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the Application of the Monies carried to those respective Accounts, and also of the Monies to be carried to the Sinking Fund Account, were altered and defined: And whereas some of the Provisions of the First Act and also of the Second Act were altered and amended by "The *Tees* Conservancy Act, 1858," (herein called the "Third Act,") by which Act the Limits of the Jurisdiction of the Commissioners as prescribed by the First Act were more clearly defined, and many new and additional Powers were conferred upon the Commissioners with respect to the Reclamation of Lands by the Works of the Commissioners, the Purchase and Regulation of Fisheries, and Rights of fishing in the River *Tees* below *Stockton* Stone Bridge, the levying of additional Tolls, and borrowing Money on the Security thereof, and the Application of such Tolls and Money for paying off and extinguishing certain Mortgages constituting a Debt of Thirty-two thousand Pounds owing by the Commissioners, and the Purchase of certain Dues payable in the *Tees* called Anchorage and Plankage Dues, and the Mortgage thereof to pay or secure the Purchase Money for the same: And whereas under the said Acts the Revenue of the Commissioners is directed to be from Time to Time applied in the Manner following; (namely,)

21 & 22 Vict. c. cxl.

1st, not exceeding Two thousand five hundred Pounds a Year for Management and Maintenance;

2nd, in Payment of Interest on Sums of Three thousand Pounds, Eighteen thousand Pounds, Thirty-six thousand three hundred and twenty Pounds, Seven thousand Pounds, and Twenty-five thousand Pounds, making together Eighty-nine thousand three hundred and twenty Pounds;

3rd, in Payment of Interest on Two hundred and forty Pounds, Part of the Thirty-two thousand Pounds for which other Provision is now made by the additional Tolls leviable under the Third Act, but which Sum of Two hundred and forty Pounds, not being converted under that Act, is still a Charge on the Revenue Account;

4th, in Payment of Interest on Eighteen thousand Pounds, of which Seven thousand Pounds only has been raised, and the Residue of Eleven thousand Pounds remains to be borrowed;

5th, in Payment of Interest on Sixty-seven thousand six hundred and eighty Pounds, of which no Part has yet been raised;

6th, in augmentation of the Sinking Fund, to which, after the Ninth Day of *November* One thousand eight hundred and sixty-two, the Commissioners are directed to pay yearly a Sum equal to One Thirtieth Part of the Principal Sums then charged on the Revenue of the Commissioners:

And whereas the Commissioners under the Powers of the First Act are now, with the Approval of the Admiralty, constructing an Embankment or Breakwater on the South Side of the Estuary of the *Tees*, within the Limits of their Jurisdiction, for the Protection of the navigable Channel of the *Tees* from On-shore Gales: And whereas for the Completion of those Works the Commissioners have applied to the Commissioners for

carrying

carrying into execution the Public Works Act, Nineteen *Victoria*, Chapter Seventeen, herein-after called "the Public Works Loan Commissioners," for the Loan of a Sum of Money; and in order to give to those Commissioners the Security which will be required it is necessary that the Payments by the First Act directed to be made to the Sinking Fund should be deferred and altered, and that the Application of the Revenue and Sinking Fund Accounts should be altered, and that the Commissioners should be authorized to secure such Sum, and that further Powers with respect to raising Money by way of Mortgage or Bond, and also Power to raise Money by Annuities, should be conferred on the Commissioners: And whereas it is expedient that further Powers for the Purchase of Lands, Houses, Foreshore, Bed of the *Tees* and Sea, and other Property for the authorized Works and Lighthouses of the Commissioners, and for altering existing and levying new Tolls, Rates, and Duties, and for removing Obstructions to the Navigation, and for preventing unauthorized dredging in the *Tees*, and for enabling the Commissioners to undertake the Discharge and loading and Removal of Ballast, and to charge Dues for such Services, and for other Purposes connected with the Objects aforesaid, should be granted to the Commissioners: And whereas it is expedient that some other of the Provisions of the recited Acts should be repealed, amended, and extended, and further Powers granted to the Commissioners; but the same 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 of the 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 any Purpose whatever as "The *Tees* Conservancy Act, 1863."

Interpretation of Terms.

2. The several Words and Expressions "Commissioners," "Clerk," "the *Tees*," "reclaimed Lands," "Owner," and "Commissioners of Woods," when used in this Act, shall have the Meanings assigned to them in Section 4 of the Third Act; the Word "Justice" when used in any of the recited Acts or this Act shall mean a Justice of the Peace for the County of *Durham*, or for the North Riding of the County of *York*, or within their respective Jurisdictions, for the Borough of *Stockton* or Borough of *Middlesbrough*; and where any Matter shall be authorized or required to be done by Two Justices the Expression "Two Justices" shall be understood to mean any Two Justices of such County, Riding, or Borough assembled and acting together; "the Board of Trade" shall mean the Lords of the Committee of the Privy Council for the Consideration of Matters relating to Trade and Foreign Plantations; and the several Words and Expressions in this Act to which other Meanings are not assigned by this Act shall have the Meanings assigned to them by the First Act and the Acts wholly or partially incorporated herewith,

herewith, unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

Defining Expression "Superior Courts," &c.

3. The Expression "Superior Courts," or "Court of competent Jurisdiction," or any other like Expression in this Act or in the recited Acts, or in any Act or Acts incorporated therewith, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

The Commissioners to execute Act.

4. The several Powers and Authorities by this Act granted to the Commissioners shall be executed by them within the Limits defined by Section Two of the Third Act, and under and pursuant to the Powers and Provisions of the said recited Acts, and the several Acts and Parts of Acts respectively incorporated therewith.

8 & 9 Vict. c. 18. and Parts of 10 & 11 Vict. c. 27. incorporated.

5. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and the Clauses of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to the following Matters, (that is to say,)

With respect to the Construction of that Act, and of any Act incorporated therewith;

With respect to the Construction of the Harbour, Dock, or Pier, so far as those Clauses are applicable to Lands, Houses, Foreshore, and Bed of the *Tees* or Sea over which compulsory Powers of Purchase are granted by this Act, and to the Plans and Books of Refer nce relating to such Lands;

With respect to the Construction of Warehouses, Wharfs, and other Conveniences;

With respect to the Rates to be taken by the Undertakers;

With respect to the Collection and Recovery of Rates;

With respect to the Accounts to be kept of the Rates and of the Vessels in respect of which they are payable;

With respect to the Byelaws to be made by the Undertakers;

With respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices; and

With respect to Access to the Special Act,

Shall be incorporated with and form Part of this Act, and be applicable to the several Purposes thereof.

"Harbour, Dock, or Pier," in the Harbours, &c. Act, to mean the Tees.

6. In construing the Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated with the First or Third Act or this Act, the Expression "the Harbour, Dock, or Pier" shall mean "the *Tees*" within the Limits prescribed by the Third Act, and shall, so far as the same can apply or be made applicable thereto, apply to the *Tees* and

and the Banks and the Shores thereof, and such Provisions shall and may be carried into execution by the Commissioners accordingly.

