of preferential stock shall be entitled to vote in respect thereof at any meeting of the Company:

(*g.*) Subject to the provisions of this section, the sections numbered 62 and 63 of the Companies Clauses Consolidation Act, 1845, shall apply to the preferential stock, and to the holders thereof as if that stock had been formed under the provisions of that Act by the consolidation of shares into stock:

(*h.*) The preferential stock shall not, except for the purposes of this section, be deemed to be new stock created under this Act.

Except as otherwise provided, new shares or stock to be subject to same incidents as other shares or stock.

10. Except as is by this Act otherwise provided, the capital in new shares or stock created by the Company under this Act, and the new shares or stock thercin, and the holders thereof respectively, shall be subject and entitled to the same powers, provisions, liabilities, rights, privileges, and incidents whatsoever, in all respects, as if that capital were part of the now existing capital of the Company of the same class or description, and the new shares or stock were shares or stock in that capital. The capital in new shares or stock shall form part of the capital of the Company.

Dividends on new shares or stock.

11. Every person who becomes entitled to new shares or stock shall, in respect of the same, be a holder of shares or stock in the Company, and shall be entitled to a dividend with the other holders of shares or stock of the same class or description, proportioned to the whole amount from time to time called and paid on such new shares, or to the whole amount of such stock, as the case may be.

Restriction as to votes in respect of

12. Except as otherwise expressly provided by the resolution creating the same, no person shall be entitled to vote in respect of

any new share or stock to which a preferential dividend shall be assigned.

preferential shares or stock.

13. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock, and to the provisions of this Act, the Company may, if they think fit, raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

New shares or stock raised under this and any former Act may be of same class.

14. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present, in person or by proxy, at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in the capital by this Act authorised to be raised into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share," but the Company shall not so divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up, and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon) and the residue to the credit of the preferred half share.

Power to divide shares.

15. The dividend which would from time to time be payable on any divided share, if the same had continued an entire share, shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first, in payment of dividend after such rate, not exceeding six per centum per annum, as shall be determined once for all at a general meeting of the Company specially convened for the purpose, on the amount for the time being paid up on the preferred half share, and the remainder, if any, in payment of dividend on the deferred half share; and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividends on half shares.

16. Each preferred half share shall be entitled, out of the profits of each year, to the dividend which may have been attached to it by the Company as aforesaid, in priority to the deferred half share bearing the same number, but if in any year, ending the thirty-first day of December, there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good

Dividend on preferred shares to be paid out of the profits of the year only.

A.D. 1874.

out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered and certificates issued.

17. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof; but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share be delivered to them to be cancelled, unless it is shown to their satisfaction that such certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated on certificates.

18. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

19. The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the forfeiture of shares for non-payment of calls, shall apply to all preferred half shares created under the authority of this Act, and every such preferred half share shall for that purpose be considered an entire share, distinct from the corresponding deferred half share; and until any forfeited preferred half share shall be sold by the directors, all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof and of the arrears of calls for the time being due thereon, with interest.

Preferred shares not to be cancelled or surrendered.

20. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital.

21. The several half shares under this Act shall be half shares in the capital of the Company, and every two half shares (whether preferred or deferred, or one of each) held by the same person shall confer such right of voting at meetings of the Company, and (subject to the provisions herein-before contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Power to South-western and Devon and Cornwall Companies to subscribe,

22. The South-western Company and the Devon and Cornwall Company may respectively, with the authority of three fourths of the votes of their respective shareholders present, in person or by proxy, at a general meeting of the respective company specially convened for the purpose, from time to time subscribe (as regards

A.D. 1874.

and to apply funds for that purpose.

the South-western Company, in addition to the sum which by the Act of 1847 they were authorised to subscribe,) any sums which they think fit, not exceeding in the whole (as regards either company) fifty thousand pounds, towards the undertaking of the Company; and the respective company may, with the like authority, contribute and apply in or towards payment of their said subscription any moneys which they are already authorised to raise, and which may not be required by them for the purposes of their undertaking, and also any moneys which they are by this Act authorised to raise, and the respective company shall, in respect of the sums to be subscribed and the corresponding shares or stock in the Company to be held by them, have all the powers, rights, and privileges (except in regard to voting at meetings of the Company, which shall be as herein-after provided), and be subject to all the obligations and liabilities of proprietors of shares or stock of the same class and description in the Company: Provided always, that neither company shall sell, dispose of, or transfer any of the shares or stock in the Company for which they may subscribe under this Act.

Power to borrow additional moneys.

23. The Company may, in respect of the additional capital of one hundred and sixty thousand pounds which they are by this Act authorised to raise, from time to time borrow on mortgage any sum not exceeding in the whole forty thousand pounds, but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted, and one half of such capital is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole of such capital have been issued and accepted, and that one half of such capital has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof, before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted and paid up bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also, if the said capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books

A.D. 1874.

of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

Repealing provisions of former Acts for appointment of receiver.

24. The provisions of any previous Act or Acts relating to the Company for the appointment of a receiver at the instance of mortgagees of the Company are by this Act repealed, but without prejudice to any appointment heretofore made, or proceedings now pending.

For appointment of a receiver.

25. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five thousand pounds in the whole.

Former mortgages to have priority.

26. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act, and subsisting at the passing hereof, shall during the continuance of such mortgages and bonds have priority over any mortgages granted by virtue of this Act.

Debenture stock.

27. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863," but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created or issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Moneys borrowed on mortgage to have priority.

28. All moneys borrowed under this Act from the time when the same shall be advanced, and the interest for the time being due thereon, shall have priority against the Company, and all the property from time to time of the Company, over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act, but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of this Act, or injuriously affected by the construction of the works by this Act authorised, or by the exercise of any of the powers conferred upon the Company.

Application of moneys.

29. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

Period for compulsory purchase of lands.

30. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of five years from the passing of this Act.

Company may acquire additional land by agreement.

31. In addition to the other lands which the Company are by this Act authorised to acquire, they may from time to time purchase and acquire by agreement such quantity of land as they may require for this Act, not exceeding in the whole ten acres.

Power to deviate from line of dock works.

32. Subject to the provisions of the Harbours, Docks, and Piers Clauses Act, 1847, the Company, in constructing the works by this Act authorised for converting part of the harbour of Sutton Pool into a dock, may deviate from the line of the works laid down on the deposited plans to any extent within, but to no greater extent than, the limits delineated upon the said plans, and thereon described as "limits of lands for docks, &c.," and in construing, in connexion with this Act, the eleventh section of the said Act, the expression "the line of lateral deviation" shall be taken to mean those limits; and the Company may deviate vertically from the levels of the said works to any extent not exceeding five feet either upwards or downwards.

Application of provisions of Railways Clauses Act, 1863.

33. For the purposes of this Act, in the provisions of the Railways Clauses Act, 1863, for the protection of navigation (being sections 13 to 19, both inclusive, of that Act), the expressions "the work" and "the railway" shall be deemed to include as well the sea wall or embankment as the tramways by this Act authorised.

Gauge of tramways.

34. Subject to the provisions herein-after contained, every tramway to be made, formed, or laid down under this Act shall be constructed on the narrow gauge of four feet and eight and a half inches: Provided that the Company shall lay down upon the said tramways an additional rail or additional rails so as to admit of the use thereupon of carriages constructed for use upon railways of the broad gauge of seven feet, if and when required so to do by the South Devon Railway Company, the last-mentioned company having previously constructed the railway No. 3 authorised by the South Devon Railway Act, 1872, on to the lands of the Company on the west side of Sutton Road, near the level crossing of that road shown on the deposited plans referred to in the last-mentioned Act; and thereupon the Company shall forthwith construct a junction between that railway and some one of the tramways of the Company authorised by the Act of 1872, or this Act.

Power to Company to cross roads.

35. It shall be lawful for the Company, and they are hereby authorised, to cross, stop up, alter, and divert, either temporarily

A.D. 1874.

or permanently, all such turnpike and other roads, highways, footpaths, streets, railways, tramways, canals, aqueducts, streams, rivers, bridges, sewers, drains, ways, and watercourses shown upon the deposited plans, or any part thereof, which they may deem it necessary or convenient so to cross, stop up, alter, or divert in or for the construction of the works by this Act authorised, or any of them, or for any of the purposes of this Act.

For protection of Mr. John Bayly.

36. Nothing in this Act contained shall authorise or empower the Company to erect any wharf, building, or shed in front of the premises belonging to John Bayly, his executors, administrators, or assigns, and lying to the westward of and adjoining or abutting towards Sutton Wharf, or to obstruct or impede free access from the water of the dock to the said premises, subject always to the payment of the tolls and dues authorised to be demanded and taken by this Act.

For junction of tramways of Company with future tramway of Mr. John Bayly.

37. So soon after the completion of the tramways by this Act authorised as the said John Bayly, his heirs or assigns, shall have constructed a tramway to the limits of the Company's premises, the Company shall construct a junction between that tramway and the said tramways, at such point to the south of the road numbered 52 on the deposited plans and in such manner as shall be agreed on between the said John Bayly and the Company, or as, failing agreement, shall be determined by an engineer to be appointed (unless otherwise agreed on between the parties) by the President for the time being of the Institution of Civil Engineers.

For the protection of sand bargemen.

38. The Company shall, before depriving the sand bargemen of their present means of discharging their sand, provide outside the dock to be constructed under the provisions of this Act such other slip or beaching place for the purpose as shall be agreed upon between them, or failing agreement, as shall be determined by the Lords Commissioners of the Admiralty.

Notice to be given of taking houses of labouring classes.

39. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, hand bills, or other general notice, placed in public view upon or within a reasonable distance from such houses, and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

Extending certain powers of South Devon

40. The powers conferred upon the Company and the South Devon Railway Company by section 7 of the South Devon Rail-

way Act, 1872, shall extend and apply to and be exerciseable in respect of the quays and works of the Company by this Act authorised.

Act of 1872 to the quays, &c. authorised by this Act.

41. If the Company fail within the period limited by this Act to complete the tramway, the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the tramway is completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the tramway, and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act, or by the solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in section three of the Railway and Canal Traffic Act, 1854, and every sum of money recovered by way of such penalty as aforesaid shall be paid, under the warrant or order of such court or judge as is specified in that section, to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General, on behalf of the Court of Chancery in England, in the bank specified in such warrant or order, and shall not be paid thereout except as herein-after provided; but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such tramway by unforeseen accident or circumstances beyond their control; provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Penalty for non-completion of tramway.

