CAP. CXIII.

An Act to amend the Laws relating to the Conservancy of the River *Thames*; and for other Purposes relating thereto. [29th *July* 1864.]

'WHEREAS it is expedient to provide for the Addition to the Conservators of the River *Thames* of a certain Number of Elective Conservators, and to discontinue the exclusive Rights of the *Trinity House* in relation to the Supply of Ballast in the River *Thames*, and to amend the Watermen's and Lightermen's Amendment Act, 1859, (hereafter in this Act called the Watermen's Company's Act,) and to make better Provision for the Protection and Regulation of the Fisheries in the River *Thames*, and in other respects to amend the Laws relating to the River *Thames*, and particularly the *Thames* Conservancy Act, 1857 (hereafter in this Act called the Principal Act):'

22 & 23 Vict. c. cxxxiii.

20 & 21 Vict. c. cxlvii.

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:

Preliminary.

Short Titles.

1. This Act may be cited as The *Thames* Conservancy Act, 1864, and the Principal Act and this Act may be cited together as The *Thames* Conservancy Acts, 1857 and 1864.

Construction as One Act with Principal Act.

2. The Provisions of the Principal Act, save so far as they are expressly repealed or varied by or inconsistent with the Provisions of this Act, shall be incorporated with this Act, and this Act shall be read and have Effect together with the Principal Act as One Act, and for this Purpose the Expression "this Act," when used in the Principal Act, shall be taken to apply to the present Act as well as to the Principal Act, as the Case may require.

Interpretation of Terms.

3. In this Act—

The Term "the Board of Trade" means the Lords of the Committee of the Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

The Term "the *Trinity House*" means the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*:

The Term "the Watermen's Company" means the Master, Wardens, and Commonalty of Watermen and Lightermen of the River *Thames*:

The Term "Byelaw" includes Rule, Order, and Regulation:

The Term "Fishery" includes Oyster and Shell Fishery, and the Term "Fish" includes Oysters and Shell Fish, and also the Spawn, Brood, or Fry of Fish, Oysters, and Shell Fish.

Terms to which Meanings are assigned by the Principal Act, or which have therein special Meanings, have in this Act the same respective Meanings.

Mode of Publication of Notices, &c. by Conservators.

4. Where the Conservators are by this Act required to publish any Notice or Byelaw they shall do so by inserting the same once in the *London Gazette*, and by subsequently thereto inserting the same as an Advertisement once in each of Two successive Weeks in some One and the same daily Morning Newspaper published in *London* or *Middlesex*; and such Publication shall be deemed to be completed on the Day on which the Second of such Advertisements appears.

Addition of Elective Conservators.

Six Elective Conservators to be added to present Twelve nominated Conservators.

5. In addition to the Twelve Conservators acting under the Principal Act, (to whom the Designation "the nominated Conservators," when hereafter used in this Act, refers,) there shall be Six Conservators elected under this Act, who shall severally have and be subject to all the same or the like Powers, Functions, Duties, Privileges, Obligations, Disabilities, and Disqualifications as the several Conservators acting under the Principal Act, so far as the same may be applicable, and except so far as is in this Act expressly otherwise provided; and the Six Conservators for the Time being elected under this Act shall be added to and incorporated

incorporated with the existing Body Corporate of the Conservators of the River *Thames*, and shall, with the Twelve Conservators for the Time being acting under the Principal Act, constitute and be One and the same Body Corporate, in like Manner in all respects as if by the Principal Act Provision had been made for the Election of such additional Six Conservators, and their Incorporation as Members of the Body Corporate thereby constituted; and all the Provisions of the Principal Act or of any other Act relative to the Powers, Functions, Duties, Privileges, Obligations, or Proceedings of the Conservators as a Body, and all Acts and Proceedings done, taken, or pending by, against, or in relation to the Conservators as a Body, shall remain unaffected by the Addition to and Incorporation with that Body of the Six Conservators elected under this Act, and (except only as is in this Act expressly otherwise provided) shall in all respects be and continue as if this Act had not been passed.

Constituencies for Election of additional Conservators.

6. The Six additional Conservators (hereafter in this Act called Elective Conservators) shall, subject and according to the Provisions of this Act, be elected by the following Classes of Electors (of which Classes respectively they shall be deemed Representatives); namely,

Two by Owners of Shipping registered in the Custom House Books of the Port of *London* (hereafter in this Act called Shipowners):

One by Owners of Steamers surveyed and certificated as Passenger Steamers by the Board of Trade (under the Merchant Shipping Act, 1854, and Acts amending the same), and plying on the River *Thames* not Seaward of *Gravesend* (which Steamers are hereafter in this Act called Passenger Steamers): 17 & 18 Vict. c. 104.

Two by Owners of Lighters and Steam Tugs used on the River *Thames*:

One by Occupiers of Docks on the River *Thames* established under Charter or Act of Parliament, and of Legal Quays and Sufferance Wharfs on the River *Thames* appointed by the Commissioners of Customs (hereafter in this Act called Dockowners and Wharfingers).

Time for First Elections.

7. On or within Seven Days after the First Day of *December* One thousand eight hundred and sixty-four Elections shall be held for all the Six Elective Conservators.

Time for subsequent Elections.

8. On or within Seven Days after the First Day of *December* in the Year One thousand eight hundred and sixty-five, and in every subsequent Year, Elections shall be held for filling up Vacancies among the Elective Conservators.

Days, Hours, and Places for Elections.

9. The Days, Hours, and Places on and at which the Elections by the several Classes of Electors are to be held shall be appointed by the Conservators.

Notice of every such Appointment shall be published by the Conservators, and such Publication shall be completed as to the Election by each Class of Electors not less than Fourteen or more than Twenty-eight Days before the Day appointed for that Election.

Regulations by Byelaws.

10. Subject to the Provisions of this Act, the Conservators shall from Time to Time by Byelaw regulate the Mode of conducting Elections under this Act.

Election by Shipowners.

Qualification of Shipowners.

11. The Qualification of Electors of Representatives of Shipowners shall be regulated as follows; namely,

(1.) Every Shipowner registered as Owner of not less in the whole than Two hundred and fifty Tons of Shipping shall be qualified to give One Vote in respect of every Two hundred and fifty Tons of Shipping owned by him for each Conservator to be elected as a Representative of Shipowners, so that the Votes of any Owner for any One Conservator do not exceed Ten:

(2.) Where a Ship is registered in the Name of One Person he shall be deemed the Owner:

(3.) Where a Ship is registered in distinct and several Shares in the Names of more Persons than One, the Tonnage shall be apportioned among the Owners as nearly as may be in proportion to their respective Shares, and each of such Persons shall be deemed the Owner of the Tonnage so apportioned to him:

(4.) Where a Ship is registered jointly, without Severance of Interest, in the Names of more Persons than One, the Tonnage shall, if it is sufficient, either alone or together

together with other Tonnage (if any) owned by such joint Owners, to give a Qualification to each of them, be apportioned equally between them; and each of such joint Owners shall be deemed to be the Owner of the equal Share so apportioned to him; but if it is not so sufficient, the whole of such Tonnage shall be deemed to be owned by such One of the joint Owners as is first named on the Register:

(5.) For the Purposes of any Apportionment under this Section, any Portion may be struck off, so as to produce a divisible Amount:

(6.) The whole Amount of Tonnage so owned by each Person, whether in Ships or in Shares of or Interests in Ships, shall be added together, and if sufficient shall constitute his Qualification.

