



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. clxxxv.

An Act to enable the *Newport Dock Company* to construct a new Dock and other Works; and for other Purposes. [24th July 1854.]

WHEREAS by the Local and Personal Act 5 and 6 *William IV.*, Chapter 75, certain Persons were incorporated by the Name of "*The Newport Dock Company*" (herein-after called "*the Company*"), and were empowered to make and maintain a Dock, with Roads, Railways, or Tramroads, Quays, Aqueducts, Warehouses, and other Works and Conveniences, and to raise a Capital of Fifty thousand Pounds, to be divided into Five hundred Shares of One hundred Pounds each, and to raise by Mortgage of the said Undertaking any further Sum not exceeding Seventeen thousand Pounds: And whereas by the Local and Personal Acts 2 and 3 *Victoria*, Chapter 74, and 4 and 5 *Victoria*, Chapter 51, the Company were empowered to raise, by creating new Shares in their Undertaking, further Sums amounting in the aggregate to Fifty-five thousand Pounds, and by Mortgage or Bonds further Sums amounting in the aggregate to Forty-eight thousand Pounds: And whereas the Company, under the Powers of the recited Acts, have contributed among themselves in Shares the Sum of Ninety thousand eight hundred

5 & 6 W. 4.
c. lxxxv.

2 & 3 Vict.
c. lxxiv.
4 & 5 Vict.
c. li.

[*Local.*]

35 *F*

Pounds,

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c. lxxviii.

Pounds, which Shares are now fully paid up, leaving unissued Shares amounting in aggregate nominal Value to Fourteen thousand two hundred Pounds, and which could not now be issued, except at a large Discount: And whereas the Company, under the Powers of the recited Acts, have raised on Mortgages and Bonds the Sum of Sixty-five thousand Pounds in the whole: And whereas by the Local and Personal Act 7 and 8 *Victoria*, Chapter 78, the Company were empowered, in addition to the Monies authorized to be raised by the said recited Acts, to raise the further Sum of Thirty thousand Pounds by the Creation of new Shares of One hundred Pounds each in their Undertaking, and by disposing of such Shares upon the Terms that the Persons who might agree to take such Shares should pay such a Sum on or in respect of each new Share as the Company might at any Special General Meeting fix upon, or upon such other Terms and subject to such Regulations as the Company at any subsequent General or Special General Meeting might think proper, and to agree to pay Interest on such new Shares at such Rate as should be then or thereafter fixed, not exceeding Five Pounds *per Annum* for each Share, in preference to the Payment of any Dividends on Shares created under the said recited Acts in the said Undertaking, and in lieu of Dividends on such new Shares: And whereas the Company, under the Powers of the lastly-recited Act, have raised the Sum of Thirty thousand Pounds by the Creation of One thousand five hundred Shares of the nominal Value of One hundred Pounds each, bearing Interest at the Rate of Two Pounds *per Annum* for each Share, and issued at various Times at different Rates of Discount: And whereas, in addition to the Sums raised as aforesaid, the Company have also expended upon their permanent Works the Sum of Eight thousand nine hundred Pounds borrowed by them from their Bankers and others, and repaid out of the Revenue of the Company, which, if not so applied, would have been applicable to the Payment of Dividends on the Capital of the Company created under the Powers of the firstly, secondly, and thirdly recited Acts: And whereas, under the Powers of the said recited Acts, the Company have constructed a Wet Dock, with Locks and other Works, and have erected Warehouses and Buildings, and have constructed Tramroads, Railroads, and other Roads, and in executing those Powers have expended the Sums raised as herein-before mentioned: And whereas an Alteration, Extension, and Enlargement of the Dock and Works authorized to be made by the said first-recited Act, and the Construction of additional Docks, Basins, and other Works, and the Enlargement and Alteration of the Entrances into and Approaches to the said Docks, and the supplying the said Docks and Basins with Water from the River *Ebbw*, by means of an Aqueduct and other Works, and the providing of Roads, Communications, and other Works and Conveniences for the Accommodation of the Vessels using the said Docks, and for shipping and unshipping

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unshipping Goods and Merchandise, would be of great public Advantage: And whereas it would greatly facilitate the receiving, warehousing, and Delivery of Goods and Merchandise imported into and exported from the said Docks if the Company were enabled to provide and maintain Warehouses and other Buildings for receiving and housing such Goods and Merchandise, and for those Purposes to purchase or take on Lease and hold Lands adjoining or near to the said Dock and Works: And whereas, in order to enable the Company to effect the Objects aforesaid, it is expedient that they should be authorized to raise an additional Sum of Money, and it is also expedient that they should be enabled to capitalize or pay off the said Sum of Eight thousand nine hundred Pounds: And whereas, under Powers in that Behalf in the recited Acts contained, the *Monmouthshire* Railway and Canal Company (by their former Name of "The Company of Proprietors of the *Monmouthshire* Canal Navigation") have subscribed towards and become Shareholders in the Undertaking of the Company to the Extent of Twenty thousand Pounds, and it is expedient that further Powers for those Purposes should be conferred upon the said *Monmouthshire* Railway and Canal Company; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *Newport (Monmouthshire) Docks Act, 1854.*" Short Title.

II. That in construing this Act, and also in construing the Acts and Parts of Acts incorporated herewith, in connexion with this Act, the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation of Terms.

The Expression "the Special Act" shall mean this Act;

The Expression "the Undertakers" and the Expression "the Company" shall respectively mean the *Newport Dock Company*;

The Expression "the Undertaking" shall include all the Works of the Company, of whatever Nature, for the Time being executed and authorized to be executed;

The Expression "the Shareholders" shall mean Shareholders, Proprietors, or Members of the Company;

The Expression "the Directors" and the Expression "the Committee" shall respectively mean the Persons for the Time being constituting the Committee for managing and conducting the Affairs

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Affairs and Business of the Company, or the Majority of such Persons present at any of their Meetings ;

The Expressions "the Clerk" and "the Clerk to the Company" respectively shall mean and comprise the Secretary or Chief Clerk for the Time being of the Company ;

The Word "Vessel" shall include Ship, Boat, Lighter, and Craft of every kind ; and

The Word "Lands" shall include Streams and Waters.

Sum applied from Revenue to Works to be added.