42. Every sum of money so recovered by way of penalty as aforesaid shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the tramway or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation, then the

Application of penalty.

A.D. 1874.

said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order, on the application of the solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the court, if the Company is insolvent, or has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof; provided that, until the said sum of money has been repaid to the Company, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to the Company.

Period for completion of works.

43. If the works by this Act authorised are not completed within seven years from the passing of this Act, then, on the expiration of that period, the powers by this Act granted to the Company for making and completing the same shall cease to be exercised, except as to so much of the works as shall be then completed.

Officers of customs to have free access to dock.

44. All officers of customs being in the execution of their duty shall have free ingress and egress into and out of the dock and through the gates and entrances of the same, and also may freely pass with their vessels and boats through the dock and water communications of the dock and premises at all times (provided the state of the tide and water communications of the dock and premises will admit of such passing), and all such officers who may be required to attend at the dock shall at all times be furnished by the Company, free of charge, with proper and sufficient passes or tickets for and in respect of such of the works and conveniences by this Act authorised as the Commissioners of Customs shall deem proper and convenient.

Existing rates, &c. to be taken during construction of the dock.

45. During the construction and until the completion of the dock into which part of the harbour of Sutton Pool is intended to be converted under this Act, the Company may continue to demand and take the rates and dues authorised by the Act of 1847, and set forth in the schedules B., C., and D. to that Act respectively, for and in respect of goods and vessels brought into or exported from or entering or using any part of the harbour, or any of the quays, wharves, or conveniences connected therewith.

Rates, &c. to be taken after opening of dock for goods and vessels not entering or using the dock.

46. From and after the completion and opening for public use of the dock, the Company may continue to demand and take for and in respect of goods (other than fish) and vessels brought into or exported from or entering or using any part of the harbour, or any of the quays, wharves, or conveniences connected therewith, and not entering or using the dock, the rates and dues authorised by the Act of 1847, and specified in the said schedules to that Act; and for and in respect of fish brought into any part of the harbour, or any of the quays, wharves, or conveniences connected therewith, and not entering the dock, the rates specified in the first column (the heading of which is "In the outer harbour") of the Schedule C. to this Act annexed: Provided always, that nothing in this Act contained shall authorise the Company to demand or take rates or dues for the landing or shipping of goods on or from any quay other than quays in respect of which rates have been hitherto legally collected, or which now are or at any time hereafter may become vested in the Company.

Tonnage dues on vessels entering the dock as in Schedule **A.**

47. The Company may demand and receive for every vessel entering the dock, any sum for every ton register measurement of such vessel not exceeding the several dues specified in Schedule A. to this Act annexed.

As to tonnage dues on coasting ships entering dock and leaving with a cargo for foreign parts.

48. The Company may demand and receive in respect of every vessel which shall have entered the dock from any place other than foreign parts (including Guernsey and Jersey), whether in ballast or otherwise, and which shall subsequently leave the docks with cargo for foreign parts (including Guernsey and Jersey), the same dues per ton register measurement on leaving the dock (after deducting the sums paid by such vessel on entering the dock) as such vessel would have been liable to pay in case she had originally entered the dock from the foreign parts (including Guernsey and Jersey) for which such vessel shall be destined.

Tonnage dues to be payable by the master of vessel.

49. All tonnage dues by this Act authorised to be levied shall be payable by the master of the vessel liable thereto.

Dues on goods as in Schedule B.

50. The Company may demand and take on all goods (other than fish) imported from foreign parts (including Guernsey and Jersey) or coastwise, which shall be brought into the dock, or exported to foreign parts (including Guernsey and Jersey), or coastwise from the dock, any sums not exceeding the several sums specified in Schedule B. to this Act annexed, so far as such goods are particularized in the said schedule, and so far as such goods are not particularized in the said schedule, such reasonable dues as may most nearly correspond with such specified dues, and on all fish brought into the dock any sums not exceeding the several sums

A.D. 1874.

specified in the second column (the heading of which is "In the dock") of the Schedule C. to this Act annexed. All such dues shall be payable by the owner of such goods.

Dues for landing as in Schedule D.

51. The Company may demand and take for every person, animal, article, or thing embarking or disembarking, or being shipped or unshipped within the dock, or upon any of the existing or intended quays, works, or lands of the Company, any sum or sums not exceeding the dues specified in Schedule D. to this Act annexed.

Dues to be charged for use of cranes and weighing machines.

52. Notwithstanding anything contained in the Act of 1847, the Company may, for the use of any of their stores, sheds, cranes, weighing and measuring machines, and gridirons for the time being, and for any services rendered by the Company in or in reference to the embarking or disembarking, shipping, or unshipping of any person, animal, article, or thing within the dock, or upon any of the existing or intended quays, works, or lands of the Company, demand of and from the owner or person having the charge of any goods, articles, or things deposited in such stores or sheds, or loaded or unloaded, weighed or measured by means of such cranes, weighing and measuring machines, or using the said gridirons, or for whom or for whose benefit any such services are rendered, such reasonable dues as the Company may from time to time with the sanction of the Board of Trade appoint.