Amending Sections 42 and 44 of the First Act.

7. If the Commissioners, in exercise of any of the Powers vested in them by the First Act, construct, with the Consent of the Board of Trade, any Embankment, Breakwater, or other Works under the general Powers contained in the First Act, they may afterwards, but subject to the Provisions of this Act, with the like Consent of the Board of Trade, alter and extend the same to any Extent and in any Manner to and in which they might, with such Consent, have constructed the same in the first instance, and, with the like Consent, may make any Approaches or Communications to or with the same which may in any Case be necessary or expedient, and, subject to the Provisions of the Third Act and this Act relating to reclaimed Lands, the Commissioners may reclaim any of the Lands gained from the Banks, Shores, and Bed of the River by any of such Works: Provided always, that nothing in this Enactment contained shall be deemed or construed to revive any Powers for the compulsory Purchase of Lands which may have expired before the passing of this Act.

Power to purchase Lands for authorized Works.

8. And whereas Plans describing the Lands, Houses, Foreshore, and Bed of the *Tees* and Sea required to be purchased compulsorily for the Purposes of the *Seaton* Lighthouses, and of the Embankments and Breakwaters now in course of Construction by the Commissioners under the First Act, or thereby authorized to be constructed, and for Approaches thereto respectively, and also Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands, Houses, Foreshore, and Bed of the *Tees* or Sea, have been deposited with the Clerk of the Peace for the North Riding of the County of *York*, and with the Clerk of the Peace for the County of *Durham*: Therefore, subject to the Provisions of this Act and of the Acts incorporated herewith, it shall be lawful for the Commissioners for the Purposes before mentioned, or any of them, or for any other Purposes authorized by the recited Acts or any of them, to enter upon, purchase, take, and use the Lands, Houses, Foreshore, and Bed of the *Tees* and Sea delineated on those Plans and described in those Books of Reference respectively, or such Part of those Lands, Houses, Foreshore, and Bed of the *Tees* or Sea as the Commissioners may from Time to Time think fit to purchase, take, or use for the Purposes before mentioned or referred to, or any of them.

Powers for compulsory Purchases limited.

9. The Powers hereby conferred on the Commissioners for the compulsory Purchase and taking of Lands, Houses, Foreshore, Bed of the *Tees* and Sea for the Purposes of the recited Acts and this Act shall not be exercised after the Expiration of Ten Years from the passing of this Act.

Power to purchase compulsory Right of Way over Road to Lighthouses.

10. And whereas the *Seaton* Lighthouses, called respectively the *Seaton* Low Lighthouse and the *Seaton* High Lighthouse, are situate at a considerable Distance from each other, and the Roads forming the Line of Communication between those Lighthouses are delineated upon the before-mentioned deposited Plans, and are thereon distinguished by the Colour Pink, and are numbered respectively 5, 6, 7, and 8, in the Township of *Seaton Carew* in the Parish of *Stranton* in the County of *Durham*, Part of the said Road numbered 7 comprising a level Crossing over the *West Hartlepool* Railway: And whereas the greater Portion, if not the whole, of the said Roads are Occupation Roads, and the Commissioners have only a limited Interest in the Use thereof: And whereas it is expedient that the Commissioners should have a permanent Means of Communication between their said Lighthouses, and for that Purpose that they should be enabled to purchase compulsorily from the Owners, Lessees, and Occupiers of the said Roads a perpetual Right of Way and other Easements over the same for Horses, Carts, Carriages, and Persons on Foot: Therefore, subject to the Provisions of this Act and of the Acts incorporated herewith, it shall be lawful for the Commissioners to purchase and take compulsorily from the Owners, Lessees, and Occupiers of the said Roads numbered respectively 5, 6, 7, and 8, and coloured Pink on the said deposited Plans, in the Township of *Seaton Carew* and Parish of *Stranton*, a perpetual Right of Way for the Passage of Horses, Carts, Carriages, and Persons on Foot passing or requiring to pass between the said Lighthouses, or to or from the same or either of them, for the Purposes of the said Lighthouses, or of the Cottages, Buildings, and Premises used therewith, or occupied by any Persons holding under the Commissioners: Provided always, that nothing in this Enactment contained shall be deemed or construed to make public Highways any of the Occupation Roads, or the said level Crossing over the *West Hartlepool* Railway, over which any such perpetual Right of Way as aforesaid shall be acquired.

Persons under Disability enabled to sell Lands and Easements over the same to the Commissioners.

11. The Commissioners may purchase, but by Agreement only, any Land adjoining or near to the *Tees*, or of any Interests therein, or of any Right of Way or other Easements over the same, which they may deem necessary for or in connexion with any of the Works authorized by the First Act; and all Persons under any Incapacity or Disability who, under "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," incorporated with this Act, are authorized to sell and convey Lands authorized to be taken for the Purposes of the Special Act to the Commissioners, may sell and convey any such Lands, Right of Way, or other Interest therein, or any Right of Way or other Easement over the same, to the Commissioners for the Purposes of the recited Acts and this Act, or any of them.

12. The

Power to raise Money by terminable Annuities.

12. The Commissioners, if they think fit, may raise the whole or any Part of the Sum of Seven thousand one hundred Pounds which, by the Seventy-ninth Section of Third Act, they are empowered to borrow by Mortgages of the Anchorage and Plankage Dues therein mentioned, or any Sum of Money which they are authorized and may require to borrow for the Purposes of their existing Acts, or any of them, or of this Act, or to reborrow for the Purpose of paying off any Mortgage or Bond granted by the Commissioners, by way of immediate or deferred terminable Annuities for One or more Life or Lives, or for any Number of Years not exceeding Fifty Years, and for the Payment of Interest in the meantime and until the Commencement of any deferred Annuities, instead of by Mortgages, at such a Rate and upon such Terms and Conditions as the Commissioners may think fit; and every Annuity which may be so granted shall be a Charge on the Anchorage and Plankage Dues and the *Tees* Conservancy Revenue Account, or upon the *Tees* Conservancy Revenue Account only, as the Case may require, and, subject as in this Act provided with respect to any Mortgage granted to the Public Works Loan Commissioners under the Powers of this Act, shall rank in the same Order of Priority as the Interest of the Principal Sum raised by the Grant of such Annuity would have ranked if such Principal Sum had been raised by Mortgage or Bond instead of by Annuity; and every such Annuity shall be made determinable on a Life or Lives in being not exceeding Three in Number or of a Term of Years, not exceeding Fifty, and may be granted in favour of any Person who shall advance to the Commissioners any Sum of Money for the Purchase of the same.

Form of Grant of Annuity.

13. Every such Grant of Annuity shall be by Deed duly stamped, in which the Consideration shall be truly stated, and shall be made under the Common Seal of the Commissioners, and may be in the Form in the Schedule (A.) to this Act annexed, or to the like Effect.

Annuities to be paid half-yearly.

14. Every Annuity so granted shall be paid by half-yearly Payments out of the Dues or Revenues charged with the Payment thereof according to the Grant of such Annuity, and if charged on the *Tees* Conservancy Revenue Account shall rank in the Order of Priority directed by this Act, and such Order of Priority shall be stated in the Grant of such Annuity.