III. That the Sum of Eight thousand nine hundred Pounds so as aforesaid expended out of the Revenue of the Company applicable to Dividend, in Repayment of Monies borrowed for the Purposes of the permanent Works of the Company, shall be deemed to be a Debt due from the Company to the present Holders of Shares created under the said first, second, and third recited Acts, in proportion to the Number of such Shares now held by them respectively.

Power to raise Money by new Shares.

IV. That it shall be lawful for the Company from Time to Time to raise for the Purposes of this Act (in addition to the Sums they are already authorized to raise) any Sum not exceeding in the whole the Sum of One hundred and ten thousand Pounds, by creating new Shares in their Undertaking.

Regulating the Dividends payable on the new Shares.

V. That it shall be lawful for the Committee from Time to Time, with the Consent of the Votes of Three Fifths of the Proprietors present, either personally or by Proxy, at any General Meeting of the Company specially convened for the Purpose, to resolve and declare that the Holders of any new Shares for the Time being to be created and issued under the Powers of this Act shall be entitled, either perpetually or for such limited Time as may be so resolved upon and declared, to a preferential Dividend, to be paid out of the general Revenue of the Company, in priority of the general Dividends made by the Company, at such Rate (not exceeding Six Pounds *per Centum per Annum*), and with such other Privileges, and subject to such Powers of Redemption, Diminution, or Conversion (if any) as may be so resolved upon and declared, and thereupon the Holders of such Shares shall become entitled to such preferential Dividend, and to any other Privileges so resolved upon and declared as aforesaid accordingly, and such preferential Dividend shall be payable half-yearly at the same Time as the ordinary Dividends of the Company ; and it shall be lawful for the Committee, with such Consent as aforesaid, until the whole additional Capital which is hereby authorized to be raised shall have been raised by the Creation of new Shares, to alter the Rate of such preferential Dividend, or any of such other Privileges or Powers with regard to such Portion of the same Capital as shall not then have been subscribed for, but so that the Rate of any such Dividend, after
any

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any such Alteration, shall not exceed Six Pounds *per Centum per Annum*, and so as not to violate or infringe any Condition upon which any such additional Capital shall have been previously subscribed for, unless with the Consent of all the Holders for the Time being of the Shares constituting such additional Capital.

VI. That if at the Time of raising any additional Capital by virtue of this Act the existing Shares in the Company (other than Preference Shares) shall be at a Premium, such additional Capital shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned among the then Shareholders in proportion to the existing Shares then held by such Shareholders respectively, and such new Shares shall be offered in the first instance to the then Shareholders at Par in the Proportion aforesaid.

If old Shares at a Premium new Shares to be divided, &c., among present Shareholders.

VII. That any new Shares which may be divisible under the Provisions of this Act among the then Shareholders shall be offered to them by Letter under the Hand of the Secretary, sent by Post addressed to each Shareholder according to his Address in the Register of Shareholders, or given to or left at the usual or last known Place of Abode of each Shareholder; and every such Offer made by Post shall be deemed to have been made on the Day on which in the ordinary Course of Delivery the Letter containing the same ought to reach the Person to whom it is addressed.

Mode of offering new Shares to existing Shareholders.

VIII. That such last-mentioned new Shares shall vest in and belong to the Shareholders who accept the same, and pay the Instalments then called for in respect thereof: Provided always, that if any Shareholder fail for One Month after such Offer of new Shares to accept the same, the Company may dispose of the same in accordance with the other Provisions of this Act.

Vesting or other Disposition of such new Shares.

IX. That every existing Shareholder in whom under the foregoing Provisions any new Shares shall become vested may set off and charge against the Payment *pro tanto* of Calls thereon such Part of the said Sum of Eight thousand nine hundred Pounds as he may be entitled to.

Shareholders may set off Debt against Calls on new Shares.

X. That (except as by this Act provided with reference to new Shares to be offered to existing Shareholders) the Company may from Time to Time dispose of the new Shares in such Manner and on such Terms as they think fit.

General Power to dispose of new Shares.

XI. Provided always, That (subject to the Provisions of this Act, requiring the new Shares to be offered to existing Shareholders) the Committee may from Time to Time, by Agreement with any Shareholder

Allotment of new Shares in satisfaction of Debt and capitalized Revenue.

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holder entitled to any Part of the said Sum of Eight thousand nine hundred Pounds, allot to him any new Shares in satisfaction of all or such Part as is agreed on of the Proportion of that Sum which may be due to him, and the Shares so allotted to him shall be deemed to be paid up to the Extent of the Sum in satisfaction of which they may be allotted.

Dividend on
new Shares.

XII. That every Person who becomes entitled to any new Share created under the Powers of this Act shall in respect thereof be a Shareholder in the Company, and shall (unless the Rate of Dividend or Interest thereon be otherwise fixed by the Company) be entitled to a Dividend with the other Shareholders proportioned to the whole Amount for the Time being paid up on such Share.

Votes and
Qualifica-
tions of new
Shareholders

XIII. That all such new Shares of the Amount of One hundred Pounds each shall confer the same Qualifications and Rights of voting as the existing Shares; and all new Shares of any other Amount shall confer on the respective Holders thereof Qualifications and Rights of voting in proportion to the aggregate nominal Value of such new Shares held by them respectively, and not in proportion to the Number of or the Amount paid on such new Shares; and for the Purpose of Qualifications and Rights of voting every entire Sum of One hundred Pounds of such aggregate nominal Value shall be considered as equivalent to One Share of One hundred Pounds in the Capital of the Company; and no Holder of new Shares shall have any Qualification or Right of voting in respect of any Number of new Shares constituting in aggregate nominal Value any Fraction of One hundred Pounds.

Limit of
Amount and
Number of
Calls.

XIV. That the Amount of any One Call to be made upon the Proprietors of the new Shares to be created under the Powers of this Act shall not exceed the Rate of *Twenty per Centum* on the Amount of such Shares, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and there shall be an Interval of Two Calendar Months at least between every Two successive Calls.

Dividend not
to be paid
until all Calls
paid.

XV. That no Dividend shall be paid in respect of any Share created under the Powers of this Act until all Calls then due in respect of that and every other Share held by the Person to whom such Dividend may be payable shall have been paid.

Saving exist-
ing Prefe-
rence Shares.