Dock to remain part of harbour under Act of 1847.

53. Except as in this Act otherwise provided with respect to rates and dues, the dock shall for all purposes remain and continue within and be part of the harbour, as defined by the Act of 1847, and the provisions of that Act as amended by this Act shall apply accordingly.

Company may appoint meters and weighers.

54. The Company may appoint and license a sufficient number of persons to be meters and weighers within the harbour, as defined by the Act of 1847 and this Act, and the provisions of the Harbours, Docks, and Piers Clauses Act, 1847, with respect to the appointment of meters and weighers, shall apply and have effect as if the harbour were authorised by this Act.

Power to grant building and improved leases for 99 years.

55. The Company from time to time may grant leases for any terms, not exceeding ninety-nine years, of any of the lands of the Company to any persons, corporations, or companies (such corporations or companies being capable at law to accept such leases) who shall covenant to improve such lands by laying out money in the erection of warehouses or other buildings thereon, or in the construction thereon of warehouses, buildings, or works calculated to promote the business of the docks; and they may also grant to such

lessees the use during their respective leases of such water-way, quay-room, and wharfage-room, and other easements, as may be requisite or convenient for the purpose of the trade or business to be carried on in or at the warehouses, buildings, or works to be erected or constructed by such lessees.

Terms and conditions of such leases.

56. Every such lease shall be made without fine, and may be made with and subject to such exceptions, reservations, yearly or other rents or payments, covenants, conditions, powers, and provisions whatsoever as the parties thereto mutually agree on: Provided always, that by every such lease due provision shall be made for securing the payment, performance, and observance by the lessees thereunder of the rent (if any), covenants, and provisions in and by the same respectively reserved and contained, and on their part to be respectively paid, performed, and observed: Provided also, that a duplicate or counterpart of every such lease shall be executed by the lessees therein named, and be delivered to the Company.

Company not to be bound to sell lands demised.

57. Anything in the Lands Clauses Consolidation Act, 1845, to the contrary notwithstanding, the Company shall not be bound to sell or dispose of any lands which may be included in any such lease or the reversion thereof.

Tolls to be taken.

58. The Company may demand and take for or in respect of passengers, animals, goods, matters, and things travelling or conveyed on the tramway such and the like rates, tolls, or other charges as by the Act of 1872 are authorised to be demanded and taken, as if the tramway had formed part of the tramways of the Company authorised by that Act.

Extending time for compulsory purchase of lands for unabandoned works authorised by Act of 1872.

59. The powers of the Company for the compulsory purchase of lands for the purposes of the works authorised by the Act of 1872 may be exercised at any time within, but shall not be exercised after the expiration of two years from the passing of this Act.

Extending period for completion of same.

60. The period for completion of the works authorised by the Act of 1872 is hereby extended to three years from the expiration of the period limited in that behalf by the Act of 1872; and if the said works be not completed within that further period, then, on the expiration of that further period, the powers by the Act of 1872 and by this Act granted to the Company for making and completing the said works or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as shall then be completed.

Power to subscribing companies to

61. The South-western Company and the Devon and Cornwall Company may respectively from time to time raise, for the purpose

A.D. 1874.

raise money by the creation of shares or stock.

of their respective subscription by this Act authorised to the undertaking of the Company, any capital necessary for that purpose, by the issue at the option of the respective company of new ordinary shares or stock, or new preference shares or stock, or wholly or partially by any one or more of those modes respectively, and the clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters; that is to say,

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The consolidation of the shares into stock;

The general meetings of the Company, and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested,

shall extend and apply to the South-western Company or (as the case may be) the Devon and Cornwall Company, and to the additional capital which they are by this Act respectively authorised to raise; and Part I. (relating to cancellation and surrender of shares) and Part II. (relating to additional capital) of the Companies Clauses Act, 1863, shall also extend and apply to the Devon and Cornwall Company, and to the additional capital which that company are by this Act authorised to raise.

Provisions of South-western Company's Act of 1862 extend to shares and stock under this Act.

62. The provisions of sections 47 to 70 (both inclusive) of "The South-western Railway (Additional Powers) Act, 1862," with respect to preferential shares and stock, and the cancellation of shares and stock, and the issue of new shares or stock instead of cancelled shares or stock, and with respect to voting for shares or stock, and otherwise respecting shares and stock, extend to this Act with respect to the South-western Company, and the shares and stock which by this Act they are authorised to create and issue.

Shares of subscribing companies not to be

63. Neither the South-western Company nor the Devon and Cornwall Company shall issue any share under the authority of this Act of less nominal value than ten pounds, nor shall any share vest

in the person or corporation accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

issued until one fifth part thereof shall have been paid up.

64. All moneys which the South-western Company or (as the case may be) the Devon and Cornwall Company may raise under the powers of this Act shall be applied only for the purposes of their respective subscription under this Act.

Application of moneys raised by subscribing companies.

