



## CHAPTER clxi.

An Act to authorise the Undertakers of the Navigation of the Rivers Aire and Calder in the west riding of the county of York to deepen and improve the lower Navigation of the River Ouse and for other purposes. A.D. 1884.

[28th July 1884.]

WHEREAS by an Act passed in the tenth and eleventh years of the reign of King William the Third chapter nineteen and by an Act passed in the fourteenth year of the reign of King George the Third chapter ninety-six certain powers for making and keeping navigable the Rivers Aire and Calder in the county of York and for taking tolls rates or duties for the use thereof and for divers other purposes were conferred on the Undertakers of the Navigation of the rivers of Aire and Calder in the west riding of the county of York (in this Act called "the Undertakers"):

And whereas by an Act passed in the first year of the reign of King George the Fourth chapter thirty-nine intituled "An Act to enable the Undertakers of the Navigation of the Rivers Aire and Calder in the west riding of the county of York to make a navigable cut or canal from and out of the said navigation at Knottingley to communicate with the River Ouse near Goole with two collateral branches all in the said riding and to amend the Acts relating to the said navigation" (herein-after called "the Act of 1820") the Undertakers were authorised to borrow any sum or sums of money not exceeding two hundred thousand pounds on security of the navigation and of the canals to be made under that Act and the tolls and revenues arising thereon to be applied in making the works authorised by and other the purposes of that Act:

And whereas by an Act passed in the ninth year of the reign of King George the Fourth chapter ninety-eight intituled "An Act to enable the Undertakers of the Navigation of the Rivers Aire and Calder in the west riding of the county of York to make certain

[Ch. clxi.] *Ouse (Lower) Improvement Act, 1884.* [47 & 48 Vict.]

A.D. 1884. — “ cuts and canals and to improve the said navigation ” the Undertakers were authorised to make new canals and railways and certain docks and basins at Goole and to borrow any sum or sums of money not exceeding seven hundred and fifty thousand pounds by any of the means ways and methods prescribed by the Act of 1820 and to charge certain tolls for the use of the improved navigation and of the railways and the docks and basins by the Act now reciting authorised :

8 & 9 Vict.  
c. 172.

And whereas by the Wakefield Pontefract and Goole Railway Act 1845 the Undertakers were authorised to acquire certain railways and stations by that Act authorised to be made within the estate at Goole belonging to the Undertakers and to construct new docks at Goole :

9 & 10 Vict.  
c. 212.

And whereas by the Wakefield Pontefract and Goole Railway and Port of Goole Act 1846 the Undertakers were authorised to acquire a certain branch railway to Shuffleton Bight of the River Ouse and to make certain additional works at Goole :

And whereas the Undertakers are the owners of the port of Goole and that port has been duly constituted a port of the United Kingdom and has communication by steam and other vessels with many of the principal ports of England and the continent of Europe and other foreign ports and the navigation of the Undertakers connects the port of Goole with the towns of Leeds Bradford Wakefield Barnsley Huddersfield Halifax and other towns in the west riding of Yorkshire and in conjunction with other connecting canals completes the inland navigation from the Humber to the Mersey :

And whereas the Undertakers have expended large sums of money in the construction of docks basins quays wharfs warehouses railways and other works at the port of Goole and they are possessed of lands there suitable for the further extension of such works :

And whereas the port of Goole is situate upon the River Ouse at a point upon that river about eight miles above the confluence thereof with the River Trent :

And whereas the number size and draught of the vessels frequenting the port of Goole has of late years so far as the present condition of the River Ouse will allow been increasing rapidly and it would be conducive to the safety of these vessels and to the advantage of the public that the portion of the said river extending from a point at or near the North-eastern Railway bridge at Skelton above the port of Goole to a point at or near its confluence with the River Trent below that port should be deepened straightened lighted beacons and buoyed and otherwise improved and the navigation thereof regulated :

And whereas the Undertakers have already expended the sum of twenty-two thousand five hundred pounds in the improvement of the River Ouse below the port of Goole and in the construction of a mooring and landing jetty at Blacktoft without power to charge toll in respect of such outlay and the expenditure for the further necessary improvements of the river will be very large And whereas the Undertakers are willing themselves to provide for that expenditure if authorised by Parliament to make the improvements requisite and to levy in respect thereof the tolls and charges by this Act authorised:

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And whereas plans and sections of the works authorised by this Act showing the lines and levels thereof and also books of reference to the plans containing the names of the owners and lessées or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the respective clerks of the peace for the west riding of the county of York and for the east riding of the county of York and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the purposes 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):—

1. This Act may be cited for all purposes as *Ouse (Lower) Improvement Act 1884.* Short title.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act so far as it relates to the River Ouse and to the improvements and works in that river by this Act authorised (that is to say) the Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 sections sixteen and eighteen to twenty-four inclusive of the Railways Clauses Consolidation Act 1845 and the provisions of that Act with respect to the temporary occupation of lands near the railway during the construction thereof and with respect to mines lying under or near the railway and with respect to the settlement of disputes by arbitration and the Harbours Docks and Piers Clauses Act 1847 except sections twenty-five twenty-six seventy-seven seventy-eight seventy-nine eighty and eighty-five: Provided that the incorporated provisions of the Railways Clauses Consolidation Act 1845 shall not apply to or include any lands now belonging to or occupied by the North-

Incorporation of Acts.

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eastern Railway Company Provided also that the Undertakers shall not under the provisions of the Harbours Docks and Piers Clauses Act 1847 be liable to provide lifeboats or a tide and weather gauge unless and until the Board of Trade in writing so require and that sections fifty-nine sixty sixty-one sixty-three seventy-one and seventy-two of that Act shall not apply to any vessel under weigh passing through the river as herein-after defined without loading or unloading therein any cargo or passengers nor to any other vessel excepting when loading or unloading or moored or about to moor at or near to any dock pier quay or wharf: Provided also that the exemption from payment of rates contained in the twenty-eighth section of the Harbours Docks and Piers Clauses Act 1847 shall extend to any vessel belonging to the Guild or Brotherhood of Masters and Pilots Seamen of the Trinity House in Kingston-upon-Hull employed in the service of the said guild or brotherhood.

Interpreta-  
tion of  
terms.

**3.** In this Act and in the schedules annexed to this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction the term "toll" or "tolls" includes rates dues and charges and also rates for anchorage landing wharfage cranage jettiage buoyage beaconage lights moorings and grids or slipways and the term "person" or "persons" includes any incorporated company or other corporation aggregate or sole the term "owner" as applied to the ownership of any vessels or goods includes the broker charterer agent and consignee thereof the term "vessel" includes ship boat lighter and craft of every kind whether navigated by steam power or otherwise the expression "seagoing vessel" includes any vessel not included within the definition of river craft the expression "river craft" includes any vessel not exceeding one hundred and fifty tons burthen navigating the Rivers Ouse or Humber and not passing to or from any place seaward of an imaginary straight line drawn across the last-mentioned river from Spurn Point to Tetney Haven the expression "the Undertakers" means the Undertakers of the Navigation of the Rivers Aire and Calder in the west riding of the county of York the expression "the trustees" means the trustees in whom are vested for the time being the lands and hereditaments and other property of the Undertakers the expression the "limits of improvement" means the new channel by this Act authorised and so much of the River Ouse in the county of York and the bed and foreshore thereof up to high-water mark as extends between an imaginary straight line drawn across that river at a distance of one

hundred yards below and parallel to the south side of the bridge constructed under the authority of the North-eastern Railway Company's (Hull and Doncaster Branch) Act 1863 (herein-after called "Skelton Railway Bridge") carrying the Hull and Doncaster Branch of the North-eastern Railway across the River Ouse from the township of Skelton in the parish of Howden in the east riding of the county of York to the township of Hook in the parish of Snaith in the west riding of the said county and another imaginary straight line drawn across the said river at its confluence with the River Trent from a market post known as the York Corporation marking post at Faxfleet Ness to another similar marking post at Bosom Cross together with the lands situate within the limits of deviation of the works by this Act authorised as shown upon the deposited plans the expression "the river" means so much of the River Ouse as will be within the limits of improvement including the new channel by this Act authorised and in the Acts wholly or partially incorporated with or applied by this Act the expression "the special Act" means this Act the term "rate" or "rates" includes "toll" or "tolls" the expressions "the company" "the railway company" "the Undertakers" and "the promoters of the undertaking" mean the Undertakers of the Navigation of the Rivers of Aire and Calder in the county of York the expression "the directors" includes the general committee of directors of the Undertakers and any other committee of the directors the expressions "general meeting" and "special meeting" and "meeting" mean respectively general assembly and special general assembly and assembly of the Undertakers the expressions "the railway" and "work" mean the works by this Act authorised the expression "the centre of the railway" means any part of the works by this Act authorised the expression "the undertaking" in the Lands Clauses Consolidation Acts 1845 1860 and 1869 and in the clauses and provisions incorporated with this Act of the Railways Clauses Consolidation Act 1845 means the works by this Act authorised the expression "harbour dock or pier" in the Harbours Docks and Piers Clauses Act 1847 means the river and so far as respects the clauses and provisions of that Act herein-after applied to the docks of the Undertakers at Goole and the works and conveniences connected therewith includes those docks works and conveniences and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

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Act to apply within limits of improvement.

