



CHAPTER xcvi.

An Act to enable the Mayor Aldermen and Burgesses of the City of Bristol to construct additional Dock works and for other purposes. A.D. 1886.
[25th June 1886.]

WHEREAS the Mayor Aldermen and Burgesses of the city of Bristol (in this Act called "the Corporation") are conservators of the port and harbour of Bristol extending from Hanham Mills on the River Avon to the mouth of that river at Kingroad and thence down the River Severn and the Bristol Channel from Kingroad westward to the islands called respectively "the Steep Holmes" otherwise "the Steep Holmes" and "the Flat Holmes" and are also conservators of the rivers and creeks within the said port :

And whereas the Corporation became by virtue of the Bristol Dock Act 1848 owners of the docks in the said city : 11 & 12 Vict.
c. xliii.

And whereas under the powers of the Bristol Port and Channel Dock Act 1864 the Bristol Port and Channel Dock Company who were thereby incorporated constructed at but within the mouth of the River Avon a dock known as and in this Act called "the Avonmouth Dock" with various works and appliances connected therewith : 27 & 28 Vict.
c. cexli.

And whereas by the Bristol Port and Channel Dock Act 1877 the said Company were authorised to construct at their said dock a graving dock and works connected therewith and by the Bristol Port and Channel Dock Company (Extension of Time) Act 1882 the time limited for the completion of the said graving dock and works was extended but the same have not been constructed and the powers therefor have lapsed : 40 & 41 Vict.
c. lxxv.
45 Vict.
c. viii.

And whereas under the powers of the Portishead Docks Act 1871 the Bristol and Portishead Pier and Railway Company constructed docks and works connected therewith at Portishead near the mouth and left bank of the River Avon : 34 & 35 Vict.
c. cxlii.

And whereas under the powers of the Bristol Dock Act 1884 (in this Act called "the Act of 1884") the Corporation have acquired 47 & 48 Vict.
c. cclv.

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the undertakings rights powers and privileges of the said companies and also certain warehouses and conveniences erected at and in connexion with the said docks by the Bristol Port and Channel Dock Warehouse Company (Limited) and the Portishead Warehouse Company (Limited):

And whereas it is expedient in order to facilitate the trade of the said port and improve the accommodation for and convenience of vessels frequenting the same that the Corporation be enabled to construct at the Avonmouth Dock the new entrance lock dock and graving dock and also to make in the city the new wharf and improvements therewith connected herein-after described:

And whereas it is expedient that further powers should be conferred upon the Corporation for the borrowing of money and for the management of the said docks and works and that the said recited Acts should be in some respects amended:

And whereas in the Bristol Dock Act 1881 (in this Act called "the Act of 1881") provisions are contained enabling the Corporation to issue Bristol Corporation dock debenture stock and those provisions were amended and extended by the Act of 1884 and the Corporation have issued stock thereunder:

And whereas an absolute majority of the whole number of the council of the city at a meeting held on the twenty-seventh day of October one thousand eight hundred and eighty-five after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Bristol Times and Mirror a newspaper published or circulating in the city (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the revenue arising from the dock estate and the borough fund of the city:

And whereas such resolution was published twice in the said newspaper and has received the approval of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the twentieth day of January one thousand eight hundred and eighty-six being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the city by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

And whereas plans and sections showing the lines and levels of the docks and other works authorised by this Act and also books

of reference containing the names of the owners and lessees 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 clerks of the peace for the counties of Gloucester and Somerset and are herein-after respectively referred to as the deposited plans sections and books of reference :

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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 as the Bristol Dock Act 1886 and this Act and the Bristol Dock Acts 1848 to 1884 may be cited together as the Bristol Dock Acts 1848 to 1886.

Short title.

2. The following Acts and parts of Acts that is to say :

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 ;

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof ; and

The Harbours Docks and Piers Clauses Act 1847 ;

so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are incorporated with and form part of this Act. Provided always that sections 16 to 19 both inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be in force unless the Board of Trade in writing require.

Incorporation of Acts.