65. The South-western Company and the Devon and Cornwall Company, whilst shareholders of the Company under this Act, shall respectively have all the privileges and powers attaching to a shareholder of the Company at all meetings of the Company, and the provisions of sections 22 and 23 of the Act of 1847 shall extend and apply to the appointment of proxies by the South-western Company or (as the case may be) the Devon and Cornwall Company to vote at meetings of the Company in respect to their respective shares and stock in the Company held under this Act.

Votes of those companies at general meetings.

66. In addition to the directors of the Company whom the South-western Company have power to nominate under the Act of 1847, the South-western Company may in respect of their further subscription to the undertaking of the Company under this Act (if and when they shall have subscribed under this Act not less than twenty thousand pounds to the said undertaking) appoint a director of the Company; and all the provisions of the Act of 1847, as to the qualification, appointment, retirement, and right of voting of directors nominees of the South-western Company, shall apply in the case of any additional director to be nominated by the South-western Company under this Act.

South-western Company may appoint additional directors of Company.

67. The Company on the one hand, and the two companies or either of them on the other hand, may, subject to the provisions of Part III. of the Railways Clauses Act, 1863, as amended or varied by the Regulation of Railways Act, 1873, from time to time enter into and carry effect agreements with respect to the following purposes, or any of them:

Company may enter into agreements with railway companies.

The working, use, management, or maintenance by the two companies, or either of them, of the harbours, docks, tramways, and works of the Company, or any part thereof respectively (which for the purposes of this section shall be deemed to be included in the term "railways" in the said Part III. of the Railways Clauses Act, 1863):

The management, regulation, interchange, collection, transmission, and delivery of traffic upon or coming from, or destined

A.D. 1874.

for the undertakings of the contracting companies, or any or either of them:

The supply and maintenance of engines, machinery, stock, and plant, and the employment of officers and servants;

The fixing, collection, payment, appropriation, apportionment, and distribution of the tolls, rates, income, and profit arising from the undertakings of the contracting companies, or any or either of them, or any part thereof.

Interest not to be paid on calls paid up.

68. No company to which this Act relates shall, out of any money by this Act authorised to be raised, pay interest or dividend 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 any such 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.

69. No such Company shall, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either Houses 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 as to general railway Acts.

70. Nothing in this Act contained shall exempt any such company or their railways 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 maximum rates of fares and charges, or of the rates for small parcels, authorised by this Act.

Reservation of Merchant Shipping Acts and general Acts.

71. Nothing in this Act contained shall exempt the dock and the works connected therewith, by this Act authorised, or the Company, from the provision of "The Merchant Shipping Law Amendment Act, 1853," "The Merchant Shipping Act, 1854," or any general Act 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 dues authorised by this Act, or by the Act of 1847.

A.D. 1874.

General saving.

72. Save as by this Act expressly provided, nothing herein contained shall take away, diminish, alter, or prejudice any right, jurisdiction, liberty, franchise, royalty, easement, interest, power, authority, payment, or privilege of any corporation, or of any lord of any manor, or of any other person, but the same respectively shall, save as aforesaid, be preserved and continued, and may be exercised and enjoyed as if this Act had not been passed.

Expenses of Act.

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

A.D. 1874.

SCHEDULES.

SCHEDULE A.

Dues on Vessels.

	£	s.	d.
For every vessel to or from any port or place in the United Kingdom, Isle of Man, or Channel Islands—			
If above fifty tons - - - per register ton	0	0	3
If under fifty tons - - - per register ton	0	0	3
Rent after two weeks from date of entrance per register ton per week	0	0	1
For every vessel to or from any port or place on the Continent between Ushant and the Elbe - - per register ton	0	0	4
Rent after two weeks from date of entrance per register ton per week	0	0	1
For every vessel to or from any foreign port or place (Continent as above excepted) outside the Baltic and between the North Cape of Lapland and Gibraltar, including coast of Morocco per register ton	0	0	6
Rent after three weeks from date of entrance per register ton per week	0	0	1
For every vessel to or from any other port or place whatsoever per register ton	0	0	9
Rent after four weeks from date of entrance per register ton per week	0	0	1
For yachts or other vessels kept for pleasure - per register ton	0	0	6
Rent after four weeks from date of entrance per register ton per week	0	0	1½
Any fractional part of a week to be charged as one week.			
Vessels having discharged cargo and paid inward dues from foreign, if loaded outwards to pay in addition half the dues according to the port of destination.			
For all British vessels employed in fishing, exceeding thirty tons register - - - - - per annum	3	0	0
For all British vessels employed in fishing, exceeding twenty tons and not exceeding thirty tons - - per annum	2	0	0
For all British vessels employed in fishing, exceeding ten tons and not exceeding twenty tons - - - per annum	1	0	0
For all British vessels employed in fishing, under ten tons per annum	0	10	0
For all barges, lighters, steam tugs, and other craft employed within the port of Plymouth, exceeding thirty tons register per annum	2	10	0
Under thirty tons register - - - per annum	1	10	0

Mooring Chains and Buoys.

	£	s.	d.
For every vessel under one hundred tons register - per week	0	2	0
For every vessel of one hundred tons register and under two hundred tons register - - - per week	0	3	0
For every vessel of two hundred tons register and under three hundred tons register - - - per week	0	4	0
For every vessel of three hundred tons register and above per week	0	5	0

A.D. 1874.