Application of certain provisions of Harbours Docks and Piers Clauses Act 1847 to Undertakers docks at Goole.

4. Except as herein otherwise expressly provided this Act shall so far as relating to the River Ouse apply only within the limits of improvement.

5. From and after the passing of this Act the clauses and provisions of the Harbours Docks and Piers Clauses Act 1847 hereinafter described shall apply to the docks of the Undertakers at Goole and the several works and conveniences connected therewith as if the same were authorised by this Act (that is to say):—

With respect to the construction of warehouses wharfs and other conveniences ;

With respect to the rates to be taken by the Undertakers with the exception of sections twenty-five and twenty-six ;

With respect to the collection and recovery of rates ;

With respect to the appointment of harbour-masters dock-masters and pier-masters and their duties ;

With respect to the discharging of vessels and the removal of the goods ;

With respect to the protection of the harbour dock and pier and the vessels therein from fire or other injury ;

With respect to the appointment of meters and weighers and their duties ;

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

With respect to the tender of amends ;

With respect to the recovery of damages not especially provided for and of penalties and to the determination of any other matter referred to justices or the sheriff :

Provided always that the powers and provisions of the Harbours Docks and Piers Clauses Act 1847 hereby applied shall be in addition to and not in derogation of the powers already conferred on the Undertakers in relation to their docks at Goole by any Act or Acts of Parliament now in force ; except that where the provisions of such Act or Acts of the Undertakers are inconsistent with the provisions of the Harbours Docks and Piers Clauses Act 1847 the provisions of such last-mentioned Act shall prevail.

Power to make works.

6. Subject to the provisions of this Act the Undertakers may improve the river and for that purpose may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works hereinafter described and may make and maintain in connexion with the said works and from time to time alter and repair all necessary and convenient entrances cuts locks drains culverts arches training and other walls dams embankments flood banks piers jetties groynes dolphins moorings buoys lights beacons tide-gauges staiths grids slipways quays wharfs warehouses sheds workshops buildings light-keepers houses cranes roads bridges

approaches rails works and other conveniences and do all such things as may be necessary or expedient for the purposes aforesaid and the Undertakers may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for the purposes of this Act: The works herein-before referred to and authorised by this Act are :—

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The dredging scouring opening deepening widening straightening shortening diverting training embanking cleansing levelling buoying lighting and improving the bed banks shores and channels of the portion of the River Ouse in the county of York within the limits of improvement;

A training wall or embankment (to be called "Left Bank Training Wall No. 1") commencing at or near a point in the River Ouse on the left bank thereof in the parish of Howden in the east riding of the county of York four furlongs or thereabouts south-westward from the southern side of Skelton Railway Bridge and terminating at or near a point in the said river on the left bank thereof in the said parish of Howden three furlongs nine chains or thereabouts due west of Sandhall Lodge which lodge is situate three furlongs one chain eleven yards or thereabouts south-westward of the clough known as Margery Clough on the left bank of the said river in the said parish of Howden;

A training wall or embankment (to be called "Left Bank Training Wall No. 2") commencing at or near a point in the River Ouse on the left bank thereof in the parish of Howden in the east riding of the county of York three chains or thereabouts southward of Sandhall Lodge and three furlongs three chains or thereabouts south-westward of Margery Clough and terminating at or near a point in the said river on the left bank thereof in the parish of Blacktoft in the said east riding at or near Blacktoft Staith and two chains or thereabouts east of the eastern end of the mooring stage at Blacktoft in the said parish of Blacktoft;

A training wall or embankment (to be called "Right Bank Training Wall No. 1") commencing at or near a point in the River Ouse in the parish of Snaith in the west riding of the county of York on the right bank of the said river three furlongs six chains eleven yards or thereabouts south-westward from the southern side of Skelton Railway Bridge and terminating at or near a point in the said river on the said right bank thereof at or near Murham Staith in the said parish of Snaith;

A training wall or embankment (to be called "Right Bank Training Wall No. 2") commencing at or near a point in the River Ouse

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in the parish of Snaith in the west riding of the county of York at or near the north-eastern pier of the Outer Ship Lock at Goole in the said parish of Snaith and terminating at or near a point in the said river on the right bank thereof at or near the eastern end of the north bank of the Dutch River at the confluence of that river with the River Ouse at Goole ;

A training wall or embankment (to be called " Right Bank Training Wall No. 3 ") commencing at or near a point in the River Ouse in the parish of Snaith in the west riding of the county of York on the right bank of the said river two and a half chains or thereabouts south-eastward from Bleak House at Old Goole in the parish of Snaith in the west riding of the county of York and terminating at or near a point in the said river in the parish of Howden in the east riding of the county of York on the left bank of the said river one furlong six chains or thereabouts north-westward from the southern point of Goole Ness and three furlongs eight chains or thereabouts south-westward from Sandhall Lodge ;

A training wall or embankment (to be called " Right Bank Training Wall No. 4 ") commencing at or near a point in the River Ouse in the parish of Howden in the east riding of the county of York on the left bank of the said river two furlongs one chain south-westward of Sandhall Lodge aforesaid and one furlong seven chains and eleven yards or thereabouts westward from the clough known as Swinefleet Clough and terminating at or near a point in the said River Ouse on the right bank thereof at or near the boundary between the township of Whitgift and the township of Ousefleet in the parish of Whitgift in the west riding of the county of York ;

A new channel to form a diversion of part of the present channel and course of the River Ouse commencing as to the north or left bank thereof at or near the point herein-before described as the termination of Left Bank Training Wall No. 1 and as to the south or right bank thereof at or near the point herein-before described as the termination of Right Bank Training Wall No. 3 and terminating as to the north or left bank thereof at or near the point herein-before described as the commencement of Left Bank Training Wall No. 2 and as to the south or right bank thereof at or near the point herein-before described as the commencement of Right Bank Training Wall No. 4 and commencing as to the centre thereof at or near a point in the River Ouse eight chains eleven yards due north from the point herein-before described as the termination of Right Bank Training Wall No. 3 and terminating at or near a point in the



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River Ouse eight chains six yards due north-east from the line herein-before described as the commencement of Right Bank Training Wall No. 4;

A flood bank or embankment commencing at or near a point three furlongs seven chains due west from Sandhall Lodge aforesaid and terminating at or near a point five chains south-westward from Sandhall Lodge aforesaid.

7. The Undertakers may within the limits of deviation shown on the deposited plans cross open or break up divert alter stop up remove or otherwise interfere with either temporarily or permanently footpaths ferries rivers canals streams watercourses drains culverts sewers flood gates flood banks staiths piers jetties landings gangways wharfs lay-byes moorings groynes grids gas and water mains and pipes telegraphic telephonic electric and other wires pipes and apparatus and other works so far as may be necessary or desirable for the purposes of the works by this Act authorised: Provided always that in the exercise of any of the powers of this Act the Undertakers shall do as little damage as may be and shall make full compensation to all parties interested for all damage by them sustained by reason of the exercise of such powers the amount thereof to be determined in the manner provided by the Lands Clauses Consolidation Act 1845 for settling cases of disputed compensation with regard to lands purchased or taken under the provisions thereof and all the provisions of the last-mentioned Act shall be applicable to determining the amount of any such compensation and to enforcing the payment or other satisfaction thereof: Provided that the Undertakers shall not remove alter or in any way interfere with any telegraphic apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Power to cross divert footpaths &c.

8. If the Undertakers shall desire to execute any work on in through over or across any part of the foreshore or bed of the River Ouse which shall for the time being be vested in or under lease to the Humber Conservancy Commissioners the Undertakers shall before commencing such work give two months previous notice thereof in writing to the said commissioners and a plan of the works proposed shall be submitted to them for their approval and such work shall be carried into execution to the reasonable satisfaction of the commissioners and if any question or difference shall arise between the commissioners and the Undertakers on or as to such plans or the character or nature of such works or the mode of executing the same such question or difference shall be referred to the Board of Trade for their decision and the decision of the Board of Trade shall be conclusive in the matter.

Works on foreshore of Humber Conservancy Commissioners.

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For protec-  
tion of the  
Humber.

9. If in consequence of the execution of any works by the Undertakers any damage or impediment to the navigation of the River Humber or any alteration in the existing deep-water channels of that river or any of them prejudicial to the interests of any port or place thereon shall be caused it shall be lawful for the Humber Conservancy Commissioners to require the Undertakers to forthwith abate and remove such damage or impediment and to restore the river to its normal state: Provided always that in the event of any question or difference arising between the said commissioners and the Undertakers as to whether such works have caused damage impediment or prejudicial alteration such question or difference shall be referred to the Board of Trade for their decision and the decision of the Board of Trade shall be conclusive in the matter and provided further that the Board of Trade either at their own instance or at the request of the said commissioners or of the Undertakers may before giving any decision under this section hold an inquiry into all the circumstances of the case the costs of such inquiry to be provided for in the manner specified in the Board of Trade Arbitrations &c. Act 1874.

Works not to  
interfere  
with Hum-  
ber Conser-  
vancy River  
improve-  
ments.

10. Nothing in this Act contained shall extend to authorise the Undertakers to construct any work other than the works shown on the deposited plans and authorised by this Act which may in any way prevent obstruct or interfere with the execution of any works of river improvement by the Humber Conservancy Commissioners and in case of any difference arising between the Undertakers and the said commissioners as to any works under this section such difference shall be referred to the Board of Trade and the decision of the Board of Trade shall be conclusive in the matter.