Annual List of Shipowners to be furnished to Conservators from Custom House.

12. The Electors of Representatives of Shipowners shall be ascertained for the Purposes of each Election as follows; namely,

(1.) On or as soon as may be after the First Day of *October* in the Year One thousand eight hundred and sixty-four, and in every subsequent Year, the Registrar of Shipping for the Port of *London* shall, with the Assistance of the Registrar General of Seamen, make out a List of the Persons and Bodies Corporate who are by virtue of this Act entitled on each such First Day of *October* to vote at the Election of a Representative of Shipowners:

(2.) The List shall contain in alphabetical Order the Surname of every Person so entitled, with his Christian Name or Names, and his Place of Business or Residence, and the Name of every Body Corporate so entitled, with their Place of Business, and with the Number of Votes to which every such Person or Body Corporate is entitled:

(3.) The List shall be signed by the Registrar of Shipping:

(4.) The List shall be delivered to the Conservators on or within Seven Days after the First Day of *November* in each Year:

(5.) The Conservators shall pay all Expenses properly incurred by the Registrar of Shipping in making the List:

(6.) The List shall be conclusive Evidence that the Persons and Bodies Corporate therein named, and no others, are entitled to vote at the Election of any Conservator as Representative of Shipowners to be held in the Month of *December* next after the List is made out, and that those Persons and Bodies Corporate respectively are entitled to the Number of Votes stated in the List:

(7.) Within Seven Days after the Delivery of the List to the Conservators they shall cause the same to be printed, and thenceforth until the Day of Election inclusive they shall cause printed Copies thereof to be sold at a reasonable Price to all Persons desiring to buy the same.

Election by Owners of Passenger Steamers.

Qualification of Owners of Passenger Steamers.

13. The Qualification of Electors of the Representative of Owners of Passenger Steamers shall be regulated as follows; namely,

(1.) The Ownership of each Passenger Steamer shall confer on the Owner or Owners thereof the Right to One Vote and no more at each Election, so that the Votes of any Owner do not exceed Ten:

(2.) For the Purposes of such Election the Person or Persons or Body Corporate entered on the Books of the Board of Trade as the Owner or Owners of each Passenger Steamer shall be deemed the Owner or Owners thereof:

(3.) Where more Persons than One are entered on the Books of the Board of Trade as Owners of a Passenger Steamer, such One of those Persons as is first entered on those Books shall alone be qualified to vote in respect of such Passenger Steamer at any such Election.

Annual List of Owners of Passenger Steamers to be furnished to

14. The Electors of the Representative of Owners of Passenger Steamers shall be ascertained for the Purposes of each Election as follows; namely,

(1.) On or as soon as may be after the First Day of *October* in the Year One thousand eight hundred and sixty-four, and in every subsequent Year, the Board of Trade shall

shall make out a List of the Persons and Bodies Corporate who are by virtue of this Act entitled on each such First Day of *October* to vote at the Election of a Representative of Owners of Passenger Steamers: Conservators by Board of Trade.

(2.) The List shall contain in alphabetical Order the Surname of every Person so entitled, with his Christian Name or Names, and his Place of Business or Residence, and the Corporate Name of every Body Corporate so entitled, with their Place of Business, and with the Number of Votes to which each such Person and Body Corporate is entitled:

(3.) The List shall be signed by One of the Secretaries of the Board of Trade:

(4.) The List shall be delivered to the Conservators on or within Seven Days after the First Day of *November* in each Year:

(5.) The Conservators shall, if required, pay all Expenses incurred by the Board of Trade in making the List:

(6.) The List shall be conclusive Evidence that the Persons and Bodies Corporate therein named, and no others, are entitled to vote at the Election of a Conservator as Representative of the Owners of Passenger Steamers to be held in the Month of *December* next after the List is made out, and that those Persons and Bodies Corporate respectively are entitled to the Number of Votes stated in the List:

(7.) Within Seven Days after the Delivery of the List to the Conservators they shall cause the same to be printed, and thenceforth until the Day of Election inclusive they shall cause printed Copies thereof to be sold at a reasonable Price to all Persons desiring to buy the same.

Election by Owners of Lighters and Steam Tugs.

Registration by Watermen's Company of Steam Tugs.

15. For the Purposes of Registration Section Forty-three of the Watermen's Company's Act as amended by this Act and all Provisions relative thereto, shall apply to Steam Tugs.

Qualification of Owners of Lighters and Steam Tugs.

16. The Qualification of Electors of Representatives of Owners of Lighters and Steam Tugs shall be regulated as follows; namely,

(1.) The Ownership of each Lighter and the Ownership of each Steam Tug shall confer on the Owner or Owners of such Lighter or Steam Tug the Right to One Vote and no more at each Election, so that the Votes of any Owner for any One Conservator do not exceed Ten:

(2.) For the Purposes of such Election the Person or Persons or Body Corporate entered on any Register kept by the Watermen's Company as the Owner or Owners of each Lighter or Steam Tug shall be deemed the Owner or Owners thereof:

(3.) Where more Persons than One are entered on any such Register as Owners of a Lighter or Steam Tug, such One of those Persons as is first entered on the Register shall alone be qualified to vote in respect of such Lighter or Steam Tug at any such Election.

Annual List of Owners of Lighters and Steam Tugs to be furnished to Conservators by Watermen's Company.

17. The Electors of Representatives of Owners of Lighters and Steam Tugs shall be ascertained for the Purposes of each Election as follows; namely,

(1.) On or as soon as may be after the First Day of *October* One thousand eight hundred and sixty-four, and in every subsequent Year, the Watermen's Company shall make out a List of the Persons and Bodies Corporate who are by virtue of this Act entitled on each such First Day of *October* to vote at the Election of Representatives of Owners of Lighters and Steam Tugs:

(2.) The List shall contain in alphabetical Order the Surname of every Person so entitled, with his Christian Name or Names, and his Place of Business or Residence, and the Name of every Body Corporate so entitled, with their Place of Business, and with the Number of Votes to which each such Person or Body Corporate is entitled:

(3.) The List shall be certified under the Common Seal of the Company, and under the Hands of the Master and the Clerk of the Company, as a true and correct List for the Purposes and according to the Requirements of this Act:

(4.) The List shall be delivered to the Conservators on or within Seven Days after the First Day of *November* in each Year:

(5.) The Conservators shall pay all Expenses properly incurred by the Watermen's Company in making the List, the Amount thereof to be, in case of Difference, determined by an Arbitrator to be appointed by the Board of Trade, whose Decision shall be final:

(6.) The Watermen's Company shall, during Fourteen Days after the Delivery of the List, afford to the Conservators, their Officers and Agents, Access at all reasonable Times, without Payment, to the Book or Books kept by the Watermen's Company for the Purposes of the Registration of Lighters and Steam Tugs, in order to enable the Conservators to compare the List delivered with such Book or Books, and to revise the same by such Comparison, and the Conservators shall compare and revise the same accordingly, and the Secretary of the Conservators shall sign the revised List:

(7.) The List, so revised and signed, shall be conclusive Evidence that the Persons and Bodies Corporate therein named, and no others, are entitled to vote at the Election of Representatives of Owners of Lighters and Steam Tugs, to be held in the Month of *December* next after the List is made out, and that those Persons and Bodies Corporate respectively are entitled to the Number of Votes stated in the List:

(8.) Within Seven Days after the Delivery of the List to the Conservators they shall cause the same to be printed, and thenceforth until the Day of Election inclusive they shall cause printed Copies thereof to be sold at a reasonable Price to all Persons desiring to buy the same.