Dues for the Cranes.

For all dry goods in quantities not exceeding 10 tons -	per ton	0	0	8
For all dry goods in quantities exceeding 10 tons -	per ton	0	0	6
For wines, spirits, and other liquids, not exceeding 10 tuns	per tun	0	1	0
For wines, spirits, and other liquids, exceeding 10 tuns -	per tun	0	0	8
For any single article in lieu of the above dues—				
Exceeding 1½ tons and not exceeding 2 tons -	per ton	0	1	0
Exceeding 2 tons and not exceeding 2½ tons -	per ton	0	1	6
Exceeding 2½ tons and not exceeding 3 tons -	per ton	0	2	0
Exceeding 3 tons and not exceeding 3½ tons -	per ton	0	2	6

A proportional payment to be made for any fractional part of a ton.

Exceeding 3½ tons a special agreement must be made with the harbour or dock master.

SCHEDULE B.

Dues on Goods.

	£	s.	d
Anchors - - - - - - per cwt.	0	0	1
Apples, pears, and all other green fruit in bulk - per bushel	0	0	0½
Apples, pears, and all other green fruit, in packages per cubic foot	0	0	0½
Ale, beer, porter, cider, vinegar, and other liquids in casks, not otherwise enumerated - - at per tun of 252 gallons	0	1	6
Ale, beer, porter, cider, vinegar, and other liquids, not otherwise enumerated, in bottles - - - per dozen	0	0	1
Alum - - - - - - per ton	0	1	0
Annatto - - - - - - per cwt.	0	0	1
Apothecaries wares and drugs - - - per cwt.	0	0	1
Arsenic - - - - - - per ton	0	1	2
Arrowroot - - - - - per cwt.	0	0	1
Argols - - - - - - per ton	0	1	2
Asphalte - - - - per ton	0	1	0
Bacon, hams, and tongues - - - per cwt.	0	0	1

A.D. 1874.

	£	*s.*	*d.*
Bale, cask, truss, box, trunk, case, chest, bundle, or package, not exceeding 6 cubic feet, containing goods not otherwise enumerated - - - - - -	0	0	3
For every additional cubic foot - - per foot	0	0	$0\frac{1}{2}$
Bark - - - - - - per ton	0	1	6
Bedsteads - - - - - each	0	0	6
Bedding, seamen's - - - - each	0	0	2
Beef and pork - - - - - per tierce	0	0	3
Beef and pork - - - - - per barrel	0	0	2
Birds cage, of English - - - - per cage	0	0	3
Birds cage, of foreign - - - - per cage	0	0	6
Biscuit and bread - - - - per cwt.	0	0	1
Bones - - - - - per ton	0	1	2
Bone dust - - - - - per ton	0	1	2
Bottles, empty - - - - - per dozen	0	0	$0\frac{1}{4}$
Bricks, fire - - - - - per thousand	0	1	6
Bricks, building - - - - per thousand	0	1	0
Brushes, brooms, and mops - - - per dozen	0	0	1
Butter - - - - - per cwt.	0	0	1
Bales, cases, and other packages of cotton, linen, and woollens, per ton of 40 cubic feet - - - - per ton	0	1	6
Barytes - - - - - per ton	0	1	2
Blue lias, unmanufactured - - - - per ton	0	0	6
Blue lias, manufactured - - - - per ton	0	1	0
Brimstone - - - - - per ton	0	1	0
Carboys - - - - - - each	0	0	2
Carts - - - - - - - each	0	1	6
Carts, hand - - - - - each	0	0	6
Chairs - - - - - - per dozen	0	1	0
Cheese, loose - - - - - per cwt.	0	0	1
Coals, culm, coke, cinder, and breeze - - - per ton	0	0	6
Coffee, chicory, and chocolate - - - per cwt.	0	0	$1\frac{1}{2}$
Cabinet manufactures and musical instruments, at per ton of 40 cubic feet - - - - - -	0	2	0
Castings, iron or metal - - - - per cwt.	0	0	1
Cement - - - - - - per ton	0	1	0
Charcoal - - - - - - per ton	0	1	6
Chemicals, dry, not otherwise enumerated - - per ton	0	1	2
Chemicals, liquid - - - - - per ton	0	1	6
Clay and china stone - - - - - per ton	0	0	8
Cocoa nuts - - - - - - per hundred	0	0	$1\frac{1}{2}$
Coir - - - - - - per ton	0	1	2
Coprolite - - - - - - per ton	0	1	0
Copper ore - - - - - per ton	0	1	2
Corkwood - - - - - - per ton	0	2	6
Chain cables - - - - - per ton	0	1	2
Divi divi - - - - - per ton	0	1	6
Dye stuffs, not otherwise enumerated - - - per ton	0	1	6