XVI. That any Preference or Priority in the Payment of Interest or Dividend which may be granted in respect of any new Shares or Stock in pursuance of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other

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other Shares or Stock which may have been granted by the Company by or in pursuance of or which may have been confirmed by any Act of Parliament passed prior to the passing of this Act, or which may otherwise be lawfully subsisting, unless with the Consent of all the Holders for the Time being of the Shares entitled to such previous Preference or Priority.

XVII. That the Receipt of the Guardian of any Shareholder being a Minor, or the Committee of any Shareholder being an Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for any Money payable to such Shareholder.

Receipts for
Persons
under Dis-
ability.

XVIII. That the Company may borrow on Mortgage or Bond any additional Sum of Money not exceeding Thirty thousand Pounds, but no Money shall be so borrowed until the whole of the Capital of the Company herein-before authorized to be raised shall have been subscribed for, and One Half of the same shall have been actually paid up.

Power to
borrow on
Mortgage.

XIX. That all Mortgages and Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall have Priority over all Mortgages granted by virtue of this Act.

Priority of
existing
Mortgages.

XX. That all and every Part of the Monies which the Company are by this Act authorized to raise by new Shares, or on Mortgage or on Bond, shall be applied only to the Purposes by this Act and the said recited Acts authorized.

Application
of Sums
raised under
this Act.

XXI. That the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions, and the Means of enforcing the Payment of Calls, with respect to the Forfeiture of Shares for Nonpayment of Calls, with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of borrowed Money into Capital, shall be incorporated with this Act, and shall respectively apply to all Shares created and to all Mortgages and Bonds granted and Monies borrowed under the Powers of this Act.

Certain Pro-
visions of
8 & 9 Vict.
c. 16. incor-
porated.

XXII. That the Clauses of "The Companies Clauses Consolidation Act, 1845," with respect to the Consolidation of Shares into Stock, shall extend and apply to all Shares in the Capital or Undertaking of the Company created under the Powers of this Act: Provided always, that where any Shares entitled to any Priority or Preference in Pay-
ment

Consolida-
tion of Shares
into Stock.

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ment of Dividend or Interest or other Privileges shall be converted into Stock, such Stock shall be entitled to and shall confer on the Holders thereof the same Priority, Preference, and other Privileges as such Shares, if existing, would have been entitled to or conferred; and each Class of such Stock shall be distinguished in the Register of Holders of Consolidated Stock by a distinct Name.

Period of closing Transfer Books.

XXIII. That the prescribed Period for closing the Register of Transfer of Shares created under the Powers of this Act previous to each Ordinary Meeting shall be Seven Days.

Monmouthshire Railway and Canal Company may subscribe to the Undertaking.

XXIV. That the *Monmouthshire* Railway and Canal Company (with the Consent of Three Fifths at least of the Votes of the Proprietors therein present, personally or by Proxy, at some General Meeting of that Company specially convened for the Purpose of authorizing such Subscription,) may subscribe towards and become Shareholders in the Undertaking of the Company to any Extent not exceeding the Sum of Twenty thousand Pounds (exclusive of all Sums which that Company are already authorized to subscribe towards the Undertaking of the Company), and may pay the Amounts of their Subscription, and the Calls upon their Shares, and such Sums as they may respectively think fit to advance to the Company in anticipation of Calls, by and out of any Monies which the *Monmouthshire* Railway and Canal Company have raised or are now authorized to raise by Shares or borrowing under the Powers of any Acts relating to that Company, and notwithstanding any Restrictions of the Application of those Monies in such Acts contained.

8 & 9 Vict. e. 18. incorporated.

XXV. That "The Lands Clauses Consolidation Act, 1845," shall be and the same is hereby incorporated with this Act.

Description of new Works.

XXVI. That (subject to the Provisions of this Act and the Acts incorporated therewith) the Company may make and maintain the Works following; that is to say,

The Extension and Enlargement of their present Dock:

A new Dock or Basin upon Lands in the Parish of *Saint Woollos* in the Township and Borough of *Newport* adjacent to and on the Northern Side or End of the present Dock of the Company:

The stopping up and Discontinuance of the Use of a Portion of the present Stone Road on the East Side of the *Monmouthshire* Canal leading from the present Bridge over the said Canal at the End of *Dock Road* in the Borough of *Newport*, called the *Newport* Dock Company's Bridge, towards or unto the *Commercial Wharfs* on the River *Usk* in the Parish of *Saint Woollos* in the County of *Monmouth*:

A new

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A new Stone Road leading from the Company's said Bridge on the East Side of the said Canal, and terminating in the Property of the Company at a Point near to the South-west Corner of the Timber Yard of *William Young* on the River *Usk* in the said Borough of *Newport* :

Also a Continuation of the last-mentioned Road from the last-mentioned Point, along the Eastern Boundary of the Company's Property, to or towards the *Rhymney* Iron Company's Wharf on the said River *Usk* in the said Parish of *Saint Woollos* :

Also an Aqueduct or Watercourse from the River *Ebbw*, at some Point within the Limits of Deviation shown on the Plans herein-after mentioned, and within One hundred Yards of and on the South Side of the *Ebbw Bridge* in the said Parish of *Saint Woollos* towards and into the said Docks, for supplying the same with Water from such River :

Also a Weir, Wall, or Dam across the said River *Ebbw*, within the Limits of Deviation shown on the Plans herein-after mentioned, and within One hundred Yards of and on the South Side of the said *Ebbw Bridge*, in order to collect the Water flowing down the same, and to direct the said Water into the said intended Aqueduct or Watercourse :

All which said intended Works will be made or pass from, in, through, or into the Hamlet of *Duffryn* in the Parish of *Bassaleg* and the Parish of *Saint Woollos* and Borough of *Newport* respectively, all in the County of *Monmouth*.