Election by Dockowners and Wharfingers.

Qualification of Dockowners and Wharfingers.

18. The Qualification of Electors of the Representative of Dockowners and Wharfingers shall be regulated as follows; namely,

The Occupation of each Dock, Legal Quay, and Sufferance Wharf shall confer the Right to One Vote and no more at each Election; and such Vote, where a Partnership Body is in such Occupation, shall be given in the Partnership Name.

Annual List of Dockowners and Wharfingers to be furnished to Conservators from Custom House.

19. The Electors of the Representative of Dockowners and Wharfingers shall be ascertained for the Purposes of each Election as follows; namely,

(1.) On or as soon as may be after the First Day of *October* in the Year One thousand eight hundred and sixty-four, and in every subsequent Year, the Commissioners of Customs shall, to the best of their Knowledge and Ability, make out a List of the Persons, Bodies Corporate, and Partnerships who are by virtue of this Act entitled on each such First Day of *October* to vote at the Election of a Representative of Dockowners and Wharfingers:

(2.) The List shall be signed by the Surveyor General of Customs:

(3.) The List shall be delivered to the Conservators on or within Seven Days after the First Day of *November* in each Year:

(4.) The Conservators shall, if required, pay all Expenses incurred by the Commissioners of Customs in making the List:

(5.) The List shall be conclusive Evidence that the Persons, Bodies Corporate, and Partnerships therein named, and no others, are entitled to vote at the Election of a Conservator as Representative of Dockowners and Wharfingers to be held in the Month of *December* next after the List is made out:

(6.) Within Seven Days after the Delivery of the List to the Conservators they shall cause the same to be printed, and thenceforth until the Day of the Election inclusive they shall cause printed Copies thereof to be sold at a reasonable Price to all Persons desiring to buy the same.

General Provisions as to Elections.

Qualification of Representatives.

20. Every Male Person of full Age entitled to vote at the Election of a Conservator as Representative of any Class of Electors, or a Member of the Board of Directors or other governing Body of a Body Corporate, or a Member of a Partnership Body, entitled so to vote, shall be qualified, and no other Person shall be qualified, to be elected as Representative of that Class of Electors at that Election.

21. A Vote

Votes to be given personally or by proxy.

21. A Vote at any Election under this Act may be given either by the Elector personally or by another Elector as his Proxy, or in case of a Body Corporate by any Shareholder or Officer of the Body as their Proxy.

The Appointment of a Proxy shall be made by an Instrument in Writing (in the Form given in the Schedule to this Act, with such Variations as Circumstances may require), signed by the Appointor, or, if the Appointor is a Body Corporate, sealed with their Common Seal, and in all Cases attested by One Witness at least.

An Instrument appointing a Proxy shall not be used at any Election unless it has been deposited at the Office of the Conservators not less than Forty-eight Hours before the Time appointed for that Election.

Any such Instrument shall not be valid except for the Election next after the Date of its Execution.

Returning Officer, and Return by him.

22. At the First Elections held under this Act such One of the nominated Conservators as the Conservators appoint for the Purpose, and at every subsequent Election the Deputy Chairman of the Conservators appointed as in this Act is provided, and in his Absence such One of the nominated Conservators as the Conservators appoint for the Purpose, shall be the Returning Officer.

The Returning Officer shall, according to the best of his Judgment and Ability, make a true Return in Writing to the Conservators of the Person or Persons elected, and every Person so returned shall be deemed duly elected.

If in any Case there is an Equality of Votes for Two or more Candidates for Election to fill One Vacancy there shall be deemed to be a Failure to elect.

Owner of Passenger Steamer, Lighter, or Steam Tug not to have Vote as Shipowner.

23. Where a Vessel, besides being certificated by the Board of Trade as a Passenger Steamer or registered as aforesaid as a Lighter or Steam Tug, is also registered with the Registrar of Shipping at the Custom House of the Port of *London*, the Ownership of such Vessel shall, notwithstanding anything in this Act, not confer any Right of voting at the Election of a Conservator as Representative of Shipowners; and it shall not be lawful for any Owner or any One of the Owners of such Vessel to vote in respect of such Vessel or of any Share thereof or Interest therein at any such last-mentioned Election.

If any Person votes in contravention of this Enactment he shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds.

The Validity of any Election at which any Person so votes shall nevertheless be unaffected thereby.

Provision for Non-delivery of List.

24. In case any Election is prevented from being held in conformity with this Act by reason of any List that is by this Act required to be delivered to the Conservators not being delivered in conformity with this Act, or by reason of any other Accident or Circumstance, there shall be deemed to be a Failure to elect.

Expenses to be paid by Conservators.

25. The Expenses incurred in obtaining or printing Lists of Electors, or in providing Places for Elections, or by the Returning Officer, or otherwise, by or on behalf of the Conservators, in relation to Elections under this Act, shall be defrayed out of the Conservancy Fund.

Duration of Office of Elective Conservators.

Rotation of Elective Conservators of different Classes.

26. With respect to the Duration of Office of Elective Conservators the following Provisions shall take effect; namely,

(1.) One of the Conservators elected by Shipowners at the First Election, shall go out of Office at the Second Election, and the other at the Third Election:

(2.) The Conservator to go out at the Second Election shall be determined by Agreement among the Conservators so elected, or in default of such Agreement by Lots drawn at a Conservancy Meeting by the Secretary of the Conservators:

(3.) Every Conservator elected by Shipowners at the Second and every subsequent Election shall go out of Office at the Second Election after his Election:

(4.) Every Conservator elected by Owners of Passenger Steamers shall go out of Office at the Election next after his Election:

(5.) One

(5.) One of the Conservators elected by Owners of Lighters and Steam Tugs at the First Election shall go out of Office at the Second Election, and the other at the Third Election:

(6.) The Conservator to go out at the Second Election shall be determined by Agreement between the Conservators so elected, or in default of such Agreement by Lots drawn at a Conservancy Meeting by the Secretary to the Conservators:

(7.) Every Conservator elected by Owners of Lighters and Steam Tugs at the Second and every subsequent Election shall go out of Office at the Second Election after his Election:

(8.) Every Conservator elected by Dockowners and Wharfingers shall go out of Office at the Election next after his Election:

(9.) Every Conservator going out of Office under this Section shall be re-eligible.