		£	*s.*	*d.*
Drain pipes	per ton	0	1	0
Earthenware, loose	score pieces	0	1	0
Elephants, lions, tigers, rhinoceroses, and bears	each	0	15	0
All other wild beasts and foreign animals not already enumerated	each	0	5	0
Eggs, in casks or crates	per cubic foot	0	0	0½
Empty bags	per cwt.	0	0	1
Empty casks	per ton	0	1	2
Feathers	per cwt.	0	0	3
Flax and hemp	per cwt.	0	0	1
Flour, oatmeal, bran, and pollard	per ton	0	1	2
Fruit, dried	per ton	0	1	8
Flints and chalk	per ton	0	0	6
Fullers earth	per ton	0	1	2
Furniture	at per ton of forty cubic feet	0	2	0
Felt	per ton	0	1	2
Glass, china, and earthenware in crates or other package	per cubic foot	0	0	0½
Grain:—beans, peas, tares, wheat, malt, barley, oats, rye, Indian corn, and all seeds not otherwise enumerated, sold by measure	per ton	0	1	2
Grass, and all other seeds sold by weight	per cwt.	0	0	1
Grinding stones	per ton	0	1	2
Groceries, and other dry goods not otherwise specified	per cwt.	0	0	1
Gunpowder	per barrel of 100 lbs.	0	1	6
Gunpowder	per barrel of 50 lbs.	0	1	0
Gunpowder	per barrel of 25 lbs.	0	0	6
Grease, not lard or tallow	per ton	0	1	2
Guano	per ton	0	1	2
Gypsum or plaster of Paris	per ton	0	1	0
Gravel	per ton	0	0	4
Hay	per ton	0	1	2
Hoops, butts	per bundle	0	0	1
Hoops, other sorts	per bundle	0	0	0½
Hops	per cwt.	0	0	2
Hurdles, iron or wood	per hundred	0	2	6
Hardware and ironmongery	per ton	0	1	2
Hides, dry	per cwt.	0	0	1½
Hides, wet	per ton	0	1	2
Horns	per cwt.	0	0	1
Instruments, musical, statuary, pictures, billiard tables, plate, and jewellery, packed in cases, at	per cubic foot	0	0	1½
Ice	per ton	0	1	2
Indigo	per cwt.	0	0	2
Iron, bar, bolt, rail, sheet, and plates	per ton	0	1	2
Iron, old scrap or pig	per ton	0	1	2
Iron ore	per ton	0	0	9
Jute	per cwt.	0	0	1
Junk	per cwt.	0	0	1

A.D. 1874.

		£	s.	d.
Kainit	per ton	0	1	0
Kelp	per cwt.	0	0	1
Laths	per 1,000 of 3 feet lengths	0	0	4
And in proportion for all other lengths.				
Lathwood, per fathom of 4 feet long		0	2	0
And so in proportion for all other lengths.				
Leather	per cwt.	0	0	2
Lard	per cwt.	0	0	1
Lemon and lime juice	per pipe	0	1	6
Lead	per ton	0	1	2
Lead ore	per ton	0	1	2
Lime	per ton	0	0	6
Lignum vitæ	per ton	0	2	0
Linseed, rape, and all other cakes	per ton	0	1	2
Machinery	per ton	0	2	0
Mahogany, cedar, and other ornamental timber, in logs, at per ton of 40 cubic foot		0	1	2
Mahogany, cedar, and other ornamental timber, in planks	at per cubic foot	0	0	0½
Marble, foreign, unwrought	per ton	0	1	2
Marble, foreign, wrought	per ton	0	2	0
Meat	per cwt.	0	0	1
Metal, sheating	per ton	0	1	6
Millstones, large	each	0	1	6
Millstones, small	each	0	1	0
Manganese	per ton	0	1	0
Manure, common	per ton	0	0	4
Manure, manufactured	per ton	0	1	2
Mats	per 120	0	0	4
Molasses	per ton	0	1	2
Mangold-wurtzell	per ton	0	0	8
Nails	per cwt.	0	0	1
Nitrate of soda	per ton	0	1	2
Oils, fish or train, at per tun of 252 gallons		0	1	2
Oils, not otherwise enumerated, at per tun of 252 gallons		0	2	0
Oil in bottles, in chests	at per cubic foot	0	0	0½
Oranges and lemons, in cases or chests	per cubic foot	0	0	0½
Ordnance, pieces of	per cwt.	0	0	2
Oars and oar rafters	per 120	0	2	0
Ochre	per ton	0	1	2
Onions	per cwt.	0	0	1
Orchilla	per ton	0	2	0
Ores, unenumerated	per ton	0	1	2
Paper	per ton	0	1	8
Pitch and tar	per ton	0	1	2
Plants and shrubs in mats	per cubic foot	0	0	1
Potatoes	per ton	0	1	2
Poultry	per dozen	0	0	3
Petroleum and petroline	per ton	0	2	6

