



ANNO TRICESIMO

# VICTORIÆ REGINÆ.

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## *Cap. xxv.*

An Act to authorize the Dock Company at *Kingston-upon-Hull* further to enlarge the Works connected with the Western Dock; and to acquire additional Lands in connexion with such Dock; and for other Purposes.

[31st *May* 1867.]

**W**HEREAS by "The *Hull* Docks Act, 1861," (in this Act called "the Act of 1861,") the Dock Company at *Kingston-upon-Hull* (in this Act called "the Company") are authorized to construct a new Dock, to be called the Western Dock, with divers Works connected therewith: And whereas by "The *Hull* Docks Act, 1866," (in this Act called "the Act of 1866,") the Company are authorized to enlarge the Western Dock: And whereas the Company are proceeding with the Construction of the Western Dock as authorized by the Act of 1861 and the Act of 1866: And whereas it is expedient that the Company should be authorized to make such Alteration in the authorized Works of the Western Dock and to execute such additional Works and acquire such additional Lands for the Purposes of their Undertaking as are in this Act mentioned: And whereas it is expedient that the Acts relating to the Company be in some respects amended: And whereas Plans and

24 & 25 Vict.  
c. lxxix.

29 & 30 Vict.  
c. lxxvii.

[*Local.*]

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Sections



*Hull Docks Act, 1867.*

Sections of the proposed Alteration, and additional Works and Plans describing the Lands which the Company are by this Act authorized to take, with a Book of Reference thereto, have been deposited at the Offices of the respective Clerks of the Peace for the Borough of *Kingston-upon-Hull* and for the East Riding of the County of *York*, and are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the Objects of this Act cannot be effected without the Authority of Parliament: May it therefore, please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "*Hull Docks Act, 1867.*"

Provisions of recited Acts and this Act to be construed as One.

2. The Provisions of the Act of 1861, and of the Act of 1866, and of the several Acts and Parts of Acts incorporated therewith respectively, shall (except as by this Act otherwise authorized) extend and apply to this Act, and this Act and the Act of 1861 and the Act of 1866 (except as aforesaid) shall be construed together as One Act.

Same Meanings to Words in incorporated Acts as in this Act.

3. The several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Power to Company to take and use Lands shown on deposited Plans.

4. Subject to the Provisions of this Act, the Company from Time to Time may enter upon, take, and use the Lands shown on the deposited Plans and specified in the deposited Books of Reference thereto respectively, or such of them as they think requisite, and also any Rights and Easements connected with such Lands.

Powers for compulsory Purchases limited.

5. The Powers of the Company for the compulsory Purchase of Lands shown upon the deposited Plans shall not be exercised after the Expiration of Three Years after the passing of this Act.

Power to Company to make new Works authorized by Act.

6. Subject to the Provisions of this Act, the Company from Time to Time may make in the Situations and Lines, and according to the Levels, and in and upon the Lands respectively shown on the deposited Plans and Sections, the several new Works by this Act authorized.

New Works authorized by Act.

7. The new Works which the Company are by this Act authorized to make and maintain comprise the following Works; (that is to say,)

1. An



*Hull Docks Act, 1867.*

1. An Alteration of the Line of the Embankment of the Western Dock as now authorized, and an Extension of the same to the Southward along the Foreshore of the River *Humber*, such Alteration and Extension (in this Act referred to as Embankment Number 1) to be situate in or adjoining the Parish of *Holy Trinity* in the Town and County of the Town of *Kingston-upon-Hull*, and to commence at a Point in the Embankment now in the course of Construction distant about Two hundred and ten Yards Southward of the Place where *Ropery Street* joins the *Humber* Bank, and to terminate at or near the Western Extremity of the Borough of *Kingston-upon-Hull* at a Point about Two hundred Yards from the Place where the Western Boundary of the Borough crosses the *Hull and Selby* Railway; and the Substitution of the Embankment Number 1 for the Portion of the authorized Embankment between the Limits before mentioned:
2. An Embankment (in this Act called Embankment Number 2) along the Northern Foreshore of the River *Humber* in continuation of the Embankment Number 1, such Embankment Number 2 to commence at the Western Boundary of the Borough of *Kingston-upon-Hull* as before described, and to run parallel or nearly so with the *Hull and Selby* Railway, and to terminate on the Foreshore of the said River at a Point distant about Two hundred and thirty-five Yards Southward of the Engine House on the *Hull and Selby* Railway, together with a Bank at Right Angles or nearly so with the Embankment Number 2 before described to connect at its Western Extremity the same Embankment with the Shore:
3. The Reclamation of the Foreshore and Bed of the River *Humber* to be inclosed by the said Embankments:

8. The additional Lands which the Company may also purchase, take, and hold, for the Purposes of their Undertaking, comprise the Lands and Foreshore on and adjoining the River *Humber*, delineated on the deposited Plans and described in the Books of Reference thereto, between the Termination of the Embankment Number 2 and a Line drawn at Right Angles with the Shore from a Point about Six Chains West of the Junction of the *Hull and Selby* Line called the *Hessle* Junction, where the Passenger Line from *Selby* to *Hull* and the Goods Line to *Hull* diverge.

Additional  
Lands may  
be taken.

9. Except as is by this Act expressly provided, this Act shall not in any way take away, prejudice, diminish, or alter any of the Rights, Powers, Privileges, or Authorities of the *North-eastern* Railway Company or of the *Hull and Selby* Railway Company.

Saving  
Rights of  
North-eastern and  
Hull and  
Selby Rail-  
way Com-  
panies.

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*Hull Docks Act, 1867.*

Lands to be used for Purposes of Undertaking.