Vacancies.

Appointment by Conservators in case of Failure to elect.

27. In case, for any Reason, on any Occasion, there is a Failure on the Part of any Class of Electors to elect any Conservator in conformity with this Act, the Conservators shall within One Month after such Failure appoint as Conservator a Person qualified to be elected by the Class of Electors so failing.

Every such Appointment shall be made at a Conservancy Meeting, Notice whereof shall be given in manner required for Special Meetings.

Every Conservator so appointed shall, for the Purposes of this Act, in all respects be as if he had been elected by the Class of Electors so failing to elect.

Mode of supplying casual Vacancies.

28. Section Seven of the Principal Act shall not apply to an Elective Conservator.

If any Elective Conservator dies or resigns, or if the Office of an Elective Conservator is vacated from any Cause other than that of his going out of Office by Rotation or by Effluxion of Time, the Conservators may, if they think fit, within One Month after the happening of such Vacancy, appoint in the Place of the vacating Conservator another Person having a Qualification of the same Nature as that had by the vacating Conservator.

Every such Appointment shall be made at a Conservancy Meeting, Notice whereof shall be given in manner required for Special Meetings.

Every Conservator so appointed shall continue in Office only so long as the Person in whose Place he is appointed would have been entitled to continue in Office.

Vacation of Office by Loss of Qualification.

29. If any Elective Conservator, or any Person appointed by the Conservators under this Act in the Place of an Elective Conservator, ceases to possess the Qualification requisite for his Election or Appointment as a Conservator, his Office shall be thereby vacated.

Error in Elections not to vitiate Acts done.

30. Any Act of the Conservators or of any of them shall not be invalidated or be illegal by reason of any Irregularity in the Election or Appointment under this Act of any Conservator, or by reason of the Nondelivery of or the too late Delivery of or any Error in any List of Voters, or by reason of any Irregularity in the making or publishing of any such List, or by reason of any Person not qualified or ceasing to be qualified acting as a Conservator, or by reason of any Failure or Omission on any Occasion to elect or appoint any Conservator under this Act, or by reason of any other Irregularity, Error, Failure, or Omission in or about any Election, or in or about any Matter preliminary or incidental thereto.

Byelaws.

Publication of proposed Byelaws, Consideration of Objections thereto, and reference to the Queen in Council.

31. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four Section Forty-seven of the Principal Act shall be repealed (but not so as to affect any Byelaws or the Proof of any Byelaws made before the Commencement of such Repeal), and in lieu thereof the following Provisions shall take effect; namely,

(1.) Byelaws made after the Commencement of such Repeal under the Authority of the Principal Act, for the Purposes of that Act or this Act, shall not have any Force unless and until they are allowed by Order of Her Majesty in Council:

(2.) When the Conservators propose to make any Byelaws they shall publish the proposed Byelaws:

(3.) Before

(3.) Before the Conservators submit any proposed Byelaws for the Allowance of Her Majesty in Council, they shall, during One Month at least after the Publication thereof, afford to all Persons the Opportunity of making, in Writing or otherwise, Objections to or Representations respecting the proposed Byelaws; and the Conservators shall take all such Objections and Representations into consideration, and, if they think fit, may abstain from making or may alter or add to the proposed Byelaws:

(4.) If any Alteration or Addition is so made, the Conservators shall publish the proposed Byelaws as so altered or added to, before submitting the same for the Allowance of Her Majesty in Council:

(5.) The Conservators, on submitting any proposed Byelaws for the Allowance of Her Majesty in Council, shall publish Notice that they have done so; and during One Month after the Completion of such Publication of Notice any Person may by Petition submit to Her Majesty in Council any Objection to or Representation respecting the proposed Byelaws.

Byelaws to be printed and sold.

32. The Conservators shall cause all Byelaws made by them after the Thirty-first Day of *December* One thousand eight hundred and sixty-four, when the same are allowed, together with the Order in Council allowing the same, to be printed, and printed Copies thereof to be sold at a reasonable Price to all Persons desiring to buy the same.

Proof of Byelaws.

33. A Copy of any Byelaw made by the Conservators after the Thirty-first Day of *December* One thousand eight hundred and sixty-four, and allowed, purporting to be printed by Direction of the Conservators, and being authenticated by the Common Seal of the Conservators, and the Signature of the Secretary of the Conservators, shall for all Purposes and to all Intents be conclusive Evidence of such Byelaw, and of the due making and Allowance thereof, without Proof of such Seal or Signature.

Byelaws for this Act to be made under Principal Act.

34. Subject to the Provisions of this Act, Byelaws made for the Purposes of this Act shall be made under the Authority of the Principal Act, and according and subject to the Provisions therein contained.

Public Inquiry into Complaints.

On Complaint made, Conservator or Conservators to be deputed to sit in public, and make Inquiry.

35. In case any Person complains of the Operation of any Byelaw of the Conservators, or of any Determination or Proceeding of the Conservators, or of the Conduct of any of their Officers, he shall, on an Application in Writing to the Conservators stating the Substance of his Complaint, be entitled to have his Complaint publicly inquired into and decided on in manner following; namely,

(1.) On Receipt of such Application the Conservators shall depute One or more, not exceeding Three, of their Body to inquire into the Complaint:

(2.) A suitable Room shall be provided by the Conservators, to which the Complainant, his Agent or Attorney and Witnesses, and all other Persons interested or desirous of attending, shall have free Access:

(3.) The Conservator or Conservators so deputed shall receive the Statement of the Complainant, or his Agent or Attorney, and the Counter-Statement of any Person concerned, or his Agent or Attorney, and shall hear any Arguments offered, and any Evidence adduced in support of such Statement or Counter-Statement, and he or they or One of them shall write down the Substance of such Statement, Counter-Statement, Arguments, and Evidence in a narrative Form, and he or they shall report the same, and his or their Opinion thereon, for the Information of the Conservators:

(4.) The Conservators shall consider the Report, and shall decide on the Complaint, and their Decision shall be delivered in public either on the same Day, or on a subsequent Day appointed for the Purpose.

Regulation of Proceedings by Byelaws.

36. The Conservators may from Time to Time by Byelaw regulate (subject to the Provisions of this Act) the Proceedings on any such public or private Inquiry.

Right for Persons complaining to

37. Notwithstanding anything in this Act, any Person not requiring a public Inquiry, but desirous of stating any Complaint personally to the Conservators, shall be at liberty to do

state Complaint personally.

do so, on attending at the Office of the Conservators, having made Application for that Purpose.

Saving for Power to hold Meetings in public.

38. Nothing in this Act shall restrict the Conservators from holding any Conservancy Meeting, if they think fit, in a Room to which the Public may have Access.

Deputy Chairman.

Appointment of a Deputy Chairman; his Duties, &c.

39. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four the following Parts of the Principal Act shall be repealed; namely,

(1.) So much of Section Twenty-one as enacts that in case the Lord Mayor shall be absent then the Conservators present shall appoint some One of their Body to preside as Chairman for the Day, or during the Absence of the Lord Mayor:

(2.) So much of Section Twenty-five as enacts that at all Meetings of a Committee, in case of the Absence of the Lord Mayor, One of the Members present shall be appointed Chairman:

And in lieu thereof the following Provisions shall take effect; namely,

(1.) At the First Conservancy Meeting held in the Year One thousand eight hundred and sixty-five, and afterwards at Conservancy Meetings from Time to Time as Occasion may require, (Notice of every such Meeting having been given in manner required for Special Meetings,) the Conservators shall elect from among themselves a Deputy Chairman:

(2.) At all Meetings of the Conservators the Deputy Chairman, if present, shall preside in the Absence of the Lord Mayor; and the Deputy Chairman shall *ex officio* be a Member of all Committees of the Conservators, and at all Meetings of such Committees the Deputy Chairman, if present, shall preside in the Absence of the Lord Mayor; and in case of the Absence from any Meeting of the Conservators, or of any such Committee, of both the Lord Mayor and Deputy Chairman, One of the Conservators or Members present shall be elected Chairman:

(3.) The Deputy Chairman shall (unless he ceases to be a Conservator) hold Office for One Year from the Time of his Election, but shall be re-eligible.

(4.) The Office of Deputy Chairman shall not be deemed an Office or Place of Profit within the Meaning of Section Eleven of the Principal Act.

Remuneration of Conservators.

Conservators, with Approval of Treasury, to be paid Sums annually.

40. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four the Conservators every Year shall set apart out of the Conservancy Fund such Sum, not exceeding in any Year One thousand two hundred Pounds, as the Conservators, with the Approval of the Commissioners of Her Majesty's Treasury, think fit, and shall divide the same among the several Conservators as the Conservators from Time to Time think fit.

Ballastage.

Rights of Trinity House as to Supply of Ballast. 6 & 7 Vict. c. lvii.

41. From and after the Expiration of the Act of the Session of the Sixth and Seventh Years of Her Majesty, (Chapter Fifty-seven, Local and Personal,) "for the Regulation of Lastage and Ballastage in the River *Thames*," the Supply of Ballast in the River *Thames* shall be free, any Act, Charter, or Grant notwithstanding.

Power for Conservators to supply Ballast.

42. From and after the Expiration of the said Act of the Session of the Sixth and Seventh Years of Her Majesty the Conservators may, if they think fit, undertake the supplying of Vessels in the River *Thames* with Ballast on such Terms as they from Time to Time think fit, and any Money coming to them in respect thereof shall form Part of the Conservancy Fund.

Power for Conservators to undertake Ballast heaving.

43. From and after the Expiration of the said Act of the Session of the Sixth and Seventh Years of Her Majesty the Conservators may, if they think fit, undertake to place Ballast on board Vessels in the River *Thames*, or to unload Ballast therefrom, on such Terms as they from Time to Time think fit, and any Money coming to them in respect thereof shall form Part of the Conservancy Fund.

44. In

44. In accounting to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, under the One hundred and fourth Section of the Principal Act, for the Proceeds annually arising from the supplying or unloading Ballast by the Conservators under the Powers contained in this Act, all just Allowances shall be made to the Conservators for the Expenses incurred by them in or about such Ballastage, and One equal Third Part only of the net Surplus, if any, shall be paid over to the Commissioners; but nothing herein contained shall exempt from the Operation of the One hundred and fourth Section of the Principal Act the Proceeds accruing to the Conservators from any Licences to raise Ballast. One Third of the net Profits only of the Ballastage to be paid to Her Majesty.

45. From and after the Expiration of the said Act of the Session of the Sixth and Seventh Years of Her Majesty, Section One hundred and nine of the Principal Act shall be repealed. Provisions as to dredging, &c. by Trinity House.

46. From and after the Expiration of the said Act of the Session of the Sixth and Seventh Years of Her Majesty it shall not be lawful for the *Trinity House* to grant to any Person a Licence to dredge in the River *Thames* for Sand or any other Substance. Trinity House not to license dredging.

47. From and after the Expiration of the said Act of the Session of the Sixth and Seventh Years of Her Majesty, Sections Ninety-eight and Ninety-nine of the Principal Act shall extend to authorize the Conservators, if they think fit, by themselves, or by their Contractors or Licensees, to dredge in the Bed of the River *Thames* for the Purpose of raising Ballast to be supplied by them to Vessels. Power for Conservators to dredge for Ballast.

48. It shall be lawful for the *Trinity House*, with the Sanction of the Board of Trade, to grant Allowances or Compensations to be paid out of the Mercantile Marine Fund to all Persons whose Salaries are payable out of the said Mercantile Marine Fund in respect of the Service of Lastage and Ballastage, and whose Offices or Salaries shall be abolished or cease in consequence of anything contained in this Act, or of the Expiration of the Act of the Session of the Sixth and Seventh Years of Her Majesty, Chapter Fifty-seven, so nevertheless that no Allowance or Compensation to any Person whose Office or Salary shall be so abolished or cease shall exceed the Proportion of his Salary which might be granted to a Person in the Public Civil Service under the Act of the Session of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under the Act of the Twenty-second Year of Her Majesty, Chapter Twenty-six, or under any other Act for regulating such Allowances or Compensations for the Time being in force. Power to Trinity House to make Allowances and Compensation to Officers, &c. 4 & 5 W. 4. c. 24. 22 Vict. c. 26.

Powers of Trinity House as to Watermen.

49. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four the Act of the Eighth Year of Queen *Elizabeth* (Chapter Thirteen), "to enable "the *Trinity House* to erect Sea Marks and give Licence to Mariners to row on the River "of *Thames*," shall be repealed. Repeal of 8 Eliz. c. 13.

Buoyage, Beaconage, and Lighting.

50. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four the Power to place or lay down Buoys and Beacons conferred on the Conservators by Section Eighty-eight of the Principal Act shall be vested in the Conservators exclusively, anything in Part VI. of The Merchant Shipping Act, 1854, or in any other Act, or in any Charter or Grant notwithstanding. Conservators to have sole Power of laying down Buoys and Beacons. 17 & 18 Vict. c. 104.

51. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four the Property in and Authority over and Obligations respecting Buoys and Beacons theretofore laid down by the *Trinity House* within the Jurisdiction of the Conservators shall be transferred to and vested in and imposed on the Conservators. Transfer of existing Buoys and Beacons to Conservators.

52. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four it shall not be lawful for the Conservators to place any new Lighthouse at any Point below *London Bridge*; and from and after that Day the Property in and Authority over and Obligations respecting any Lighthouse theretofore placed by the Conservators below *London Bridge* shall be transferred to and vested in and imposed on the *Trinity House*; Trinity House to have sole Control of lighting below Bridge.

House; and the Provisions of The Merchant Shipping Act, 1854, and of any Act amending the same, shall apply to such Lighthouses.