XXVII. That inasmuch as Plans and Sections of the additional Dock, Enlargement, Extension, Alterations, Aqueduct, Roads, and Works herein-before described, and hereby authorized to be made respectively, showing the Situation and Levels thereof respectively, and the Limits within which the same are to be constructed and made, and also a Book of Reference to such Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in, upon, through, or under which the same are intended to pass or be made, have been deposited with the Clerk of the Peace for the County of *Monmouth* : Therefore, subject to the Provisions and to the Powers of Deviation in this Act contained, it shall be lawful for the Company to make, do, construct, lay down, and maintain the said additional Dock, Enlargements, Alterations, Roads, Aqueduct, or Watercourse, Weir, Dam, and other Works, in the Situation and Course and upon the Lands delineated on those Plans, and described in those Books of Reference, and according to the Levels defined on those Sections, and within the Limits aforesaid to make, cut, do, provide, lay down, construct, erect, use, and maintain all such Timber Ponds and Slips, Basins, Dry or Graving Docks and Slips, Entrances, Embankments, Retaining Walls, Inclined Planes, Quays, Piers, Jetties,
 [Local.] 35 H Wharfs,

Works to be made according to deposited Plans, &c.

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Wharfs, Landing Places, Locks, Bridges, Weirs, Sluices, Roads, Tramways, Railroads, Ways, Approaches, Cuts, Culverts, Pipes, Channels, Watercourses, Weirs, Dams, Walls, Platforms, Gates, Warehouses, Houses, Sheds, Steam Engines, Shipping Machines, Pumps, Cranes, or other Machines, and other Requisites and Conveniences, Matters, Works, and Things, connected with the Undertaking or Works by this Act authorized, or any of them, according to such Form and Plan and of such Dimensions and of such Materials as they shall from Time to Time deem necessary or proper, for the Construction or more convenient Use of the said Docks, Basins, Graving Dock, Slips, Entrances, Quays, Wharfs, Houses, Warehouses, and other Works appertaining thereto, and to enter upon, take, use, and acquire the Lands, Houses, Buildings, Hereditaments, and Premises described upon the said Plans and in the said Book of Reference, or such of them as they shall deem necessary for those Purposes.

Errors and Omissions in Plans and Books of Reference may be corrected by Justices, who shall certify the same.

XXVIII. That if any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the Plans or Book of Reference mentioned in this Act, the Company, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to any Two Justices of the Peace for the County of *Monmouth* for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake or Inadvertence, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or erroneous Description; and such Certificate shall be deposited with the Clerk of the Peace for the County of *Monmouth*, and such Certificate respectively shall be kept by such Clerk of the Peace respectively along with the other Documents to which the same relates; and upon such Deposit such Plan or Book of Reference shall be deemed to be corrected according to such Certificate, and the Company may make the Works in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Certificate to be deposited.

Certain Lands not to be compulsorily taken.

XXIX. Provided always, That nothing in this Act or any previous Act relating to the Company contained shall authorize the Company to take and use any of the Lands which in the said Plans and Books of Reference so deposited as aforesaid are numbered respectively 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 in the Parish of *Bassaleg*, and 84A, 90, 92, 93, 96, 97, 98, and 99 in the Parish of *Saint Woollos*, or to construct any Works thereon, without the Consent in Writing of Sir *Charles Morgan Robinson Morgan* Baronet, or the Owner or Owners of *Tredegear Park* for the Time being (except so much of the Field numbered

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bered 7 in the said Parish of *Bassaleg* as may be required for the Construction of the Works by this Act authorized).

XXX. That the Company may cross, break open, divert, alter, or stop up, either temporarily or permanently, the Stone Road leading across the present Dock and Works of the Company to certain Wharfs on the Bank of the River *Usk*, and all Roads, Streets, Railways, Tramways, Bridges, Footpaths, Sewers, Drains, Ways, Streams, and Watercourses within the aforesaid Limits of Deviation which they may deem it necessary or convenient so to cross, break open, divert, alter, or stop up, for the Purposes of the intended Works.

Company
may stop up
Streets, &c.

XXXI. That the Sections of "The Railways Clauses Consolidation Act, 1845," numbered 18, 19, 20, and 21, relating to the Alteration of Watercourses, Water Pipes, and Gas Pipes, and also the Sections of that Act numbered 53, 54, 55, 56, and 57, relating to the Substitution of other Roads for Roads interfered with, and to the Restoration of Roads interfered with, shall be incorporated with this Act; and in construing those Sections in connexion with this Act, the Expression "the Special Act" shall mean this Act, the Expression "the Company" shall mean the *Newport Dock Company*, and the Expression "the Railway" shall mean the Works by this Act authorized to be constructed.

Certain
Sections of
8 & 9 Vict.
c. 20. incor-
porated.

XXXII. That the Company may, by means of and through the Works and in the Manner by this Act authorized, divert the Waters of the River *Ebbw* and of the *Monmouthshire Canal* into the existing and intended Docks of the Company.

Power to
divert Water.

XXXIII. That the said intended Aqueduct or Watercourse, and Weir, Wall, or Dam, and the Works connected therewith, shall be constructed in conformity with the following Provisions and Regulations; (that is to say,)

Regulating
the Con-
struction of
certain
Works.

The said Weir, Wall, or Dam shall be so constructed as not to raise the Water of the River *Ebbw* to a greater Height than Fifty Feet above the Datum Horizontal Line shown on the said Sections so deposited as aforesaid, and to impound and retain the same at that Height, and shall be formed and maintained with all proper Sluice Gates, Flood Gates, self-acting Flood Boards, and other efficient Apparatus for securing the free Passage of the Water in Time of Floods:

The Aqueduct, Pipe, or Culvert by which the Company shall take their Supply from the Water so impounded shall not be of greater Dimensions or other Construction than may be requisite for the Abstraction and continuous Transmission of Four hundred and ten Cubic Feet of Water *per Minute*; where and so far as the
Aqueduct,

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Aqueduct, Pipe, Culvert, or Watercourse passes through the *Tredegar* Estate the Surface of the Ground over the same shall be restored by the Company with all reasonable Speed to a good tenantable State for agricultural Purposes, and such Surface, when restored, shall not be raised above the Level of the full Black Line shown on the said Sections so deposited as aforesaid; and where and so far as such Surface shall be higher than the Ground immediately adjacent thereto, the same shall be sloped off to an Inclination not steeper than One in Eight :

The Company shall, at their own Expense, make good, continue, and complete all Reens, Ditches, Sewers, and Watercourses which may be cut through, divided, or otherwise obstructed by the making or laying of such Aqueduct or Watercourse; and shall also, at their own Expense, make Tunnels or Culverts, where necessary and required, for the Purpose of restoring the Water from any Land Springs which may be separated or cut off by the said Aqueduct or Watercourse to its accustomed Course or Channel :

The Company shall, at their own Expense, construct, and so long as Occasion shall require maintain, such Drains, if any, as may be necessary to carry off from *Tredegar Park* any Waters diverted on to or retained thereon by means of the Works of the Company; such Drains, and also all Works to be constructed by the Company in the River *Ebbw*, shall, subject to the Provisions hereinafter contained for the Reference of disputed Matters to Arbitration, be made, constructed, and maintained to the reasonable Satisfaction of the Engineer for the Time being of Sir *Charles Morgan Robinson Morgan* Baronet, or the Owner or Owners for the Time being of *Tredegar Park*.