For protec-  
tion of River  
Trent.

11. If during the progress of the works by this Act authorised to be constructed or within two years after the completion of the same or so much thereof as shall be completed under the powers of this Act and in consequence thereof any impediment by silting shall be thereby caused to the navigation of the River Trent or to the drainage capacity thereof so as to be prejudicial to the interests of any port or place situate on or drainage area having access to the said river the Board of Trade upon the application of the local board of health for the district of Gainsborough or any owners or occupiers of land upon or adjacent to the banks of the River Trent or draining thereto may if they think fit by proceedings in any court of competent jurisdiction compel the Undertakers to abate and remove such impediment Provided always that no such proceedings shall be taken under the provisions of this section unless within twelve months next after the passing of this Act a proper survey or proper surveys and plans and longitudinal and cross

sections referred to one convenient fixed datum point described thereon of the bed and foreshore of the said river showing the level of high and low water at ordinary spring and neap tides and the position and condition of the channels thereof shall have been made by an officer or other competent person appointed by the Board of Trade which survey or surveys and plans and sections the Board of Trade may order to be made by such officer or competent person upon the application of the said local board or owners or occupiers as aforesaid such survey or surveys to be taken at such period or periods and to extend to such portion of the said river as the Board of Trade shall think fit and the costs of making such survey or surveys and plans and sections shall be paid by the applicant or applicants for such surveys plans and sections and any expenses incurred by the Board of Trade in the matter of such appointment shall be provided for in the manner specified in the Board of Trade Arbitrations &c. Act 1874: And the said plans and sections shall be deposited with the clerk of the peace for the west riding of the county of York at his office at Wakefield and the provisions of the Act (Public) 1 Vict. c. 83. shall apply to such plans and sections as if the same had been directed by the standing orders of either House of Parliament to be there deposited and a copy of the said plans and sections shall be deposited at the office of the Board of Trade.

**12.** The powers of the Undertakers for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of five years from the passing of this Act.

Period for compulsory purchase of lands.

**13.** In making the works by this Act authorised the Undertakers may with the consent of the Board of Trade in writing but not otherwise deviate from the levels thereof as referred to the common datum line described in the deposited sections and as marked on the same to any extent not exceeding in any place five feet but they shall not make any such deviation to any extent exceeding two feet without the previous consent in writing of the owners and occupiers of the land in or abutting upon which such deviation is intended to be made or in the case of any street or public highway without the like consent of the authority having the control of such street or public highway or if there be no such authority without the like consent of two justices.

Limits of vertical deviation.

**14.** The Undertakers in the construction of the works by this Act authorised may subject as herein-after provided deviate from the lines delineated on the deposited plans to any extent within the limits of lateral deviation in that behalf delineated on those plans: Provided always that the Undertakers shall not in constructing any

Limits of lateral deviation.

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Period for completion of works.

**15.** If the works by this Act authorised are not completed within fifteen years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Undertakers for making and completing the said works or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Power to take easements &c. by agreement.

**16.** Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Undertakers any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Appropriation and disposal of spoil.

**17.** The Undertakers may appropriate the materials dredged or taken from the bed and foreshore of the river or from the new channel and may deposit the same within any area shown and marked on the deposited plans as intended for that purpose and upon any lands belonging to or vested in them or the trustees absolutely or upon any foreshore which subject to the provisions of this Act may become vested in them or (with the consent of the owners) upon any other lands convenient for the purpose.

Power to acquire additional lands.

**18.** The Undertakers may for the purposes of this Act (in addition to any lands they are authorised to acquire and hold under the other powers of this Act) from time to time by agreement acquire in fee either by purchase or by way of exchange or in lease or otherwise and hold any land and foreshore not exceeding in the whole fifty acres and any right easement or privilege therein thereunder thereover or thereupon (not being an easement of water) and subject to the provisions of this Act the Undertakers may from time to time also appropriate and use for the purposes of this Act any lands or foreshore for the time being vested in them by or in pursuance of the provisions of this Act.

Diverted portion of river to be

**19.** Subject to the provisions of this Act the Undertakers may warp fill up and level the existing channel or site of the portion of

the River Ouse to be diverted under the provisions of this Act and any lands thereby inured gained or reclaimed from the water shall form part of the lands vested in the trustees on behalf of the Undertakers as herein-after provided and shall cease to form part of the channel of the River Ouse.

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vested in  
Undertakers.

**20.** The Undertakers shall before opening the new channel for navigation construct and thereafter maintain on the right bank of the river in the parish of Snaith two landing-places or lay-byes not exceeding in length one hundred feet each one at or near Earnshaw Clough and the other at or near Swinefleet Clough with proper approaches to or from the adjoining highway for the landing and embarking free of all tolls and charges of animals agricultural produce manure bricks drain-tiles coal and road stone passing to or from the farms or for the use of the roads within the several townships abutting upon that bank of the river.

Undertakers  
to construct  
wharfs in  
Snaith.

**21.** The Undertakers may and if required by the owners of any lands which at the time of the passing of this Act abut upon the foreshore of the river shall extend or lengthen any warping or other drains or watercourses which now discharge into the river so as to secure the ingress and egress of the waters to and from the same and shall thereafter scour and maintain the extended or lengthened portion of any such drains or watercourses and shall make such openings in the training walls as may be necessary for the above purposes and also for the purpose of giving access to craft conveying animals coal manure bricks drain-tiles stone for roads or farm produce to or from the existing watercourses where such craft have heretofore been in use to enter such watercourses for these purposes.

Undertakers  
to prolong  
drains and  
watercourses.

**22.** On the application of any owner of lands abutting or adjoining the river for not less than half a mile between Swinefleet Clough and Ousefleet Ness on the south side of the river and between Sandhall Summerhouse and Blacktoft Jetty on the north side of the river where the communication between such lands and the river is interfered with by the construction of any training walls in that part of the river the Undertakers shall if the application be made before the expiration of one year after the completion of such training walls construct and thereafter maintain proper and sufficient landing-places or lay-byes for the use and accommodation of such owner and his tenant or tenants and any difference as to the reasonable number or sufficiency of such landing-places or lay-byes or as to such interference as aforesaid shall on the application of either party be determined by an engineer to be appointed by the Board of Trade.

Undertakers  
to provide  
landing-  
places for  
landowners  
and their  
tenants.

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Undertakers  
to restore  
certain  
landings in  
Whitgift.

**23.** The Undertakers shall at their own expense restore or otherwise re-construct if necessary the two several landing-places or lay-byes numbered on the deposited plans five and eight in the parish of Whitgift if the same be interfered with by the works of the Undertakers such landing-places or lay-byes to be of no less extent or convenience than and to be available for the like uses and purposes as the existing landing-places or lay-byes for which they may be substituted.

Landowners  
may make  
additional  
drains.

**24.** The owners of any lands abutting upon the foreshore of the river may with the consent of the Board of Trade in writing but not otherwise from time to time at their own expense make and maintain additional drains for discharging waters from their lands into the river provided that such drains are so far as affecting the works of the Undertakers made at the sight and to the reasonable satisfaction of the engineer for the time being of the Undertakers.

Power to  
divert waters  
of river.

**25.** The Undertakers may divert the waters of the River Ouse into the new channel or so as to form and maintain the same.

Undertakers  
may provide  
quarries &c.

**26.** The Undertakers may for the purposes of this Act but by agreement only and as part of the lands which they are hereinbefore authorised to hold for those purposes purchase or take on lease and hold and subsequently dispose of any quarry or quarries of stone lime or other materials conveniently situated for the purpose and may work the same in such manner and by means of such engines rails staiths cranes lighters or other craft and other apparatus and appliances as they think fit and convey the materials gained therefrom to the places where they are to be used or disposed of for the purposes of this Act and the cost thereof and of working and conveyance aforesaid shall be held to be disbursements for the purposes of this Act.

Undertakers  
may provide  
apparatus for  
purposes of  
Act.

**27.** The Undertakers may from time to time build purchase hire use and provide all such apparatus conveniences and appliances for the removal of wrecks steam engines piling engines pumps lighters dredgers vessels to be worked by steam or otherwise diving bells and other machinery implements and apparatus as they may think necessary for any of the purposes of this Act at their own cost or at the joint cost of themselves and of any other person or persons and may charge any moneys expended by them for those purposes as disbursements on capital account for the purposes of this Act.

Undertakers  
may acquire  
and let on  
lease &c.

**28.** Subject to the provisions of this Act the Undertakers may (for the purposes of this Act) from time to time purchase or take on lease or otherwise acquire by agreement piers ferries groynes

staiths landings gangways lay-byes grids slipways moorings and other similar works situated on the river and may work manage or let on lease or sell or otherwise dispose of the same and all disbursements and receipts made on account of or arising from the same (except disbursements and receipts made on account of or arising from the Undertakers docks at Goole) shall be held to be disbursements and receipts for the purposes of this Act on capital or on revenue account as the case may be.

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—  
piers staiths  
&c.

**29.** Notwithstanding anything in the Harbours Docks and Piers Clauses Act 1847 as incorporated with or applied by this Act the Undertakers may lease or grant for any term not exceeding seven years the use or occupation of any warehouses buildings wharfs yards cranes grids slipways jetties machines or other conveniences provided by them.