3. In this Act unless the subject or context otherwise requires :—

“The city” means the city and county of Bristol ;

“The Corporation” means the mayor aldermen and burgesses of the city whether acting under the provisions of the Municipal Corporations Acts or in the execution of the Acts relating to the port and harbour of Bristol ;

“The council” means the council of the city ;

“The dock” and “the graving dock” mean respectively the dock and the graving dock by this Act authorised ;

“The dock estate” means and includes the docks of the Corporation and the property acquired by them for the purposes thereof ;

“The wharf” means the embankment and wharf wall by this Act authorised.

Interpretation.

Terms to which meanings are assigned in the Acts herein-before recited or in enactments incorporated with this Act or which have

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therein special meanings have in this Act the same respective meanings unless otherwise interpreted in this Act or there be something in the subject or context repugnant to such construction.

In this Act and (for the purposes of this Act) in enactments incorporated with this Act:—

“The Company” or “the Undertakers” means the Corporation;

“Court of competent jurisdiction” “superior courts” or any other like expression shall have effect as if the debt or demand with respect to which the expression is used was a common simple contract debt and not a debt or demand created by statute and shall include any court of competent jurisdiction.

In the Railways Clauses Consolidation Act 1845 for the purposes of this Act:—

The expressions “the railway” “the centre of the railway” and “the work” respectively mean the several works by this Act authorised and the boundaries of those respective works.

Execution of
Act by Cor-
poration.

4. This Act shall be carried into execution by the Corporation acting by the council.

Power to
construct
works.

5. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the docks lock wharf street improvements and other works shown on the deposited plans among which are the following principal works and the Corporation may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for the purposes of the dock undertaking of the Corporation.

The principal works herein-before referred to and authorised by this Act are:

- (1) A new lock or entrance to the Avonmouth Dock such lock or entrance to commence in and out of the right bank of the River Avon and the foreshore thereof;
- (2) A graving dock with an entrance thereto from the Avonmouth Dock to commence in and out of that dock at the southern corner thereof and to extend in a southerly direction for a length of about one hundred and sixty-five yards and to be constructed on land belonging or reputed to belong to the Corporation;
- (3) A new dock with an entrance thereto from the Avonmouth Dock to commence in and out of that dock at the eastern corner thereof and to extend in a south-easterly direction for a length of about two hundred and forty yards and to be

constructed wholly on land belonging or reputed to belong to the Corporation. A.D. 1886.

The foregoing works will be wholly in the parish of Shirehampton in the county of Gloucester.

(4) A new street commencing in and out of the north-east end of the street known as "College Green" and terminating at the east end of Trinity Street;

(5) An alteration of so much of the road known as "the Butts" as lies between the said north-east end of College Green and Trinity Street;

(6) A diversion of the Butts to commence at the east end of Trinity Street and to terminate at the Ship Tavern;

(7) A wharf wall and embanking of the floating harbour commencing opposite the Ship Tavern and terminating at the south end of the Liverpool wharf.

The last four works will be wholly in the parish of Saint Augustine-the-Less in the city.

6. The Corporation may from time to time make and maintain all such cuts locks dams' basins gates sluices trenches sewers drains culverts arches walls embankments towing-paths jetties landing-places dolphins moorings buoys staiths groynes quays wharves warehouses sheds buildings machinery cranes lifts drops tips tramways rails junctions turntables sidings signals roads approaches works and appliances as may be necessary or convenient for or subsidiary to the before-mentioned works or any of them. Power to make subsidiary works.

7. In constructing the works by this Act authorised the Corporation may deviate laterally from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and they may deviate vertically from the levels of the said works as shown on the said sections to any extent not exceeding five feet upwards and ten feet downwards. Provided that no deviation of any works authorised by this Act within the limits of deviation of which any public navigable tidal river or channel is included shall be made from the lines thereof as shown on the deposited plans even within the limits of deviation shown on such plans in such manner as to diminish the navigable space of such river or channel without the previous consent of the Board of Trade or otherwise in such manner as is expressly authorised by the Board of Trade. Limits of deviation.