Defining
Rights to the
Waters of the
Ebbw.

XXXIV. That, notwithstanding anything in this Act contained, the said Sir *Charles Morgan Robinson Morgan*, or the Owner or Owners of *Tredegar Park* for the Time being, shall continue entitled to take from the Waters of the River *Ebbw* passing through *Bassaleg Bridge* a proper Supply for *Tredegar House*, for the Grist Mill there, and Demesne, for any Purpose to which this Water is at present applied (excepting the requisite Supply for the *Ebbw Mill*, which Supply for *Ebbw Mill* is subject to the Right of obtaining Water hereby given to the Company); and, subject thereto, the Company shall be entitled to take from those Waters, by means of the Works herein described, such a continuous Supply as shall be sufficient to deliver a Quantity not exceeding Four hundred and ten Cubic Feet *per Minute*; and the said Sir *Charles Morgan Robinson Morgan*, and such other Owner or Owners as aforesaid, shall not divert, but shall allow such Quantity of Water to flow into the Pond above the said Weir, Wall, or Dam, as shall afford the said continuous Supply of

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of Water to their said Docks, equal to Four hundred and ten Cubic Feet *per Minute*, if and so long as the Quantity of Water passing through *Bassaleg Bridge* shall (after satisfying the Purposes for which the said *Sir Charles Morgan Robinson Morgan*, or other such Owner or Owners as aforesaid, are to continue entitled to use the same as aforesaid,) be sufficient to admit of his or their allowing such Supply to flow down as aforesaid.

XXXV. That if and whenever any Question shall arise between the said *Sir Charles Morgan Robinson Morgan*, or the Owner or Owners for the Time being of *Tredegar Park*, and the Company, or between their respective Engineers, with reference to the Matters herein-before provided, the Matters in difference shall be determined by Arbitration in manner provided by the "Railways Clauses Consolidation Act, 1845," and for that Purpose the Clauses of that Act with respect to the Settlement of Disputes by Arbitration shall be incorporated with this Act; and in construing those Clauses in connexion with this Act the Expression "the Special Act" shall mean this Act, and the Expression "the Company" shall mean the *Newport Dock Company*.

Differences to be settled by Arbitration.

XXXVI. That, except as is in this Act expressly provided, nothing herein contained shall be construed to extend to taking away or diminishing any of the Rights and Privileges now possessed and enjoyed by the said *Sir Charles Morgan Robinson Morgan* in reference to the Waters of the River *Ebbw*, or to give any Powers to the Company in relation thereto.

Saving other Rights of *Sir C. M. R. Morgan*.

XXXVII. Provided always, That the said *Sir Charles Morgan Robinson Morgan* Baronet, and the Owner or Owners for the Time being of the Estate and Lands called the *Tredegar* Estate, shall be entitled to take and use all Water which shall flow through the said Aqueduct or Watercourse, when the same shall not be required by the Company for the Purposes of their Undertaking, which Water may be taken and obtained by means of a Sluice, to be inserted in some convenient Part of the said Aqueduct, at the Expense of the Person or Persons requiring the same; but no Water shall at any Time be taken from the said Aqueduct or Watercourse without the Consent of the Company or their Agent lawfully authorized; but that in case of any arbitrary or unreasonable Refusal of such Consent the Company shall be liable from Time to Time to make Compensation to the Party injured by such Refusal, such Compensation to be ascertained and determined by any Two or more Justices of the Peace of the said County, and levied by Distress and Sale of any of the Goods, Chattels, or Effects of the Company: Provided also, that it shall be lawful for the Company, and their Agents, Servants, and Workmen, from Time

Owners of *Tredegar* Estate may take surplus Water from Aqueduct.

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to Time and at all Times hereafter to enter into and upon the Land through which the said Weir, Wall, or Dam, Aqueduct or Water-course, shall or may be made, or the Land in which the said Pipe shall or may be laid down, in order to inspect and examine the State and Condition thereof respectively, and also, when and as often as there shall be Occasion, to open, relay, repair, and cleanse the same respectively, and to repair the said Weir or Wall or Dam, using Horses, Carts, and other Carriages for that Purpose, if they shall think proper, the Company, their Agents, Servants, or Workmen, doing no unnecessary Damage, and being answerable for and liable to make good any Damage to be thereby occasioned.

Freehold in Lands through which Aqueducts pass to remain in present Owners.

XXXVIII. That nothing herein contained shall be construed to give or confer on the Company any Estate or Interest in the Land upon, under, over, and through which the said Aqueduct or Water-course or Pipes, or any or either of them, shall or may be made, constructed, cut, or laid down as aforesaid, nor any greater Right than the Rights or Easements, Liberties and Privileges, hereby given to the Company in relation thereto; and that, subject to the Exercise by the Company of such Rights or Easements, Liberties and Privileges, the Soil and Freehold in such Lands shall remain, continue, and be in the present Proprietors thereof, their respective Heirs, Successors, or Assigns, as the Case may be, in the same Manner as if this Act had not been passed.

Saving an Agreement with certain Landowners.

XXXIX. That nothing in this Act contained shall annul, determine, or in anywise prejudicially affect a certain Memorandum of Agreement, dated the Third Day of *May* One thousand eight hundred and fifty-four, made between the Company of the First Part, *John Arthur Herbert* Esquire, of the Second Part, *Sir Charles Morgan, Robinson Morgan* Baronet, *Charles Octavius Swinnerton Morgan, Samuel Homfray*, and *Eliza Lee Kendall* of the Third Part, and the said *Samuel Homfray* of the Fourth Part, or any of the Clauses, Powers, or Provisions therein contained.