Expenses of Annuity.

15. The Expenses of every Mortgage and Grant of Annuity shall from Time to Time be defrayed by the Commissioners out of the Monies raised by the same, or out of the Revenue on the Credit of which such Monies shall be raised.

Register of Annuities to be kept, and to be open

16. A Register of such Annuities shall be kept by the Clerk, and within Fourteen Days after the granting and Date of any such Annuity an Entry or Memorial of the Number and Date thereof, and of the Names

of

to Inspection.

of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all reasonable Times by any Person interested therein without Fee or Reward.

Transfer of Annuities.

17. From Time to Time any Party entitled to any such Annuity may transfer his Right and Interest therein to any other Person by a Deed duly stamped, wherein the Consideration shall be truly stated, and any such Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect.

Register of Transfers to be kept.

18. Within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk, who shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Annuity, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Annuity in all respects, and no Party having made such Transfer shall have Power to make void, release, or discharge the Annuity so transferred.

Defining Expression "Tees Conservancy Fund."

19. The Expression "*Tees* Conservancy Fund" used in Section 5 of the Second Act and in this Act, and in any Mortgage or Bond created under any of the recited Acts, means the "*Tees* Conservancy Revenue Account," and the Monies for the Time being carried thereto, the Application of which is directed by that Section.

So much of Section 111 of First Act as relates to Tees Conservancy Sinking Fund repealed.

20. So much of Section 111 of the First Act as provides that after the Expiration of Ten Years the Commissioners shall in every succeeding Year, until the whole Debt shall be paid off, set apart out of the Revenue arising from the *Tees* Conservancy Fund, as a Sinking Fund to pay off the Monies secured on Mortgage of that Fund, not less than One Thirtieth Part of the Sum which should on the Expiration of such Ten Years be due and owing on such Mortgages, shall be and the same is hereby repealed.

Sums payable to Public Works Loan Commissioners to be a Charge on Tees Conservancy Revenue Account.

21. If the Commissioners borrow from the Public Works Loan Commissioners any Sum of Money, then the Interest of the Sum of Money so borrowed, and the Principal thereof payable by the annual or other Instalments set forth in the Mortgage or other Security for such Loan, shall be a Charge on the *Tees* Conservancy Revenue Account next immediately after the Interest for the Time being payable out of that Account in respect of the Principal Sums now owing by the Commissioners, and of any further Principal Sums which they may hereafter borrow, not exceeding the Sum of Eleven thousand Pounds, the Interest of which is payable out of that Account, but in priority to the Payment out of that Account of any Sum by this Act directed to be set apart as a Sinking Fund.

22. After

Sinking Fund to be provided.

22. After the Expiration of Ten Years from the passing of this Act the Commissioners shall in every succeeding Year, until the whole Debt secured by them under the recited Acts and this Act (exclusive of any Sum raised by way of Annuity, and of the Interest and yearly or other Instalments of Principal for the Time being payable to the Public Works Loan Commissioners, in respect of any Loan made by them to the Commissioners,) on the *Tees* Conservancy Revenue Account shall have been paid off, set apart out of that Account, next after the Payment thereout of any Sum by way of Interest or Annuity charged thereon under this Act, a Sum not less than One Fortieth Part of the whole of the Principal Sums which have been so secured, exclusively of any Sums so raised by way of Annuity, and of any Sum borrowed from the Public Works Loan Commissioners, but inclusive of any Sum paid off out of the Sinking Fund Account, which Sum so from Time to Time set apart shall be carried to an Account to be called "The *Tees* Conservancy Sinking Fund Account," and shall be applied in the Manner directed by Section 7 of the Second Act, except as to the Sum of Thirty-one thousand seven hundred and sixty Pounds, Part of the Sum of Thirty-two thousand Pounds therein mentioned, for the Payment of which other Provision being made under the Third Act which is no longer a Charge on the said Sinking Fund, and except as to any Sum for the Time being owing to the Public Works Loan Commissioners for which other Provision is made by this Act, and the Monies for the Time being carried to the said Account shall from Time to Time, until so applied as aforesaid, be invested and accumulated in the Manner authorized by Section 84 of the Third Act: Provided always, that if the *Tees* Conservancy Revenue Account, after Payment of all prior Charges thereon, shall in any Year be insufficient to supply the Amount above required, the whole surplus Revenue of such Year and every succeeding Year shall be applied to the Sinking Fund in order to make up the Deficiency, and secure (so far as may be possible) the Payment of the whole Debt, exclusive of any Sum raised by way of Annuity, in Forty Years after the Sinking Fund shall have been brought into operation.

Additional Tonnage Dues in Schedule(C.) to be taken in lieu of additional Tonnage Dues in Schedule(B.) of Third Act.

23. After the passing of this Act the several additional Tolls or Tonnage Dues specified in Schedule (C.) to this Act shall be taken in lieu of the several additional Tolls specified in Schedule (B.) to the Third Act, and the additional Tolls or Dues so by this Act authorized are vested in the Commissioners accordingly for the Purposes mentioned in Sections 66, 67, 68, 69, and 70 of the Third Act, but subject to the Restrictions, Limitations, and Conditions in such Sections respectively contained in the same Manner in all respects as if the additional Tolls or Dues authorized by this Act had been authorized by Section 69 of the Third Act.

Tolls in Schedule(D.) to be taken in lieu of Tolls in Schedule(C.) of Third Act.

24. After the passing of this Act any Tolls, not exceeding the several Tolls specified in Schedule (D.) to this Act, shall be taken in lieu of the several Tolls specified in Schedule (C.) to the Third Act, and the Tolls so by this Act authorized are vested in the Commissioners accordingly for the Purposes of the said recited Acts and this Act, and all Sums received in respect thereof shall be carried to "The *Tees* Conservancy Revenue Account:" Provided always, that if the Portion of the *Tees* Conservancy Revenue Account for the Time being applicable to the Payment of Interest and Principal payable to the Public Works Loan Commissioners shall be insufficient for those Purposes, the Commissioners shall, if and when required by the said Public Works Loan Commissioners so to do, from Time to Time demand and take such further and increased Tolls under Schedule (D.) to this Act rateably as may be necessary for the Purpose of raising sufficient Revenue to pay the yearly or other Sums for the Time being payable to the Public Works Loan Commissioners.

Pleasure Yachts exempted from Tolls.

25. None of the Tolls authorized to be levied by the Commissioners shall be levied in respect of any Yacht the *bonâ fide* Property of any Member of any Royal Yacht Club, such Yacht not being used for any mercantile or trading Purposes whatever.

Power to lay down Moorings.

26. It shall be lawful for the Commissioners out of the *Tees* Conservancy Capital Account to provide, place, and lay down such Moorings for the Use of Vessels of all Descriptions, and in such Parts of the *Tees*, as they shall from Time to Time think necessary or expedient.

Control of Moorings, and Powers of Harbour-masters.