8. The Corporation may from time to time divert water from the River Avon for the purpose of supplying with water the docks and works by this Act authorised. Power to divert water into dock &c.

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Lights on
works.

9. The Corporation shall on or near the works below high-water mark hereby authorised during the whole time of their construction 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 require or approve. If the Corporation 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.

Corporation
to exhibit
lights.

10. The Corporation shall at the outer extremity of their harbour works exhibit and keep burning from sunset to sunrise such lights (if any) as the Corporation of Trinity House shall from time to time direct. If the Corporation fail to comply 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.

Abatement
of works
abandoned
or decayed.

11. If any of the works constructed by the Corporation on in over through or across tidal lands or tidal waters are abandoned or suffered to fall into decay the Board of Trade may abate and remove the same or any part of them and restore the site thereof to its former condition at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Corporation.

Survey of
works by
Board of
Trade.

12. 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 Corporation on in over through or across tidal lands or tidal waters or of the intended site of any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Corporation.

Corporation
may stop up
streets and
extinguish
rights of
way &c.

13. The Corporation may stop up and discontinue for public traffic and appropriate to the purposes of their dock undertaking

So much of the Butts in the said parish of Saint-Augustine-the-Less as lies between the east end of Trinity Street and the Ship Tavern ;

Any other roads highways or footpaths shown on the deposited plans as intended to be stopped up.

Power to
take addi-
tional lands.

14. Subject and according to the provisions of this Act the Corporation may in addition to the other lands they are authorised to acquire under the powers of this Act from time to time enter

upon take and use all or any of the lands herein-after described which are delineated on the deposited plans and described in the deposited books of reference A.D. 1886.

- (a) So much of the bed and channels of the River Avon situate in the said parish of Shirehampton and in the parish of Easton-in-Gordano in the county of Somers^et or one of those parishes as is bounded by a line drawn seaward in continuation of the north-eastern side of the entrance lock to the Avonmouth Dock to a point about seven hundred and eighty yards distant from the said entrance lock and thence to the westernmost point of Dunball Island and thence along the south-western the eastern and the northern shores of the said island to the northernmost point thereof and thence to a point on the shore of the bed of the River Avon known as the "North Channel" immediately opposite to the Avonmouth Station on the Bristol Port and Pier Railway and thence along the eastern shore of the said bed of the River Avon known as the "North Channel" to the said entrance lock ;
- (b) The bed of the creek of the River Avon known as "Broad Pill" situate in the said parish of Shirehampton ;
- (c) Certain closes of pasture land situate in the said parish of Shirehampton containing altogether seven acres or thereabouts and bounded on the south-west by a road or way leading from Gloucester Road to the Avonmouth Lighthouse on the west partly by land belonging or reputed to belong to the Corporation and partly by land belonging or reputed to belong to the Corporation of Trinity House on the north-east partly by land belonging or reputed to belong to the Corporation and partly by land belonging or reputed to belong to the trustees of the will of Philip John Miles deceased and on the south-east by Gloucester Road aforesaid ; and
- (d) Certain closes of pasture and arable land situate in the said parish of Shirehampton containing altogether twenty-seven acres or thereabouts and bounded on the north by the Bristol Port and Pier Railway on the west partly by land belonging or reputed to belong to the Corporation and partly by the said creek known as "Broad Pill" on the south partly by the River Avon and partly by a road or way and on the east partly by the Crown Bottle Works and partly by land belonging or reputed to belong to the said trustees.

15. Nothing in this Act contained shall empower the Corporation to stop up or in any way interfere with the road to the Avon Lighthouse numbered 58 and 60 on the deposited plans without the consent of the Corporation of Trinity House of Deptford Strond nor to take

For the protection of the Corporation of Trinity House.

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or use for the purposes of this Act any part of the ditch forming the eastern boundary of the lighthouse belonging to the said Corporation of Trinity House.

For the protection of the Kingsweston estate.

16. Nothing in this Act shall authorise or empower the Corporation to enter upon take or use otherwise than by agreement any lands in the said parish of Shirehampton shown on the deposited plans and described in the deposited books of reference belonging to Philip Napier Miles or acquired from him or his predecessors in title as owners of the Kingsweston estate by the Corporation or the Bristol Port and Channel Dock Company.

