



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. xiii.

An Act to amend and alter Two several Acts, passed in the Sixth and Tenth Years of the Reign of His present Majesty, for making and constructing certain Wet Docks, Warehouses, and other Works, in the Parish of *Saint Botolph without Aldgate*, and in the Parish or Precinct of *Saint Katharine* near the Tower of *London*, in the County of *Middlesex*, and for enlarging and extending the Powers and Provisions of the said Acts. [8th April 1830.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for making and constructing certain Wet Docks, Warehouses, and other Works, in the Parish of Saint Botolph without Aldgate, and in the Parish or Precinct of Saint Katharine near the Tower of London, in the County of Middlesex*, the several Persons therein named were united into and declared to be a Joint Stock Company, by the Name and Style of "*The Saint Katharine Dock Company*," and were empowered to raise and subscribe a Capital of One million three hundred and fifty-two thousand seven hundred and fifty-two Pounds, and to appoint any Number of

[Local.] 4 D Proprietors, 6 G.4. c.105.

10 G. 4. c. 1.

Proprietors, not exceeding Twenty-one in Number, each of whom should be possessed of not less than a Thousand Pounds of the Joint Stock of the said Company, as the Directors for conducting and managing the Affairs of the said Company, and such Directors were empowered to make and maintain, in and upon the Lands which should be purchased by virtue of the said Act, navigable Docks, Basins, and Cuts, with Quays, Wharfs, Warehouses, and other Works, Matters, and Things necessary for carrying into effect the Purposes of the said Act; and by the said Act Power was given to the said Company to increase their said Capital Stock, and to borrow Money upon the Security of their Rates, so as that the total Sum to be so raised should not exceed in the whole the further Sum of Five hundred thousand Pounds: And whereas by an Act passed in the Tenth Year of the Reign of His said present Majesty, intituled *An Act to amend an Act passed in the Sixth Year of the Reign of His present Majesty, intituled 'An Act for making and constructing certain Wet Docks, Warehouses, and other Works in the Parish of Saint Botolph without Aldgate, and in the Parish or Precinct of Saint Katharine near the Tower of London, in the County of Middlesex, and for extending the Powers and Provisions of the said Act,'* further Powers were given to the said Company, the better to enable them to borrow at Interest such further Sum or Sums of Money as they had Power to raise by virtue of the said first-recited Act: And whereas the Directors of the said Company have, in pursuance and execution of the said recited Acts, purchased certain Lands, Tenements, Buildings, and Hereditaments, and caused to be made and completed Two navigable Docks fit for the Reception and Accommodation of Shipping, with an Entrance Basin and Lock, and also Buildings, Quays, Wharfs, Warehouses, and other Works; and further Buildings, Quays, Wharfs, and Warehouses and other Works are now in progress, which, when finished, will afford increased Accommodation to the Public: And whereas, in pursuance of the Powers given to them by the said Acts, the said Directors have raised the Sum of Five hundred thousand Pounds upon the Security of the Rates, in addition to the subscribed Capital of One million three hundred and fifty-two thousand seven hundred and fifty-two Pounds: And whereas, in order to enable the said Company to complete the Buildings, Warehouses, Quays, Wharfs, and other Works now in progress, it is necessary that the said Company should be authorized to raise a further Sum of Money, either by Increase of their said Capital or Joint Stock, or by way of Loan: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Powers, Authorities, Provisions, Regulations, Directions, Matters, and Things whatsoever respectively contained in the said Two recited Acts of the Sixth and Tenth Years of the Reign of His said present Majesty, (save and except such as are hereby or have otherwise been altered, varied, or repealed,) shall extend and be construed to extend to this present Act, and shall operate and be in force with respect to this Act, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act.

Powers of recited Acts to extend to this Act.

II. And

II. And be it further enacted, That it shall be lawful for the said Directors to raise, either by Increase of the said Capital or Joint Stock, or by way of Loan, such further Sum of Money not exceeding in the whole the Sum of Three hundred thousand Pounds, or any Part thereof, by Contribution amongst the Proprietors of the said Company, or by Admission of any new Subscriber or Subscribers, or by such other Ways or Means as, according to the Majority of Votes of the Proprietors present at any General Meeting or Meetings to be specially called for that Purpose, shall be deemed proper, according to the Provisions and Directions of the said recited Acts and of this Act.