Not to deviate Riverward without Consent.

XL. That it shall not be lawful for the Company to deviate Riverward from the Line delineated on the deposited Plans, or to construct below High-water Mark at ordinary Spring Tides any Work hereby or by the recited Acts or any of them authorized to be made, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, may approve, such

Approval

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Approval being signified as last aforesaid ; and where any such Deviation or Work shall have been made or constructed it shall not be lawful for the Company at any Time to alter or extend the same, without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval ; and if any such Deviation or Work shall be commenced or completed, or be altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

XXI. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company, whether by this Act or by any of the recited Acts respectively authorized to be made, in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Admiralty may order local Survey, at Expense of Company.

XLII. That if any Work constructed or to be constructed by the Company under or by virtue of this Act, or under or by virtue of any of the recited Acts respectively, in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any such Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

If Works affecting tidal Waters abandoned, Admiralty may remove them, at the Expense of the Company.

XLIII. And whereas the said Aqueduct or Watercourse, Pipe or Culvert, from the River *Ebbw*, as delineated on the Plans and Sections deposited as in this Act mentioned, will cross the Line of the *South Wales* Railway in the said Parish of *Saint Woollos*: Be it enacted, That it shall not be lawful for the Company, in constructing or conveying

Not to deviate from Line, &c. on Plan in crossing *South Wales* Railway, without Consent.

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ing such Aqueduct or Watercourse, Pipe or Culvert, through or across or within the Lands, Works, or Property of the *South Wales* Railway Company, to deviate from the Line and Levels thereof as delineated on the said Plans and Sections, without the Consent in Writing of the *South Wales* Railway Company first had and obtained.

Aqueduct under *South Wales* Railway to be constructed to the Satisfaction of the *South Wales* Company's Engineer.

XLIV. That all the Works necessary for carrying the said Aqueduct or Watercourse, Pipe or Culvert, across the *South Wales* Railway, and any Works executed under the Authority of this Act under, over, or upon the *South Wales* Railway, or the Works or Property of the *South Wales* Railway Company, shall be made and done at the Expense of the Company, and under the Direction and Superintendence of the Engineer for the Time being of the *South Wales* Railway Company, and according to such Plans as shall have been first approved of by him.

Not to take Lands of *South Wales* Company, except such as are necessary for constructing the Works, without Consent.

XLV. That nothing in this Act contained shall extend or be construed to extend to authorize or enable the Company to alter, vary, or interfere with the Permanent Way of the *South Wales* Railway, or, except so far as may be unavoidable in the Construction of the Works by this Act authorized, to take, use, or enter upon any of the Lands, Works, or Property of or belonging to the *South Wales* Railway Company, without the Consent in Writing of the *South Wales* Railway Company in every Instance for that Purpose first had and obtained.

Compensation for obstructing *South Wales* Railway.

XLVI. That if by reason or in execution of any of the Works by this Act authorized to be made, or if by reason of any Act or Omission of the Company, or any of their Agents, Servants, or Workmen, the said *South Wales* Railway shall be so obstructed as to prevent the free Passage of the Traffic thereon, the said Company shall immediately remove such Obstruction, and in the event of their failing to do so the *South Wales* Railway Company, their Agents, Servants, or Workmen, shall be at liberty to remove the same, at the Costs, Charges, and Expenses of the Company, and they shall pay to the said *South Wales* Company such Costs, Charges, and Expenses, in addition to such Damages as the last-mentioned Company may sustain by reason of such Obstruction, such Sum to be recovered, together with full Costs of Suit, by Action of Debt in any Court of competent Jurisdiction; and any Damage or Injury to the Works or Property of the *South Wales* Railway Company so occasioned shall be immediately repaired by the Company, and such Works or Property restored to the same State as before any such Damage or Injury was occasioned; and if they shall fail so to do within Twenty-four Hours after Notice given by the *South Wales* Railway Company in that Behalf, the *South Wales* Railway Company, their Agents, Servants, or Workmen, shall be at liberty to restore the same,

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same, at the Costs, Charges, and Expenses of the Company, which Costs, Charges, and Expenses, together with the Costs of Suit, may be recovered in any Court of competent Jurisdiction.

XLVII. That nothing in this Act contained shall prejudice, diminish, alter, or take away, further or otherwise than is herein expressly authorized, any of the Rights, Privileges, Powers, or Authorities vested in the *South Wales* Railway Company.

Saving the Rights of the South Wales Railway Company.

XLVIII. That the Sections of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to the Construction of Works for the Accommodation of the Officers of Customs (except that so much of those Sections as makes the Construction of those Works a Condition precedent to the taking of Rates by the Undertakers shall not come into operation unless and until the Company shall have been required by the Commissioners of Customs to construct any such Works, and shall have failed to comply with such Requisition within Three Months from the Date of such Requisition), with respect to the Construction of Warehouses, Wharfs, and other Conveniences, and also the Section of that Act numbered 12, requiring certain Consents to the Construction, Alteration, or Extension of Works in certain Positions (except so much of that Section as relates to the Lords of the Admiralty, with respect to whom other Provisions are contained in this Act), and also the Section of that Act numbered 28, exempting from Rates and Regulations certain Vessels, Officers, and Persons, Matters and Things, in the Service of the Crown, of the Royal Family, or of the Public, shall be incorporated with this Act.

10 & 11 Vict. c. 27. incorporated.

XLIX. Provided always, That nothing in this Act, or any Act or Part of an Act incorporated with this Act, contained, shall authorize the Dock-master to do or cause to be done any Act in any way repugnant to or inconsistent with any Law relating to the Customs, or any Regulations of the Commissioners of Her Majesty's Customs.

Saving Laws and Regulations of the Customs.

L. That it shall be lawful for the Officers of Customs, being in the Execution of their Duty, to have free Ingress and Egress into and out of the said Dock and Premises, and through the Gates and Entrances of the same, and also freely to pass, with their Vessels and Boats, through the Locks and Water Communications of the said Dock and Premises, at all Times (provided the State of the Tide and Water Communications of the said Dock and Premises will admit of such passing), without Payment of any Toll or Sum for so doing.

Officers of Customs to have free Access to Docks, without Payment of Tolls.