For the protection of the vicar and churchwardens of the parish of St. Augustine-the-Less.

17. For the protection of the vicar and churchwardens for the time being of Saint Augustine-the-Less in the city of Bristol hereinafter called "the vicar and churchwardens" the Corporation in executing any works affecting the churchyard of Saint Augustine-the-Less shall be bound by the following provisions unless otherwise agreed between the Corporation and the vicar and churchwardens (that is to say):

- (1) All works affecting the churchyard of the parish church of Saint Augustine-the-Less including the works hereinafter in this section mentioned shall be carried out with due despatch and completed within four weeks from the commencement of any operations in connexion with such works on the lands forming part of the said churchyard;
- (2) All such works shall be constructed under the superintendence and to the reasonable satisfaction in all respects of the surveyor for the time being to the vestry of the said parish;
- (3) Before commencing the construction of any such works the Corporation shall erect proper hoardings or screens round the site of such works of such height and in such position as the said surveyor may require in order to conceal all operations taken by them in the construction of such works and no advertisements shall be exhibited on any such hoardings or screens;
- (4.) Before interfering with the present wall forming the boundary of the said churchyard or the sexton's cottage abutting thereon or the other houses adjoining the churchyard and numbered 4 and 5 on the deposited plans the Corporation shall in lieu thereof construct a new boundary wall along the entire length of the south-eastern side of the said churchyard and shall complete the same to the level of the churchyard and such new wall shall be uniform in every respect with the said existing wall including the pointing coping and iron railings and shall be constructed of such thickness and with such foundation and

counterports as may be necessary to ensure its perfect stability and shall immediately abut on the new street;

(5) The new iron railings shall be painted with four coats of paint and all old iron railings gates and lamps shall be repainted with two coats of paint to match such new work;

(6) The Corporation shall construct:—

(a) A flight of stone steps in the south-east corner of the churchyard at such spot and in such manner as the said surveyor shall direct for the purpose of affording access to the said churchyard from the Butts as altered under the powers of this Act and such new steps shall be of the same width as the present steps leading from the Butts into the said churchyard with similar retaining walls gates and railings;

(b) Two gas lamps at such points in the churchyard as may be indicated by the surveyor with proper pipes leading thereto from the mains and all proper fittings complete;

(c) An asphalte path within the churchyard six feet wide by the side of the aforesaid new boundary wall to connect such new steps with the old church path;

(d) A flight of steps for affording access from the end of Trinity Street into the proposed new roadway into Canons Marsh at the lower level;

(7) The present gravestones shall be taken up and carefully replaced in such parts of the churchyard or affixed to the southern boundary or other wall thereof as the said vicar and churchwardens may direct;

(8) All human remains or coffins or parts of the same necessarily disturbed during the alterations shall be carefully removed protected and (new coffins being provided if necessary) shall be either re-interred in such other parts of the churchyard or in consecrated ground as may be approved by the vicar and churchwardens and the representatives if any of the deceased persons And such removal protection and re-interment shall be carried out under the supervision and to the satisfaction of the medical officer of health for the city but nothing in this section shall authorise interment or re-interment taking place in the said churchyard at variance from the terms of any Order in Council for the time being affecting the same;

(9) The soil of the churchyard together with all bricks stones or materials of all the graves or vaults required to be removed shall be deposited in such place or places as the said surveyor may approve;

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- (10) On the completion of the works the whole of the churchyard affected by the alterations shall be levelled re-turfed and otherwise reinstated to the satisfaction of the said surveyor ;
- (11) Any damage to the church or churchyard by the works or workmen of the Corporation shall be made good to the satisfaction of the surveyor ;
- (12) All works matters and things executed and done by the Corporation under this section shall be so executed and done at the expense in all respects of the Corporation ;
- (13) The Corporation shall before entering into possession of the churchyard or the sexton's cottage required for the widening of the Butts issue to any four of the trustees for the time being of the church lands of the said parish £300 Bristol Corporation 3½ per cent. debenture stock bearing interest from the date of such issue and the said trustees may hold and from time to time sell and dispose of such stock as part of the trust property of the said parish and upon the issue of the said stock the sexton's cottage and the portion of the churchyard by this Act authorised to be taken shall absolutely vest in the Corporation. The said works so to be executed by the Corporation and the issue of the said stock shall be in lieu of all purchase money and compensation payable for or in relation to the acquisition of or interference with the said cottage and churchyard.