Power to raise a further Sum not exceeding 300,000*l.*

III. And be it further enacted, That any additional Capital or Joint Stock to be raised by virtue of this Act shall be considered as Part of the Capital or Joint Stock of the said Company, and shall be considered in the same Manner, and be under and subject to the same Provisions, Regulations, Directions, and Management, in all respects, and to all Intents and Purposes, as if the same had been Part of the said original Capital Stock of One million three hundred and fifty-two thousand seven hundred and fifty-two Pounds.

Additional Capital to be considered Part of original Joint Stock;

IV. And be it further enacted, That any such additional Capital or Joint Stock shall be subscribed and paid for at such Rates of Money for every One hundred Pounds Stock, and called for by the Directors of the said Company in such Proportions and at such Time and Times as shall be agreed upon and prescribed by the Directors of the said Company or any Five of them.

and paid and subscribed as Directors shall appoint.

V. And be it further enacted, That in case the said Company shall think it advisable to borrow such further or additional Sum at Interest in manner herein-after mentioned, or shall deem it expedient to raise only a Part of the said further or additional Sum by augmenting their Capital Stock, and to borrow the Remainder thereof at Interest, then and in either of the said Cases it shall be lawful for the said Company to borrow and take up at Interest on the Security or Securities herein-after mentioned, subject always to the prior Claim of the Holders of Debentures, or Assignments and Securities on the Rates and Duties of the said Company, heretofore granted and issued, or which have been or which shall or may at any Time and from Time to Time be re-issued by the said Directors, under and by virtue of the said recited Acts or either of them, as herein-after provided for, any Sum or Sums of Money not exceeding, together with any additional Capital Stock that may hereafter be subscribed, such further Sum of Three hundred thousand Pounds; and for the Purpose of raising the same or any Part or Parts thereof, the Directors for the Time being of the said Company, or any Five or more of them, shall and may assign over the Rates and Duties receivable by the said Company, or a competent Part thereof, subject as aforesaid, as a Security or Securities for the Repayment of any such Sum or Sums of Money to be borrowed, together with lawful Interest, to any Person or Persons advancing the same, or his, her, or their Trustee or Trustees, Nominee or Nominees; and all such Assignments shall be made and entered and be transferrable in the same Manner and Form,

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Power for Directors to borrow on Security of Rates, and to stipulate Periods for Redemption thereof.

mutatis mutandis; and the same, and the Monies so to be borrowed, and the Interest thereof, shall be under and subject to such and the same Provisions, Regulations, Directions, and Management, and with such and the like Powers of Repayment and Re-issue respectively, as the Case may be, in all respects as are in and by the said recited Acts or either of them prescribed and directed concerning the Assignments and Securities to be made and given for the Monies thereby authorized to be borrowed by the said Company, and concerning such last-mentioned Monies and the Interest thereof: Provided always nevertheless, that nothing in this Act contained shall extend, or be deemed, taken, or construed to extend, to invalidate or interfere with the prior Claim to Repayment of the Holders of the Debentures, Assignments, or Securities granted and issued or re-issued by the said Directors as aforesaid, for Monies borrowed by them on the Rates and Duties of the said Company, or otherwise, in pursuance of the Powers for that Purpose contained in the said recited Acts or either of them, or with all or any of the Authorities thereby also given for Receipt and Recovery thereof; any thing herein contained to the contrary thereof in anywise notwithstanding.

No Priority among Securities for Money borrowed under this Act.

VI. And be it further enacted, That none of such Assignments and Securities to be made by the said Directors in pursuance of this Act shall on account of prior Date and Execution be entitled as between themselves to any Priority of Payment or other Preference before any other or others of such Securities of later Date, but the same and every of them, and the Interest thereof, and all Re-issues thereof, shall have Preference over any additional Capital or Stock to be created or any Monies to be borrowed by virtue of this Act, and to any Dividends or Interest thereon respectively, as in the said first-recited Act is directed with relation to any Monies to be borrowed on Mortgage by virtue thereof.

Sums to be subscribed or borrowed not to be under 100l.

VII. And be it further enacted, That no Money shall be subscribed towards augmenting such Capital Stock, or advanced to the said Company upon Security at Interest as aforesaid, in any Sum less than One hundred Pounds, and no Assignment or Security shall at any Time hereafter be executed as aforesaid for securing any less Sum of Money than One hundred Pounds; and every or any such Assignment or Security which shall be made or attempted to be made for securing any less Sum, contrary to the true Intent and Meaning of this Act, shall be void.

No Assignment of Sums under 100l.