LI. That it shall be lawful for the Company, from Time to Time, and at all Times hereafter, to lease any of their Lands and Hereditaments for the Time being in the immediate Vicinity of their Docks,

Power to grant Building Leases.

[Local.]

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to

The Newport (Monmouthshire) Docks Act, 1854.

to any Person or Persons, for any Term or Terms of Years not exceeding Ninety-nine Years, for the Purpose of building, erecting, or making, upon the Lands or Hereditaments so to be leased, any Warehouse or Warehouses, Counting-house or Counting-houses, Offices, or other Erections and Buildings, with any Yards, Approaches, or Conveniences thereto, to be used in connexion with the Docks and the Trade and Business carried on there, or for the Purpose of taking down any Premises which shall for the Time being be standing on any Part of the said Lands and Hereditaments, and of erecting in lieu thereof other Erections and Buildings, to be used as aforesaid, at such Rents and upon such Terms and Conditions as shall be agreed upon between the Company and the Person or Persons taking any such Lease or Leases.

Limits for
Deviation.

LII. That in constructing the Works by this Act authorized the Company may deviate laterally from the respective Lines thereof as laid down on the said Plans to any Extent not exceeding the Limits of Deviation thereon defined, and may deviate vertically from the respective Levels of those Works as shown on the said Sections to any Extent not exceeding Three Feet, as regards all those Works, except the said Weir, Wall, or Dam, and not exceeding Three Feet Six Inches as regards the said Weir, Wall, or Dam.

Period for
compulsory
Purchases
limited.

LIII. That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for
Completion
of Work.

LIV. That on the Expiration of Five Years from the passing of this Act the Powers by this Act and the incorporated Acts given to the Company with reference to the intended Works shall cease to be exercised, except as to so much of the same as shall then be completed.

New Works
to be Part of
Company's
Undertaking.

LV. That the new Dock, and Alterations and Enlargements of the existing Dock, shall be deemed and taken to be, to all Intents and Purposes, Part of the existing Dock of the Company, and the Warehouses and all other the Works by this Act authorized shall be deemed and taken to be, to all Intents and Purposes, Part of the Warehouses, Works, and Undertaking of the Company as by the firstly-recited Act authorized; and all Byelaws, Rules, and Regulations made and to be made by the Company or the Directors shall (unless the contrary be therein provided) extend to and be in force within and with respect to the new and altered Docks and other Works by this Act authorized; and all Restrictions, Penalties, and Forfeitures by such Byelaws, Rules, or Regulations, or by the recited Acts or any of them, imposed upon or for the Commission or Omission of any Acts

or

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or Offences, shall respectively extend and apply to and be payable and recoverable in respect of the like Acts or Offences when committed or omitted in, upon, or with respect to the new and altered Docks and other Works by this Act authorized, or any of them.

LVI. That if the Commissioners of Her Majesty's Treasury or the Commissioners of Her Majesty's Customs shall be pleased to license as Bonding Warehouses any of the Warehouses of the Company or any Parts thereof, it shall be lawful for the Company to hold, use, and manage the same as Bonding Warehouses.

Company may use Warehouses, by Permission, as Bonding Warehouses.

LVII. That the Gates and Doors of every Warehouse, or any Parts thereof, erected as aforesaid, in which shall be deposited any Goods, Wares, or Merchandise prohibited to be used for Home Consumption, or liable to the Duties of Customs and Excise, or either, shall, if required by the Commissioners of Her Majesty's Customs or Excise, be secured in such Manner as shall be approved by the said Commissioners respectively, or their respective Officers at the Port of *Newport*.

Mode of securing same.

LVIII. That it shall be lawful for the Company to enter into or give such Bond or Security, under their Common Seal, with or to the Lords Commissioners of Her Majesty's Treasury, or with or to the Commissioners of Her Majesty's Customs, or with or to any other Person or Persons with or to whom the Lords Commissioners or the Commissioners of the Customs may direct the same to be given, as may at any Time be required by the Laws which for the Time being shall be in force relating to Bonding Warehouses; and every such Bond or Security so to be given as aforesaid shall be binding upon the Company: Provided always, that it shall not be compulsory on the Company to make or use any Warehouse or any Part or Parts thereof respectively into or as a Free or Bonding Warehouse.

Company to give Security.

LIX. That it shall be lawful for the Company and they are hereby authorized to give to the Commissioners of Her Majesty's Customs, or to the Lords Commissioners of Her Majesty's Treasury, general Security, by Bond under their Common Seal, for Payment of the full Duties of Importation on all such Goods as shall at any Time be housed in the Warehouses now or hereafter to be erected on the Quays or Property of the Company, or for the due Exportation of such Goods.

Company to give Security for Duties.

LX. That it shall be lawful for the Company to cause any Goods upon which the Duties of Customs shall not have been paid, or any other Goods, to be conveyed from the Docks, Quays, or other Works to any Warehouse or Warehouses of the Company, and also to

Company may detain Goods on which the Duties are unpaid.

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to convey the same or any other Goods from the said Warehouse or Warehouses to any other Warehouse or Warehouses of the Company, or to any Docks or Quays or other Places ; but nothing herein contained shall be construed to authorize the Company to remove any Goods upon which the Duties of Customs shall not have been paid in any other Manner than as authorized by the Act or Acts for the warehousing of Goods, or without the Permission of the Commissioners of Her Majesty's Customs, or of the Collector or Comptroller of Her Majesty's Customs at *Newport* in the County of *Monmouth*, for such Purpose first had and obtained.

Company
may enter
Goods not
entered for
48 Hours by
the Owner or
Consignee.