For the
protection of
William
Terrell and
Sons (Limited).

18. For the protection of William Terrell and Sons (Limited) (in this section called "the Company") the following provisions shall have effect (that is to say) :

Upon exercising the compulsory powers by this Act conferred upon the Corporation in respect of any land belonging to or occupied by the Company the Corporation shall secure to the Company during the continuance of the lease bearing date the thirtieth day of October one thousand eight hundred and eighty-five and expressed to be made between John Frederick Bailey and Emily Julia his wife of the one part and the Company of the other part free access to a wharf (situate as nearly as possible within the same distance from the residue of their property at Canons Marsh as the land taken by the Corporation under this Act) for the purpose of the shipping and unshipping of merchandise at such wharf and free access from such wharf to the road known as the Butts without charge except dues and any dispute relating to the carrying out of the provisions of this section shall be referred to arbitration in manner provided by the Lands Clauses Consolidation Acts 1845 1860 and 1869.

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19. The powers of the Corporation 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.

20. The Corporation may (in addition to the 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 otherwise any lands not exceeding in the whole five acres or any easement right or privilege therein thereunder thereover or thereupon which shall be deemed necessary by the Corporation.

Power to acquire additional lands by agreement.

21. The consideration for any such acquisition may be either money land or works or any yearly sum or rentcharge or other rent or a mixed consideration of money land and works and on any exchange the Corporation may give or take any money for equality of exchange.

Consideration for such acquisition.

22. The persons by the Lands Clauses Consolidation Act 1845 empowered 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 Corporation 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 as aforesaid and the several provisions of the said Acts with respect to lands and rentcharges so far as the same are respectively applicable in that behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to take easements by agreement

23. The Corporation shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

As to taking houses of the labouring class.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

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Corporation
may use
their own
lands for
purposes of
this Act.

24. The Corporation may from time to time appropriate and use for any of the purposes of this Act any lands for the time being vested in them and not forming part of their dock estate but before so appropriating or using the same they shall cause the same lands to be valued by some independent and competent surveyor and the amount of such valuation shall be applied in the same manner as the proceeds of the sale of such lands would have been applied had the same been sold by the Corporation. Provided that nothing in this Act shall relieve the Corporation from the necessity of obtaining the approval of the Commissioners of Her Majesty's Treasury for any such appropriation or use as would require such approval under the Municipal Corporations Act 1882 or any other general Act.

Power to
retain lands.

25. Notwithstanding anything in the Lands Clauses Consolidation Act 1845 the Corporation may retain hold and use any lands or any interest in any lands acquired by them under the powers of this Act and adjacent to their docks.

New street
&c. vested
in urban
sanitary
authority.

26. The said new street and the altered and diverted portions of the Butts shall vest in the urban sanitary authority for the district of the city as part of the highways of that district and shall be maintained and repaired by them accordingly.

Works by
this Act
authorised
to be part of
dock under-
taking.

27. The several works by this Act authorised and all lands acquired or appropriated by the Corporation for the purposes thereof or otherwise under the powers of this Act shall form part of the dock estate and of the dock undertaking of the Corporation and subject to the provisions of this Act the Corporation shall have and may exercise and enjoy the same rights powers privileges and authorities in over upon and in relation thereto including the right to demand take and recover tolls rates dues and charges for the use of the said works respectively as if they had respectively immediately before the passing of this Act formed part of the dock estate.

Lockage toll.