27. The Moorings placed or laid down by the Commissioners shall be under the Management and Control of the Harbour-masters of the Commissioners, and it shall be lawful for the Harbour-masters for the Time being, or their Assistants, or any of them, to give Directions for all or any of the following Purposes; (that is to say,)

For regulating the Vessels which shall use such Moorings or any of them, and the Time any such Vessels shall continue thereat;

For regulating the Manner of using such Moorings and attaching Vessels thereto; and

For regulating the Position of Vessels while lying at such Moorings:

Provided always, that no such Moorings, or the Vessels using the same, shall be so placed as to obstruct or render inconvenient the Access to and from any Shipping Places or Wharves in the River.

Penalty for obstructing Harbour-master.

28. If any Master or Commander of any Vessel, or any Person on board the same, shall hinder any Harbour-master or any of his Assistants, or any Person employed by him, in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or Commander

mander or other Person shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Harbour-master not to give undue Preference.

29. If any Harbour-master, or any of the Assistants to the said Harbour-masters, shall give any undue Preference or show any Partiality in permitting or regulating the Use of the Moorings, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Masters of Vessels to pay for Damage done to Works or Moorings.

30. Every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber through whose wilful Act or Negligence any Damage shall be done to any of the Works or Moorings of the Commissioners, or the Buoys attached thereto, or to any of the Works of the Commissioners, by means of such Vessel or Float of Timber, shall pay for the Repair of all such Damage; and all such Damage, if the Amount claimed does not exceed Twenty Pounds, shall be ascertained and recovered in the same Manner as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered.

Owners of Vessels answerable for Damage.

31. The Owner or Master or Commander of every Vessel or Float of Timber shall be answerable to the Commissioners for any Damage wilfully or negligently done by such Vessel or Float of Timber, or any Person employed about the same, to any of the said Works or Moorings, and it shall be lawful for any Harbour-master or any of his Assistants to detain any such Vessel until sufficient Security shall have been given for the Amount of the Damage done by the same or by any Person employed therein.

Section 17 of the Third Act repealed.

32. And whereas by Section 8 of the Third Act, after reciting that it was expedient that a Plan of the *Tees* within the Limits therein mentioned showing the then present Line of High-water Mark on each Side of the River, and on which the Lands from Time to Time reclaimed could be delineated should be made, it was enacted, that within Six Months after the passing of that Act the Commissioners should make a Plan of the *Tees* as therein prescribed, and within the said Period of Six Months deposit One Copy thereof at the Office of Land Revenue Records, another Copy with the Clerk of the Peace for the County of *Durham*, another Copy with the Clerk of the Peace for the North Riding of the County of *York*, and another Copy at the Office of the Commissioners at *Stockton*: And whereas by Section 9 of the same Act it is directed that within Six Months after the First Day of *August* One thousand eight hundred and sixty-one, and so on within Six Months after the First Day of *August* in every Third Year thereafter, the Commissioners shall cause to be delineated on Four Copies of the previously deposited Plans all Lands which within the then last preceding Period of Three Years had been gained or reclaimed from the

Bed

Bed or Shores of the *Tees* by or in consequence of any of the Works of the Commissioners or of the *Tees* Navigation Company then executed in the said River, and One of such Plans was required to be deposited in each of the Offices named in Section 8 with respect to the First Plan: And whereas by Section 17 of the said Act it was directed that within One Month after the Preparation and Deposit of each and every of the said Plans the Commissioners should cause Notice in Writing thereof to be sent to every Owner of ancient enclosed Lands adjoining the reclaimed Lands shown on the Plans referred to in such Notice, addressed to his usual Place of Abode or Business, and should also cause Notice to be inserted once in each Week at the least for Three successive Weeks in some Newspaper published in the County in which the reclaimed Lands are situate of such Deposit having been made, and requiring the several Persons entitled as therein mentioned to the Right of Pre-emption in the reclaimed Lands to cause to be left at the principal Office of the Commissioners, and also at the Office of the Commissioners of Woods, Notice stating the Lands in respect of which they claimed such Right of Pre-emption, and of their Intention to exercise the same within Six Months after the First Publication of the said Notice, and the Commissioners were also required to further publish the said Notice as therein prescribed: And whereas, in pursuance of Section 8 of the said Act a Plan (herein-after called "the Plan of 1859") was prepared, and Four Copies thereof deposited as therein required: And whereas after such Deposit the Commissioners, in compliance with the Terms of Section 17 of the said Act, gave Notice of such Deposit as required by that Section, and many of the Persons to whom such Notices were given sent their Claims to a Right of Pre-emption in reclaimed Lands under the Provisions of the said Act: And whereas in pursuance of Section 9 of the said Act a fresh Plan was prepared (herein-after called "the Plan of 1862"), and within Six Months after the First Day of *August* One thousand eight hundred and sixty-one Four Copies thereof were made and deposited as required by that Section, and in pursuance of Section 17 of the said Act Notice of such Deposit was given to every Owner of ancient enclosed Lands adjoining the reclaimed Lands shown on the Plan of 1862 referred to in such Notice, but no Claims to any Right of Pre-emption to such Lands have been sent to the Commissioners in pursuance of such Notice: And whereas nearly the whole of the Lands shown on the Plan of 1862 as reclaimed Lands are the same Lands as were shown on the Plan of 1859 as Lands in the course of Reclamation by the Commissioners: And whereas Doubts have been raised whether Section 17 of the said Act was intended to refer to and include the Plan of 1859, and whether the Notices given by the Commissioners in respect thereof, or the Claims to Rights of Pre-emption in reply to such Notices made by the Owners of adjoining ancient enclosed Lands, are valid, and the Omission to send in Claims after the Deposit of the Plan of 1862 may have arisen from a

Misapprehension

Misapprehension of the true Intent and Meaning of the said Sections of the Third Act: And whereas it is not reasonable or just that any Owners of ancient enclosed Lands should be prejudiced by any Misapprehension on their Part or on the Part of the Commissioners as to the true Meaning of the said Provisions of the said Act: And whereas it would facilitate the Duties of the Arbitrators to be appointed under Section 21 of the said Act if Section 17 of the said Act were extended to all Owners of ancient enclosed Lands adjoining the reclaimed Lands, as well those not claiming as those claiming a Right of Pre-emption in such Lands: And whereas under the Circumstances aforesaid it is reasonable that the Owners of ancient enclosed Lands adjoining the reclaimed Lands shown on the Plan of 1862 should have a further Period granted to them to send in their Claims, and for this and other Purposes connected therewith that Section 17 of the Third Act should be repealed, and other Provision be made in lieu thereof: Therefore that Section shall be and the same is hereby repealed.

Commissioners to give Notice of Deposit of Plan of 1862, and of Deposit of Plans under Section 9. of Third Act.

