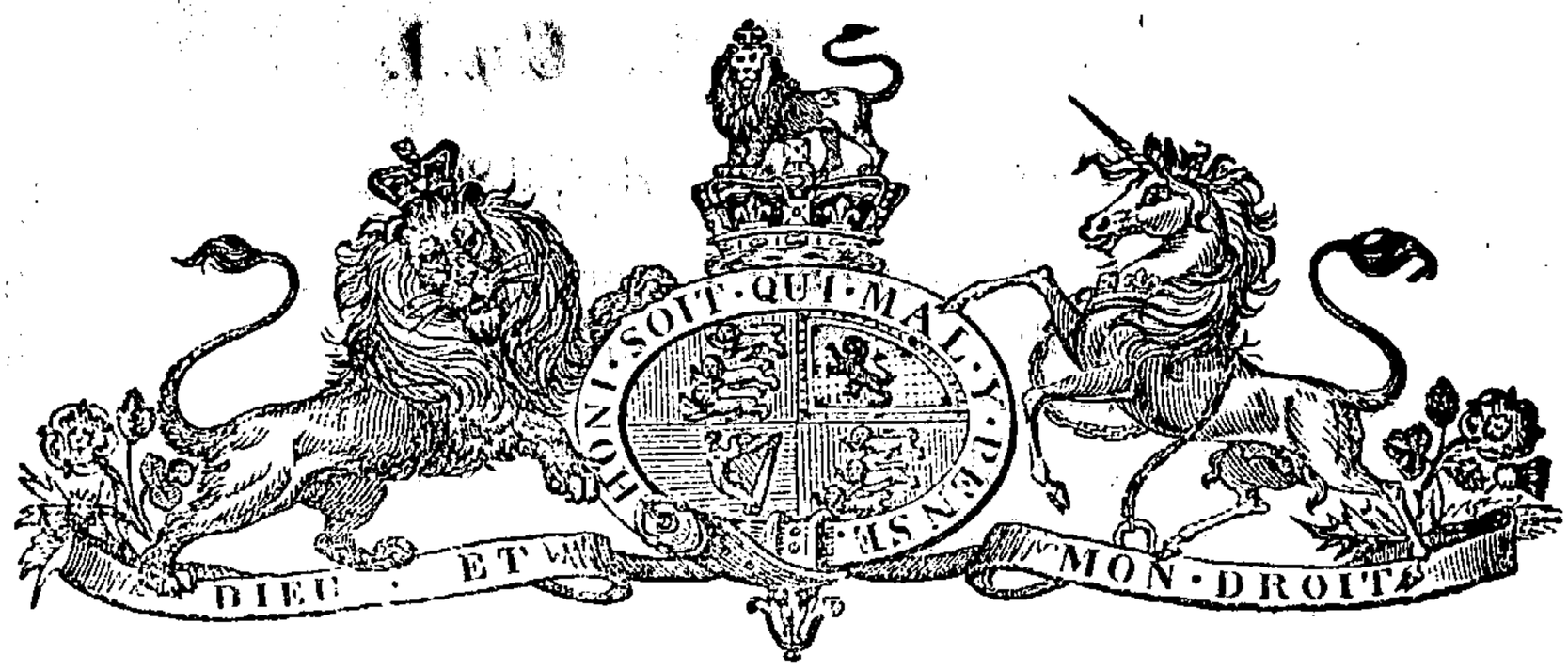

ANNO TRICESIMO

VICTORIÆ REGINÆ.

* *

Cap. l.

An Act to enable "the *Tees* Conservancy Commissioners" to improve the Navigation of the River *Tees;* to construct Landing Places and a Graving Dock; to alter existing and impose new Tolls, Rates, and Charges, and raise further Monies; to confer Powers to take Tolls and Charges, and to repeal and amend Acts; and for other Purposes. [31st *May* 1867.]

WHEREAS by "The *Tees* Conservancy and *Stockton* Dock Act, 1852," (herein called "the First Act,") "the *Tees* Conservancy Commissioners" (in this Act referred to as "the Commissioners") were incorporated, and all the Property, Debts, and Liabilities of the *Tees* Navigation Company, and the Management and Conservancy of the River *Tees*, within the Limits prescribed by the said Act, were vested in the Commissioners: And whereas some of the Provisions of the First Act were altered and amended by "The *Tees* Conservancy Act, 1854," (herein called "the Second Act,") by which Act the Revenue and Capital of the Commissioners were directed to be carried to separate Accounts, called

15 & 16 Vict c. clxii.

17 & 18 Vict c. cxcv.

respectively "the *Tees* Conservancy Revenue Account" and "the *Tees* Conservancy Capital Account," and the Application of the Monies carried to those respective Accounts, and also of the Monies to be carried to "the Sinking Fund Account," were altered and defined: And whereas some of the Provisions of the First Act, and also of the Second Act, were altered and amended by "The *Tees* Conservancy Act, 1858," (herein called "the Third Act,") by which Act the Limits of the Jurisdiction of the Commissioners as prescribed by the First Act were more clearly defined, and many new and additional Powers were conferred upon the Commissioners: And whereas by "The *Tees* Conservancy Act, 1863," (herein called "the Fourth Act,") some of the Powers and Provisions of the former Acts were amended, and the Commissioners requiring the Loan of a Sum of Money for the Purposes of the Embankment or Breakwater on the South Side of the Estuary of the *Tees*, which they were then constructing, with the Approval of the Admiralty, and being desirous of obtaining that Loan from the Public Works Loan Commissioners, it was provided that the Payments by the First Act directed to be made to the Sinking Fund should be deferred and altered, and the Application of the Revenue and Sinking Fund Accounts were also altered, and further Powers with respect to raising Money by way of Mortgage or Bond were conferred on the Commissioners: And whereas by the Fourth Act the Commissioners were authorized to raise the whole or any Part of the Sum of Seven thousand one hundred Pounds which by the Seventy-ninth Section of the Third Act they were empowered to borrow by Mortgages of the Anchorage and Plankage Dues therein mentioned, or any Sum of Money which they were authorized and might require to borrow for the Purposes of their existing Acts or any of them, or of that Act, or to reborrow for the Purpose of paying off any Mortgage or Bond granted by the Commissioners, by way of immediate or deferred Terminable Annuities, as therein provided, and every Annuity so granted was declared to be a Charge on the Anchorage and Plankage Dues and the *Tees* Conservancy Revenue Account, or upon the *Tees* Conservancy Revenue Account only, as the Case might require, and, subject as in that Act provided with respect to any Mortgage granted to the Public Works Loan Commissioners under the Powers of that Act, it was directed that such Annuities should rank in the same Order of Priority as the Interest of the Principal Sum raised by the Grant of such Annuity would have ranked if raised by Mortgage instead of by Annuity: And whereas by the Fourth Act it was also provided that the Interest and also the Principal payable by Instalments of any Sum borrowed from the Public Works Loan Commissioners should be a Charge on the *Tees* Conservancy Revenue Account next immediately after the Interest payable out of that Account in respect of the Principal Sums then owing by the Commissioners,

21 & 22 Vict. c. cxl.

26 & 27 Vict. c. cxliv.

missioners, and of any further Sums they might thereafter borrow, not exceeding the Sum of Eleven thousand Pounds, the Interest of which is payable out of that Account, but in priority to the Payment out of that Account of any Sum by that Act directed to be set apart as a Sinking Fund: And whereas under the Powers of the said recited Acts the Commissioners have borrowed the Sum of Eleven thousand Pounds, Residue of the Sum of Eighteen thousand Pounds mentioned in the Fourth Act as then remaining to be borrowed by Mortgages of the *Tees* Conservancy Revenue Account: And whereas under the Powers of the said recited Acts the Commissioners have borrowed from the Public Works Loan Commissioners, on Mortgage of the *Tees* Conservancy Revenue Account, the Sum of Thirty thousand Pounds, Part of a Sum of Sixty-seven thousand six hundred and eighty Pounds, Residue of a Sum of Two hundred and seven thousand Pounds authorized to be borrowed under the First Act, payable with Interest, and the Principal by yearly Instalments: And whereas under the Powers of the same Acts the Commissioners have also borrowed the Sum of Thirty-seven thousand six hundred and eighty Pounds, Residue of the said Sum of Sixty-seven thousand six hundred and eighty Pounds, by Mortgages of the *Tees* Conservancy Revenue Account: And whereas under the said Acts the Revenue of the Commissioners carried to the Credit of the *Tees* Conservancy Revenue Account is now applicable as follows; (namely,)

First, not exceeding Two thousand five hundred Pounds a Year for Management and Maintenance:

Secondly, in Payment of Interest on Sums of Three thousand Pounds, Eighteen thousand Pounds, Thirty-six thousand three hundred and twenty Pounds, Seven thousand Pounds, and Twenty-five thousand Pounds, making together the Sum of Eighty-nine thousand three hundred and twenty Pounds:

Thirdly, in Payment of so much of the Interest (if any) as may become payable in respect of the Residue of the Sum of Seven thousand one hundred Pounds primarily charged on the Anchorage and Plankage Dues under Section 79 of the Third Act, and as an additional Security on the *Tees* Conservancy Revenue Account, which Sum is intended to continue the First Charge on the said Anchorage and Plankage Dues:

Fourthly, in Payment of Interest on Sums of Seven thousand Pounds and Eleven thousand Pounds, together representing the Sum of Eighteen thousand Pounds, Residue of a Sum of Fifty thousand Pounds authorized to be borrowed and applied by the Second Act:

Fifthly, in Payment of Interest on the said Sum of Thirty thousand Pounds which has been borrowed from the Public Works Loan Commissioners, and of the annual Instalments payable on account of the Principal Sum so borrowed:

Sixthly,

Sixthly, in Payment of Interest on Thirty-seven thousand six hundred and eighty Pounds, the Residue of the said Sum of Sixty-seven thousand six hundred and eighty Pounds which has since been borrowed:

Seventhly, in Augmentation of the Sinking Fund, to which, after the Twelfth Day of *July* One thousand eight hundred and seventy-three, the Commissioners are, by Section 22 of the Fourth Act, directed to pay yearly a Sum not less than One Fortieth Part of the whole Principal Sums which shall then have been secured on the *Tees* Conservancy Revenue Account, exclusive of any Sum raised by way of Annuity, and of any Sum borrowed from the Public Works Loan Commissioners, but inclusive of any Sum paid off out of the Sinking Fund Account:

And whereas by Section 53 of the First Act the Admiralty were authorized, if and when they thought fit, to construct and maintain a Breakwater from or near *Seaton Snook* on the North Side of the *Tees* Estuary in the County of *Durham*, and extending thence in an Easterly Direction upon, along, or near the *North Gare*, and towards the *South Gare*, with all Works and Conveniences necessary thereto, which Power is now transferred to and vested in the Board of Trade: And whereas the said Breakwater was intended as a Protection to the said Estuary from North-easterly Gales, and it is of great Importance to the River *Tees* that the same should be constructed, but the Board of Trade have no Funds applicable to the Purpose: And whereas the Cost of the said Breakwater is estimated at the Sum of Thirty thousand Pounds, and the Commissioners are willing to raise and apply the same for the Purposes of the said Breakwater if authorized so to do: And whereas it would be a great Convenience to the Shipping frequenting the River *Tees* if a Graving Dock, with all necessary Works and Conveniences, were constructed at or near *Cargo Fleet*, on the *Yorkshire* Shore of the said River: And whereas it would greatly improve the Navigation of the said River if certain Points of Land and existing Wharves now projecting into the said River were removed or set back, and the Channel of the said River dredged and deepened: And whereas it would be a great Convenience to the Passenger and other Traffic on the said River, and also be advantageous to the Revenue of the Commissioners, if certain existing or authorized Ferries and public Passages or Ferries over the said River were acquired by the Commissioners, and if they were authorized to acquire Land for and thereafter to make public Landing Places, and to acquire and thereafter to set apart and appropriate certain Parts of the Bed and Foreshore of the said River as Timber Ponds, and to take Tolls, Rates, or Charges for the same respectively, and for the other Works and Purposes authorized by this Act: And whereas Plans of the Parts of the River in or near to which the Works by this Act authorized are to be made, and showing the proposed Graving Dock, River,

and

and other new Works, and also the Lands to be taken for the Purposes thereof, and other Lands which may be taken compulsorily under this Act, and a Section showing the Levels of the Banks of the River, and the intended Levels of the several new Works and Alterations of existing Works, with a Book of Reference to such Plans, have been deposited with the Clerk of the Peace for the County of *Durham*, and also with the Clerk of the Peace for the North Riding of the County of *York*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas, in order to enable the Commissioners to carry into execution the Purposes of the recited Acts, and to execute the several Works by this Act authorized, it is expedient that they should be empowered to raise further Monies by way of Mortgage or Bond, or by Terminable Annuities, and also to increase their Revenue, and for that Purpose to alter existing and levy new Tolls, Rates, and Duties, and take Tolls and Charges for the Use of Landing Places and Moorings, and for Services performed by the Commissioners, as authorized by this Act: And whereas it is expedient that some of the Powers and Provisions of the recited Acts should be repealed, altered, amended, and extended, and the several new and additional Powers contained in this Act conferred on the Commissioners and their Officers respectively: And whereas it is also expedient that the Powers by this Act given to the Mayor, Aldermen, and Burgesses of the Borough of *Middlesbrough* should be conferred on them: And whereas the several Objects 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; (that is to say,)

1. This Act may be cited for any Purpose whatever as "The *Tees* Conservancy Act, 1867." **Short Title.**

2. The several Words and Expressions "Commissioners," "Clerk," "the *Tees*," "reclaimed Lands," and "Owner," when used in this Act, shall have the Meanings assigned to them in Section 4 of the Third Act: **Interpretation of Terms.**

The several Words and Expressions "Justice," "Two Justices," and "the Board of Trade," when used in this Act, shall have the Meanings assigned to them in Section 2 of the Fourth Act:

The Expression "the Port of *Stockton*" shall mean and include such Parts of the *Tees* as are situate within that Port:

The Expression "the Port of *Middlesbrough*" shall mean and include such Parts of the *Tees* as are situate within that Port:

The Expression "Commissioners of Woods" shall mean the Commissioners or Commissioner of Her Majesty's Woods, Forests, and Land Revenues for the Time being having the Management of the Land Revenues of the Crown, and of the Foreshore of the *Tees* and Foreshore of the County Palatine of *Durham*:

And the several other Words and Expressions in this Act to which other Meanings are not assigned by this Act shall have the Meanings assigned to them and now in force under the recited Acts and the Acts wholly or partially incorporated herewith, unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

Defining Expression "Superior Courts," &c.

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

8 & 9 Vict. c. 18., 10 & 11 Vict. c. 27., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 92. incorporated.

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

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

With respect to the Construction of the Harbour, Dock, or Pier;

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

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

With respect to the Collection and Recovery of Rates;

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

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

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

With respect to Access to the Special Act; and

With respect to the Saving of Rights; and

Sections 13 to 19, both inclusive, of Part I. of "The Railways Clauses Act, 1863,"

shall be incorporated with and form Part of this Act, and be applicable to the several Purposes thereof; and in construing the said Sections of "The Railways Clauses Act, 1863," the Words "Work" and "Railway" shall be taken to mean the River Side and other Works authorized by this Act.

5. The

5. The Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, except so much of Section 84 as prescribes the Sum to be set apart yearly as a Sinking Fund for paying off Principal Monies, shall be incorporated with this Act, and shall apply to the Principal Sums which the Commissioners are now authorized to borrow under the recited Acts or any of them, as well as to the Principal Sums which they are by this Act authorized to borrow on the Credit or Security of the *Tees* Conservancy Revenue Account, and the Revenue for the Time being carried to the Credit thereof.

Certain Clauses of 10 & 11 Vict. c. 16. extended to this Act.

6. In construing the Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated with the First or Third or Fourth Act or this Act, the Expression "the Harbour, Dock, or Pier" shall mean "the *Tees*" within the Limits prescribed by the Third Act, and shall, so far as the same can apply or be made applicable thereto, apply to "the *Tees*" and the Banks and Shores thereof respectively, and to the River Improvements, Graving Docks, Piers, Landing Places, Wharves, and other Works by this Act authorized, and such Provisions respectively shall and may be carried into execution by the Commissioners accordingly.

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

7. The several Powers and Authorities by this Act granted to the Commissioners shall be executed by them within the Limits defined by Section 2 of the Third Act, except in Cases where those Powers and Authorities are expressly given over or upon Lands and Works situate above High-water Mark and beyond those Limits, and with, under, and pursuant to the Powers and Provisions of the said recited Acts and the several Acts and Parts of Acts respectively incorporated therewith, and the said recited Acts and this Act shall be read and construed together as One Act, and shall be executed by the Commissioners accordingly: Provided always, that no Part of the Mud Lands or reclaimed Lands lately forming Part of the Foreshore on the South Side of the River *Tees*, and now or late belonging or reputed to belong to *Joseph Pease*, *Henry Pease*, and others, and comprised in a Grant from the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, on behalf of Her Majesty, dated the Thirtieth Day of *September* One thousand eight hundred and forty-four, and situate on the South Side of the Black Line marked on the South Shore or Boundary of the said River on the Plans of the Works referred to in and authorized by the First Act as deposited with the Clerk of the Peace for the North Riding of the County of *York*, shall be or be deemed or construed to be within the Limits of the said recited Acts or this Act, or subject to any of the Powers or Authorities by the said recited Acts or this Act conferred on the Commissioners.

Commissioners to execute Act.

8. And

Power to borrow Money on Mortgage of Tees Conservancy Revenue Account

8. And whereas it is estimated that the Sum of One hundred and fifty-nine thousand Pounds (including therein the Cost of the *North Gare* Breakwater) will be required and be sufficient for the several Purposes authorized by this Act: Therefore the Commissioners may from Time to Time borrow and take up at Interest on Mortgage of the *Tees* Conservancy Revenue Account, in addition to the Sums already secured on that Account, such further Sum or Sums of Money as they may from Time to Time think necessary, not exceeding in the whole, in addition to those Sums, the Sum of One hundred and fifty-nine thousand Pounds; and for the Purpose of securing the Repayment of the Money so borrowed, with Interest for the same, the Commissioners may mortgage the *Tees* Conservancy Revenue Account and the Revenue for the Time being carried to the Credit thereof to the Persons or Bodies who advance such Money.

Existing Mortgages to have Priority.

9. All Mortgages and Bonds granted by the Commissioners in pursuance of the Powers of any of the recited Acts before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages and Bonds have Priority over any Mortgages to be granted by virtue of this Act.

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

10. If the Commissioners borrow from the Public Works Loan Commissioners any Sum of Money under the Powers of this Act, then the Interest of the Sum of Money so borrowed, and the Principal thereof, payable by the annual or other Instalments to be set forth in the Mortgage or other Security for such Loan, may, subject to all existing Charges on the *Tees* Conservancy Revenue Account, be secured on that Fund in such Manner as shall be agreed upon by the Commissioners and the Public Works Loan Commissioners in relation thereto.

Power to reborrow.

11. The Commissioners may from Time to Time reborrow any Amount from Time to Time repaid by them respectively, unless it be repaid by means of the Sinking Fund, in which Case, and to the Extent of the Amount paid off by means of such Sinking Fund, their Powers of borrowing and reborrowing shall cease.

Power to raise Money by Terminable Annuities.