Amendment of Watermen's Company's Act.

Contract of Service in addition to Apprenticeship.

53. Notwithstanding anything in the Watermen's Company's Act, or in any of the Byelaws made in pursuance thereof, it shall be lawful, from and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four, for any Male Person above the Age of Twenty Years who has not previously been bound an Apprentice under the Watermen's Company's Act to contract in Writing with any Person authorized to take Apprentices under the Watermen's Company's Act to serve such Person in assisting to navigate a Lighter, or in assisting to work or navigate a Steam Boat, upon the River *Thames*.

Form and Registration of Contract.

54. Every such Contract shall be in a Form to be settled by Byelaw under the Watermen's Company's Act, and shall be entered into and executed at the Hall of the Watermen's Company, and be entered by the Clerk of the Company in a Book or Books to be kept for that Purpose; and there shall be paid to the Company, on such Registration, by one or other of the Parties to such Contract, the following Fees; namely, on the Registration of the First Contract entered into by any Person for such Service on his Part the like Fee as is for the Time being payable to the Company on the binding of an Apprentice, and on the Registration of any subsequent Contract for such Service on the Part of the same Person the like Fee as is for the Time being payable to the Company on the Assignment of Indentures of Apprenticeship.

Person having served under Contract to be examined, and, if found competent, to obtain a Certificate, &c.

55. It shall be lawful for any Person who has actually served under any such Contract or Contracts for the Term of Two Years, within the Period of Three Years from the Registration of the first of such Contracts, to apply to the Watermen's Company for a Certificate authorizing him to act as a Lighterman, or to work or navigate a Steam Boat, according to the Tenor of his Contract; and if upon his Examination, and the Production of Evidence similar to that required by the Watermen's Company to prove the Competency of an Apprentice on applying for a Licence, he is found qualified to receive the same, the Company shall, on Payment as herein-after provided, grant to such Applicant a Certificate authorizing him as aforesaid in such Form as the Company from Time to Time by Byelaw determine; and there shall be paid to the Company by every Applicant for a Certificate, on the original Grant thereof, the Sum of Three Pounds Eleven Shillings, or such less Sum as the Company from Time to Time by Byelaw determine; and every Certificate shall be renewable as a Lighterman's Licence under the Watermen's Company's Act, and on Payment of the same Fee; and in case the Company refuse to grant or renew a Certificate, any Applicant for the same shall have the same Right of Appeal to the Conservators as is provided by the Watermen's Company's Act in respect of Applicants for Licences thereunder.

Certificate liable to be revoked, cancelled, or suspended.

56. Every Person holding a Certificate as aforesaid from the Watermen's Company shall be liable to have the same revoked, cancelled, or suspended in case of any Incapacity or Misconduct in the same Manner and as fully to all Intents, and subject to the like Appeal, as is provided in the Case of licensed Freemen and Apprentices under the Watermen's Company's Act and Byelaws.

Person obtaining a Certificate to be liable to Control of Watermen's Company.

57. Every Person entering into any Contract as aforesaid, as well before as after obtaining a Certificate as herein-before provided, shall be subject and liable to the Regulations and Control of the Watermen's Company, and to the Disqualification and Penalties imposed and declared by and to the Provisions of the Watermen's Company's Act, and the Byelaws made or to be made in pursuance thereof, as fully in every respect as if such Person had been regularly bound an Apprentice in the Manner prescribed by such Act, and had been subsequently admitted as a Freeman of the said Company, or been licensed under the said Act, and the said Act and Byelaws respectively shall be read and construed so as to include and apply to such Person accordingly.

58. The

58. The Provisions of this Act respecting the Watermen's Company shall be read and have effect together with the Watermen's Company's Act as One Act, and for this Purpose the Term "this Act," when used in the Watermen's Company's Act, shall be taken to include the present Act. Construction of these Provisions with Company's Act.

59. Nothing in Section Fifty-four or in Section Sixty-six of the Watermen's Company's Act shall apply to any Craft passing entirely through the Limits of that Act, or to any Barges navigating the Grand Junction Canal, passing into or out of the said Canal from or to the River *Thames*, and not navigated up or down the said River. Limitation of Powers of Parts of the Watermen's Company's Act.

60. Section Eighty-seven of the Watermen's Company's Act shall be read and construed as if after the Words "Apprentice of," in the Beginning of the Section, were inserted the Words "a Freeman or of," so as to make the Provisions therein contained applicable to the Apprentice of a Freeman. Amendment of Sect. 87. of Act.

61. Every Widow of a Freeman taking an Apprentice under the Watermen's Company's Act shall keep or employ some Person, being a Freeman of the Company or a licensed Lighterman (as the Case may be), to instruct such Apprentice in the Business for which he may be so bound to her, and shall cause him to be so instructed before he is admitted a Freeman of the Company, or licensed to work as a Lighterman in manner provided by the Company's Act. Widows of Freemen on taking Apprentices to employ Freemen, &c. to instruct them.

62. Notwithstanding anything contained in the Watermen's Company's Act, all Barges duly registered, navigated from any Places on the River *Thames* above *Teddington Lock*, may be navigated on the River *Thames* as far as *London Bridge* without being compelled to employ a Freeman, Apprentice, or other Person licensed by the Watermen's Company in manner required by the Watermen's Company's Act or this Act. Provision in favour of Western Barges.

63. Nothing in the Watermen's Company's Act, or in the Provisions of this Act relating to the Watermen's Company, shall be held to affect any Rights, Privileges, or Exemptions actually enjoyed at the passing of the Watermen's Company's Act by Owners of Barges or other Craft passing along the River *Lee* and its Branches into or from or along the River *Thames*, or to affect the Persons employed in such Barges or other Craft. Preserving Rights of Owners of Lee Barges.

Bumboats.

64. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four the Conservators may from Time to Time make Byelaws for the registering and regulating of Bumboats,—that is to say, Craft used for the Purposes of Dealings in Provisions, Liquors, Stores, or other Goods with Seamen or others employed on or about the River *Thames*,—and of the Persons working or using such Bumboats. Byelaws for Regulation of Bumboats.

Protection of Fisheries.

65. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-four the Conservators may from Time to Time make Byelaws for the following Purposes or any of them; namely, Byelaws for Regulation of Fishing Boats, Nets, Seasons, &c.

For the protecting, preserving, and regulating of the Fisheries in the River *Thames*, and the Preservation of the Fish therein:

For the registering and regulating of Boats or Vessels on the River *Thames* used for fishing by Persons following the Business of Fishermen, or kept to be let to Hire for fishing, and the governing of Persons following the Business of Fishermen, and using or working such Boats or Vessels for fishing, and of Persons keeping such Boats or Vessels for letting to Hire for fishing:

For the Prohibition of the Use of Nets and Apparatus improper to be used for taking Fish:

For determining the Times during which the taking of any particular or specified Kinds of Fish shall not be practised:

For determining and regulating the Duties of Water Bailiffs or other proper Officers to be appointed by the Conservators to carry such Byelaws into execution:

And from and after the Commencement of the Operation of any such Byelaws the Act of the Thirtieth Year of King *George* the Second (Chapter Twenty-one), "for the more "effectual Preservation and Improvement of the Spawn and Fry of Fish in the River "*Thames* and Waters of *Medway*, and for the better regulating the Fishery thereof," shall be repealed, so far as the Provisions thereof relate to the River *Thames* in respect of any of the Matters comprised in such Byelaws.