33. Within One Month after the passing of this Act the Commissioners shall cause Notice in Writing of the Deposit of the Plan of 1862, and within One Month after the Preparation and Deposit of each and every Plan to be hereafter deposited under Section 9 of the Third Act the Commissioners shall also cause Notice in Writing of such Deposit, to be sent by Post in a Circular Letter to every Owner of ancient enclosed Lands adjoining the reclaimed Lands shown on the Plan referred to in such Notice, addressed to his usual Place of Abode or Business, and shall also in each Case cause Notice to be inserted once in each Week at the least for Three consecutive Weeks in some Newspaper published in the County in which the reclaimed Lands are situate of such Deposit having been made, and requiring the several Persons claiming to be entitled to any Portion of such reclaimed Lands, or to be entitled, as herein-after mentioned, to the Right of Pre-emption in any Part of such reclaimed Lands, to cause to be left at the principal Office of the Commissioners, and also at the Office of the Commissioners of Woods, Notice stating the Part of the reclaimed Lands and also the Estate or Interest therein to which they claim to be entitled, and also stating whether they claim to be entitled to the Right of Pre-emption in respect of the whole, and if not the whole then in respect of what Part of such reclaimed Lands, and of their Intention to exercise such Right of Pre-emption within Two Months after the First Publication of the said Notice, and the Commissioners shall in each Case cause the said Notice to be affixed upon the outer Door or Notice Board of the Parish Church of every Parish in which such reclaimed Lands, or any Part thereof, are situate, on the *Sunday* next after every Publication of the said Newspaper Notice.

Extending Operation of certain Pro-

34. All the Powers, Provisions, Conditions, Forfeitures, and other Stipulations contained in the Sections of the Third Act numbered respectively

visions of the Third Act.

respectively 19 to 46 inclusive, as altered and amended by this Act, shall apply to all Owners of ancient enclosed Lands adjoining the reclaimed Lands, as well those not claiming as those claiming a Right of Pre-emption in such Lands, notwithstanding such Sections or some of them may in Terms include only Owners who have claimed or may be entitled to claim such Right of Pre-emption: Provided always, that if, within any of the Times required by this Act no Claim shall be made by any Owners of ancient enclosed Lands to One Fourth Part of the Proceeds of Sale of any Portion of the then reclaimed Lands, or to any Right of Pre-emption of such Lands, then the Commissioners shall, according to the best Information in their Possession, prepare a List of the Owners of ancient enclosed Lands so entitled as aforesaid, and shall deposit Copies thereof, and proceed to Arbitration, and otherwise act thereon in the same Manner as if such List had been prepared from Notices of Claims made by Persons claiming to be entitled to the Proceeds of Sale of such reclaimed Lands, or to any Right of Pre-emption therein.

Proof of Accuracy of Lists.

35. All Lists by the Third Act or this Act directed to be prepared and deposited of Persons entitled or claiming to be entitled to a Portion of the Proceeds of Sale of any Portion of reclaimed Lands, or claiming any Right of Pre-emption of such Lands, shall, when certified by Two Justices as required by the Third Act and this Act, be deemed to be correct, and be conclusive Evidence that all Notices and other preliminary Proceedings required by the Third Act or this Act have been given and complied with, and shall be binding on all Persons having or claiming any Estate or Interest or Right of Pre-emption in the reclaimed Lands to which such List shall relate, or in the Proceeds of Sale thereof.

Amending Section 29 of the Third Act.

36. And whereas by Section 29 of the Third Act it is provided that the Costs of the Arbitration therein referred to, and incident thereto, shall be in the Discretion of the Arbitrators or their Umpire, and shall be paid as the Arbitrators or their Umpire shall determine out of the Purchase Monies arising from the Sale of reclaimed Lands to which such Arbitration shall have reference: And whereas in the event of any Person making claim to a Portion of the Proceeds of Sale of such reclaimed Lands being found to have no Title thereto, the rightful Owners of such Proceeds may be liable to pay out of the same the Costs of the Party who may be so found to have no Title thereto, and have no Means of recovering the same from the Party liable to pay the same: For Remedy whereof be it enacted, That the Arbitrators shall not direct the Costs attending any conflicting Claims between Persons claiming to be entitled to any Portion of the Proceeds of Sale of any reclaimed Lands, or to any Right of Pre-emption of such reclaimed Lands, to be paid out of the Shares of the Commissioners of Woods and of the Commissioners, or of either of them, of such Proceeds of Sale; and if the Arbitrators or their

Umpire

Umpire shall direct the whole or any Part of the Costs of any Arbitration, and incident thereto, to be paid by any Party to such Arbitration who has not or who may be found not to have any Title to the Monies to arise from the Sale of any reclaimed Lands, or whose Share (if any) of such Monies shall be found insufficient to pay the Costs which by the Award of such Arbitrators or Umpire he shall have been directed to pay, then if the Costs so awarded to be paid by such Person shall not be paid by him to the Person entitled thereto under the said Award within One Month after the Date of such Award, and the Allowance of the Amount of such Costs by the Arbitrators or their Umpire (and which Allowance shall be final and conclusive), it shall be lawful for the Person entitled thereto to sue for and recover the same in any Court of competent Jurisdiction from the Person by such Award directed to pay such Costs; and every Person who, by Notice or otherwise, shall claim any Interest in or Right of Pre-emption to any Portion of the reclaimed Lands, the Subject of such Award, shall be deemed a Party to such Arbitration.

Amending Section 36 of the Third Act.

37. The Right of Pre-emption in reclaimed Lands by the Third Act and this Act given to the Owners of ancient enclosed Lands adjoining the reclaimed Lands shall be subject to the Power given to the Commissioners of Woods by Section 36 of that Act to retain Portions of the reclaimed Lands for the Purpose of forming Roads or other Ways, and those Commissioners may retain any Part of the reclaimed Lands for the Formation of any Roads or other Ways which they may think expedient to or through any of such reclaimed Lands, and the Arbitrators or Umpire may direct who shall have the Use of such Roads or Ways, and by whom they or any of them shall be made and kept in repair; and if any Owner entitled to One Fourth of the net Proceeds of the Sale of any Portion of reclaimed Lands shall think himself aggrieved by the Quantity of Land so retained for Roads or Ways, or by the Liability to make or repair the same, he may require the Arbitrators or Umpire acting under Section 35 of the said Act to take such Appropriation of reclaimed Lands for Roads or Ways, and the Liability to make or repair and the Right of using the same, into their or his Consideration in determining the Value of the reclaimed Lands remaining to be sold, in case the same shall be purchased by such Owner under the Right of Pre-emption given to him under the Third Act and this Act; and in case the same shall not be purchased by such Owner, then the Arbitrators or Umpire may, if they or he think fit, define the Lands which may be benefited by the Construction and Maintenance of such Roads or Ways, and may out of the Proceeds of Sale of the Lands so to be benefited make to the Party aggrieved by such Appropriation of Lands for the Site of such Roads or Ways, or by the Liability to repair the same, reasonable Compensation for such Lands or Liability.

38. Any

Amending Section 37 of the Third Act.