VIII. And be it further enacted, That no Assignment or Transfer shall be permitted to be made, or entered in the Transfer Books of the said *Saint Katharine* Dock Company, of or concerning any smaller Sum of the Capital Stock of the said Company heretofore subscribed or hereafter to be subscribed as aforesaid than One hundred Pounds thereof; and every such Assignment and Transfer which shall or may at any Time or Times hereafter be so entered, of or concerning any such smaller or less Sum of the said Capital Stock than One hundred Pounds thereof, shall be utterly null and void; any thing in the said recited Acts or either of them contained to the contrary notwithstanding.

IX. And

IX. And be it further enacted, That the present or any future Directors of the said Company, or any of them, shall not, by reason or means or on account of their or his being Parties or Party to, or making, signing, or executing, in their or his Capacity of Directors or Director, any Assignment or Security, for or on behalf of the said Company, be subject or liable to be sued, prosecuted, or impleaded, either collectively or individually, by any Person or Persons whomsoever, in any Court or Courts of Law or Equity, or elsewhere.

Directors not to be liable by reason of executing Securities.

X. And whereas by the said first-recited Act it is enacted, "that in case the full Number of Twenty-one Directors be not appointed on the Day of the *July* General Meeting in any Year after the Expiration of Twelve Calendar Months from the Time when the said Docks and Premises shall be fit for the Reception of Ships and Goods, then and in every such Case another General Meeting of the said Company shall be holden on the same Day in the Week following, for the Purpose of making or completing such Election; and in case such Appointment of Directors shall not then be made or completed, then and in every such Case another General Meeting of the said Company shall be holden on the same Day in the Week next following, for the Purpose of making or completing such Election; and so *toties quoties* until the full Number of Directors shall be chosen; but such Directors shall continue in Office only until the next *July* General Meeting:" And whereas it is expedient that the same should be repealed; be it therefore enacted, That so much of the said first-recited Act shall be and the same is hereby repealed.

So much of first-recited Act as enacts that if Directors are not appointed at the *July* General Meeting, another Meeting shall be held in the Week following, repealed.

XI. And be it further enacted, That it shall be lawful for such Proprietors at any *July* General Meeting assembled, or at any subsequent Meeting specially convened for that Purpose, to elect any Number of Proprietors to be Directors, not being fewer than Fifteen nor exceeding Twenty-one.

Directors to be elected at the *July* General Meeting or a Special Meeting.

XII. And whereas by the said first-recited Act it is enacted, "that when any One or more of the said Docks by the said Act authorized to be made and built by the said Directors, with the Basin or Basins, Cuts, Locks, Quays, Wharfs, Warehouses, Vaults, and other Works belonging or to belong thereto, shall be so far completed that in the Judgment of the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, the same shall be fit for the Reception of Ships and Goods respectively, it shall be lawful for the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby respectively authorized and empowered, by Warrant under their Hands, to certify and make known the same; which Warrant shall be published Three Times at the least in the *London Gazette*, and in Two or more Morning daily Newspapers then usually circulated in *London*; and the said Warrant so published as aforesaid shall be deemed sufficient Notice to all Parties interested in the Completion of the Dock or Docks, Quays, Wharfs, Vaults, and other Works concerning which such Certificate shall be made, that the same are fit, and approved by the Lords Commissioners of His Majesty's Treasury, for the Reception

So much of first-recited Act as enacts that when any Docks shall be ready for the Reception of Ships, Notice shall be published in the *Gazette*, repealed.

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4 G 4. c. 24.

tion of Ships, and of all Goods, Wares, and Merchandize, under the Provisions of an Act passed in the Fourth Year of His present Majesty's Reign, intituled *An Act to make more effectual Provision for permitting Goods imported to be secured in Warehouses and other Places without Payment of Duty on the first Entry thereof*, or under any other Act or Acts relating to the warehousing of Goods, Wares, and Merchandize :” And whereas by an Act passed in the Sixth Year

6 G. 4. c 112.

of the Reign of His present Majesty, intituled *An Act for the warehousing of Goods*, Regulations are established with respect to Warehouses of special Security, and it is therefore expedient that so much of the said recited Act should be repealed ; be it therefore enacted, That so much of the said first-recited Act shall be and the same is hereby repealed.

Dock Com-
pany may
land Goods
after the Ex-
piration of
Seven Days.