12. The Commissioners, if they think fit, may raise the whole or any Part of the Sums of Money which they are authorized and may require to borrow for the Purposes of their existing Acts or any of them, or of this Act, or to reborrow for the Purpose of paying off existing Mortgages or Bonds, by the Grant of any Immediate or Deferred Terminable Annuities for One or more Life or Lives, or for any Number of Years not exceeding Fifty Years, instead of raising such Sums of Money by Mortgages; and such Annuities may be granted at such a Rate and upon such Terms and Conditions as the Commissioners

Commissioners may think fit, and every Annuity which may be so granted shall be a Charge on the *Tees* Conservancy Revenue Account and the Revenue carried to the Credit thereof, and, subject as in this Act provided with respect to any Mortgage granted to the Public Works Loan Commissioners under the Powers of the Fourth Act or this Act, shall rank in the same Order of Priority as the Interest of the Principal Sum raised by the Grant of such Annuity would have ranked if such Principal Sum had been raised by Mortgage or Bond instead of by Annuity; and every such Annuity shall be made determinable on a Life or Lives in being, not exceeding Three in Number, or of a Term of Years not exceeding Fifty, and may be granted in favour of any Person who shall advance to the Commissioners any Money for the Purchase of the same, and the Sections numbered respectively 13, 14, 15, 16, 17, and 18 of the Fourth Act shall apply to any Annuities so granted.

Application of Monies.

13. All Monies raised by the Commissioners under this Act shall be applied for the Purposes authorized by the recited Acts and this Act, or any of them.

Power to construct a Graving Dock.

14. Subject to the Provisions of this Act and to the Powers of Deviation given by this Act, the Commissioners may make and maintain in the Line and according to the Levels shown upon the deposited Plans and Sections the Graving Dock herein-after described, together with the necessary Cuts communicating with the *Tees*, Approaches, Inclined Planes, Slips, Gates, Bridges, Sluices, Culverts, Quays, Walls, Fences, Fence Walls, Houses, Workshops, Steam and other Engines, Cranes, Sheers, and other Works, Erections, and Conveniences connected therewith, or convenient, necessary, or proper for using, working, or maintaining the same, and for those Purposes may enter upon, take, and use such of the Lands delineated on the said deposited Plans of the Graving Dock, and within the Limits of Deviation marked thereon, and described in the deposited Books of Reference, as may be required for the Purpose. The Graving Dock herein-before referred to and authorized by this Act is,—

A Graving Dock to be made on the South Side of the *Tees*, in the Township of *Normanby* and Parish of *Ormesby* in the North Riding of the County of *York*, at a Point Eighty Yards or thereabouts to the South-west of a certain Pier or Jetty and Shipping Place commonly called "the *Cleveland* Jetty" or Shipping Place, partly on Lands belonging or reputed to belong to *Joseph Pease* and others and to the Reverend *William Ward Jackson* and the Trustees under the Will of *William Ward Jackson*, deceased, or some or one of them, and bounded on the North by the *Tees* and on the South by the *Redcar* Branch of the *North-eastern* Railway, and partly on the Bed and Foreshore of the

Tees adjoining the said Lands on the North: Provided always, that in acquiring the Land of the *North-eastern* Railway Company and of *Joseph Pease* and others, situate on the West Side of the *Cleveland* Jetty within the before-mentioned Limits, the Commissioners shall leave a sufficient Portion at or near the Southern End thereof to form convenient Communications from the *North-eastern* Railway to the remaining Lands of the said *Joseph Pease* and others; the Extent of Land to be so left to be settled by the Engineer for the Time being of the *North-eastern* Railway Company, in case the Commissioners and the said *Joseph Pease* and others do not otherwise agree.

Period for Completion of Graving Dock.

15. The Powers by this Act granted to the Commissioners for making the Graving Dock herein-before described, and in relation hereto, shall cease to be exercised from and after the Expiration of Seven Years from the passing of this Act, except as to so much thereof as shall then be completed.

Power to acquire and appropriate Lands and Foreshore for Timber Ponds, and to take Charges for, and regulate Use of such Ponds.

16. It shall be lawful for the Commissioners to purchase by Agreement Lands adjoining the *Tees*, or forming Part of the Bed or Foreshore of the *Tees*, and also to acquire and use and let or occupy as Timber Ponds any Part of the Lands so purchased, and to let such Timber Ponds at such Rent, and to allow the Use thereof upon Payment of such Rates or Charges, as the Commissioners may think fit, and subject to such Rules and Regulations as to the Mode of using the same, and as to the Mooring of Timber therein and in the *Tees*, and as to the Time of taking Timber into and out of such Timber Ponds, as the Commissioners shall from Time to Time direct.

Power to take Lands shown on deposited Plans of River Works.

17. Subject to the Provisions of this Act and to the Powers of Deviation given by this Act, the Commissioners may enter upon, take, and use such of the Lands shown on the deposited Plans of the proposed River Works and Alterations of Banks and Quay Walls of the River *Tees*, and described in the deposited Books of Reference, as may be requisite for the Purposes of this Act, and in and upon those Lands respectively may make, maintain, and execute the several Works by this Act authorized to be executed, and according to the Lines and Levels shown on the deposited Plans and Sections of those Works.

Description of River Works authorized by this Act.

18. The River Works which the Commissioners are by this Act authorized to execute comprise the following Works, to be respectively executed within the Limits and within or adjoining to the several Parishes, Townships, and Extra-parochial Places following; (that is to say,)

The improving of the River *Tees* and the Accesses thereto, commencing on each Side of the said River at or near the Stone Bridge

Bridge leading across the River *Tees*, from *Stockton* in the Parish of *Stockton-upon-Tees* in the County of *Durham* to *South Stockton* in the Township of *Thornaby* in the Parish of *Thornaby* or *Stainton* in the County of *York*, and terminating on both Sides of the said River at or near the Western End of the Cut constructed by the *Tees* Navigation Company under "The *Tees* Navigation Act, 1828," in the Township of *Linthorpe* in the Parish of *Middlesbrough* in the County of *York*, and passing from, through, or into, and situate within the several Townships of *Stockton* and *Stockton-upon-Tees* and Parish of *Stockton-upon-Tees*, or some or one of them, in the County of *Durham*, and Townships of *Thornaby*, *South Stockton*, and *Linthorpe*, and Parishes of *Thornaby*, *Stainton*, and *Middlesbrough*, or some or one of them, in the North Riding of the County of *York*, and within those Limits and on the Lands delineated on the deposited Plans and described in the deposited Books of Reference of the River Works, and for such improving the Commissioners may make and maintain Jetties, Embankments, Training Walls, Groynes, and other Works and Conveniences in or upon the Shores of the said River, and on and upon the Banks and Lands adjoining and near thereto, and may narrow and contract the said River in certain Parts thereof, and may divert, straighten, or widen the same or the navigable Course thereof, and may remove Shoals, Banks, and Obstructions therein, and deepen, dredge, and scour the said River and alter the Banks or Shores thereof, and remove Points of Land projecting into the same, and any Quays, Wharves, and other Works, and may otherwise improve the said River and the Navigation thereof, and the Accesses thereto, within the Limits, Parishes, Townships, and Places aforesaid, or any of them, and in the Lines shown on the said deposited Plans and according to the Levels shown on the deposited Sections of the River Works: Provided always, that nothing in this Enactment contained shall authorize the Commissioners to execute the several Works on the said deposited Plans described as "the *Thornaby* Landing Place," "the *South Stockton* Landing Place," "the *Stockton* Landing Place," "the *Portrack* Pier and Landing Place," "the *Haverton Hill* Landing Place," "the *North Acklam* Pier and Landing Place," "the *Port Clarence* Landing Place," and "the *Cargo Fleet* Pier and Landing Place," or any of them, or to purchase and take compulsorily for the Purposes thereof any of the Lands described in the deposited Books of Reference to the Plans of those Piers and Landing Places respectively.

19. The Commissioners shall not purchase or take compulsorily any Land or Property of the *North-eastern* Railway Company (except that

Restricting compulsory Purchase of and Inter-

ference with North-eastern Railway Company's Property.

that numbered 5 on the deposited Plans of the Graving Dock by this Act authorized), neither shall they, or any Person in the Execution of this Act, without the Consent in Writing of the *North-eastern* Railway Company in each Case first obtained, enter upon, use, or interfere with any Railway, Land, or Property of that Company (except as aforesaid); and all Works executed under the Authority of this Act which shall in any way affect the Railway or Property of the *North-eastern* Railway Company shall be executed and subsequently maintained and repaired under the Superintendence and to the reasonable Satisfaction of the Engineer of that Company.

Powers to improve River to cease, if Works not completed within limited Period.

20. If the several before-mentioned River Works by this Act authorized and shown on the deposited Plans (save the dredging and deepening the Bed of the said River) shall not be completed within Ten Years after the passing of this Act, then on the Expiration of that Period the Powers by this Act granted to the Commissioners for executing those Works shall cease to be exercised, except as to so much thereof as shall then be completed.

Power to deviate.

21. Subject to the Provisions of this Act, the Commissioners in executing any Works by this Act authorized may deviate from the Line or Situation thereof marked on the deposited Plan thereof to any Extent not exceeding the Limits of lateral Deviation defined on such Plan, and may also deviate from the Levels shown on the deposited Sections to an Extent not exceeding Five Feet: Provided that in every Case in which Limits of lateral Deviation are not marked on the deposited Plan of any Work, such Work shall be constructed on the Lines and within the Limits of the Work itself, as shown or stated on the deposited Plan thereof.

As to purchasing Ferries.

22. The Commissioners may purchase by Agreement any Property, Right, Interest, or Claim of and in any Ferry, or the Works connected therewith, established in or over the River, and the Commissioners may maintain such Ferries, and charge and receive such Rates and Tolls for and in respect of any such Ferries as the Owners from whom the same were purchased were entitled to receive: Provided always, that if the Commissioners shall purchase, in pursuance of the Powers hereby conferred upon them, any such Ferries, they shall and they are hereby required to maintain the same.

Commissioners may by Agreement purchase other Lands.

23. The Commissioners from Time to Time may agree with the Owners of Lands for the Purchase, and such Owners may agree with the Commissioners for the Sale, of any Lands, or any Easement, Right, or Interest in or affecting any Lands which the Commissioners require to purchase for the Purposes of any of the Works by this Act authorized, or any other River Works of the Commissioners; and all the

the Provisions of "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," with respect to the Purchase of Lands by Agreement, and to Rent-charges, shall extend and apply to all such Easements, Liberties, Privileges, Powers, and Authorities.