38. Any reclaimed Lands which the Commissioners of Woods are by Section 37 of the Third Act required to sell by Public Auction may, if such Commissioners think fit, and the Commissioners by any Writing under the Hand of their Chief Clerk consent thereto, be sold by Private Contract, subject to such Conditions as the Commissioners of Woods, with such Consent as aforesaid, may think proper to impose; and the Commissioners of Woods may proceed to the Sale by Public Auction or Private Contract of any reclaimed Lands, notwithstanding any Claims which are or may appear to the Commissioners of Woods to be conflicting in regard to any Interest in the One Fourth Part of the net Proceeds of the Sale which is payable to the Owners of ancient enclosed Land, or to any Interest in the Two Fourth Parts of the net Proceeds of the Sale which are payable to the Commissioners or their Assigns, and the Part or Parts of the net Proceeds of the Sale of the Portion of such Lands to which such conflicting Claims are made may be received and retained by the Commissioners of Woods until the Rights of the Parties claiming are ascertained and settled either by Judicial Decision or by Agreement between the Parties; or the Commissioners of Woods may, if they think fit, and in their uncontrolled Discretion, pay any Monies which they may have so received and retained into the Bank of *England* to the Account of the Accountant General of the Court of Chancery in the Manner and to the Account prescribed by the Act 10 and 11 *Victoria,* Chapter 96, intituled *An Act for better securing Trust Funds, and for the Relief of Trustees,* but the Commissioners of Woods shall not be liable to pay any Costs or Expenses consequent upon or incident to the Payment of any such Monies into the Bank of *England* as aforesaid; and upon any Sale of reclaimed Lands by the Commissioners of Woods, either by Public Auction or Private Contract, all the Provisions and Conditions of the Third Act and this Act applicable thereto shall be deemed to have been duly complied with, and such Sale duly authorized; and the Receipt of the Commissioners of Woods, the Commissioners, and of the Owner of the ancient enclosed Lands, or of the Commissioners of Woods alone in case of any such conflicting Claims as aforesaid, shall be a sufficient Discharge to every Purchaser of reclaimed Lands, and no Purchaser shall be bound or entitled to see to the Application of his Purchase Money, or to inquire whether any such conflicting Claims exist.

Extending Section 51 of the Third Act.

39. The Power contained in Section 51 of the Third Act to mortgage the Estate and Interest of the Commissioners in the whole or in any Part or Parts of the Two Fourth Parts of the Purchase Money of any reclaimed Lands payable to them under the said Act, may be exercised by the Commissioners as well before as after the Reclamation of such Lands shall have been completed, and the Commissioners may also, if they think fit, sell such Estate and Interest instead of mortgaging the same, or having mortgaged the same or any Part thereof then after and subject to such Mortgage.

40. Whereas

Commissioners not to be liable for Repair of Drains after Sale of reclaimed Lands.

40. Whereas by Section 48 of the Third Act the Commissioners are required to make and at all Times maintain all Drains, Sluices, and Culverts of such Width, Depth, Capacity, and Dimensions as shall be necessary and proper for conveying the Waters without Obstruction in, over, and through the reclaimed Lands to or unto the Channel of the River *Tees*, or the Estuary thereof, for the Purposes in the said Section mentioned: And whereas it is reasonable that after the Sale of any reclaimed Lands the Commissioners should not be liable to the Maintenance of the said Drains, or of any other Sluices and Culverts than those in or through the Embankments of the Commissioners at the Outfalls of such Drains into the River *Tees*, or the Estuary thereof: Therefore after the Sale of any reclaimed Lands the Commissioners shall not be liable to maintain any Drains made by them in or over or through such Lands under the said recited Section, but such Drains shall at all Times thereafter be maintained by the Owners of such Lands of the Width, Depth, Capacity, and Dimensions made by the Commissioners in such Manner as the Arbitrators or Umpire may, if they shall so think fit, determine, but the Outfall, Sluice, or Culvert of every such Drain through the Embankment of the Commissioners into the River *Tees*, or the Estuary thereof, shall continue to be maintained by the Commissioners as required by such Section.

Commissioners may require Owner of Wharf, &c. Walls, to keep them in repair.

41. If the Face Wall or Piling of any Wharf or Landing Place on the *Tees* fall into Decay, or from Accident or otherwise become so injured that the Materials thereof, or of any Part thereof, fall into the River, the Commissioners may require the Owner or Occupier thereof forthwith to repair the same, and if such Owner or Occupier neglect, during Thirty Days after Notice in Writing for that Purpose given or sent by Post to him or his Agent, to repair and restore and put the same into good Order within the Time required by the Commissioners, the Commissioners may cause such Face Wall or Piling, and all other necessary Work connected therewith, to be repaired and put into good Order, and the Expense incurred by the Commissioners in respect thereof shall be paid to them by the Owner or Occupier by whom the same ought to have been done, and shall be recoverable as Damages.

Commissioners may agree with Owners of Wharves to set back the same.

42. Wherever any Wharf, Landing Place, or other Work adjoining the *Tees* projects into the River beyond the Line which at that Place the Commissioners consider the proper Line for Water-side Works, the Commissioners may, but by Agreement only with the Owner of such Wharf, Landing Place, or Work, arrange to put back the same, or to have the same put back to such Line as the Commissioners shall think necessary or expedient for improving the Navigation of the said River at that Place, and any Sum payable by the Commissioners for that Purpose may be paid either wholly or partially out of Capital, or out of

Money applicable to Purposes of Maintenance and Management, as the Commissioners shall think expedient.

Notice to be given of Intention to construct Wharves, &c.

43. If after the passing of this Act any Person shall be desirous of constructing in and upon any Part of the Foreshore or Bed of the *Tees* below High-water Mark any Quay, Wharf, Staith, Jetty, or other Erection, or an Entrance to any Dock, or any other Work not authorized by a Special Act of Parliament, such Person shall give Two Months previous Notice thereof in Writing to the Engineer to the Commissioners, at the Office of the Commissioners, declaring his Intention to construct such Work, and the Situation of the same, and shall with such Notice deliver a Plan of the proposed Work, and a Statement specifying the Mode in which it is intended to construct the same; and if any Person shall commence any such Work as aforesaid without giving such Notice and depositing such Plan and Specification thereof as aforesaid he shall be liable to a Penalty not exceeding Ten Pounds, and to a daily Penalty of Five Pounds for every Day during which such Work shall be proceeded with after such Penalty of Ten Pounds shall have been incurred.

Penalty for unauthorized dredging.

44. If any Person shall execute in any Part of the *Tees* any dredging for the Purpose of removing any Part of the Bed or Foreshore of the *Tees* contrary to any Plans of Works authorized by Parliament, where any such dredging as aforesaid has been authorized by Parliament, or without the Consent of the Commissioners in Cases where such Consent has been required by Parliament or is required by the recited Acts or any of them, or to any greater Extent or in any other Manner than authorized by Parliament or by them, he shall for every such Offence be liable to a Penalty of not exceeding One hundred Pounds, and to a daily Penalty of not exceeding Ten Pounds for every Day during which such dredging or Removal shall be continued after the First Day on which such first-mentioned Penalty shall be incurred, and such Person shall also be liable to pay to the Commissioners the Cost of restoring the Portion of the River so dredged to its former State and Condition.