Undertakers  
may lease  
warehouses  
wharfs &c.  
provided by  
them.

**30.** Notwithstanding the provisions of any Act of Parliament to the contrary the Undertakers may from time to time place and lay down maintain alter or remove and discontinue such buoys and beacons as shall be necessary and convenient.

Buoys and  
beacons.

**31.** The Undertakers shall on or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time requires or approves and (notwithstanding the enactments for the time being in force respecting lighthouses) shall also on or near the work when completed always maintain exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) for the guidance of ships as the Board of Trade from time to time requires or approves. If the Undertakers fail to comply in any respect with the provisions of the present section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Lights on  
works.

**32.** In addition to the powers by this Act specially given to the Undertakers the Undertakers subject to the provisions of this Act and to the control from time to time of the Board of Trade may for the purposes of maintaining the navigation of the river from time to time as occasion may require dredge cleanse and scour the river and reduce or remove any banks or shoals within the river and abate and remove all impediments and obstructions in the river which may obstruct or tend to obstruct the navigation thereof.

Power to  
dredge  
cleanse and  
scour river.

**33.** Subject to the provisions of this Act the Undertakers may remove and store any floating timber which impedes the navigation

Removal of  
floating tim-  
ber.

A.D. 1884. — of the river and the expense of removing and storing such floating timber shall be repaid to the Undertakers by the owner of the same and the Undertakers may detain any such floating timber for securing the expenses and on non-payment of such expenses on demand may sell such floating timber and out of the proceeds of the sale thereof pay such expenses rendering the overplus (if any) to the owner on demand.

Wharfs to be repaired.

**34.** When any staith jetty wharf landing quay or pier or portion thereof is out of repair or insecure so as to be dangerous to any vessel passing along the river or any vessel either moored alongside of or passing by the same or is in any manner injurious or likely to be injurious to the free navigation of the river it shall be lawful for the Undertakers by notice in writing given to the owner or occupier of such staith jetty wharf landing quay or pier or if such owner or occupier cannot be found left upon or affixed to such staith jetty wharf landing quay or pier to require the owner or occupier thereof to repair such staith jetty wharf landing quay or pier or to remove or shorten the same or take away any broken or dangerous piles in connexion therewith to the reasonable satisfaction of the engineer for the time being of the Undertakers within a time to be limited by such notice and in case the owner or occupier of such staith jetty wharf landing quay or pier shall refuse or fail or neglect so to do within the time to be limited as aforesaid then in such case or in cases of emergency without such notice as aforesaid it shall be lawful for the Undertakers to enter upon and put such staith jetty wharf landing quay or pier into repair or remove or shorten the same or take away such piles as the case may require and to retain possession thereof until the owner or occupier thereof shall have repaid them the expenses incurred by them in relation thereto or to recover the expenses so incurred from the owner or occupier thereof in the same manner as any penalty imposed by or by virtue of this Act is directed to be recovered or by action in any court of competent jurisdiction: Provided always that the Undertakers may if they think fit purchase such staith jetty wharf landing quay or pier by agreement.

Masters of vessels to pay for damage done to works or moorings.

**35.** Every master pilot and other person having the charge of any vessel or float of timber through whose negligence or wilful act any damage shall be done to any of the works or moorings of the Undertakers or the buoys attached thereto by means of such vessel or float of timber shall pay for the repair of all such damage; and all such damage if the amount claimed does not exceed twenty pounds shall be ascertained and recovered in the same manner as any damages for the recovery of which no special provision is contained in this Act are hereby directed to be recovered.



**36.** The owner or master or commander of every vessel or float of timber shall be answerable to the Undertakers for any damage wilfully or negligently done by any person employed about such vessel or float to any of the said works or moorings and it shall be lawful for any harbour-master of the Undertakers or any of his assistants to detain any such vessel until sufficient security shall have been given for the amount of the damage done by the same or by any person employed therein.

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Owners of vessels answerable for damage.

**37.** No ballast cinders ashes or other solid matter shall be discharged or thrown from or out of any vessel into the river and the master of any vessel who may discharge or throw or cause or suffer to be discharged or thrown any ballast cinders ashes stones or other matter likely to obstruct or fill up the channel of the river or any part thereof out of any such vessel into the river or shall place or cause or suffer to be placed any ballast cinders ashes stones or other matter aforesaid on any shore or ground below high-water mark shall for every such offence be liable to a penalty not exceeding ten pounds.

Penalty on throwing ballast out of vessels into river.

**38.** Every person who shall wilfully or negligently discharge place or throw or allow to fall into any part of the river or on any shore or ground below high-water mark any ballast rubbish earth stones ashes dirt mud soil or other matter likely to obstruct or fill up the channel of the river or any part thereof or shall unlawfully take or remove any ballast sand or gravel from the bed or foreshore of the river shall for every such offence be liable to a penalty not exceeding ten pounds.

Penalty on throwing rubbish into river.

**39.** Any person doing damage to the works of the Undertakers or to the slopes thereof or to the lights or beacons thereon shall for every such offence be liable to a penalty not exceeding forty shillings over and above any damage caused to the said works.

Penalty for damage to works.

**40.** If any person or persons navigating and having the care of any vessel shall wilfully obstruct the navigation by means of the misplacing overloading or wrongly navigating such vessel every person so offending shall for every such offence forfeit to the Undertakers a sum not exceeding five pounds and also a sum not exceeding five pounds for every hour during which such obstruction shall be wilfully continued and it shall be lawful for the harbour-master and servants of the Undertakers or any of them to cause any such vessel to be unloaded if necessary and to be removed in such manner as shall be proper for preventing obstruction in the navigation and to seize and detain such vessel and the loading thereof or any part of such loading until the charges occasioned by such unloading and removal shall be paid.

Vessels obstructing the navigation to be removed.

[Ch. clxi.] *Ouse (Lower) Improvement Act, 1884.* [47 & 48 VICT.]

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Punishment  
for causing  
or procuring  
offences  
against Act.

41. Where the doing of any act or thing is made punishable by this Act or by any of the byelaws to be made in pursuance thereof with any penalty fine or forfeiture the causing or procuring such act or thing to be done shall be punishable in the same manner as the doing of any such act or thing.

Undertakers  
may supply  
ballast.

42. The Undertakers may (if they think fit) supply ballast to vessels and may make and recover charges for such supply in the same manner as tolls rates and charges under the provisions of this Act but without prejudice to the right of any other person to supply ballast to vessels on the river subject to the byelaws made in relation thereto.

River to be  
free on pay-  
ment of tolls.

43. Subject to the provisions of this Act all persons whosoever shall have free liberty to navigate and pass upon and use the river or any part thereof with any vessels and to make use of the wharfs and quays constructed or acquired by the Undertakers under the powers of this Act subject to payment of such tolls rates and charges as the Undertakers are by this Act authorised to demand and shall demand not exceeding the tolls rates and charges by this Act authorised: Provided always that it shall not be lawful without the consent of the Undertakers to load or unload on or from any vessel any minerals merchandise timber or other goods or things upon the banks or sides of the river excepting at some wharf quay jetty landing or pier nor at any place whatever without making payment of the tolls rates and charges due to the Undertakers in respect of the same.

Undertakers  
may provide  
and license  
tugs.

44. The Undertakers may from time to time purchase or hire work and let and take charges and remunerations for steam tugs and other towing power and may also from time to time grant licenses to such persons as they think fit to be masters of and also licenses for the employment by any other person or persons of steam tugs or other towing power for such period and on such terms and conditions as the Undertakers may think fit and may from time to time fix such rates and charges as appear to them reasonable to be charged for or in respect of the use of such steam tugs or other power whether belonging to or licensed by the Undertakers and such last-mentioned rates and charges shall be paid by the owner master agent manager or other person having charge of the vessel employing such steam tugs or other power to the Undertakers or to the owner of such steam tugs or other power if licensed by the Undertakers as the case may be.

Penalty for  
plying with-  
out a license.

45. Every person who being the owner or having the control of a steam tug or other power for towing vessels shall without the license of the Undertakers first applied for and obtained use or

employ or cause or permit to be used or employed on the river such steam tug or other power and every master or other person having the command of any steam tug or other towing power who shall tow on the river any vessel with any steam tug or other power not belonging to or licensed by the Undertakers or without himself having a license in that behalf shall for every such offence be liable to a penalty not exceeding five pounds but the provisions of this section shall not apply to any person who being the owner or having the control of or who being the master or having command of any steam tug or other towing power used only for towing vessels to or from any place above the limits of improvement from or to any place within or below such limits shall have a license or permit from the Lord Mayor of the city of York for using such steam tug or other towing power.

46. In addition to the byelaws which under the provisions with respect to the byelaws to be made by the Undertakers in the Harbours Docks and Piers Clauses Act 1847 contained the Undertakers may from time to time make it shall be lawful for them from time to time to make alter and repeal and renew such byelaws as they think fit for all or any of the following purposes (that is to say) :—

Power to Undertakers to make byelaws.