Power to the Commissioners to exercise the Powers now vested in Board of Trade, as to the North Gare Breakwater.

24. It shall be lawful for the Commissioners, at the Request of and under the Direction of the Board of Trade, to erect, construct, and maintain the Breakwater now usually referred to as the *North Gare* Breakwater, on the North Side of the *Tees* Estuary, which by Section 53 of the First Act the Admiralty were authorized to construct and maintain, and for that Purpose the Commissioners may exercise all the Powers thereby vested in the Admiralty and now transferred to the Board of Trade, and also the Powers which by Section 8 of the Fourth Act are vested in the Commissioners as therein provided; and if the Commissioners undertake the Construction and Maintenance of the said *North Gare* Breakwater, they may apply any of their existing Funds, or any Sums which they may raise under this Act, for such Purposes as they may think fit.

Waterside Works may be altered.

25. If any Jetty, Pier, Quay, Wharf, Erection, or other Waterside Work constructed or erected, or which may hereafter be constructed or erected, or placed below High-water Mark in any Part of the River, project into the River beyond the Line of Waterside Works fixed by the Commissioners, or if the Foundations of any Waterside Work in any Part of the River shall not be sufficiently deep or secure to admit of the River near the same being dredged, deepened, and otherwise improved, the Commissioners may, in every such Case in which they may think it necessary or expedient so to do, require the Owner, Lessee, or Occupier of such Waterside Work (the Commissioners making reasonable Compensation for the Damage (if any) sustained by such Owner, Lessee, or Occupier,) to alter, set back, strengthen, deepen, underset, abate, or remove the same; and if such Owner, Lessee, or Occupier neglect, during Thirty Days after Notice in Writing for that Purpose given or sent by Post to him or his Agent, to alter, set back, strengthen, deepen, underset, abate, or remove such Waterside Work as required by such Notice, and within the Time required thereby, the Commissioners may cause the Works specified in such Notice to be executed, and the Expense incurred by the Commissioners in respect thereof, after deducting the Amount of Compensation (if any) payable to such Owner, Lessee, or Occupier, shall, unless it be otherwise determined by Arbitration as herein-after mentioned, be paid to them by the Owner, Lessee, or Occupier by whom the same ought to have been done; and the Commissioners may direct such Expense to be paid immediately, or, if they should think it just and equitable so to do, they may direct the Payment

thereof by annual or other Payments as the Commissioners may determine, or as shall be agreed upon between the Commissioners and the Owners, Lessees, and Occupiers of such Waterside Work: Provided always, that with respect to any Jetty, Pier, Quay, Wharf, Erection, or other Waterside Work, or the Foundations thereof, already constructed or erected, the Provisions of this Section shall apply only to that Part of the River which is situate Westward of the *Cleveland* Pier or Jetty: Provided also, that if any Question shall arise between the Commissioners and the Owner, Lessee, or Occupier of any such Waterside Work as to whether the Necessity for the Alteration, setting back, strengthening, deepening, undersetting, Removal, or Abatement of such Waterside Work has arisen from any unauthorized Act, Omission, or Neglect of such Owner, Lessee, or Occupier, or is only required for Purposes connected with the Improvement of the River, or as to the Amount of Compensation to be paid to such Owner, Lessee, or Occupier, then and in every such Case such Difference shall be referred to and be decided by Arbitration under the Provisions for that Purpose contained in "The Lands Clauses Consolidation Act, 1845," and the Arbitrator or Arbitrators, or their Umpire, shall not only decide such Question, but shall also decide by whom and in what Proportions the Expense of such Works and the Costs of such Arbitration shall be paid; and any Sum directed to be paid by the Owner, Lessee, or Occupier of such Waterside Work shall be paid by him or them and shall be recoverable as Damages; and any Sum directed to be paid by the Commissioners shall be paid out of any Monies which they may then have raised or be authorized to raise under this Act: Provided also, that nothing in this Section contained shall authorize the Commissioners to interfere with or control either the Construction or Maintenance of the Works and Conveniences, between the Line of High-water Mark and the Line of Waterside Works fixed by the Commissioners to be made on the Foreshore granted by the Crown to the Committees of *John Brown* Esq. by Grant dated the Twenty-seventh Day of *February* One thousand eight hundred and fifty-eight: Provided also, that nothing herein contained shall take away or interfere with any Powers over that Foreshore which are now vested in the Commissioners under any of their existing Acts.

River Tolls as in Sched. (A.)

26. On and after the First Day of *August* next after the passing of this Act, it shall be lawful for the Commissioners to demand and receive for every Vessel entering or leaving the *Tees* any Sum for every Ton Register of such Vessel not exceeding the Rates mentioned in the Schedule (A.) to this Act, and such Rates on and after that Day shall be taken in lieu of the several Tolls or Rates specified in Schedule (D.) to the Fourth Act, and the Tolls or Rates so by this Act authorized shall be payable by the Master or Owner of the Vessel, and

and are by this Act vested in the Commissioners accordingly for the Purposes of the said recited Acts and this Act, and all Sums received in respect of such Rates or Tolls shall be carried to "the *Tees* Conservancy Revenue Account:" Provided always, that if the Portion of the *Tees* Conservancy Revenue Account for the Time being applicable to the Payment of Interest and Principal payable to the Public Works Loan Commissioners shall be insufficient for those Purposes, the Commissioners shall, if and when required by the said Public Works Loan Commissioners so to do, from Time to Time demand and take such further and increased Tolls under Schedule (A.) to this Act rateably as may be necessary for the Purpose of raising sufficient Revenue to pay the yearly or other Sums for the Time being payable to the Public Works Loan Commissioners.

Tonnage Duty to be levied on Steam Vessels as in Sched. (B.)

27. On and after the First Day of *August* next after the passing of this Act, it shall be lawful for the Commissioners to demand and receive for every Steam Vessel plying on the River, or used for the Purpose of towing in, to, or from the River, any Sum not exceeding the Rates mentioned in the Schedule (B.) hereunto annexed, and every such Rate shall be payable by the Master or Owner of such Steam Vessel.

Tonnage Rates for Moorings.

28. On and after the First Day of *August* next after the passing of this Act, it shall be lawful for the Commissioners for the Use of Moorings to demand and receive for every Vessel which shall enter within the Limits of the *Tees* the Sum of One Farthing for every Ton Burthen which such Vessel shall measure or contain, which Tolls and other Charges shall be paid by the Master or Owner of the Vessel liable to the same, in addition to any other Tolls to which such Vessel may be liable, and in default may be recovered by the Commissioners in the same Manner and with the same Powers as other Tonnage Rates payable to them may be recovered.

For ascertaining Tonnage Rates.

29. For the Purpose of ascertaining the Tonnage Rates payable under this Act and the recited Acts, the Tonnage of *British* Vessels duly registered according to Law shall be ascertained according to the certified Tonnage in the Register of such Vessels, and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement for the Time being established by Law for regulating the Admeasurement of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom, and the Words "Register Tonnage" and "Register Ton," when used in this Act and the said recited Acts, shall mean the Tonnage so ascertained.

Rates on Goods as in Sched. (C.)

30. On and after the First Day of *August* next after the passing of this Act, the Commissioners may from Time to Time demand, take, and recover in respect of all Goods and Minerals shipped or unshipped

unshipped in the *Tees*, or in either of the Ports of *Stockton* or *Middlesbrough*, or any Dock, Shipping Place, or Landing Place within either of the said Ports respectively, Rates and Duties not exceeding the several Rates and Duties specified in the Schedule (C.) to this Act annexed, and those Rates and Duties shall, in respect of Goods and Minerals so shipped or unshipped, be in addition to any Rates and Duties by the recited Acts or any of them, or this Act, authorized to be taken, or which may be payable in respect of such Dock, Shipping Place, or Landing Place, and those Rates and Duties specified in the said Schedule shall be payable before such Goods or Minerals are unshipped, or at the Time of Shipment, as the Case may be: Provided always, that nothing in this Enactment contained shall apply to any Goods or Minerals merely passing from one Part of the *Tees* to another Part thereof.

Additional Facilities to Commissioners for Collection of Dues as follows:

31. In addition to the Powers given to Harbour Authorities by "The Harbours, Docks, and Piers Clauses Act, 1847," for the Collection of Rates or Dues, the following Powers and Authorities may be exercised by the Commissioners, and the following Provisions shall be in force; (that is to say,)

Persons shipping Goods or Minerals to deliver Account to Collector.

1. Any Person shipping Goods or Minerals on board any Vessel in the *Tees* liable to any Dues payable to the Commissioners shall within Forty-eight Hours after the Shipment of such Goods or Minerals deliver to the Collector of such Dues an Account signed by him of the Kinds, Quantities, and Weights of such Goods or Minerals, and the Names and Description of the Owners thereof; and every Person shipping Goods or Minerals on any Vessel, and not so preparing and delivering to the Collector of Dues an Account as aforesaid, or who shall give a false Account of such Goods or Minerals, or of the Names and Descriptions of the Owners thereof, shall for every such Offence be liable to a Penalty not exceeding Five Pounds:

Persons unshipping Goods or Minerals to deliver Account to Collector.

2. Every Person discharging Goods or Minerals, except Ballast for Deposit, from any Vessel liable to Dues payable to the Commissioners, shall, within Forty-eight Hours of the unshipping of such Goods or Minerals, deliver to the Collector of Dues a true Account signed by him of the Kinds, Quantities, and Weights of such Goods or Minerals, or Goods and Minerals, as the Case may require, and the Names and Descriptions of the Owners thereof; and every Person unshipping Goods or Minerals, and not delivering to the Collector of Dues an Account as aforesaid, or who shall give or sign a false Account of such Goods or Minerals, or of the Names and Descriptions of the Owners thereof, shall for every such Offence be liable to a Penalty not exceeding Five Pounds:

3. The

3. The Dues due to the Commissioners on such Goods and Minerals shall be payable at any Time after the Delivery to the Collector of Dues of the Account as aforesaid, or when demanded by the Collector of Dues, and any Person refusing or neglecting to pay such Dues within Two Days after Demand by the Collector of Dues shall be liable to a Penalty not exceeding Five Pounds. Dues on Goods and Minerals, when payable.