**10.** The Company may use the Lands acquired by them under the Powers of this Act for the Purposes of their Undertaking, or for any Purpose connected therewith.

Lateral and vertical Deviations.

**11.** The Company, in the Execution of the Works by this Act authorized, may deviate laterally from the Lines of the Works within the Limits of Deviation shown on the deposited Plans, and may deviate from the Levels of the Works shown on the deposited Sections to any Extent not exceeding Five Feet.

As to Completion of Embankment No. 1.

**12.** The Embankment Number 1 shall be deemed Part of the Works of the Western Dock authorized by the Acts of 1861 and 1866, and the Provisions of those Acts in relation to the Completion of the Works, other than the Bridge thereby authorized, and the Period limited by the Act of 1866 for the Completion of the Works other than the Bridge, shall extend and apply to the Embankment Number 1.

As to Completion of Embankment No. 2.

**13.** If the Embankment Number 2 be not completed within Ten Years from the passing of this Act, then on the Expiration of such Period the Powers by this Act granted to the Company for executing the same shall cease to be exercised, except as to so much of the same Embankment as shall then be completed.

Footway on River Side of Dock to be carried along new outer Embankment.

**14.** Section Thirty-four of the Act of 1861, requiring the Company to provide a Footway on the River Side of the Western Dock and Works, shall extend and apply to Embankment Number 1 and the River Wall of that Embankment as fully as if the Embankment Number 1 had been Part of the Works authorized by the Act of 1861; and nothing herein contained shall alter or affect the Provisions of Sections Thirty-five and Thirty-six of the Act of 1861.

As to Interference with Outfall Sewer for the West District Drainage Works.

**15.** The Company may, if they think fit, and shall, if and when required so to do by the Local Board of Health of the Borough of *Kingston-upon-Hull*, at their own Expense, continue the Outfall Sewer of the West District Drainage Works, constructed by them under the Provisions of Section Sixty-five of the Act of 1861, Southward to the Line of the Embankment Number 1, to the reasonable Satisfaction of the Surveyor of such Local Board, but subject to the like Provisions for Reference to Arbitration in case of Dispute as are contained in Section Sixty-five of the Act of 1861.

As to Interference with Gallow Clough Drain.

**16.** The Company may, if they think fit, and shall, if and when required so to do by the Commissioners of Sewers of the East Riding of the County of *York*, at their own Expense, continue the Drain known by the Name of "*Gallow Clough*," and numbered on the

*Hull Docks Act, 1867.*

the deposited Plan 13, in the Parish of *North Ferriby*, Hamlet of *Dairy Coates*, Southward to the Line of the Embankment Number 2 hereby authorized, to the reasonable Satisfaction of such Commissioners of Sewers.

17. The Company shall, if and when they interfere with so much of the Footway as lies between *Hessle* and the Western Boundary of the Borough of *Kingston-upon-Hull*, provide a substituted Footway to the South of the present Footway, to the reasonable Satisfaction of the Trustees under the *Hessle* Inclosure Act, and shall connect such substituted Footway with the Footway Westward thereof and Eastward of the Western Boundary of the said Borough.

Company to preserve Hull and Hessle Footway and to carry it along and connect it with Embankment if required.

18. The Company may apply for the Purposes of this Act any Monies or Funds from Time to Time belonging to them.

Application of Funds.

19. Section One hundred and thirty-one of the Act of 1861, authorizing the *Hull Trinity House* to subscribe to the Share Capital of the Company, shall extend to the Share Capital authorized to be raised by the *Hull Docks Act, 1864*, and the Act of 1866.

Additional Subscription by Hull Trinity House.

20. Section Fifty-nine of the Act of 1861, relating to the Improvements and Works therein referred to, shall extend and apply to additional River Entrances, Extensions, and Improvements upon any Property purchased or to be purchased by the Company; and the Western Extremity of the Extension of the Western Dock, referred to in Section Twelve of the Act of 1866, shall, for the Purposes of that Section, be deemed to be the Western Extremity of that Dock, if hereafter it be further extended by the Company.

Section 59 of Act of 1861 extended to this Act.

21. The Works to be executed and the Lands to be purchased by the Company, under the Provisions of this Act, shall be deemed to be within and Part of the Port of *Hull*, and not within or Part of any other Port, and for the Purposes of Rates, Tolls, and Charges shall be deemed Part of the Works of the Western Dock.

Works to be in Port of Hull.

22. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); and as incidental to any such Consent as

Saving Rights of the Crown.

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aforesaid,



*Hull Docks Act, 1867.*

aforesaid, the Company may enter into any Agreement with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, who respectively may, with the Approval of the Commissioners of Her Majesty's Treasury, join in every such Agreement; and the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the like Approval, and the Company may respectively execute all necessary Conveyances, Leases, Licences, or other Deeds of or relating to any Land, Hereditaments, or Rights belonging to Her Majesty in right of Her Crown, and every Agreement so entered into as aforesaid shall be performed by the same Commissioners and the Company respectively; and nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority now or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors: Provided always, that nothing herein contained shall prejudice or affect any existing Agreements between the said Company and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues on behalf of Her Majesty.

Company's  
Docks sub-  
ject to  
General Acts  
relating to  
Docks.

**23.** Nothing in this Act contained shall exempt the Company's Docks from the Provisions of the General Acts relating to Docks now in force, or which may hereafter pass during this or any future Session of Parliament.

Expenses of  
Act.

**24.** All the Costs, Charges, and Expenses incurred by or on behalf of the Company in applying for, obtaining, and passing this Act, or preparatory or incidental thereto, shall be paid by the Company.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1867.