For regulating the use of slipways and grids ;

For regulating the supply of ballast to vessels upon the river by themselves and other persons ;

For regulating the manner in which vessels shall be loaded and discharged on or from the river ;

For regulating the times and manner of paying and the places for payment of the tolls rates and charges payable to the Undertakers under the provisions of this Act ;

For the berthing and removing vessels lying in any part of the river or alongside of wharfs quays jetties piers landing-places and other works and regulating the conduct and behaviour of seamen boatmen ferrymen lumpers jobbers stevedores and others upon the river and landing-places and other works ;

For regulating the conduct of the masters or persons having the control and crews of vessels propelled by steam or other power with regard to the rate of speed at which they may proceed and the mode of navigating such vessels and the taking on board and embarking or landing of passengers ;

For regulating the towing of vessels on the river the size and number of vessels towed at one time and the number length and position of the tiers or trains the order and manner in which the towage shall be given and the duties and conduct of all persons employed on the steam tugs or other towing power

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used and with regard to the rate of speed at which such steam tugs or other towing power may proceed and to any other matter or thing affecting the safety or convenience of the navigation of the river ;

For regulating the passage of vessels approaching the works of improvement during their construction or repair or places where dredging is being done or where operations for the removal of wrecks are being carried on or where wrecks or other obstructions exist ;

For regulating the terms and conditions of registering tugs propelled by steam or other motive power and of granting licenses thereto and to the masters or persons in charge thereof and the payments to be made for licenses and the rates to be charged for the towage of vessels and the hire and use of tug-boats or other towing power ;

For regulating the conduct of boatmen and ferrymen and others in landing passengers from and putting them on board of steam and other vessels and the sufficiency of boats employed for that purpose ;

For regulating the appointment removal and remuneration of river constables and the number of constables to be appointed and maintained and for defining the duties and prescribing the functions of such constables.

Byelaws to be confirmed by Board of Trade.

47. All byelaws made by the Undertakers under this Act except so far as they relate solely to the Undertakers or their officers or servants shall be subject to the provisions with respect to byelaws of the Harbours Docks and Piers Clauses Act 1847 incorporated with this Act but shall not have any force or effect unless and until the same be confirmed by the Board of Trade.

Undertakers may appoint river constables.

48. For the security and protection of trade and shipping and of the works of the Undertakers the Undertakers may at any time establish a separate police force within the limits of authority of the harbour-master authorised to be appointed by the Undertakers under the provisions of this Act and may from time to time appoint a superintendent of police and a sufficient number of fit men to act as constables and may pay to such superintendent and constables respectively such salaries and allowances as may be proper and may at any time remove any superintendent or constable so appointed.

Application of certain provisions of Towns Police Clauses Act.

49. In the event of the establishment by the Undertakers of a separate police force under this Act the provisions of the Towns Police Clauses Act 1847 with respect to the appointment and the powers duties and privileges of constables (except sections six and seven of that Act) shall be deemed to be incorporated with and to

apply as if they were enacted in the body of this Act and in construing those provisions this Act shall be deemed to be the special Act and the limits of authority of the harbour-master specified in this Act shall be deemed to be the limits of the jurisdiction of the commissioners and the Undertakers shall be deemed to be the commissioners.

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**50.** Any constable appointed by the Undertakers may by virtue of this Act and without a warrant detain and apprehend any person injuring the river or the banks thereof or the docks jetties quays piers landings works or property of the Undertakers or any part thereof or anything therein or thereon respectively or any vessel within the limits of authority of the harbour-master and such constable as soon as conveniently may be after apprehending any person who shall have committed or who may be reasonably supposed to have committed any such injury or offence as aforesaid shall convey such person before a justice to be examined and dealt with according to law.

Offenders may be apprehended.

**51.** If and whilst engaged in the pursuit of any person who shall have committed or who may be reasonably supposed to have committed any such injury or offence as aforesaid every constable appointed by the Undertakers shall have but only for such purpose the like powers protections and privileges beyond the limits of authority of the harbour-master which he possessed while acting within those limits.

Offenders may be pursued.

**52.** The constables appointed by the Undertakers when required to do so shall aid in giving effect to the orders of the harbour-master and may apprehend and carry before the nearest convenient justice all persons offending against the reasonable and lawful commands of such harbour-master acting in the execution of his duty or any person offending against any byelaw of the Undertakers when any such byelaw contains a provision that offenders may be apprehended.

Duties of constables.

**53.** The expenses of the police force shall be defrayed by the Undertakers out of the tolls rates and charges which they are by this Act authorised to demand and take.

Expenses of police force.

**54.** If any person shall hinder obstruct or assault any officer of the Undertakers or any clerk engineer harbour-master surveyor collector or servant or other person employed by the Undertakers and acting in the execution of his duty or in relation to the works matters or things to be done by virtue of or under the authority of this Act or in the execution of any of the powers of the Undertakers such person so offending may be apprehended and shall be liable to a penalty not exceeding ten pounds.

Penalty for hindering officers &c. of Undertakers in the execution of their duties.

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Penalty for  
breach of  
byelaws.

**55.** Any byelaw made in pursuance of this Act may provide that any person offending against such byelaw may be apprehended and shall be liable for every offence to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings for every day such offence shall continue after conviction and such penalties shall be payable to the Undertakers and applied to the purposes of this Act and shall be in addition to any damages which may be recoverable for any loss damage or injury consequent on such offence.

Limits of  
authority of  
harbour-  
master.

**56.** The limits within which any harbour-master appointed by the Undertakers may exercise the power by this Act and the Harbours Docks and Piers Clauses Act 1847 conferred upon him are the limits of improvement and the docks of the Undertakers at Goole and any place within three hundred yards thereof.

Undertakers  
may appoint  
meters and  
weighers.

**57.** The Undertakers shall have the appointment of meters and weighers.

Rates on  
vessels goods  
and passen-  
gers using  
river.

**58.** In addition to any other tolls rates and charges which the Undertakers are authorised to demand and take the Undertakers may from and after the passing of this Act but subject to the provisions of this Act demand and take any tolls rates and charges not exceeding the following viz. :—

(1) In respect of the use of the river by vessels ;

The tolls set forth in the First Schedule to this Act :

(2) In respect of animals and of goods and articles of every description conveyed upon the river ;

The rates set forth in the Second Schedule to this Act :

(3) In respect of persons and their luggage and other effects ;

For each person using any staith jetty wharf quay pier landing or bank of the river or other work of the Undertakers for the purpose of landing from or embarking upon any vessel the tolls set forth in the Third Schedule to this Act :

(4) In respect of vessels mooring at or alongside any jetty landing or quay of the Undertakers ;

The rates set forth in the Fourth Schedule to this Act :

(5) In respect of lights beacons and buoys ;

The rates specified in the Fifth Schedule to this Act :

Provided always that every vessel not exceeding two hundred and fifty tons register using the river for the purpose only of passing to or from any place above the limits of improvement or conveying animals or goods or articles to be used or produced upon farms within the several townships abutting upon the river shall be exempt from all tolls rates or charges payable in respect of the use

of the river or of the conveyance of animals goods or articles thereon : Provided that such vessel does not pass into or out of any dock or basin at Goole or any other dock or basin on the river or into or out of any canal of the Undertakers : Provided further that every vessel (whatever may be the tonnage thereof) using the river for the purpose only of passing to or from Selby or any place above Selby from or to any place within or below the limits of improvement and the cargoes of such vessels shall be exempt from all the tolls rates or charges by this section authorised to be demanded and taken except the tolls and rates set forth in the Third and Fourth Schedules to this Act.

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**59.** The places where the boards containing the lists of rates required by section forty-seven. of the Harbours Docks and Piers Clauses Act 1847 to be fixed shall be each place where under the byelaws to be made by the Undertakers in that respect the rates shall be made payable.

Lists of rates.

**60.** Any person attempting to land or embark upon or from any staith jetty wharf quay pier landing bank of the river or other work of the Undertakers without payment (after demand made) of the toll by this Act authorised to be demanded and recovered from such person may be prevented by any officer or servant of the Undertakers from landing or embarking (as the case may be) and shall be liable to a penalty not exceeding forty shillings.

Penalty on persons attempting to evade payment of toll.

**61.** Except with consent of the harbour-master no vessel shall pass through the river or any part thereof until payment shall have been made of the tolls rates and charges payable under the provisions of this Act and if the owner or master of any vessel shall after demand of payment of such tolls rates or charges pass or attempt to pass such vessel through the river or any part thereof without payment of such tolls rates or charges he shall be liable to a penalty not exceeding twenty pounds in addition to any other penalty to which he may be liable in that behalf under the provisions of this Act.

Penalty for passing through river unlawfully.

**62.** The Undertakers shall in each year after they have begun to demand any of the tolls which they are by this Act authorised to demand keep separate accounts (to be called respectively "Lower Ouse Improvement Capital Account" and "Lower Ouse Improvement Revenue Account") of all their disbursements and receipts of capital and of revenue for or in respect of the improvement and deepening of the river and other the purposes of this Act connected therewith and shall in each year cause an abstract to be prepared of these separate accounts with a statement of the balance of such accounts respectively duly audited and certified by the chairman and

Annual account of tolls to be made up by Undertakers and sent to the Board of Trade.

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auditor of the Undertakers and a copy in duplicate of such annual abstract shall be sent free of charge to the Board of Trade on or before the first day of June in each year under a penalty of twenty pounds for each default and a copy of the abstract shall also be kept by the Undertakers in their principal office at Goole and shall be open to inspection by all persons at all reasonable hours on payment of one shilling for each inspection.