4. The Steamboat Dues shall be payable in advance by quarterly Instalments on the First Day of *November*, First Day of *February*, First Day of *May*, and First Day of *August* in every Year, at the Times and Places to be appointed from Time to Time for that Purpose by the Commissioners, of which Notice given once in any Two Newspapers published or usually circulated in the Towns of *Stockton-on-Tees* and *Middlesbrough* shall be deemed sufficient; and in case of Nonpayment of such Dues within Twenty-four Hours after Demand by the Collector of Dues, such Collector may seize and detain the Vessel in respect of which the same Dues shall be payable until Payment thereof and of the Costs of such Seizure and Detention. Steamboat Dues, when payable.

5. The Master or Owner of any Steam Vessel plying on the River *Tees*, or used for the Purpose of towing in, to, or from the River, shall, whenever required by the Commissioners, in each and every Year furnish to the Secretary of the Commissioners a Statement of the Size and Horse Power of such Vessel; and any Master or Owner of a Steam Vessel which has so plied or been used for the Purposes of towing in, to, or from the River during the Three Months, or any Part thereof, of the Period preceding the above-named Days, who shall fail to furnish such Statement, or who shall furnish a false Statement, shall for every such Offence be liable to a Penalty not exceeding Five Pounds. Master of Vessel plying on the Tees to furnish Commissioners with Statement of Size.

32. It shall be lawful for the Commissioners to demand, receive, and recover from the Master or Owner of every Vessel entering the Graving Dock belonging to the Commissioners for the Purpose of being repaired, or for lying therein, or for departing therefrom, and also for every Vessel which shall be built in the Graving Dock, and in addition to the Charges for repairing and building, and also for and in respect of the Use of the Inclined Planes, Landing Places, Engines, Cranes, and Sheers in, near, or connected with the said Graving Dock, such reasonable Rates or Sums, not exceeding the several Rates or Sums specified in the Schedule (D.) to this Act annexed, as the Commissioners shall from Time to Time appoint. Rates for Use of Graving Dock as in Sched. (D.)

33. In case of Refusal or Neglect on Demand to pay any of the Rates, Tolls, or Duties by this Act granted, the Commissioners, in addition Recovery of Rates or Dues.

addition to their Remedies for the same under "The Harbours, Docks, and Piers Clauses Act, 1847," may recover the Sum due in respect of such Rates, Tolls, or Duties in any Court of competent Jurisdiction.

Vessels entering the Tees for Refuge to be reported to Collector of Dues.

34. Every Master of any Vessel entering the *Tees* for the Purposes of Shelter or Refuge shall, in addition to any Report that may by Law be required to be made at the Office of the Collector of Customs, within Twenty-four Hours thereafter report such Arrival to the Collector of Dues payable to the Commissioners, and also the Name of the Master, the Tonnage and Nature of the Cargo of the Vessel, and the Place from which and to which such Vessel is bound, and in default such Master shall be liable on the Information of any Officer of the Commissioners to a Penalty not exceeding Ten Pounds, but the Arrival of Coasting Vessels for such Purpose shall be reported only to such Collector of Dues as aforesaid.

Power to erect and license public Landing Places.

35. The Commissioners after the passing of this Act, and when and as they shall have purchased, by Agreement, from the Owner or Owners thereof the Land necessary for the Purpose, may reserve and set apart as and for a public Landing Place or public Landing Places such Portions thereof as they shall think reasonable and fit, and may erect and construct thereon such Landing Places, or may license the Erection of such Landing Places and Approaches thereto on such Land for the Accommodation of Crews, Passengers, and other Persons requiring to land from or embark in any Vessel in the River, and may demand and take for the Use of such public Landing Places such reasonable Rates and Charges as the Commissioners shall from Time to Time appoint and deem necessary and sufficient for repaying the Sum expended in constructing such public Landing Places, and Interest thereon, and for paying the Cost of the Maintenance of such public Landing Places and any Conveniences connected therewith.

Commissioners may construct Sheds on Landing Places.

36. The Commissioners may construct on or near any Landing Place to be constructed or acquired by them under the Powers of this Act any Sheds or other Erections for the Protection of Passengers using the same.

Tolls to be charged equally.

37. The Landing Place Tolls shall at all Times be charged equally to all Persons using the Landing Place in respect of which the same are taken.

Taking and Recovery of Tolls.

38. The Landing Place Tolls shall be paid to such Persons, and at such Places upon or near the Landing Place in respect of which the same are payable, and in such Manner, and under such Regulations as the Commissioners shall appoint.

39. If

39. If any Person shall knowingly and wilfully refuse or neglect to pay the Toll due from him for using any Landing Place, such Person shall for every such Offence forfeit a Sum not exceeding Forty Shillings. Penalties on Passengers practising Frauds.

40. Provided always, That no Toll or Sum of Money shall be levied on or paid by any Officer or Man of or belonging to the Army, Navy, or Marines who shall be on Full Pay, or by any Officer or Officers of Customs or Inland Revenue, or any Person or Persons acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, using any public Landing Place of the Commissioners. Landing Place Tolls not to be demanded from Officers of Customs, &c.

41. Every Collector of Landing Place Tolls who shall commit any of the following Offences shall forfeit a Sum not exceeding Five Pounds for each such Offence; (that is to say,) Penalties on Toll Collectors.

If he refuse to tell his Christian Name and Surname to any Person demanding the same who shall have paid or tendered the Toll demanded of him, or if he give as his Name a false Name to any such Person:

If he demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, and of the Orders of the Commissioners made in pursuance thereof:

If, upon the legal Toll being paid or tendered, he do unnecessarily detain or wilfully hinder any Person from using the Landing Place in respect of which the Toll is paid:

If he make use of any scurrilous or abusive Language to any Person lawfully using the Landing Place.

42. It shall be lawful for the Commissioners from Time to Time by Lease, to take effect in possession, to let the Landing Place Tolls, or any of them, to any Person for any Term not exceeding Three Years from the Commencement of any such Lease, and every Lessee of such Tolls shall during the Continuance and subject to the Provisions and Restrictions of any such Lease be entitled to take such Tolls, and have the same Powers for recovering and enforcing Payment thereof, as are by this Act granted to or vested in the Commissioners. Power to lease Landing-Place Tolls.

43. It shall be lawful for the Commissioners from Time to Time, subject to the Provisions and Restrictions in this Act and in "The Harbours, Docks, and Piers Clauses Act, 1847," contained, to make Byelaws for the following Purposes; (that is to say,) Commissioners to make Byelaws to regulate the Use of Landing Places.

For regulating the Use of the public Landing Places of the Commissioners, and the Erections and Conveniences thereon;

For

For regulating the embarking and discharging of Passengers on board the Vessels using such Landing Places respectively;

And generally for maintaining Order and Decorum at the said Landing Places and on board any Vessels while lying at or using such Landing Places, or any of them, for landing or embarking Passengers thereat:

And the Commissioners may from Time to Time repeal or alter such Byelaws, and make others, provided that such Byelaws be not repugnant to the Laws of *England* or the Provisions of this Act, and that such Byelaws be reduced into Writing, and be sealed with the Corporate Seal of the Commissioners.

Rates, &c. to be paid to the Tees Conservancy Account.

44. All Tonnage Tolls and Rates of every kind on Vessels or their Cargoes payable to the Commissioners, and the Surplus of all Tolls, Rents, and Charges for the Use of the Graving Dock and its Conveniences, Moorings, Buoys and Beacons, Timber Ponds, Landing Places, Sheds, and Conveniences thereat, after deducting thereout the Costs and Expense of maintaining, working, and managing the same respectively, and all other Revenue arising to the Commissioners under this Act, and not hereby directed to be otherwise applied, shall be carried to the Credit of "the *Tees* Conservancy Revenue Account."

Salaries to be apportioned.

45. The Salaries of and other Payments to the Engineer, Secretary, Clerk, and Treasurer of the Commissioners, and to the other Officers of the Commissioners, and to the Persons who shall act under them in the Collection and Receipt of Tolls and Dues or otherwise, and who shall be employed in the Business of the Conservancy and other Powers and Duties of the Commissioners, shall, so long as they shall be so employed, be apportioned by the Commissioners between the several Accounts of the different Heads of Expenditure by the Commissioners in such Proportions and Manner as the Commissioners shall from Time to Time think just and reasonable.

On occasion of Launches Speed of Vessels to be slackened.

46. Every Master, Pilot, or other Person in charge of any Vessel on the *Tees* in the Neighbourhood of any Ship Launch within the Port of *Stockton* or the Port of *Middlesbrough* shall stop or slacken the Speed of such Vessel and otherwise navigate the same in obedience to the Orders given by the Harbour-master of the Port, or upon Refusal or Neglect to do so shall be liable to a Penalty not exceeding Ten Pounds.

For weighing and raising Vessels sunk.

47. If any Vessel shall happen to sink in the *Tees*, and the Owner, Master, or other Person having the Care or Management thereof do not, within the Space of Twenty-four Hours next after such Vessel shall so sink, weigh or draw up the same again, and remove the same

out

out of the Way of other Vessels navigating or using the *Tees*, or within the Period aforesaid give sufficient Security to the Commissioners for so doing, and shall not accordingly remove the same with all convenient Speed thereafter, it shall be lawful for the Engineer or Harbour-master, or other Agent or Servant of the Commissioners, to weigh, draw up, and remove the same out of the Way of other Vessels navigating or using the *Tees*, and to detain and keep such Vessel, and the Rigging, Tackle, and Loading (if preserved), until Payment of all Damages and Expenses occasioned by the sinking of such Vessel, and attending the weighing, drawing up, and removing the same; and if the Amount of such Damages and Expenses be not paid upon Demand thereof made by or on behalf of the Commissioners, it shall be lawful for the said Harbour-master or other Agent or Servant to sell such Vessel, Rigging, and Tackle, or so much thereof as shall be necessary for reimbursing the Amount of such Damages and Expenses, and the Costs and Expenses of attending the keeping and selling the same, returning the Overplus (if any) on Demand to the Owner, Master, or other Person having the Management of such Ship, Boat, Keel, or Vessel before it sank; and in case the Proceeds of such Sale shall be insufficient to defray such Damages, Expenses, and Costs, the same shall be recoverable by the Commissioners in manner provided by "The Harbours, Docks, and Piers Clauses Act, 1847," in the Case of Damages for the Recovery of which no special Provision is made.

