



CHAPTER cclxi.

An Act for empowering the Milford Docks Company to construct railways, and for other purposes. A.D. 1884.

[14th August 1884.]

WHEREAS by the Milford Docks Act, 1874 (in this Act called "the Act of 1874"), the Milford Docks Company (in this Act called "the Company") were incorporated, and by that Act, and the Milford Docks Act, 1875 (in this Act called "the Act of 1875"), were empowered to make the docks and works therein respectively described.

And whereas for the greater convenience of working the said docks and the traffic frequenting the same, it is expedient that the Company should be authorised to construct the junction railways herein-after described, in the county of Pembroke.

And whereas it is expedient that the Company, and any company or persons for the time being working or using the railways of the Company, should be empowered to run over and use the railways and stations herein-after in that behalf mentioned.

And whereas it is expedient that the Company and the other companies and persons herein-after in that behalf mentioned, should be empowered to enter into and carry into effect working and other agreements as herein-after provided.

And whereas by the Milford Haven Dock and Railway Act 1860, the Milford Haven Dock and Railway Company (in this Act called "the railway company") were incorporated with powers, amongst other things, to make a railway to Newton Noyes on the north side of Milford Haven, and by divers subsequent Acts the powers of the said Act of 1860 and of the railway company were extended.

And whereas by the Milford Haven Dock and Railway Act 1881 an agreement made between the railway company of the first part, the trustees of the National Provident Institution of the second part, and Samuel Lake and Thomas Walmsley Taylor of the third part, for a lease of the railway pier and works of the railway company was confirmed and scheduled to that Act; and in the year 1882 certain persons formed themselves into a company under the name

A.D. 1884. of the Milford Haven Railway and Estate Company, Limited (in this Act called "the estate company"), for the purpose amongst others of entering into and carrying into effect agreements with the parties to the said agreement scheduled to the said Act of 1881, and with other persons and companies in relation thereto and in relation to other lands and premises known as the Milford Estate, and such company was duly registered under the Companies Acts 1862 to 1880, and has agreed to lease from the said Samuel Lake and Thomas Walmsley Taylor the premises defined in the said agreement.

And whereas on the 22nd day of February, 1883, the said Samuel Lake and Thomas Walmsley Taylor were adjudicated bankrupts, and their trustees in bankruptcy are herein-after referred to as "the trustees of Lake and Taylor."

And whereas by the Milford Docks (Extension of Time) Act, 1880, the time limited for the compulsory purchase of certain of the lands by the Act of 1874 and the Act of 1875, authorised to be taken by the Company was revived and extended, but doubts have arisen whether certain of the powers granted by the said Acts have been exercised, and it is expedient that such doubts should be set at rest, and that for that purpose the said powers should as to certain of such lands be revived, and that the time for the compulsory purchase thereof should be extended.

And whereas by the Milford Docks (Extension of Time) Act, 1880, and the Milford Docks (Further Powers) Act, 1882, the time limited for the completion of the works authorised by the Act of 1874 and the Act of 1875 was extended until the 12th day of July, 1885, and it is expedient that the time limited for the completion of the said works should be extended as by this Act provided.

And whereas by the Milford Docks Act, 1883 (herein-after called "the Act of 1883"), provision was made for the reference to arbitration of various questions and disputes which had arisen touching the Company and their undertaking, and the rights of persons having claims against the Company and various other matters, and the Company were empowered to issue certain debenture stock therein and in this Act referred to as debenture stocks B and C, respectively, and it is expedient that provision should be made as herein-after provided with respect to the release of certain rights of redemption in respect of the said debenture stocks B and C.

And whereas plans and sections showing the line and levels of the works authorised by this Act, the plans showing also the lands which may be required to be taken under the powers of this Act, and also books of reference to such plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the said lands were duly deposited with the clerk of the peace for

the county of Pembroke, and are herein-after respectively referred to as the deposited plans, sections, and books of reference. A.D. 1884.

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:

1. This Act may be cited as the Milford Docks Act, 1884.

Short title.

2. The Lands Clauses Consolidation Acts 1845, 1860, and 1869, as amended by the Lands Clauses (Umpire) Act 1883, the Railways Clauses Consolidation Act, 1845, and Part I. (relating to construction of a railway), Part II. (relating to extension of time), and Part III. (relating to working agreements) of the Railways Clauses Act 1863 are (except where expressly varied by this Act), incorporated with and form part of this Act. And in construing the provisions of Part II. of the Railways Clauses Act 1863 for the purposes of this Act, the docks and works of the Company shall be deemed to be a railway.

Incorporation of Acts.