Application of Undertakers funds to purposes of Act.

**63.** The Undertakers may apply to the purposes of this Act (but as respects any borrowed money only to purposes to which capital is properly applicable) any funds belonging to them or which under any of the recited Acts they have borrowed or have power to borrow and the recited Acts as amended by this Act shall be read and construed accordingly and any funds so applied together with the sum of twenty-two thousand five hundred pounds already expended by the Undertakers as herein-before mentioned in the improvement of the river previously to the passing of this Act shall be carried as respects disbursements on capital account to the debit of the Lower Ouse Improvement Capital Account and as respects disbursements on revenue account to the debit of the Lower Ouse Improvement Revenue Account.

Profit from tolls limited.

**64.** The amount to be appropriated by the Undertakers out of the tolls rates and charges which they are by this Act authorised to demand shall not in any one year exceed the amount necessary for the payment of the interest at a rate not exceeding five per centum per annum upon moneys borrowed or otherwise provided by the Undertakers (out of any funds other than the tolls which they are by this Act authorised to demand) and from time to time expended by them on capital account for the purposes of this Act (including the said sum of twenty-two thousand five hundred pounds expended by them as herein-before mentioned in the improvement of the river previously to the passing of this Act) and at the time remaining at the debit of the Lower Ouse Improvement Capital Account together with the annual expenses of dredging maintaining and managing lighting beaconing and buoying the river and navigation thereof within the limits of improvement and other expenses in carrying out the provisions of this Act in relation to the river unless a larger amount be at any time necessary to make up any deficiency of such interest and expenses in any previous year; and if the amount arising in any year from the said tolls rates and charges is more than is sufficient (after making up the deficiency in the interest and annual expenses aforesaid of any previous year or years) to provide for the interest and annual expenses aforesaid for the year the excess beyond the sum necessary for such purposes shall from time to time be disposed of in the following manner and priority:—



First. It shall if and so far as requisite be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-tenth part of the moneys at the time expended by the Undertakers as aforesaid in deepening and improving the river; which sum shall form a reserve fund to answer any deficiency which may at any time happen in the amount of interest and expenses aforesaid or to meet any extraordinary claim or demand which may at any time arise against the Undertakers in relation to deepening and improving and maintaining the river; and if such fund be at any time reduced it may thereafter be again restored to the said sum and so from time to time as often as such reduction shall happen: Provided always that no sum of money shall be taken from the said fund for the purpose of meeting any extraordinary claim unless it be first certified by two justices that the sum so proposed to be taken is required for the purpose of meeting any extraordinary claim within the meaning of this enactment: Provided further that when such fund shall by accumulation or otherwise amount to one-tenth part of the moneys at the time expended by the Undertakers for the purposes of this Act as aforesaid the interest and dividends thereon shall be no longer invested but shall be applied in the same manner as income arising from tolls;

Secondly. It shall be applied in every year in or towards paying off or reducing the amount standing at the debit of the Lower Ouse Improvement Capital Account to any extent not exceeding five per centum upon the largest amount which shall at any time previously have been standing at the debit of that account and in the event of any such payment or reduction not having been made in any previous year or years then if there be any surplus after providing for the requirements of the then current year it shall be applied in or towards paying off or reducing the amounts which should have been paid off in such previous year or years if there had been a surplus applicable to that purpose in such year or years.

**65.** If in any year the amount received by the Undertakers from the tolls rates and charges which they are by this Act authorised to demand shall not be sufficient to pay the interest and annual expenses aforesaid such a sum may be taken by the Undertakers from the reserve fund as with the actual clear amount arising to the Undertakers from the said tolls rates and charges during such year

Reserve fund may be applied in making good deficiency.

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Rates to be revised.

**66.** The Undertakers shall from time to time revise the tolls rates and charges authorised to be demanded by them under the provisions of this Act so that the clear annual income derived by them from such tolls rates and charges may always (so far as practicable) be sufficient and not more than sufficient for the purposes of this Act (including as herein-after mentioned); Provided that such revised tolls rates and charges shall in no case exceed the tolls rates and charges authorised by this Act: And if at any time and from time to time the clear annual income derived from such tolls rates and charges on the average of the then three last preceding years shall exceed the amount sufficient to answer the purposes of this Act (including the provision for the reserve fund and for paying off the amount standing at the debit of the Lower Ouse Improvement Capital Account) the Board of Trade may if they in their discretion think fit reduce the tolls rates and charges leviable under this Act to such extent as will (so far as practicable) be sufficient and not more than sufficient to provide the amount aforesaid; and the tolls rates and charges shall thereupon be reduced accordingly but with power to the Board of Trade at any time and from time to time to raise the said tolls rates and charges to sums not exceeding those authorised by this Act.

Undertakers to be harbour authority.

**67.** The Undertakers shall be deemed a harbour authority.

Undertakers may appoint committee to manage river improvements.

**68.** The directors of the Undertakers may appoint one or more committees consisting of such number of such directors as they think fit and may grant to such committee or committees respectively power on behalf of the Undertakers to do any acts in relation to the purposes of this Act which the directors could lawfully do and which they shall from time to time think proper to entrust to them and such committee or committees may meet from time to time and may adjourn from place to place as they think proper for carrying into effect the purposes of their appointment but no such committee shall exercise the powers entrusted to them except at a meeting at which there shall be present a quorum and the quorum of each committee shall be fixed by the general body of directors and at all meetings of such committees one of the members present shall be appointed chairman and all questions at any meeting of the committee shall be determined by a majority of votes of the members present and in case of an equal division of votes the chairman shall have a casting vote in addition to his vote as a member of the committee.

69. All lands purchased taken or used by virtue of the powers of this Act for the purposes thereof and all lands messuages buildings and hereditaments and all works and property erected or acquired under the powers of this Act shall subject to the provisions of this Act stand vested in trust for the purposes of this Act in the same trustees their heirs and assigns and with the like indemnification as the property in the navigation of the Rivers Aire and Calder and the lands buildings and hereditaments acquired and erected thereon are by virtue of the Acts heretofore passed relating to the said navigation vested.

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Property &c.  
to stand  
vested in  
trustees of  
navigation.

70. The works by this Act authorised shall subject to the provisions of this Act form part of the general undertaking of the Undertakers and the Undertakers may from time to time use for the purposes of their general undertaking any lands vested in or acquired by them or the trustees on their behalf for the purposes of this Act which may not be required for those purposes.

Works to  
form part of  
general un-  
dertaking.

71. The Undertakers with the sanction of three-fourths of the votes of the Undertakers entitled to vote in that behalf at general assemblies of the Undertakers present (personally or by proxy) at a special general assembly specially convened for the purpose may from time to time raise all or any part (not exceeding nine hundred and fifty thousand pounds) of the money which for the time being they are by any of the recited Acts authorised to raise on mortgage or promissory note or which they may under those Acts raise or have raised for the repayment of money already borrowed by the creation and issue at such times in such amounts and manner on such terms subject to such conditions and with such rights and privileges as the Undertakers think fit of stock to be called "Aire and Calder Navigation Debenture Stock" (herein-after called "debenture stock") instead of and to the same amount as the whole or any part of the money which may for the time being be owing by the Undertakers on mortgage or note or which they may from time to time have power under such Acts to raise on mortgage or note and may attach to the stock so created such fixed or varying interest payable half-yearly or otherwise and commencing at once or at any future time or times as the Undertakers think fit; but after the passing of this Act the power of the Undertakers to raise money by promissory notes shall cease and all moneys hereafter raised by the Undertakers under any of the recited Acts or this Act shall be raised either on mortgage or by the issue of debenture stock as herein provided.

Debenture  
stock may be  
created.

72. Debenture stock with the interest thereon shall be a charge upon the undertaking of the Undertakers prior to all shares or

Debenture  
stock to be a  
prior charge.

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interests of the Undertakers therein and the interest of such debenture stock and of all mortgages at any time after the passing of this Act created and issued or granted by the Undertakers under any previous Act or this Act or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* without respect to the dates of the securities or of the Acts of Parliament by which the same were authorised and shall have priority over all principal moneys secured by such mortgages.

Undertakers may redeem debenture stock.

**73.** The Undertakers in creating any debenture stock may attach thereto a condition that such debenture stock shall be redeemable at any time at which the Undertakers may think fit to redeem the same upon payment to the holder of such debenture stock of the nominal amount thereof together with a premium not exceeding ten per centum upon such nominal amount and the Undertakers may at any time or times redeem any such redeemable debenture stock or any portion or portions thereof upon the terms contained in such condition made on the creation of the same upon giving six months notice to the holder thereof of their intention so to do or may purchase any such redeemable stock or any portion or portions thereof at such price as they may be able to obtain the same not exceeding the nominal value thereof together with a premium of ten per centum on such nominal value and all redeemable debenture stock which shall be redeemed or purchased by the Undertakers shall as and when the same is so redeemed or purchased be cancelled and the terms and conditions on which any of the said redeemable stock is issued shall be distinctly stated in or endorsed upon the certificate of such stock: Provided always that any redeemable debenture stock so cancelled may be re-issued upon such terms as may be determined by a special general assembly of the Undertakers as if such stock had not been already issued and so *toties quoties*.