Amending Section 99 of the Third Act.

48. And whereas by Section 90 of the Third Act it is provided that the Lords of the Admiralty shall forthwith lay down Lines within which Slag and other Materials may be deposited below High-water Mark, and that in the event of any Person depositing any Slag or other Materials Seaward of such Line as aforesaid the Person so offending shall forfeit and pay a Sum not exceeding Ten Pounds for every such Offence: And whereas Lines of Waterside Works within which Slag may be deposited have been laid down by the Admiralty, as authorized by the said Act: And whereas much of the Foreshore and Bed of the River between such Lines of Waterside Works and the Line of High-water Mark is Land subject to Powers of Reclamation now vested in the Commissioners under the recited Acts or some of them, and the Deposit of Slag and other Materials on the Lands subject to those Powers of Reclamation may interfere therewith, and it is necessary for the Protection of those Powers and of the Navigation of the *Tees* that Slag and other Materials should not be deposited on those Lands without the Consent of the Commissioners of Woods and the Commissioners: Therefore, after the passing of this Act, if any Person deposits any Slag or other Materials on the Foreshore and Bed of the River *Tees* or its Estuary between the Line of Waterside Works on either Side thereof and the Line of High-water Mark on the same Side of the River without the previous Consent in Writing of

of the Commissioners of Woods and the Commissioners, or not in accordance with such Consent, if obtained, the Person so offending shall forfeit and pay a Sum not exceeding Ten Pounds for every such Offence, and a further Penalty of Ten Pounds for each and every Day during which such Deposit shall continue without such Consent, or not in accordance with such Consent, as aforesaid: Provided always, that no such Consent shall be deemed to be an Authority from or Agreement with the Commissioners for the Reclamation of Lands within the Meaning of the 4th Section of the Third Act defining the Expression "reclaimed Lands:" Provided also, that nothing in this Act contained shall limit, abridge, or in anywise prejudice or affect any Right, Power, or Authority now vested in any Lessee or Grantee from the Crown, and the Rights, Remedies, Obligations, and Condition of the said Lessees or Grantees and of the Commissioners under any Lease or Grant from the Crown shall respectively remain in all respects the same as if this Act had not been passed.

Additional Power to Harbour-master.

49. After the First Day of *November* next after the passing of this Act, the Harbour-master of the Commissioners acting for the Port of *Stockton* or for the Port of *Middlesbrough* may, for the Purpose of the Powers given to him by Section 52 of "The Harbours, Docks, and Piers Clauses Act, 1847," give any Directions authorized by that Section, either verbally or in Writing, as the Circumstances or Necessities of the Case may require; and the Master of any Vessel who shall not forthwith regulate such Vessel according to any Directions so given to him verbally by the Harbour-master giving the same shall be liable to a Penalty not exceeding Twenty Pounds.

In certain Cases all the Parties entitled to reclaimed Lands may enter into Agreements instead of proceeding to Arbitration.

50. In every Case in which the Commissioners and the Commissioners of Woods entitled to the Proceeds arising from the Sale of any reclaimed Lands, and all the Owners of the adjoining ancient inclosed Lands entitled to the Pre-emption of any Part of such reclaimed Lands, or to a Portion of the Purchase Monies for such reclaimed Lands, shall be able to agree among themselves as to the Appropriation, Division, or Sale of such reclaimed Lands, and as to the Application and Division of the Purchase Monies for the same when sold, it shall be lawful for the Commissioners, the Commissioners of Woods, and such Owners of ancient inclosed Lands as aforesaid, to enter into and carry out any Agreement for those Purposes; and upon the Execution of any such Agreement by all the said Parties entitled as aforesaid all the Provisions of the Third Act and of the Fourth Act, or either of them, so far as such Provisions or any of them require the Subject Matter of such Agreement to be referred to Arbitration, or are otherwise inconsistent with such Agreement, shall cease to apply to the reclaimed Lands comprised therein.

Powers for Commissioners and others to enter into Agreements.

51. It shall be lawful for the Commissioners, with the previous Consent in Writing of the Commissioners of Woods, in any Case in which the Interest of the Crown shall be affected thereby, and for all or any Bodies and Persons interested in the River *Tees*, or the Navigation thereof, or in any Work on the Shore thereof, to enter into and carry out all such Agreements with respect thereto, or with reference to the Execution of any of the Powers of the recited Acts or this Act, or with respect to the Reclamation of any Foreshore or Lands within High-water Mark of the *Tees*, as may be deemed expedient by the Commissioners and the other Parties thereto, and be not inconsistent with the Powers of the recited Acts and this Act, or any of them.

Penalty for destroying Boats of Commissioners.

52. If any Person shall wilfully destroy or damage, or shall be concerned in wilfully destroying or damaging, any Boat or Vessel provided or employed by the Commissioners, or any of the Sails, Oars, Tackle, or Furniture of such Boat or Vessel, or any Goods or Stores therein, he shall forfeit for every such Offence any Sum not exceeding Ten Pounds, together with the Amount of Damage sustained by the Commissioners for such Offence.

Power to regulate Rate of Speed of Steamers.

53. It shall be lawful for the Commissioners from Time to Time to make and publish such Regulations as they shall think reasonable and fit as to the Rate of Speed to be used and observed by Steamers and other Vessels employed and navigated in and upon the River; provided that at least One Month's Notice by Advertisement in Two or more Newspapers published or usually circulated in the Borough of *Stockton-on-Tees* and *Middlesbrough*, and otherwise as the Commissioners shall think fit, shall be given thereof before any such Regulations take effect.

Penalty for not observing Rate of Speed.

54. If after such Notice of such Regulations shall have been given the Master or any Person having Command of any Steamer or other Vessel navigated in the River shall navigate or permit to be navigated such Vessel at a Rate exceeding the Rate so regulated by the Order of the Commissioners, every such Person so offending shall for every such Offence forfeit any Sum not exceeding Forty Shillings for the First Offence, and any Sum not exceeding Five Pounds for every like subsequent Offence.

Byelaws.

Additional Powers to Commissioners to make Byelaws.

55. In addition to the Power of making Byelaws contained in "The Harbours, Docks, and Piers Clauses Act, 1847," the Commissioners may, subject to the Provisions of this Act and the said Harbours, Docks, and Piers Clauses Act, from Time to Time make such Byelaws as they shall think fit for all or any of the following Purposes; (that is to say,)

1. For

1. For regulating the Time, Manner, Place, and Distance from the Shore at or on which all Ashes, Refuse, Rubbish, and other Substances conveyed out of the River for the Purpose of being cast into the Sea shall be cast into the Sea.
2. For preventing Obstructions or Impediments, whether fixed or floating, arising or being occasioned in the *Tees*, or at or in any Works under their Charge, and for effectually removing the same, and for raising sunken Craft and protecting the Navigation from Danger of Obstruction; and for preventing Accidents on the *Tees* on the Occasion of any public Event likely to cause the crowding of Persons or Vessels on the *Tees*, or the crowding of Persons on the Banks thereof, or any of the Piers, Landing Places, or Wharves of the Commissioners.
3. For berthing or removing Vessels lying in any Part of the *Tees*.
4. For the Maintenance of the Quays, Wharves, and Shores of the River, so far as may be necessary to protect the Navigation of the *Tees* from Obstruction, and for removing and preventing Obstructions or Impediments on such Quays and Wharves.
5. For regulating the Conduct of the Owners, Masters, and Crews of Steam Vessels carrying Passengers within the River with regard to keeping the fixed Times of Departure, the Speed and Mode of navigating such Vessels, the keeping and exhibiting Lights, and the Number, Colour, and Description of such Lights, and the taking on board and landing or putting out Passengers.
6. For fixing and regulating the Lights to be carried by all Vessels within the *Tees*.
7. For regulating the loading, discharging, and landing of Timber, and placing the same in Timber Ponds or Depôts, and regulating the Manner and limiting the Period of using such Timber Ponds and Depôts, and of entering and leaving the same.
8. For regulating the Times and Manner of paying and Place of Payment of Rates authorized to be received or paid under the Authority of this Act, or of any of the recited Acts.
9. For permitting or restraining and also for regulating the Admission and Use of Fires and Lights on board of Vessels lying near to or using the Graving Dock or other Works connected therewith belonging to the Commissioners, and for defining the Places on board such Vessels, the Purposes for which, and the Hours within which, such Fires and Lights may be permitted, and the Mode and the Manner in which the same may be used, and the Precautions which shall be taken in order to guard against any Accident arising from the Use thereof, and also all such other Regulations as the Commissioners may think necessary or expedient for the Prevention of

of Accident by Fire; but none of the aforegoing Regulations shall interfere with or be contrary to any Customs, Laws, or Regulations.

10. For imposing Penalties in case of the Breach of any Byelaws.

56. And, subject as aforesaid, such Byelaws may at any Time be varied, altered, or repealed, as the Commissioners may consider expedient. Alteration, &c. of Byelaws.