28. The Corporation may demand and take for every vessel and raft which shall enter or use the new lock or entrance by this Act authorised a lockage toll not exceeding—

In the case of a vessel one penny for every ton burthen of such vessel; and

In the case of a raft one penny for every ton weight of wood of which the raft is made and one penny for every ton of weight carried thereby.

Charges on
shipment and
weighing of
coals &c.

29. The Corporation may in addition to any other sums which they are by this or any other Act authorised to demand charge—

For the shipment by the Corporation of coals coke or culm by means of drops tips or staiths shipping-machines or appliances

or other machinery works or conveniences any sum not exceeding threepence per ton ;

For the weighing by the Corporation of coals coke or culm including the use of the weighing-machines any sum not exceeding one farthing per ton ;

For the use in other cases of staiths drops tips shipping-machines or appliances or other like machinery works or conveniences such reasonable rates as the Corporation from time to time determine.

30. The Corporation may demand and take from the owner or master of each vessel using the graving dock or any buildings machinery or premises connected therewith such reasonable rates and charges in respect of such user as the Corporation from time to time determine.

Graving dock rates.

31. The Corporation may if they think fit (regard being had to the probable amount of graving dock rates to become payable in respect of a vessel) require a reasonable sum to be paid by the master or owner thereof by way of deposit before such vessel is permitted to go into or use the graving dock.

Deposit for] rates.

32. The master or owner of any vessel applying to have any vessel admitted into any graving dock may be questioned by the dock master as to the dimensions and draught of water of such vessel and on any other matter relative to the vessel in order that the dock master may be enabled to select the particular graving dock into which the vessel may be admitted and the time of its admittance thereto and also to estimate the amount of graving dock rates to become payable in respect of such vessel and if such master or owner refuses to answer any reasonable question or wilfully gives a false answer he shall for every such offence be liable to a penalty not exceeding ten pounds and if by reason of any such refusal or of any such false answer such vessel or any other vessel is prevented from or hindered in going into or going out of any graving dock whereby any damage is sustained by the Corporation either from loss of rates or from any other cause such master or owner shall make good the same to the Corporation and in the meantime the same shall be a charge on the vessel and any deposit made on account of graving dock rates shall be absolutely forfeited to the Corporation.

Master of vessel may be questioned as to draught of water of his vessel.

33. The Corporation may let the graving dock and any buildings machinery and conveniences connected therewith for any period at such rent and on such terms and conditions as they think proper but the said dock shall always be kept for the use of the public according to the regulations for the time being in force applicable to such

Corporation may let the graving dock.

A.D. 1886. dock and at the rates not exceeding those fixed by the Corporation at the time of such letting.

Graving dock not to be used for building &c. vessels.

34. The graving dock shall be used only for the purpose of examining cleaning repairing and refitting vessels and no vessel shall be allowed to remain in the graving dock for the execution of any work which can be executed on the vessel when afloat if any other vessel entitled to admission is ready and waiting to be admitted and no person shall be entitled to use or shall use the graving dock for the purpose of building lengthening or enlarging any vessel or of executing any work which is likely to occupy a longer time than the Corporation consider is expedient except with the previous consent of the Corporation in writing under the hand of the general manager of the dock estate given before such vessel is admitted to the graving dock and the Corporation may grant or refuse their consent or grant it on such terms and conditions as they think fit.

Occupation of graving dock improperly.

35. If any vessel occupies the graving dock longer than is reasonable or than is permitted by the Corporation under any arrangement in that behalf made with them the owner of such vessel shall be liable to a penalty not exceeding fifty pounds and to a further penalty not exceeding ten pounds for every day such vessel shall remain in the graving dock after notice in writing from the Corporation under the hand of the said general manager given to the owner master or person having the charge of such vessel.

Removal of vessels from graving dock.

36. In case the owner or master or the person having charge of any vessel going into or making use of any graving dock neglect to remove such vessel therefrom when the period for which it entered the same has expired or at the time required by any byelaw relating thereto the Corporation may if they think fit cause it to be removed into any other dock whether a graving dock or not and all expenses of or consequent on such removal with any expenses of procuring and putting ballast on board such vessel and of making it sufficiently water-tight for removal shall be a charge on such vessel but nothing in or done under this section shall exonerate the master or owner of such vessel from the payment of any graving dock rates or from any other payments or from any penalties to which he might otherwise be liable.