Payment of arrears of interest may be enforced by appointment of receiver.

**74.** If within thirty days after the interest on any debenture stock is payable the same is not paid any one or more of the holders of debenture stock holding individually or collectively not less than five thousand pounds of debenture stock may (without prejudice to the right to sue in any court of competent jurisdiction for the interest in arrear) require the appointment of a receiver.

Mode of appointing receiver.

**75.** Every application for a receiver shall be made to two justices who by order in writing after hearing the parties may appoint some person to receive the whole or a competent part of the tolls or sums liable to the payment of the interest until all the arrears of interest then due on the debenture stock with all costs including the charges of receiving the tolls or sums are fully paid and upon such appointment being made all such tolls or sums shall

be paid to and received by the person so appointed and all money so received shall be deemed so much money received by or to the use of the several persons interested in the same according to their several priorities.

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**76.** The receiver shall distribute rateably and without priority in payment among the proprietors of debenture stock and holders of mortgages of the Undertakers issued or granted after the passing of this Act to whom interest is in arrear the money which so comes to his hands after applying a sufficient part thereof in or towards satisfaction of all prior claims and charges.

Duties of receiver.

**77.** As soon as the full amount of interest and costs has been so received the power of the receiver shall cease and he shall be bound to account to the Undertakers for his acts or intromissions or the sums received by him and to pay over to the Undertakers any balance that may be in his hands.

Recall of receiver.

**78.** If the interest on debenture stock is in arrear for thirty days next after any of the respective days whereon the same is payable the holder for the time being thereof may (without prejudice to his power to apply for the appointment of a receiver) recover the arrears with costs by action or suit against the Undertakers in any court of competent jurisdiction.

Arrears may be recovered by action of suit.

**79.** The Undertakers shall cause entries of the debenture stock from time to time created to be made in a register to be called the "Register of Debenture Stock" to be kept for that purpose wherein they shall enter the names and addresses of the several persons and corporations from time to time entitled to the debenture stock with the respective amounts of the stock to which they are respectively entitled: And the register shall be accessible for inspection and perusal at all reasonable times to every mortgagee noteholder debenture stockholder and Undertaker without the payment of any fee or charge.

Debenture stock to be registered.

**80.** The Undertakers shall deliver to every holder of debenture stock a certificate signed by two of the directors and the clerk of the Undertakers stating the amount of debenture stock held by him which certificate may be in the form (as nearly as may be) specified in the Sixth Schedule to this Act.

Undertakers to deliver certificate to holders of debenture stock.

**81.** Nothing herein contained shall in any way affect any mortgage or note at any time legally granted by the Undertakers before the passing of this Act but the holders of all such mortgages and notes shall during the continuance thereof respectively be entitled to the same priorities rights and privileges in all respects as they would have been entitled to if this Act had not been passed.

Mortgages &c. not affected by this Act.

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Holders of  
debenture  
stock not to  
vote.

**82.** Debenture stock shall not entitle the holders thereof to be present or vote at any assembly of the Undertakers or confer any qualification but shall in all respects be considered as entitling the holders to the rights and powers of mortgagees of the undertaking other than the right to require a repayment of the principal money paid up in respect of the debenture stock: Provided that in case of debenture stock which is issued as redeemable the holders thereof shall be entitled to require a repayment of the principal money paid up in respect of such stock from and after the date mentioned in the notice given by the Undertakers of their intention to redeem the same as the date of redemption thereof.

Application  
of money  
raised.

**83.** Money raised by debenture stock shall be applied exclusively either in paying off money due and hereafter to become due by the Undertakers on mortgage or note or else for the purposes to which the same money would be applicable if it were raised by the Undertakers on mortgage instead of on debenture stock.

Separate  
accounts of  
debenture  
stock.

**84.** Separate and distinct accounts shall be kept by the Undertakers showing how much money has been received for or on account of debenture stock and how much money borrowed or owing on mortgage or note or which the Undertakers have power so to borrow has been paid off by debenture stock or raised thereby instead of being borrowed on mortgage.

Borrowing  
powers ex-  
tinguished  
to extent of  
debenture  
stock.

**85.** The powers of borrowing and re-borrowing by the Undertakers shall to the extent of the money raised by the issue of debenture stock be extinguished: Provided that further debenture stock may be created and issued in substitution for redeemable debenture stock when paid off.

Debenture  
stock to be  
personal  
estate.

**86.** All debenture stock shall be personal estate and transmissible as such and shall not be of the nature of real estate.

Certificate to  
be evidence.

**87.** The certificate of debenture stock shall be admitted in all courts as *prima facie* evidence of the title of the holder thereof his executors administrators successors or assigns to the debenture stock therein specified nevertheless the want of such certificate shall not prevent the holder of any debenture stock from disposing thereof.

Certificates  
to be re-  
newed when  
lost or de-  
stroyed.

**88.** If any certificate of debenture stock be worn out or damaged then upon the same being produced at some meeting of the directors of the Undertakers such directors may order the same to be cancelled and thereupon another similar certificate shall be given to the party in whom the property of such certificate shall be at the time vested and if such certificate shall be lost or destroyed then upon proof thereof to the satisfaction of the directors a similar certificate

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shall be given to the party entitled to the certificate so lost or destroyed and in either case a due entry of the substituted certificate shall be made in the register of debenture stock and for every such certificate so given or exchanged the Undertakers may demand any sum not exceeding two shillings and sixpence.

**89.** Subject to the regulations herein contained every holder of debenture stock may sell and transfer all or any of his debenture stock and every transfer shall be by deed duly stamped in which the consideration shall be duly stated and such deed may be according to the form in the Seventh Schedule to this Act or to the like effect.

Holders of debenture stock may transfer same.

**90.** The said deed of transfer when duly executed shall be delivered to and kept by the Undertakers and a memorial thereof shall be entered in a book to be called the "Register of Transfers of Debenture Stock" and an endorsement of such entry shall be made on the deed of transfer and the Undertakers shall on demand deliver a new certificate to the transferee and for every such entry together with such endorsement and certificate the Undertakers may demand any sum not exceeding two shillings and sixpence and until such transfer has been delivered as aforesaid the transferee shall not be entitled to receive any interest upon the debenture stock transferred.

Memorials of transfers to be entered in register of transfers.

**91.** If the interest on debenture stock have become transmitted in consequence of the death or bankruptcy of a holder thereof or in consequence of the marriage of a female or of any other lawful means than a transfer according to the provisions of this Act such transmission shall be authenticated by a declaration in writing as herein-after mentioned or in such other manner as the directors shall require and every such declaration shall state the manner in which and the party to whom such debenture stock shall have been so transmitted and shall be made and signed by some credible person before a justice or before a commissioner for taking affidavits and such declaration shall be delivered to the Undertakers and thereupon the name of the person entitled under such transmission shall be entered in the register of debenture stock and for every such entry the Undertakers may demand any sum not exceeding five shillings and until such transmission has been so authenticated no person claiming by such transmission shall be entitled to receive any interest on the debenture stock so transmitted.

Transmission of debenture stock by other means than a transfer.

**92.** If such transmission of any debenture stock be by virtue of the marriage of a female the said declaration shall contain a copy of the register of such marriage or other particulars of the celebration thereof and shall declare the identity of the wife with the holder of such debenture stock and if such transmission shall have taken

Transmission by marriage will &c.

A.D. 1884. place by virtue of any testamentary instrument or by intestacy the probate of the will or the letters of administration or an official extract therefrom shall together with such declaration be produced to the Undertakers and on such production in either of the cases aforesaid an entry of the declaration shall be made on the register of transfers of debenture stock.

Undertakers not bound to regard trusts.

**93.** The Undertakers shall not be bound to accept or take notice of or to see to the execution of any trust, whether express implied or constructive to which any debenture stock may be subject and the receipt of the party in whose name any such debenture stock shall stand in the books of the Undertakers or if it stands in the names of more parties than one the receipt of one of the parties named in the register of debenture stock shall from time to time be a sufficient discharge to the Undertakers for any interest payable in respect of such debenture stock notwithstanding any trusts to which such debenture stock may then be subject whether or not the Undertakers have had notice of such trusts and the Undertakers shall not be bound to see to the application of the money paid upon such receipt as aforesaid.

Trustees of Undertakers not to be liable.

**94.** The trustees of the Undertakers shall not be personally liable for any interest payable in respect of any debenture stock.

Date of general assemblies of the Undertakers.

**95.** Notwithstanding anything in section thirty-nine of the Act of 1820 contained all future general assemblies of the Undertakers (except special general assemblies mentioned in the said Act) shall after the expiration of the present year be held on the first Monday in the month of May in every year instead of on the first Monday in the month of August as provided in the said section.

For the protection of River Don and Stainforth and Keadby Canal.

**96.** Nothing herein contained shall in any way prejudice restrict or affect any of the rights privileges and interests of the Manchester Sheffield and Lincolnshire Railway Company as owners of the River Don Navigation or the Stainforth and Keadby Canal nor shall any river craft passing from and to that navigation or canal or either of them along the River Ouse or any of the new channels and works by this Act authorised and not passing into or out of any dock or basin at Goole be liable to pay or be chargeable with any of the tolls authorised by this Act for the use of the river but all such river craft shall at all times hereafter have the right to navigate and pass along that river and any new channels thereof free from such tolls in as full and free a manner as they have heretofore done and as if this Act had not been passed.