30 G. 2. c. 21.

Power for Water Bailiffs and other Officers to enter Fishing Boats, &c.

66. Any Water Bailiff or Officer appointed by the Conservators to carry into execution any Byelaws relating to Fisheries, and also any other Person specially authorized in this Behalf by Writing under the Common Seal of the Conservators, may enter into any Fishing Boat or other Vessel employed, or about to be or having been employed, in fishing or taking Fish or endeavouring to take Fish on the River *Thames*, and may therein search for Fish unlawfully taken, and any unlawful or prohibited Net or Apparatus for taking or destroying Fish, and may seize any such Fish, Net, or Apparatus found therein, and may also seize on the Shore of the River *Thames* any Fish unlawfully taken, or any unlawful or prohibited Net or Apparatus for taking or destroying Fish.

Any such Water Bailiff, Officer, or Person shall, with all practicable Speed after so seizing any Fish or Net or Apparatus, bring the same before a Justice of the Peace, to be dealt with in pursuance of the Byelaws, or otherwise according to Law.

Saving certain Rights in Fisheries.

67. This Act, or any Power conferred by this Act, or any Byelaw made or other Thing done under any such Power, except any Byelaw made for any of the Purposes following that is to say, for the Preservation of the Fish in the River *Thames*, for the Prohibition of the Use of Nets and Apparatus to be used for taking Fish, and for determining the Times during which the taking of any particular or specified Kinds of Fish shall not be practised, and except the Provisions of this Act relative to the Powers and Duties of Water Bailiffs and other Officers of the Conservators, shall not extend to take away, alter, or abridge any Right, Claim, Privilege, Franchise, Exemption, or Immunity to which any Owner or Occupier of any private Fishery in the River *Thames* is entitled, or to empower the Conservators to interfere with the Exercise of the Rights of such Owner or Occupier, but the same shall remain and continue as if this Act had never been made.

Tolls.

Power to Conservators to alter Steamboat Tolls.

68. In lieu of all or any Part of the Tolls leviable under Section Sixty-five of the Principal Act on Steam and other Passage Vessels mentioned in that Section, the Conservators may from Time to Time, by Byelaw, appoint Tolls to be levied thereon (either in all Cases or in certain Cases to be defined by Byelaw) according to the Number of Passengers landed at or embarked from any Pier or Landing Place in that Section mentioned.

Power to take Tolls for Moorings.

69. The Conservators may levy on Vessels not paying Tonnage or other Dues under the Principal Act, and using any of the Moorings on the River *Thames* belonging to the Conservators, in respect of the Use of such Moorings, such reasonable Tolls or Dues as may from Time to Time be fixed by the Conservators by Byelaw.

Navigation Bonds.

Annuities under Navigation Bonds to be charged on the Conservancy Fund, with Power to the Conservators to buy up the Bonds.

70. The Conservators shall be liable, and be deemed to have been always since their Incorporation liable, to pay the Annuities before the passing of the Principal Act charged upon the Security of Tolls leviable on the Navigation of the River *Thames*, in all respects as the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled would have been liable if the Principal Act had not been passed, and as if the same had been charged upon the Conservancy Fund defined by the One hundred and thirty-sixth Section of the Principal Act; and the said Annuities shall be and shall be deemed to have been always charged on the Conservancy Fund; and the Conservators may from Time to Time, as and when they shall think proper, redeem such Annuities at such Prices and upon such Terms as shall be mutually agreed on between the Conservators and the Bondholders respectively; and for such Purpose the Conservators may, if they shall think proper, apply any Funds now in their Hands, or which may come to their Hands under the Provisions of the Principal Act.

Sale

Sale of Land.

Sale of superfluous Lands.

71. It shall be lawful for the Conservators to contract for and to sell for such Consideration as they may deem reasonable, and by any Deed under their Corporate Seal to convey to the Purchasers thereof, any Lands vested in them, or any Part thereof, which in their Judgment shall not be required for the Purposes of this Act or the Principal Act, in such Manner as they shall deem most advantageous; and such Contracts, Sales, and Conveyances from the Conservators shall be valid and effectual to all Intents and Purposes, and the Money produced by such Sales shall be added to the Conservancy Fund: Provided always, that the Proceeds of any Sales of any Lands so vested being Part of the Bed or Shores of the River *Thames* shall be applied in accordance with the One hundred and fourth Section of the Principal Act.

Audit.

Treasury to appoint Auditor of Accounts of Conservators.

72. Section One hundred and seventeen of the Principal Act, and all Provisions relative thereto, shall be read and construed as if, in lieu of the Power to appoint an Auditor of the Accounts of the Conservators conferred by the last-mentioned Section on the Authority in that Section mentioned, the Commissioners of Her Majesty's Treasury were thereby directed to appoint such an Auditor, and the Commissioners of Her Majesty's Treasury shall annually appoint such an Auditor accordingly.

Discharge of Colliers.

Power for Conservators to authorize the Erection of Cranes, &c. for the Discharge of Colliers in the River Thames.

73. It shall be lawful for the Conservators, from Time to Time as and when they shall think fit, to license and permit to be erected, established, and used, at such fair and reasonable Rent as herein-after provided, and under and subject to such Rules, Regulations, and Restrictions as they shall think fit to impose, any Stages, Cranes, Apparatus, and other Machinery on the Bed of the River *Thames* or afloat suitable and convenient for the unloading and discharging, by Steam, Hydraulic, or other Power, of Colliers trading to and from the Port of *London*, and from Time to Time to order and direct such Stages, Cranes, Apparatus, and other Machinery, or any of them, to be removed; but no such Licence or Permission shall be granted unless and until the Rent to be thereunder reserved shall have been assessed and determined as provided by the Fifty-eighth Section of the Principal Act; and all such Rents shall be applied in accordance with the One hundred and fourth Section of the Principal Act: Provided, that Notice of any Application for such Licence shall be inserted in the *London Gazette*, and in Four of the daily Newspapers circulating in the Metropolis, and by giving to the Owners and Occupiers of any Property on the Banks of the *Thames* in front of which such such Derrick or Erection is to be placed at least Two Months before such Licence shall be granted.

Injuries to River by throwing in Ballast, &c.

Prohibition of throwing Ballast, &c. into River, or allowing offensive Matter to flow into it.