XIII. And be it further enacted, That if any Goods, Wares, or Merchandize, which shall be brought to any of the Docks, Basins, Quays, Wharfs, Locks, or Cuts of the said Company on board of any Ship, Vessel, Lighter, or Craft, shall not be duly entered with the Customs, and the Order for landing lodged with the Officer of the Customs stationed on board such Ship, Vessel, Lighter, or Craft, or with the proper Officer of the Customs within the said Docks, as the Case may be, within Seven Days next after the Ship, Vessel, Lighter, or Craft importing the said Goods, Wares, or Merchandize shall have been reported at the Custom House, then and in every such Case it shall be lawful for the Superintendent for the Time being of the said Company, on the next ensuing Day, (not being a *Sunday*, *Christmas Day*, or *Good Friday*, or a Day appointed by His Majesty's Proclamation for the Purposes of a General Fast or Thanksgiving,) to cause such Goods, Wares, or Merchandize to be forthwith landed and warehoused in the Presence of the Officers of the Revenue, who are hereby authorized and directed to take a true and particular Account of the Quantity, Quality, and Species thereof ; and in case such Goods, Wares, or Merchandize shall not be duly exported, or the Duties on such Goods, Wares, and Merchandize shall not be paid and discharged, within Six Calendar Months next after such Report as aforesaid, it shall be lawful for the Commissioners of Customs, and they are hereby authorized and empowered, to sell and dispose of such Goods, Wares, and Merchandize, or any Part thereof, to answer and satisfy the Duties thereon, rendering the Overplus, if any, of the Monies arising by such Sale, after Payment of the Freight and of any Rates, Charges, or Expences which may be due to the said Company, to the Proprietor or Proprietors, Consignee or Consignees of such Goods, Wares, or Merchandize, on Demand : Provided always, that if a Price cannot be obtained for such Goods, Wares, or Merchandize, equal to the full Amount of the Duties of Customs payable thereon, and the Charges of the Sale thereof, and Freight, Rates, Charges, or Expences as aforesaid, then and in such Case all such Goods, Wares, and Merchandize shall be effectually destroyed, or otherwise be sold and disposed of, in such Manner, and for such Purposes, and under such Rules, Regulations, and Restrictions, as the Commissioners of His Majesty's Customs shall from Time to Time direct.

XIV. Pro-

XIV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to affect any of the Provisions or Regulations for the Removal of Spirits from *Scotland* or *Ireland* to *England* contained in an Act made in the Sixth Year of His present Majesty's Reign, intituled *An Act to repeal the Duties payable in respect of Spirits distilled in England, and of Licences for distilling, rectifying, or compounding Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof; and to provide other Regulations for the Collection of the said Duties, and for warehousing of such Spirits, without Payment of Duty, for Exportation,* or any other Act relating to the Revenues of Excise.

This Act not to alter the Provisions of 6 G. 4. c. 80. relating to the Removal of Spirits.

XV. And be it further enacted, That in all Cases in which by the said recited Acts or this Act any Penalty or Forfeiture is made recoverable by Information before a Justice or Justices of the Peace or other Magistrate, it shall and may be lawful for any Justice or Justices or other Magistrate to whom Complaint is authorized to be made of any Offence against the said Acts or this Act, on the verbal Application of the Complainant, to summon the Party complained against before him or them, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited and taken before or by such Justice or Justices or other Magistrate; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

Justices may proceed by Summons for the Recovery of Penalties.

XVI. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by the said recited Acts or this Act, or by any Rule, Order, or Bye Law made in pursuance thereof, (the Manner of levying, recovering, and applying whereof is not otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any Justice of the Peace for the County or the Place in which the Offence shall be committed, on Complaint to him for that Purpose exhibited, upon the Oath of any Person or Persons, or on the solemn Affirmation of any Person or Persons being of the Society called *Quakers*, or on the Confession of the Party offending (which Oath or Affirmation such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offenders Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, the reasonable Costs and Charges of such Distress and Sale being first deducted; and in default of any particular Appropriation thereof by the said Acts or either of them, one Moiety thereof shall be paid to the Overseers of the Poor of the Parish or Place where the Offence shall be committed, to be by them applied for the Use of the Poor of such Parish or Place, and the other Moiety thereof shall be paid to the Informer; and in case such Penalties and Forfeitures shall

Recovery and Application of Penalties.

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not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before such Justice, or before some other Justice of the Peace for the County or Place in which the Offence shall be committed, on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Seven Days from the taking of any such Security), and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Forfeiture or Forfeitures, and such Costs and Charges as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit the Offender or Offenders to the Common Gaol or House of Correction for the said County or Place, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture, together with the Costs and Charges attending such Proceedings as aforesaid (to be ascertained by such Justice), shall be sooner paid and satisfied, or such Offender or Offenders shall be otherwise discharged by due Course of Law.

Expences of
Act.

XVII. And be it further enacted, That the Expences of this Act and incidental thereto shall be paid out of the Funds of the said *Saint Katharine Dock Company*.

Public Act.

XVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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