		£	*s.*	*d.*
Pumice stone	per ton	0	1	6
Pot and pearl ashes	per ton	0	1	2
Paints, painters colours and materials	per ton	0	1	8
Pyrites	per ton	0	1	2
Phosphate of lime	per ton	0	1	2
Rags	per cwt.	0	0	1½
Rice	per ton	0	1	2
Rope, cordage, and twine	per ton	0	1	2
Resin	per ton	0	1	2
Salt	per ton	0	1	2
Salt, rock	per ton	0	1	0
Shot and shell	per cwt.	0	0	1
Slates	per ton	0	1	0
Specie and bullion	per cwt.	0	1	0
Staves	per load of 50 cubic feet	0	1	6
Stone and British marble	per ton	0	0	6
Saltpetre	per ton	0	1	2
Sand	per ton	0	0	4
Soap, candles, and starch, in packages	per cubic foot	0	0	0½
Shellac	per ton	0	2	0
Spelter	per cwt.	0	0	1
Skins, calf skins and skips, dry	per cwt.	0	0	2
Skins, calf skins and skips, wet	per cwt.	0	0	2
Skins, kid, lamb, seal, &c.	per hundred	0	0	3
Shumac	per ton	0	1	2
Sugar, on gross weight	per ton	0	1	2
Soda and soda ash	per ton	0	1	2
Straw and reed	per cwt.	0	0	1
Spars, 22 feet long and above	per load of 50 cubic feet	0	1	6
Spars, under 22 feet long	per 120	0	1	8
Tallow	per ton	0	1	2
Tea	per cwt.	0	0	2
Tiles	per ton	0	1	0
Turtle	each	0	2	0
Tobacco, unmanufactured	per ton	0	2	6
Tobacco, manufactured	per cwt.	0	0	2
Tow	per ton	0	1	2
Tin ore	per ton	0	1	2
Timber, teak, oak, elm, ash, birch, or other similar hard wood at	per ton of 40 cubic feet	0	1	2
Timber, fir or pine, deals, battens, ends, scantlings, and all other timber not otherwise enumerated	at per load	0	1	2
Turpentine	per ton	0	1	6
Valonia	per ton	0	1	2
Vegetables not otherwise enumerated	per cwt.	0	0	1
Waggons	each	0	2	6
Wines and spirits	per tun of 252 gallons	0	1	6
Wines and spirits in bottles	per dozen	0	0	1

A.D. 1874.

	£	s.	d.
All goods and packages not enumerated in this schedule to pay at the rate of - - - - - per cwt.	0	0	2
or per cubic foot	0	0	1

And so in proportion for any greater or less quantity, whether enumerated or not.

All goods and merchandise in packages to pay on the gross weight, except when charged by measurement.

SCHEDULE C.

	In the outer Harbour.			In the Dock.		
	£	s.	d.	£	s.	d.
Fish, dry, salted, in bulk - - - per ton		—		0	1	2
Ditto in barrels or other packages per cubic foot		—		0	0	0½
Fish, fresh :						
Herrings, loose - - - per 1,200	0	0	1½	0	0	3
Herrings, in barrels or other packages per cubic foot	0	0	0¼	0	0	0½
Pilchards, loose - - - per 1,200	0	0	1¼	0	0	2½
Pilchards, in barrels or other packages per cubic foot	0	0	0¼	0	0	0½
Mackerel, loose - - - per 120	0	0	1	0	0	1½
Mackerel, in pads or other packages per cubic foot	0	0	0½	0	0	0¾
Fish, other sorts, not otherwise enumerated, loose per cwt.	0	0	0½	0	0	0¾
Ditto ditto ditto in maunds or other packages - - per cubic foot	0	0	0½	0	0	0¾
Fish, shell, such as lobsters, crabs, crawfish, &c. &c. per 20	0	0	1	0	0	2
Ditto ditto in boxes or other packages per cubic foot	0	0	0½	0	0	0¾
Ditto, such as oysters - - - per 120	0	0	1	0	0	1½

SCHEDULE D.

	£	s.	d.
For every passenger and other person who shall land at the dock, or embark or go on board any vessel, boat, wherry, or other machine, from the said dock, or any part thereof, for each and every time - - - - - -	0	0	3
For every horse that shall be landed on or embarked from the said dock or outer harbour, or any part thereof, for each and every time - - - - - -	0	1	6
If craned, for each and every time, the additional sum of -	0	0	6

	£	s.	d.
For every bull, cow, or ox which shall be landed on or embarked therefrom, for each and every time - - -	0	1	6
If craned, for each and every time, the additional sum of -	0	0	4
For every pig, sheep, lamb, goat, or dog which shall be landed on or embarked therefrom, for each and every time - -	0	0	2
For every pony or mule which shall be landed on or embarked therefrom, for each and every time - - -	0	1	0
If craned, for each and every time, the additional sum of -	0	0	3
For every ass or calf which shall be landed on or embarked therefrom, for each and every time - - - - -	0	0	3
For every four-wheeled carriage which shall be landed on or embarked therefrom, for each and every time - -	0	4	0
If craned, for each and every time, the additional sum of -	0	1	0
For every two-wheeled carriage which shall be landed on or embarked therefrom, for each and every time - -	0	2	6
If craned, for each and every time, the additional sum of -	0	1	0
For all and every trunk, portmanteau, box, parcel, or other package falling within the description of luggage, that shall be landed on or otherwise taken from or placed on the said dock or any part thereof, and not exceeding 28 lbs. each -	0	0	1
If exceeding 28 lbs. each and not exceeding 84 lbs. each	0	0	2
If exceeding 84 lbs. each and not exceeding 140 lbs. each - - - - - -	0	0	3
If exceeding 140 lbs. each and not exceeding 2 cwt. each - - - - - -	0	0	4
If exceeding 2 cwt., for every hundredweight - -	0	0	2
And for every half-hundredweight, in addition -	0	0	2

LONDON : Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1874.