74. If any Person, without lawful Excuse (the Proof whereof shall lie upon him), does any of the following Things; namely,

(1.) Unloads, throws, or puts or causes or suffers to fall any Gravel or other Substance which has been used as Ballast, or any Stones, Earth, Mud, Ashes, or Rubbish, or any Refuse from Gasworks or other Manufactories, into the River *Thames* or on the Shore thereof;

(2.) Unloads, throws, or puts or causes or suffers to fall any such Gravel or other Thing as aforesaid into any River, Stream, Cut, Dock, Canal, or Watercourse communicating with the River *Thames* at any Point within Three Miles of the River *Thames*, measured in a direct Line therefrom, so that the same will be carried or be likely to be carried by, through, or out of such River, Stream, Cut, Dock, Canal, or Watercourse into the River *Thames*;

(3.) Knowingly puts any such Gravel or other Thing as aforesaid in any Place where the same is likely to be carried by Floods or extraordinary Tides into the River *Thames*;

(4.) Causes or suffers any Washing or other Substance produced in making or supplying Gas, or any other offensive Matter, to flow or pass into the River *Thames*, or to flow or pass into any River, Stream, Cut, Dock, Canal, or Watercourse aforesaid, within the Distance aforesaid, so that the same will be carried or be likely to be carried by, through, or out of the same into the River *Thames*;

he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds.

Where any Offence against this Enactment is committed from or out of a Vessel, the Master and the Owner of the Vessel shall be liable to be proceeded against and punished under this Enactment, so that the Master and the Owner of the Vessel be not both punished in respect of the same Offence.

Any Constable, and any Person whom a Constable may call to his Assistance, may take into Custody without Warrant any Person found committing any Offence against this Enactment.

Protection of Officers.

Penalty for assaulting Constable, &c.

75. If any Person assaults or resists, or aids or incites any Person to assault or resist, any Constable, Water Bailiff, or other Officer or Person in the Execution of his Duty or the lawful Exercise of any Authority under the Principal Act or under this Act, or under any Byelaw of the Conservators made or to be made, such Offender shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Procedure, &c.

Jurisdiction of Justices of Kent, Essex, and Gravesend.

76. For the Purposes of the Principal Act and of this Act, and of any Byelaw of the Conservators made or to be made, the Jurisdiction of all Justices of the Peace for the Counties of *Essex* and *Kent* respectively, and of the Magistrates of the Borough of *Gravesend* in the County of *Kent*, shall extend over the whole of the Waters of the River *Thames* and the Banks and Shores thereof between *Broadness Point* and the *Lower Hope*.

Venue for Trial of Offences.

77. For the Purposes of Proceedings under the Principal Act or under this Act, or under any Byelaw of the Conservators made or to be made, every Offence shall be deemed to have been committed, and every Cause of Complaint under the Principal Act or this Act or any Byelaw shall be deemed to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Offender or Person complained against may be.

Application of pecuniary Penalties.

2 & 3 Vict. c. 71.

78. Where under the Principal Act or under this Act, or under any Byelaw of the Conservators made or to be made, any pecuniary Penalty or Forfeiture is recovered by the Conservators in a summary Manner, the same shall be paid to the Conservators, and shall form Part of the Conservancy Fund, anything in the Act of the Session of the Second and Third Years of Her Majesty (Chapter Seventy-one), "for regulating the Police Courts in "the Metropolis," notwithstanding.

Savings.

Act not to affect Rights, &c. saved by Principal Act, except as expressly provided.

79. This Act, or any Power conferred by this Act, or any Byelaw made or other Thing done under any such Power, shall not—

(1.) Take away, alter, interfere with, abridge, prejudice, or derogate from any Right, Title, Claim, Privilege, Franchise, Exemption, Immunity, Possession, Profit, Power, Jurisdiction, or Authority saved or intended to be saved from or out of the Operation of the Principal Act by the following Sections thereof, namely, Sections Fifty-one, Fifty-two, Eighty, One hundred and sixty-four, One hundred and sixty-six to One hundred and sixty-eight, and One hundred and seventy to One hundred and seventy-nine (all inclusive), or any of them:

(2.) Repeal, alter, or prejudicially affect the same Sections or any of them, or any Enactment saved or intended to be saved from or out of the Operation of the Principal Act by the same Sections or any of them, or take away or alter any Restriction imposed on the Conservators by the same Sections or any of them:

(3.) Take

(3.) Take away, alter, interfere with, abridge, prejudice, or derogate from any Right, Title, Claim, Privilege, Franchise, Exemption, Immunity, Possession, Profit, Power, Jurisdiction, or Authority saved or intended to be saved from or out of the Operation of the Principal Act by Sections One hundred and sixty-five and One hundred and sixty-nine thereof, or either of them, further or otherwise than is expressly provided by this Act.

Saving Rights of the Canvey Island Commissioners.

80. Nothing in this Act, or any Byelaw made in pursuance thereof, shall extend to take away, interfere with, limit, prejudice, affect, abridge, or impeach any of the Rights, Powers, Privileges, and Authorities or Property vested in the Commissioners for putting into execution the Act passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually embanking, draining, and otherwise improving the Island of* Canvey *in the County of* Essex, or any Acts or Things done by the said Commissioners under the said Act.

32 G. 3. c. xxxi.

Saving Rights of the Inner and Middle Temple.

81. This Act, or any Power conferred by this Act, or any Byelaw made or other Thing done under any such Power, shall not take away, alter, interfere with, abridge, prejudice, or derogate from any Right, Title, Claim, Privilege, Franchise, Exemption, Immunity, Possession, Profit, Power, or Authority which under the *Thames* Embankment Act, 1862, or any other Act now in force, or any of the Provisions thereof respectively, the Two Societies of the *Inner Temple* and the *Middle Temple*, or either of them, are or is entitled to, or, if this Act were not passed, might from Time to Time have, exercise, enjoy, or claim.

25 & 26 Vict. c. 93.

Saving Rights of the Metropolitan Board of Works.

82. Nothing in this Act contained shall prejudice, lessen, affect, or interfere with the Powers, Rights, Authorities, and Privileges of the Metropolitan Board of Works conferred on them by the *Thames* Embankment Act, 1862, and the *Thames* Embankment (South Side) Act, 1863, or any Act which may be passed in the present Session of Parliament for amending, altering, or extending the Powers of the last-mentioned Act, or with the Rights, Powers, Privileges, and Duties of the said Board under any Act or Acts of Parliament now in force relating to the Metropolitan Board of Works.

SCHEDULE.

Form of Proxy Paper.

THE THAMES CONSERVANCY ACT, 1864.

I, *A.B.* of , being entitled to Votes at the Election of a Conservator, as Representative of Owners of Passenger Steamers [*or as the Case may be*], at the Election to be held in the Month of December 186 , do by this Writing appoint *C.D.* of to be my Proxy to vote on my Behalf at that Election.

(Signed) *A.B.*

Witness,
X.Y.,
of

CAP. CXIV.

The Improvement of Land Act, 1864. [29th *July* 1864.]

'WHEREAS an Act was passed in the Twelfth and Thirteenth Years of Her present Majesty, intituled *An Act to promote the Advance of private Money for Drainage of Lands in* Great Britain *and* Ireland, and several Companies have been incorporated by Act of Parliament, with special Powers for promoting the Improvement of Land in

12 & 13 Vict. c. 100.

'*Great*