LXI. That in order to remedy any Inconvenience from the Neglect or Delay of the Owners or Consignees of Vessels or their Cargoes in making or passing due Entries for such Cargoes, or some Part or Parts thereof, it shall be lawful for the proper Officer of the Company to cause a Warehousing Entry or Entries to be made or passed for the Cargo, or any Part or Parts of the Cargo, of any Vessel within the said Docks for which an Entry shall not have been made by the Owner or Consignee thereof, and for which the Customs Order for the Delivery shall not have been lodged with the proper Officer of the Customs within Forty-eight Hours from the Day on which the Cargo of such Vessel shall have been reported at the Custom House at *Newport*, (provided such Cargo, or Part or Parts of a Cargo, be such as by Law may be warehoused,) and forthwith to land and warehouse, both or either, as the Case may be, such Cargo, or Part or Parts of a Cargo, and retain the same as a Security for the Payment of the Customs Duties to which they may be subject ; and all the Expenses of such Entry, loading, and warehousing shall be paid and reimbursed to the Company by the Owner or Consignee of the Cargo, or Part of a Cargo, so entered as aforesaid, and shall and may be recoverable in the like Manner and by the same Means and Remedies as are appointed, given, and contained in and by the first-recited Act for the Recovery and enforcing Payment of the Rates, Tolls, and Duties thereby authorized to be demanded and taken, or by any of such Means and Remedies : Provided always, that no Cargo, nor any Part of any Cargo, entered by the Company as aforesaid, shall be liable to Seizure by reason of any Inaccuracy in the passing of any such Entry, if it shall appear to the Commissioners of Customs that such Inaccuracy was not intentional, or occasioned by wilful or culpable Negligence ; and it shall be lawful for the Company to detain any Goods, being in the Possession of the Company, so entered as aforesaid, until the Person applying for the Delivery or Transfer thereof shall have lodged with the said Company a Counterpart of the Bill of Lading which shall have been signed for the same at the Port of Loading in Parts beyond the Seas.

LXII. That

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LXII. That the reasonable Charges of the Company for Work done and performed by them in the unloading of any Vessel in any Dock, or in respect of any other Work done and performed in relation to such Vessel, shall be a Charge upon such Vessel and upon the Owners thereof, and shall be recovered, and Payment and Satisfaction thereof enforced, in the same Manner and by the same Means and Remedies as are appointed, given, and contained in and by the said first-recited Act for the Recovery and enforcing Payment of the Rates, Tolls, and Duties thereby authorized to be demanded and taken, or by any of such Means and Remedies.

For Recovery
of Charges
for unload-
ing, &c.

LXIII. That the reasonable Charges of the Company for Work done by them upon or in respect of any Cask, Bale, Bag, Box, Case, or other Package, or other Article, shall be a Charge upon such Cask, Bale, Bag, Box, Case, Package, or Article, as the Case may be, and the Company may seize, distrain, remove, and detain the same until Payment of such Charges, and in case of Nonpayment thereof for the Space of Seven Days after Notice in Writing to pay the same shall have been given by the Company to the Owner or Consignee of the Vessel from which such Cask, Bale, Bag, Box, Case, Package, or other Article shall have been removed, the Company may cause the same to be appraised and sold, as the Law directs in Cases of Distresses for Rent, rendering the Surplus (if any) of the Proceeds of such Sale (after deducting such Charges) to such Owner or Consignee.

For Recovery
of Charges
for coopering,

LXIV. That the Rates, Rents, and Charges payable to the Company under the said first-recited Act in respect of Green Fruit shall be paid at or before the Expiration of Six Days, and in respect of any other Goods of a perishable Nature at or before the Expiration of Fourteen Days, and in respect of any Goods not of a perishable Nature at or before the Expiration of Three Calendar Months next after the Cargo of the Vessel importing the same respectively shall have been completely discharged or unloaded into the Warehouse of the Company, or next after such Goods respectively shall have been brought into the Warehouse of the Company; and in case Default be made in Payment of the Rates, Rents, and Charges, or any of them, or any Part thereof, it shall be lawful for the Company, first paying the Customs Duties due in respect of such Goods, to retain, and sell by Public Auction or by Private Contract, and in such Manner as they shall deem expedient, all or any Part of the same respectively, retaining the Amount of the said Duties; and to retain and pay, in the next place, the Rates, Rents, and Duties payable to the Company in respect of such Goods, and all Charges and Expenses of such Sale, and in the next place, the Freight due on the Goods (in case the Company shall have received Notice in Writing that such Freight

Accelerating
Period for
Payment of
certain
Rates.

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has not been paid), rendering the Overplus, if any, and also such of the said Goods, if any, as shall remain unsold, to the Person entitled thereto.

Further Remedies for Recovery of Rates.

LXV. That it shall be lawful for the Company to recover the Amount of any of the Rates, Rents, Duties, and Charges which shall be due or payable to them under the Authority of the said first-recited Act or this Act (the Amount whereof shall not exceed Fifty Pounds) by Action or other Proceeding in any Court of competent Jurisdiction.

Company may remove Vessels in certain Cases.

LXVI. That in case the Owner of any Vessel going into or using any Graving Dock or Slip of the Company shall neglect or omit to remove such Vessel from such Graving Dock or Slip at the Time required by any Order, Rule, Regulation, or Byelaw relating to such Graving Dock or Slip, it shall be lawful for the Company and they are hereby empowered to remove such Vessel from such Graving Dock or Slip into any of the present or future Docks or Basins of the Company; and all Costs, Charges, and Expenses of and consequent upon the Removal thereof, together with the Costs and Expenses of procuring and putting Ballast on board such Vessel, if deemed expedient so to do, shall be a Charge upon such Vessel and upon the Owners thereof, and may be recovered in the same Manner and by the same Remedies as are appointed for the Recovery of the Tonnage Rates payable to the Company in respect of Vessels using the Dock constructed under the Powers of the firstly-recited Act.

Company may allow Wharfs, &c. to be occupied.

LXVII. That the Company may, if they think fit, from Time to Time allow any of their Wharfs, Yards, Depôts, Warehouses, or Lands, not being Quays or Shipping Places, or any Parts thereof, to be occupied or used by any Persons, upon Payment of such periodical or gross Sums of Money and upon such other Terms and Conditions as the Company shall think fit, and may enter into and carry into effect any Contracts or Agreements for that Purpose.

Company not exempt from Provisions of future General Acts.

LXVIII. That nothing in this Act contained shall exempt the Company or their Docks or Dues from the Provisions of "The Merchant Shipping Law Amendment Act, 1853," or of any General Act relating to Docks or Dues on Shipping which may be passed during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of such Dues.

Saving the Rights of the Crown.

LXIX. That nothing whatsoever contained in this Act, or in any of the Acts herein referred to, shall extend to authorize the
Company

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Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

LXX. That all Costs, Charges, and Expenses of and incident to the soliciting and passing of this Act shall be paid by the Company. Expenses of Act.

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