57. The Commissioners and the Commissioners of Woods may enter into and carry out any Agreement for fencing, draining, or otherwise improving any Lands reclaimed or hereafter to be reclaimed under the Third and Fourth Acts, or either of them, in which or in the Proceeds arising from the Sale of which they have any Interest, and as to the letting of such Lands in the meantime and until sold, and any such reclaimed Lands may be let by the Commissioners, with the Consent in Writing of the Commissioners of Woods, or by the Commissioners of Woods alone, upon such Terms as shall be settled by or under such Agreement, and the Rent arising and to be received by the Commissioners, or by the Commissioners of Woods, under such letting, shall be applied as follows: Commissioners and Commissioners of Woods may agree as to letting reclaimed Lands until sold.

First, in paying thereout the Expenses incurred by the Commissioners and by the Commissioners of Woods, or either of them, in fencing, draining, or otherwise improving, and in the Management of the Land so let;

Secondly, in paying or retaining One equal Fourth Part of the Surplus of such Rents to or by the Commissioners of Woods, which Fourth Part shall be applied as Part of the Income of the Land Revenues of the Crown; and,

Thirdly, in the Payment to or retaining by the Commissioners of the remaining Three Fourths of such Surplus in trust, as to Two of such Fourth Parts thereof, to pay the same into the *Tees* Conservancy Revenue Account, and as to the remaining Fourth Part of such Surplus, for the Benefit of the Owners of the adjoining Lands in the Proportions to which they would be entitled to the Proceeds of Sale of such Lands if sold; and if at the Time of Sale of any Lands any Part of the Expenses incurred in fencing, draining, or improving the same shall not have been paid or retained out of any Rent received from such Lands, the Deficiency shall in every Case be made good out of the Proceeds of the Sale before the said Proceeds are divided in Fourth Parts in the Manner contemplated by the Third Act, and the Decision of the Commissioners of Woods, to be signified in Writing under their or his Hands, as to the Amount and Apportionments of all such Expenses, shall be final and conclusive.

Application of Revenue.

58. After the passing of this Act the Revenue and Monies for the Time being carried to the *Tees* Conservancy Revenue Account shall be from Time to Time applied in the Manner following; (that is to say,)

First, in defraying the necessary Expenses of the Conservancy, Lighting, Maintenance, and Management of the *Tees* and the Navigation thereof, and of executing the Powers of the said recited Acts and this Act in relation thereto, such Expenses in any One Year not exceeding the Sum of Two thousand five hundred Pounds:

Secondly, in paying the Interest for the Time being payable in respect of the Mortgages granted by the Commissioners under the First Act for securing the said Sums of Three thousand Pounds, Eighteen thousand Pounds, and Thirty-six thousand three hundred and twenty Pounds, and also the Sums of Seven thousand Pounds and Twenty-five thousand Pounds, Part of the Sum of Fifty thousand Pounds directed to be raised by the Second Act, or so much of the said Sums respectively as for the Time being shall be a Charge on the *Tees* Conservancy Revenue Account:

Thirdly, in paying and discharging, if necessary, any Sum in respect of Interest upon the Residue of a Sum of Seven thousand one hundred Pounds which, by Section Seventy-nine of the Third Act, is authorized to be charged on the Anchorage and Plankage Dues therein mentioned, and also as an additional Security on the *Tees* Conservancy Revenue Account, which Interest is now wholly paid out of the said Anchorage and Plankage Dues, and is to be continued the First Charge thereon:

Fourthly, in paying the Interest for the Time being payable in respect of the Mortgages granted by the Commissioners for securing the Sum of Eighteen thousand Pounds, Residue of the said Sum of Fifty thousand Pounds directed to be raised by the Second Act, and which was raised in Sums of Seven thousand Pounds and Eleven thousand Pounds, or of so much of those Sums as for the Time being shall be a Charge on the *Tees* Conservancy Revenue Account:

Fifthly, in paying the Interest for the Time being payable to the Public Works Loan Commissioners in respect of the Mortgages for securing the Sum of Thirty thousand Pounds granted to them by the Commissioners under the Fourth Act, and also of the annual Sums by such Mortgages agreed to be paid in discharge of the Principal of the said Sum of Thirty thousand Pounds, or of so much of such Interest and Principal respectively as for the Time being shall be a Charge on the *Tees* Conservancy Revenue Account:

Sixthly,

Sixthly, in paying the Interest for the Time being payable in respect of the Mortgages granted by the Commissioners for securing the Sum of Thirty-seven thousand six hundred and eighty Pounds, Residue of the before-mentioned Sum of Sixty-seven thousand six hundred and eighty Pounds, or of so much thereof as for the Time being shall be a Charge on the *Tees* Conservancy Revenue Account:

Seventhly, in paying the Interest for the Time being payable in respect of the Mortgages to be granted by the Commissioners for securing the Sum of One hundred and fifty-nine thousand Pounds authorized to be raised for the Purposes of this Act, or of so much thereof as for the Time being shall be a Charge on the *Tees* Conservancy Revenue Account, and also in Payment of the Principal of any Sum which may be borrowed from the Public Works Loan Commissioners by the annual or other Instalments to be set forth in the Mortgage or other Security for the Loan made by such Commissioners:

Eighthly, after the Expiration of Ten Years from the Thirteenth Day of *July* One thousand eight hundred and sixty-three, and until the whole of the Principal Sums for the Time being secured under the recited Acts, or any of them, on Mortgages of the *Tees* Conservancy Revenue Account, (exclusive of any Sum raised by way of Annuity, and of the Interest and yearly and other Instalments of Principal for the Time being payable to the Public Works Loan Commissioners in respect of any Loan made by them to the Commissioners,) shall have been paid off, in paying and setting apart out of that Account, next after the Payment thereout of any Sum by way of Interest or Annuity charged thereon under those Acts respectively, a Sum not less than One Fortieth Part of the whole of the Principal Sums which have been so secured under the recited Acts or any of them, exclusively of any Sums so raised by way of Annuity and of any Sum borrowed from the Public Works Loan Commissioners, but inclusive of any Sum paid off out of the Sinking Fund Account, which Sum so from Time to Time set apart shall be carried to the *Tees* Conservancy Sinking Fund Account, and shall be applied in the Manner directed by this Act:

Ninthly, after the Expiration of Ten Years from the passing of this Act, and until the whole of the Sums for the Time being secured under this Act on Mortgages of the *Tees* Conservancy Revenue Account (exclusive of any Sum raised by way of Annuity, and of the Interest and yearly and other Instalments of Principal for the Time being payable to the Public Works Loan Commissioners in respect of any Mortgage made to them under this Act), shall have been paid off, in paying and setting apart out of that Account, next after the Payment thereout of any

Sum

Sum by way of Interest or Annuity charged thereon under this Act, a Sum not less than One Fortieth Part of the whole of the Principal Sums which shall then have been secured under this Act, exclusively of any Sum so raised by way of Annuity, and of any Sum borrowed from the Public Works Loan Commissioners, but inclusive of any Sum paid off out of the Sinking Fund Account under this Act, which Sum so from Time to Time set apart in respect of the Mortgages under this Act shall be carried to the *Tees* Conservancy Sinking Fund Account, and shall be applied in the Manner directed by this Act with respect to that Sinking Fund.

Application of Sinking Fund.

59. Section Seven of the Second Act is hereby repealed, and the Monies for the Time being carried to the Two several Sinking Fund Accounts in pursuance of the Provisions of this Act, shall be from Time to Time applied respectively as follows; that is to say,

As to existing Mortgages under recited Acts:

First, in paying off and discharging the Principal Sums for the Time being owing by the Commissioners upon the Mortgages granted for securing the said Sums of Three thousand Pounds, Eighteen thousand Pounds, Seven thousand Pounds, and Twenty-five thousand Pounds;

Secondly, in paying off and discharging so much of the Principal Sum (if any) for the Time being owing by the Commissioners in respect of the Sum of Seven thousand one hundred Pounds charged on the Anchorage and Plankage Dues under Section Seventy-nine of the Third Act as may not be satisfied out of those Dues, and may ultimately require to be paid out of the *Tees* Conservancy Revenue Account:

Thirdly, in paying off and discharging the Principal Sum for the Time being owing by the Commissioners upon the Mortgages granted for securing the said Sum of Eighteen thousand Pounds, Residue of the said Sum of Fifty thousand Pounds;

Fourthly, in paying off and discharging the Principal Sum of Thirty-seven thousand six hundred and eighty Pounds, or so much thereof as for the Time being shall be a Charge on the *Tees* Conservancy Revenue Account:

As to Mortgages to be created under this Act:

In paying off and discharging the Principal Sum or Sums for the Time being owing by the Commissioners upon any Mortgages to be granted by them (not being Mortgages to the Public Works Loan Commissioners), for securing the Sum of One hundred and fifty-nine thousand Pounds authorized to be raised

raised for the Purposes of this Act, or so much of such Sum as shall be a Charge upon the *Tees* Conservancy Revenue Account.

Nothing to affect Sect. 91. of third-recited Act.

60. Nothing in this Act contained shall repeal, vary, or alter Section Ninety-one of the Third Act, but the same shall be read as Part of this Act.

Saving existing Powers of Commissioners.

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

For Protection of certain Rights of the Corporation of Middlesbrough.

62. Nothing in this Act contained shall enable the Commissioners, without the Consent of the Corporation of *Middlesbrough*, to acquire the *Newport* Ferry, or any Land belonging to such Corporation, or over which they have for the Time being compulsory Powers of Purchase under and for the Purposes authorized by "The *Middlesbrough* Extension and Improvement Act, 1866," or any Act incorporated therewith, and, save as in this Act expressly enacted, nothing in this Act shall affect or prejudice the Rights, Powers, Property, Tolls, or Privileges of such Corporation.

Saving Rights of the Crown.

63. Nothing contained in this Act shall authorize the Commissioners to take, use, or in any Manner interfere with any Land or Hereditaments, or any Rights of whatsoever Description, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

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

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

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SCHEDULES referred to in this Act.

SCHEDULE (A.)

River Tolls.

In lieu of Schedule (D.) of Act of 1863.