Amending certain Provisions of First Act with respect to Ballast.

45. And whereas by the First Act the Commissioners are empowered to make such Byelaws as they think fit for regulating the Removal and Disposal within the Limits of the Act of all Ballast brought by Vessels entering the *Tees*, and for regulating the Supply of all such Stone, Gravel, or other Materials, so as to prevent Ballast being thrown or allowed to fall into the *Tees*, or to obstruct the Navigation thereof, and other Provisions are contained in the said Act with respect to the loading and landing of Ballast, and the Commissioners are also empowered to provide Places for the Deposit of Ballast, and to sell and dispose of Ballast, and of the Stone, Gravel, and other Materials dredged by them from the River,

River, and to erect Steam Engines and other Machinery for any of the Purposes of the Act: And whereas it is expedient that the Powers of the Commissioners with respect to the Deposit, Removal, and conveying of Ballast should be amended: Therefore the Commissioners may fix and from Time to Time alter the Places within the Limits of their Jurisdiction at which Vessels in the *Tees* are to discharge or deposit their Ballast, and the Commissioners may also erect and maintain Ballast Cranes and other necessary Apparatus upon any Ballast Wharves or Places of Deposit provided and appointed by them under the First Act and this Act, and may at any such Wharf or Place take out, load, and receive Ballast, and may convey any Ballast or perform any other Service in relation thereto within the Limits of their Jurisdiction, and charge such reasonable Dues in respect thereof as they think proper.

Amending Section 72 of the First Act.

46. The Power to make Byelaws with respect to Ballast contained in Section 72 of the First Act shall include the Power to fix and from Time to Time to alter the Places within the Limits of their Jurisdiction at which Vessels in the River are to discharge or deposit their Ballast, and the Commissioners may, by any Byelaws made under that Section, including the Power above mentioned, impose reasonable Penalties for the Breach of such Byelaws, not exceeding Five Pounds for each Breach, and may from Time to Time repeal or alter such Byelaws and Penalties respectively.

Removing Doubts as to Commissioners Power to apply Funds to Works above Stockton Stone Bridge, &c.

47. And whereas the Jurisdiction of the Commissioners within the Limits defined by Section 2 of the Third Act extends above *Stockton* Stone Bridge to a Point on the River *Tees* known as the *High Ford*, in such Section described, and the Commissioners have Power to widen, deepen, straighten, dredge, protect, and otherwise improve the Bed, Channel, and Banks of the *Tees* as they from Time to Time may think necessary for maintaining and improving the Navigation thereof from *High Ford* to the Outside of the Bar at the Mouth of the *Tees*: And whereas, although the Commissioners have Power to execute Works above *Stockton* Stone Bridge, Doubts have been raised whether they have Power to apply any Funds for the Purposes of such Works, or for Works to be executed by the Admiralty or Board of Trade within the Jurisdiction of the Commissioners: For remedy whereof be it enacted, That it shall be lawful for the Commissioners from Time to Time to apply any Portion of their Revenue applicable to Works and Purposes of Maintenance, as defined by Section 72 of the Third Act, to the Maintenance of the Navigation of the *Tees* above *Stockton* Stone Bridge, and also from Time to Time to apply any Portion of the *Tees* Conservancy Capital Account for the Time being applicable to Works for the Execution of any Works which the Commissioners or the Admiralty or Board

Board of Trade are by the recited Acts, or any of them, authorized to execute within the Limits of the Jurisdiction of the Commissioners, in such Order and Manner as they may from Time to Time think expedient, and for the Benefit of the Navigation of the River, anything in the said recited Acts, or any of them, to the contrary notwithstanding.

Persons damaging or going upon Slag Walls, &c. to be liable to a Penalty.

48. And whereas much Damage is done to the Slag Walls, Embankments, and other Works of the Commissioners: For Prevention whereof be it enacted, That any Person doing any Act injuring or damaging, or calculated to injure or damage, the Slag Walls, Embankments, or other Works of the Commissioners, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Penalty for removing Boundary Stones.

49. If any Person shall cover up, remove, displace, break, cut, injure, or destroy any Boundary Stones or Posts put up or placed by the *Tees* Navigation Company or the Commissioners for the Purpose of marking the Limits of their Jurisdiction or the Line of High-water Mark, or the Line of any of the Works of the Commissioners, or the Line of Water-side Works, such Person shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds.

Power to enter into Agreements for Supply of Slag, &c.

50. It shall be lawful for the Commissioners to enter into and carry into execution any Agreements which they may think expedient with Iron-masters and others, and with any Railway Company or other Carriers, for the Purchase, Supply, Removal, and Deposit of Slag, Stone, and other Materials required by the Commissioners for the Purpose of any of their Works, or for the Reclamation of any Foreshore adjoining the *Tees*.

Byelaws.

51. The Commissioners may from Time to Time make such Byelaws as they shall think fit for all or any of the following Purposes; (that is to say,)

For regulating the Steam Tugs employed in towing Vessels (but not the Towage Rates to be charged for such Steam Tugs), and for the good Government of the Masters and Crews thereof, and for preventing Misbehaviour:

For regulating the Speed of Steamers:

For preventing trespassing on the Works of the Commissioners, or Damage thereto, or to the Slopes thereof.

Byelaws may be repealed or altered from Time to Time.

52. The Commissioners may, from Time to Time as they shall think fit, repeal or alter any Byelaws made by them under the Authority of this Act: Provided always, that such Byelaws shall not be repugnant to the Laws of *England* or the Provisions of this Act, and such Byelaws shall be

be reduced into Writing, and have affixed thereto the Common Seal of the Commissioners, and, if affecting other Persons than the Officers or Servants of the Commissioners, shall, except as herein-after otherwise provided, be confirmed and published in the same Manner as Byelaws made by the Commissioners under the Harbours, Docks, and Piers Clauses Act incorporated with the First Act, and also with this Act, are required to be confirmed and published.

Byelaws as to Steam-boats to be general.

53. All Byelaws relating to Steam Vessels and Steam Tugs shall be general throughout the River, and shall not apply to any particular Shipping Place, Pier, or Dock; and instead of the Confirmation prescribed by the "Harbours, Docks, and Piers Clauses Act, 1847," such Byelaws shall be confirmed by the Board of Trade in the same Manner as if the same Byelaws were Byelaws made by a Railway Company under the Provisions of the Acts relating to Railways.

Byelaws may be enforced by Imposition of Penalties.

54. The Commissioners may, by any Byelaws made under this Act, impose such reasonable Penalties as they may think fit, not exceeding Forty Shillings, for each Breach of such Byelaws: Provided always, that such Byelaws shall be so framed as to allow the Justice before whom any Penalty imposed thereby shall be sought to be recovered to order the whole or Part only of such Penalty to be paid.

Penalty on obstructing the Works.