Such expenses may be recovered either as tonnage rates are recoverable or by action in any court of competent jurisdiction.

Charges for use of tramways, &c.

37. The Corporation may charge for the use of any tramways machinery and appliances provided by the Corporation at any of the works by this Act authorised such reasonable rates as they from time to time appoint.

38. The Corporation may compound by the year or for any shorter time for the payment of an annual or other rent instead of any dues which would otherwise be payable for any vessel. Provided always that in case the Corporation shall at any time make any such composition as aforesaid it shall be lawful for the owner of any other similar vessel and under similar circumstances to compound for the dues payable for such vessel in order to prevent the dues being compounded for partially or in favour of any particular person.

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Power to compound tonnage rates.

39. The Corporation if and when they think fit may remit or return the whole or any part of any dues in respect of any vessel or goods shown to their satisfaction to have been wrecked spoiled or damaged and may remit or return the whole or any part of any dues under any other circumstances which in their judgment make the remission or return reasonable and just. Provided that the claim for the remission or return be made and substantiated to the satisfaction of the Corporation within such time as in the circumstances they deem reasonable.

Power for Corporation to remit rates.

40. The Corporation may from time to time confer exemptions from such portion as they think fit of any dues. Provided that every such exemption shall be made equally to all persons in respect of all vessels falling within the same class or description carrying the same description of cargo and in the like circumstances.

Power to Corporation to give exemption from dues.

41. The Corporation may for the purposes of this Act to which capital is properly applicable create and issue stock not exceeding in amount the sum of two hundred and sixty thousand pounds. The provisions of sections 52 to 78 both inclusive of the Act of 1881 and of sections 44 to 50 both inclusive of the Act of 1884 shall extend and apply to and in relation to such stock created and issued under the powers of this Act as if such stock were created and issued under the powers of those Acts and in construing those sections for the purposes of this section the expression "this Act" whensoever used in any of those sections shall be construed to include this Act.

Power to create and issue stock.

42. All moneys raised under the powers of this Act by the creation and issue of stock shall be applied solely to the purposes of this Act to which capital is properly applicable.

Application of money raised by stock.

43. Nothing contained in this Act shall authorise the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river 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

Saving rights of the Crown in the fore-shore.

A.D. 1886. 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 Crown under Crown Lands Act 1866.

44. 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 21 and 22 of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty Her heirs or successors.

Saving rights of Commissioners of Sewers for the Lower Level.

45. Nothing in this Act contained shall extend or be construed to extend to prejudice lessen alter or take away any of the rights privileges powers and authorities of the Commissioners of Sewers of the Lower Level of the county of Gloucester by virtue of their Commission and the general laws relating to sewers or otherwise but such rights privileges powers and authorities of the same Commissioners shall remain continue and be in full force and effect.

Certain works to be executed to satisfaction of Commissioners.

46. All works to be constructed under this Act affecting the watercourses or sea bank now under the jurisdiction of the Commissioners of Sewers for the Lower Level of the county of Gloucester shall so far as they may affect the same be executed to the reasonable satisfaction of the said Commissioners or their engineer for the time being and shall for ever afterwards remain under the jurisdiction of the said Commissioners of Sewers.

For the protection of the Bristol Waterworks Company.

47. The provisions of section 105 of the Bristol Waterworks Act 1862 (pipes of the Company not to be moved or injured) shall extend and apply to the removal or the alteration of the position or level under the powers of this Act of any main or service water pipe of the Bristol Waterworks Company and to the Corporation and the Bristol Waterworks Company in relation to any such removal or alteration.

Costs of Act.

48. All the costs charges and expenses incurred by the Corporation preliminary to and of and incidental to the preparing of and applying for obtaining and passing of this Act shall be paid by the Corporation out of the dock revenue and the borough fund or out of stock to be created and issued for that purpose by virtue of the powers of this Act.