Outward Charges.

	d.
For every Vessel clearing with Cargo or Passengers for any Port in the United Kingdom or the Isle of Man, per Register Ton	3
For every Vessel clearing with Cargo or Passengers for any Port or Place in Europe between the North Cape and Gibraltar, or in the Baltic Sea, or to any Port in the Islands of Jersey, Guernsey, Alderney, or Sark, per Register Ton	3
For every Vessel clearing with Cargo or Passengers for any Port in the White Sea, or for any of the British Possessions in North America, per Register Ton	4
For every Vessel clearing with Cargo or Passengers for any Port or Place within the Straits of Gibraltar, or in Madeira, the Azores, United States of America (except on the Coast of the Pacific Ocean), or West Indies, or Gulf of Mexico, per Register Ton	6
For every Vessel clearing with Cargo or Passengers for any Port or Place in Africa between the Straits of Gibraltar and the Cape of Good Hope, the Canaries, Cape de Verde Islands, or St. Helena, or the East Coast of South America, per Register Ton	8
For any Vessel clearing with Cargo or Passengers for any other Port or Place than above specified, per Register Ton	10
For every Vessel leaving the Tees in Ballast or without a Cargo, per Register Ton	1½
For every Steam Tug, not ordinarily engaged in towing in the Tees, leaving the Tees, per Register Ton	1

Inward Charges.

	d.
For every Vessel entering the Tees with Cargo or Passengers from any Port in the United Kingdom or the Isle of Man, per Register Ton	3
For every Vessel entering the Tees with Cargo or Passengers from any Port or Place in Europe between the North Cape and Gibraltar, or in the Baltic Sea, or from any Port in the Islands of Jersey, Guernsey, Alderney, or Sark, per Register Ton	3
For every Vessel entering the Tees with Cargo or Passengers from any Port in the White Sea, or from any of the British Possessions in North America, per Register Ton	4
For every Vessel entering the Tees with Cargo or Passengers from any Port or Place within the Straits of Gibraltar, or in Madeira, the Azores, United States of America (except on the Coast of the Pacific Ocean), or West Indies, or Gulf of Mexico, per Register Ton	6
For every Vessel entering the Tees with Cargo or Passengers from any Port or Place in Africa between the Straits of Gibraltar and the Cape of Good Hope, the Canaries, Cape de Verde Islands, or St. Helena, or the East Coast of South America, per Register Ton	8
For every Vessel entering the Tees with Cargo or Passengers from any other Port or Place than above specified, per Register Ton	10
For every Vessel entering the Tees for Refuge, per Register Ton	1½
For every Steam Tug, not ordinarily engaged in towing in the Tees, entering the Tees, per Register Ton	1

SCHEDULE (B.)

An annual Sum of Seven Shillings and Sixpence per Horse Power, as per Admiralty Standard, on all Steam Vessels plying on the River Tees for the Purpose of towing Vessels or carrying Passengers or Goods to and from any Part of the River.

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SCHEDULE (C.)

RATES OF TOLLS ON GOODS, MINERALS, AND OTHER MATTERS.

Threepence per Ton.	Twopence per Ton.	One Penny per Ton.	Miscellaneous.
Ale and Porter, per Ton of 252 Gallons, or 4 Hogsheads.	Bottles, per Ton of 10 Gross.	Bones.	Drugs, and all other Goods not particularly enumerated in this Schedule, 2*d.* per 10*l.* ad valorem.
Bacon.	Biscuits.	Bricks and Tiles.	Horses, 6*d.* each.
Butter.	Bark.	Cement.	Oxen and other Horned Cattle and Ponies, 3*d.* each.
Candles.	Copperas.	Clay.	Calves, Pigs, Sheep, and Lambs, 0½*d.* each.
Canvas.	Corn, viz.:—	Coals.	Parcels under the Weight of 1 Cwt., 1*d.* each.
Chicory.	Wheat and all other Grain or Seeds.	Coke.	Earthenware, per Crate, 1*d.*
Cheese.	Beans and Peas and Malt.	Culm.	
Cocoa.	Copper.	Cinders.	
Coffee.	Flour and Meal.	Fish, cured.	
Cordage.	Fruits, raw, in Bulk.	Iron Ore.	
Corkwood.	Glass.	Lime.	
Cotton and all Wool.	Guano.	Manganese and all other Ores not specified.	
Flax and Tow, or Cordilla.	Hay.	Manure.	
Fruits, dried or preserved.	Hides.	Marl.	
Hams.	Iron, manufactured, of all Descriptions.	Pyrites.	
Hemp.	Lead.	Powder.	
Leather.	Linseed and Oilcake.	Pig and Scrap Iron, and old Rails.	
Molasses or Treacle.	Metals not otherwise enumerated.	Potatoes.	
Oakum.	Marble.	Stone.	
Oil in Casks, per Ton of 252 Galls.	Onions, in Bulk.	Sand and Loam.	
Paints.	Pitch.	Salt.	
Paper.	Provisions, salted, of all sorts.	Wood, viz.:—	
Spirits in Casks, per Ton of 2 Puncheons or 4 Hogsheads.	Rice.	Dye Woods and all other Woods usually sold by the Ton.	
Sugar.	Rosin.	Battens, Boards, Deals, Plank, and all Scantling Timber, Masts, Measureable Spars, and Railway Sleepers, per Ton of 50 Cubic Feet.	
Tallow.	Slates.	Lathwood and Firewood, per Lath of 216 Cubic Feet.	
Tea.	Sulphur.	Handspikes, Oars, Spars, under 6 Ins. in Diameter, and Staves, 120 Pieces.	
Tobacco.	Soap.	Pit Props, per 20 Doz. of 72 running Feet, per Dozen.	
Wines in Casks, per Ton of 2 Pipes or 4 Hogsheads.	Soda and all Chemicals not otherwise enumerated.		
	Spruce Beer.		
	Tar.		
	Tin.		
	Yellow Metal.		
	Valonia.		
	Zinc.		

Except where otherwise stated, a Ton shall for the Purposes of this Schedule be deemed to be a Ton of 20 Cwt., or of 40 Cubic Feet by Measurement, at the Option of the Commissioners. Fractional Parts of a Ton to be charged as One Ton; but any separate Package under 5 Cwt., or any Number of Packages of the same Description of Goods belonging to the same Owner, and consigned by the same Consignor to the same Person or Firm, and weighing together less than 5 Cwt., subject to Tolls under the First or Second Column, to be charged One Penny only.

Nothing in this Schedule shall subject to Tolls any Stone, Sand, Clay, or other Substances used solely for Ballast and not having any mercantile Value, nor any empty Packages, Cases, or Casks which shall have been used for conveying any Goods or other Matters upon which any of the foregoing Tolls have been paid, upon the same being returned empty to the Sender.

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SCHEDULE (D.)

RATES TO BE CHARGED AND PAID FOR THE USE OF THE GRAVING DOCK, INCLINED PLANES, AND SHEERS.

For every Vessel.	Under 50 Tons.			50 and under 100 Tons.			100 and under 150 Tons.			And for every progressive 50 Tons.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
For Two Tides, the Tide in and the next Tide out.	1	16	0	2	2	0	2	8	0	0	6	0
For Three ditto, including going in and coming out.	2	2	0	2	9	0	2	16	0	0	7	0
For Four ditto - - -	2	8	0	2	16	0	3	4	0	0	8	0
For Five ditto - - -	2	14	0	3	3	0	3	12	0	0	9	0
For Six ditto - - -	3	0	0	3	10	0	4	0	0	0	10	0
For Seven ditto - - -	3	6	0	3	17	0	4	8	0	0	11	0
For Eight ditto - - -	3	12	0	4	4	0	4	16	0	0	12	0
Above Eight ditto, and not exceeding 24 Tides.	6	0	0	8	0	0	9	0	0	1	0	0
Above Two Neaps - - -	12	0	0	16	0	0	18	0	0	2	0	0
Above Three ditto - - -	18	0	0	24	0	0	27	0	0	3	0	0
Above Four ditto - - -	24	0	0	32	0	0	36	0	0	4	0	0
Above Five ditto - - -	30	0	0	40	0	0	45	0	0	5	0	0
Above Six ditto - - -	36	0	0	48	0	0	54	0	0	6	0	0
Above Seven ditto - - -	42	0	0	56	0	0	63	0	0	7	0	0
Above Eight ditto - - -	48	0	0	64	0	0	72	0	0	8	0	0

And, in addition thereto, for docking, pumping, and undocking, Use of Staging Shores, &c.:

	£	s.	d.
Vessels not exceeding 500 Tons - - - -	20	0	0
Vessels exceeding 500 Tons and not exceeding 1,000 Tons -	30	0	0
Vessels exceeding 1,000 Tons - - - -	50	0	0

FOR HAULING UP UPON INCLINED PLANE OR SLIP.

	£	s.	d.
Vessels not exceeding 300 Tons - -	3	3	0
" " 500 " - -	4	4	0
" " 750 " - -	6	6	0
" " 1,000 " - -	12	12	0
" of 1,000 Tons and upwards -	15	15	0

FOR SHEERS.

For getting out, landing, lifting, or shipping Boilers, Machinery, or other heavy Articles:

		s.	d.
In Pieces under 2 Tons - - - - -	per Ton	5	0
In Pieces of 2 and not exceeding 10 Tons - - -	"	7	6
In Pieces exceeding 10 Tons - - - -	"	10	0

An additional Charge will be made on very valuable Machinery, or where great additional Risk from Weight is incurred.

Rent per Week for Boilers, Funnels, Cylinders, and the like -	per Ton	0	3

MASTING RATES.

	d.	
Ships under 300 Tons - - -	1½	per Register Ton, N.M.
Ships 300 and under 500 Tons - -	2	"
Ships 500 and under 750 Tons - -	2½	"
Ships 750 and under 1,000 Tons -	3	"
Ships 1,000 and upwards - -	4	"

With the Use of Cranes for shipping Spars, Tanks, &c., for Outfit, but exclusive of Labour, which must be found by the Shipowner.

For Use of Furnace, Drills, Steam Tanks, or other Tools, Fifteen Shillings each per Day, or Part of a Day, when used.

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