55. If any Person shall hinder, obstruct, or assault any of the Commissioners, or any Clerk, Engineer, Harbour-master, Surveyor, Collector, Officer, or Servant, or other Person employed by the Commissioners, and acting in the Execution of his Duty, or in the Execution of any of the Works, Matters, or Things to be done by virtue of or under the Authority of this Act, or in the Execution of any of the Powers of the Commissioners, every Person so offending shall be liable to a Penalty not exceeding Five Pounds.

As to Offences committed on the River.

56. For the more effectual Prosecution of and dealing with Offences committed and Matters in which Justices have Jurisdiction and Authority arising on the River *Tees* within the Jurisdiction of the Commissioners, and for the more effectual Preservation of the Peace thereof, it shall be lawful for Her Majesty's Justices of the Peace acting in and for the North Riding of the County of *York* and the County of *Durham* respectively, and also within their respective Jurisdictions for Her Majesty's Justices of the Peace acting in and for the Borough of *Stockton* in the County of *Durham*, and the Borough of *Middlesborough* in the said North Riding, respectively, to inquire into and deal with all Felonies, Misdemeanors, and Offences committed and Matters arising on the said River within the Limits aforesaid; and for the Purpose of any

any such Inquiry, dealing, and acting the River *Tees* within the Limits aforesaid shall be deemed to be within the Jurisdiction of such Justices respectively; and in every Indictment or other Proceeding relative to such Felony, Misdemeanor, Offence, or Matter respectively the same may be described as having been done, committed, or arisen within the Riding, County, or Borough where the same shall be tried or dealt with.

Commissioners may act as Justices.

57. A Person shall not, on account only of his being a Commissioner, be incapable of acting as a Justice of the Peace for any of the Purposes of this Act.

Saving Rights of the Crown.

58. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the Commissioners to take, use, or in any Manner interfere with any Foreshore, or other Land, Soil, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose, (which Consent such Commissioners are hereby respectively authorized to give,) neither shall anything in the said Act or Acts contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of Grantees of Crown.

59. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by any Grantees of the Crown.

Saving existing Powers of the Commissioners.

60. Nothing in this Act contained shall repeal, vary, alter, lessen, or take away, or be deemed or construed to repeal, vary, alter, lessen, take away, or otherwise interfere with, any of the Powers, Provisions, Authorities, or Restrictions of the recited Acts, or any of them, which are not expressly repealed, altered, or varied by this Act, but all such Powers, Provisions, Authorities, and Restrictions, or any of them, and all Byelaws made under the recited Acts, or any of them, and now in force, and all Penalties imposed by such Provisions and Byelaws respectively, shall be and remain in as full Force and Effect as they would have been if this Act had not been passed.

Expenses of Act.

61. All the Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing this Act, and preparatory thereto, shall

shall be paid by the Commissioners out of any Monies under their Control, or which may come to their Hands under the recited Acts or this Act, in such Proportions and Manner as the Commissioners shall think fit, and the Commissioners may apply any of such Monies accordingly, anything in this Act or the recited Acts to the contrary notwithstanding.

SCHE-

SCHEDULES referred to in this Act.

SCHEDULE (A.)

Form of Grant of Annuity.

Grant of Annuity No. Pounds.

By virtue of an Act passed, *&c.*, intituled "An Act," *&c.*, we, the Tees Conservancy Commissioners, in consideration of the Sum of paid to us by of for the Purposes of the said Act, do grant unto the said an Annuity or yearly Sum of to commence on the Day of 18 , to be issuing out of the Anchorage and Plankage Dues and the Tees Conservancy Revenue Account (*or* the Tees Conservancy Revenue Account) under the said Act, to be paid to the said during the Term of his natural Life (*or, as the Case may be,* to the said his Executors, Administrators, and Assigns, during the natural Life of *or* during the Lives of and and the Life of the Survivor of them, *or* during the Term of Years,) upon the Day of and the Day of in every Year during his natural Life (*or, as the Case may be,* during the natural Life of the said *or* during the natural Lives of the said and and the Life of the Survivor of them, *or* during the said Term of Years), the First Payment thereof to be made upon the Day of (*if the Annuity be deferred*); and in the meantime and until the said Day of we do also grant unto the said an Annuity or yearly Sum of £ by way of Interest, to be paid to the said until the Commencement of the said Annuity of to be charged on the same Fund, to be payable on the same Days, and to be subject to be terminated in the same Events as the said Annuity of the First Payment of the said Annuity of to be made on the Day of next ensuing the Date thereof, but [*as to both Annuities*] subject nevertheless to all Mortgages of the same Dues or Account which, under the recited Acts and this Act, are to be provided for before the Mortgages and Annuities by this Act made a Charge on the said Account, but in priority to (*state Priority*).

Given under our Common Seal, this Day of in the Year One thousand eight hundred and

SCHEDULE (B).

Form of Transfer of Annuity.

I of in consideration of the Sum of paid to me by of do hereby transfer to the said his Executors, Administrators, and Assigns, a certain Grant of Annuity on under "The Tees Conservancy Act, 1863," Number (*as the Case may be*), made by the Tees Conservancy Commissioners to bearing Date the Day of for granting an Annuity of (*or, if such Transfer be by Endorsement*, the within Security), and all my Right, Estate, and Interest in and to the Annuity thereby granted, and to the Dues, Accounts, and Monies thereby assigned.

In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and

SCHEDULE (C.)

Additional Tolls.

	s.	*d.*
For every Vessel entering the Tees for unloading or for Shelter, per Register Ton any Sum not exceeding the Sum of - -	0	1
For every Vessel leaving the Tees, per Register Ton any Sum not exceeding the Sum of - - - - - -	0	1
For every Steam Vessel trading to or from the Tees with Passengers, per Register Ton any Sum not exceeding the Sum of - -	0	1

SCHEDULE (D.)

Tolls.

Outward Charges.	For every Vessel leaving the Tees with Coals, Minerals, Goods, or other Freight, or Passengers, for any Port or Place in the United Kingdom or the Isle of Man, or for any Port in the White Sea, or any Port or Place between the North Cape and Gibraltar, including the Baltic, or for any of the British Possessions in North America, per Register Ton -	0	3
	For every such Vessel leaving the Tees for any other Port or Place than above specified, per Register Ton - -	0	4
	For every Vessel leaving the Tees in Ballast or without a Cargo, per Register Ton - - - - -	0	1½

The Tees Conservancy Act, 1863.

		s.	d.
Inward Charges.	For every Vessel entering the Tees for Refuge, per Register Ton	0	1½
	For every Steam Vessel not ordinarily engaged in towing in the Tees entering or leaving the Tees without a Cargo, or without any Vessel in tow, per Register Ton - - -	0	1
	For every Vessel entering the Tees with Coals, Minerals, Goods, or other Freight, or Passengers, from any Port or Place in the United Kingdom or the Isle of Man, or from any Port in the White Sea, or from any Port or Place between the North Cape and Gibraltar, including the Baltic, or from any of the British Possessions in North America, per Register Ton - - - - - - -	0	3
	For every such Vessel entering the Tees with a Cargo from any other Port or Place, per Register Ton - - -	0	4

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