Saving rights of owners of foreshore.

**97.** Nothing in this Act shall be deemed or construed to extend to prejudice or affect any right of property or title belonging to or any of the rights privileges or powers vested in any owner of the



foreshore of the river excepting in so far as the same subject to the provisions of this Act may be acquired by the Undertakers in pursuance of this Act: Provided always that no such right privilege or power shall be exercised by such owners to the injury of the navigation of the river: Provided further that nothing in this Act contained shall be held to recognise or confirm any right title or claim of any person to the foreshore aforesaid but the right and title to the said foreshore shall remain unaffected by the passing of this Act.

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**98.** Except as in this Act expressly provided nothing in this Act contained shall prejudice affect or interfere with any rights privileges powers or authorities of the River Humber Conservancy Commissioners.

Saving rights of the Humber Conservancy.

**99.** Nothing in this Act contained shall extend to take away diminish or affect any right power privilege or jurisdiction now possessed or enjoyed or capable of being enjoyed or exercised by the Guild or Brotherhood of Masters and Pilots Seamen of the Trinity House in Kingston-upon-Hull in matters of pilotage or otherwise howsoever.

Saving rights of Hull Trinity House.

**100.** From and after the passing of this Act all the powers rights properties privileges authorities duties and obligations vested in or enjoyed by or incumbent upon the Lord Mayor aldermen and citizens of the city of York (being the corporation of the said city) or any officer or member thereof and of the trustees appointed or acting by or by virtue of an Act passed in the thirteenth year of the reign of King George the First intituled "An Act for improving the Navigation of the River Ouse in the county of York" or by or by virtue of an Act passed in the fifth year of the reign of King George the Second intituled "An Act for rendering more effectual an Act passed in the thirteenth year of the reign of his late Majesty King George the First intituled 'An Act for improving the Navigation of the River Ouse in the county of York'" or by or by virtue of any other Act of Parliament relating to or concerning the said River Ouse or the navigation thereof shall as respects the portion of the River Ouse within the limits of improvement and the conservancy of such portion cease to be vested in or imposed upon the said corporation or any officer or member thereof or the said trustees but shall thereafter be vested in and imposed upon the Undertakers without prejudice nevertheless to the powers rights properties privileges authorities duties and obligations of the said Corporation or any officer or member thereof and of the said trustees in respect to any other portion of the said River Ouse or the navigation thereof.

Cesser of conservancy of corporation of York within limits of improvement.

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Saving rights of the Corporation of the Level of Hatfield Chase.

**101.** Subject and without prejudice to the powers rights privileges and authorities by this Act conferred on the Undertakers nothing in this Act shall defeat lessen prejudice alter take away or affect any of the powers rights privileges or authorities vested in or enjoyed by the corporation of the Level of Hatfield Chase and the Undertakers shall free indemnify and keep harmless the said corporation of the Level of Hatfield Chase from all damages costs and expenses which may be recovered from or be incurred by them in consequence of any works of the Undertakers executed under the powers of this Act.

For protection of the North-eastern Railway Company.

**102.** If by reason or in consequence of any of the works authorised by or the operations of the Undertakers under this Act any expenses [shall at any time be incurred by the North-eastern Railway Company in complying with the obligations and requirements imposed upon them and enacted by sections twenty-three twenty-four and twenty-seven of the North-eastern Railway Company's (Hull and Doncaster Branch) Act 1863 which would not have been incurred if such works or operations had not been executed or effected the Undertakers shall repay to the North-eastern Railway Company all such expenses and in default the same may be recovered from the Undertakers in any court of competent jurisdiction: Provided that if any difference shall at any time arise between the Undertakers and the North-eastern Railway Company as to whether any such expenses have been incurred by reason or in consequence of the works or operations of the Undertakers the same shall be determined after full inquiry by a civil engineer to be appointed by the Undertakers and the North-eastern Railway Company or if they shall not agree as to such appointment then by a civil engineer to be appointed by the Board of Trade and the decision of such civil engineer (who shall have power to direct by whom the costs of any inquiry shall be borne) shall be conclusive in the matter.

Any land reclaimed by the works not to be taken without the consent of the Board of Trade.

**103.** If in the course or by means of the execution of any of the works by this Act authorised any part of the shores or bed of the river belonging to Her Majesty shall be inured gained or reclaimed from the water the Undertakers shall not have or exercise any right upon the same or in respect thereof and shall not enter upon take or use or interfere with the land so inured gained or reclaimed for any purpose whatsoever without the consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) but such inuring gaining or reclamation shall enure absolutely for the benefit of the Queen's Majesty Her heirs or successors.

Survey of works by the Board of Trade.

**104.** If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a

work constructed by the Undertakers under the powers of this Act on in over through or across tidal lands or tidal water or of the intended site of any such work the Undertakers shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Undertakers to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Undertakers.

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**105.** If a work constructed by the Undertakers under the powers of this Act on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Undertakers and the amount of such expense shall be a debt due from the Undertakers to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Undertakers.

Abatement  
of work  
abandoned  
or decayed.

**106.** If any work constructed by the Undertakers on in over through or across any foreshore or tidal lands which shall for the time being be vested in or under lease to the Humber Conservancy Commissioners is abandoned or disused or suffered to fall into decay the said commissioners may abate and remove the same or any part thereof and restore the site thereof to its former condition at the expense of the Undertakers and the amount of such expense shall be a debt due from the Undertakers to the said commissioners and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Undertakers.

Humber  
Conservancy  
Commis-  
sioners may  
abate works  
abandoned  
on their  
foreshore.

**107.** Nothing contained in this Act shall authorise the Undertakers to take use or in any manner interfere with any portion of the shore or bed of the sea or of any channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may 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.

Saving  
rights of the  
Crown in  
the fore-  
shore.

**108.** Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty Her heirs or successors.

Saving  
rights of  
Crown under  
Crown  
Lands Act.

[Ch. clxi.] *Ouse (Lower) Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884. - **109.** All the costs charges and expenses of and incident to the  
Costs of Act. preparing for obtaining and passing of this Act or otherwise in  
relation thereto shall be paid by the Undertakers and shall be held  
to be part of the expenditure of the Undertakers for the purposes of  
this Act.

SCHEDULES referred to in the foregoing Act.

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FIRST SCHEDULE.

RIVER TOLLS.

Sea-going Vessel.

	£	s.	d.
For every vessel from or to any port or place in the United Kingdom or the Isle of Man a toll not exceeding per register ton - -	0	0	3
For every vessel from or to any port or place in the Channel Isles or in Europe without the Straits of Gibraltar and without the Sound a toll not exceeding per register ton - - -	0	0	4
For every vessel from or to any other port or place a toll not exceeding per register ton - - - - -	0	0	6

Vessels are liable to pay these tolls in respect of the most distant port they may enter from or proceed to.

River Craft.

For every vessel passing into or out of any dock or basin at Goole or any canal of the Undertakers a toll not exceeding for every ton of cargo conveyed in such vessel - - - - -	0	0	0½
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Vessels under ten tons burthen exempt.

SECOND SCHEDULE.

RATES ON ANIMALS AND ON GOODS AND ARTICLES.

	£	s.	d.
For each horse bull cow ox or wild animal - - - - -	0	0	6
For each calf pig sheep lamb ass pony mule or goat - - - - -	0	0	2
Coal bricks dyewoods ore (iron) pitch timber sand and stone			
per ton	0	0	1½
All other unenumerated articles - - - - - per ton	0	0	2

The cargoes of river craft to be exempt from the above charges.

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**THIRD SCHEDULE.**

**LANDING RATES.**

	£	s.	d.
For each person including luggage or other effects not exceeding twenty-eight pounds - - - - -	0	0	2
For all luggage or other effects exceeding twenty-eight pounds per one hundred and twelve pounds or part thereof - - - - -	0	0	1

**FOURTH SCHEDULE.**

**MOORING RATES.**

	£	s.	d.
For every vessel mooring at or alongside any jetty pier landing or quay a rate not exceeding for each ebb or part thereof per register ton - - - - -	0	0	0 $\frac{1}{4}$

**FIFTH SCHEDULE.**

**RATES FOR LIGHTS, BEACONS, AND BUOYS.**

	£	s.	d.
For every vessel (except river craft) navigating within the limits of improvement a rate not exceeding per register ton - - - - -	0	0	0 $\frac{1}{4}$

Any vessel which has paid this rate on the voyage inwards or outwards shall not be liable to payment thereof on the return voyage outwards or inwards as the case may be.

**SIXTH SCHEDULE.**

**Form of Certificate of Debenture Stock.**

**AIRE AND CALDER NAVIGATION DEBENTURE STOCK.**

No.

This is to certify that *A.B.* of \_\_\_\_\_ is at this date the holder of \_\_\_\_\_ pounds of the debenture stock of the Undertakers of the Navigation of the Rivers of Aire and Calder in the county of York and entitled to receive interest thereon at the rate of \_\_\_\_\_ per centum per annum payable \_\_\_\_\_ on (*here insert days for periodical payments*) subject to the rules and regulations of the said Undertakers.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

*C.D.* Director.  
*E.F.* Director.

*G.H.* Clerk to the Undertakers.