3. In 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 expression "the railway" means the railways or any of the railways authorised by this Act; 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.

Interpretation.

4. The Act of 1883, as amended by this Act, and this Act shall be read and construed as one Act, and the purposes of this Act shall be deemed to be part of the general purposes of the undertaking of the Company.

Act of 1883, and this Act to be read together.

5. Subject to the provisions of this Act the Company may make and maintain in the lines or situations and according to the levels respectively shown on the deposited plans and sections the railways herein-after described, and 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 those purposes. The

Power to make works.

A.D. 1884. works herein-before referred to and authorised by this Act will be situate in the county of Pembroke, and are :

A Junction Railway, No. 1, one furlong and five chains, or thereabouts, in length, commencing by a junction with the existing dock siding of the Company on the Milford Quay and terminating by a junction with the railway of the Milford Haven Dock and Railway Company.

A Junction Railway, No. 2, nine chains eighty-four links or thereabouts in length, commencing at a point 33 yards or thereabouts, measured in an eastwardly direction from the south-westernmost corner of the Legal Quay at Milford Dock and terminating by a junction with the railway of the Milford Haven Dock and Railway Company.

As to facilities for junction with the Great Western Railway Company.

6. Whereas by the Bill for this Act as introduced into Parliament power was sought to enable the Company to construct a certain railway therein referred to as Junction Railway No. 3, for the purpose of effecting a junction between the tramways and sidings of the Company and the railways or sidings at the Milford Station of the Milford Railway, now worked, maintained, and managed by the Great Western Railway Company (herein-after referred to as the Great Western Company): And whereas the Company agreed to abandon the application for power to construct the said Junction Railway No. 3, in consideration of the provisions in this section contained: Therefore the Great Western Company, and the Milford Improvement Commissioners shall, on being required within three years from the passing of this Act so to do by writing under the common seal of the Company, permit the Company to form and maintain a junction with the said Milford Railway or its sidings at the southern end thereof in the Milford Station, as shown on the plan signed by the Honourable Francis Egerton, the Chairman of the Committee of the House of Commons, to whom the Bill for this Act was, during its passage through Parliament, referred, and the provisions of the Railways Clauses Act 1863 with respect to junctions, shall apply to such junction, and are hereby incorporated in this Act with reference thereto, and the Company shall abandon so much of their intended dock siding as lies between the points marked A and B on the said plan, and the Great Western Company shall, if necessary for the purpose of the construction of the said junction, or in consequence thereof, alter the position of and extend or re-arrange the rails, sidings, and signals of the Milford Railway so as to admit of the free passage and interchange of traffic over the said junction between the sidings, tramways, and works of the Company, and the rails, sidings, and works of the said Milford Railway, and they shall construct such other works and

conveniences as may be necessary to be substituted for any existing works or conveniences, but before doing so the Company shall pay to the Great Western Company the amount of the estimated costs, charges and expenses of, or connected with, any works, matters or things to be executed or done by the Great Western Company under this enactment; and if such estimated cost shall be exceeded, the amount by which it is so exceeded shall be repaid to the Great Western Company by the Company; and should any difference arise between the Company and the Great Western Company as to the necessity for any works proposed to be constructed as aforesaid by the Great Western Company, or as to the amount of the estimated or actual costs, charges, and expenses of or connected with any such works, the same shall be determined by an engineer to be appointed on the application of either the Company or the Great Western Company by the President for the time being of the Board of Trade and the Company shall also provide on their own land, or on land to be acquired by them, and at their own expense, all necessary sidings and other works and conveniences for the sufficient interchange, accommodation, and delivery of traffic passing, or intended to pass, to or from their docks or sidings and the Milford Railway.

7. The Company may from time to time, subject to the provisions of this Act, make and maintain in connexion with the above-mentioned railways or any of them all necessary and convenient viaducts, rails, sidings, junctions, stations, approaches, bridges, roads, buildings, yards, and other works and conveniences.

Power to make subsidiary works.

8. The aforesaid junctions or junction railways shall, when made, be and become part of the railway of the railway company, as if the same formed part of the undertaking of the railway company as originally authorised.

Junction railways to become part of railway of railway company.

9. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years after the passing of this Act.

Limiting period for compulsory purchase of lands.

10. 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 Company 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 rentcharges, 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.

Power to take easements, &c., by agreement.

A.D. 1884.

Railway
deposit fund
not to be re-
paid except
so far as rail-
way opened
&c.

11. Whereas pursuant to the standing orders of both Houses of Parliament and to an Act passed in the session of Parliament held in the ninth and tenth years of Her present Majesty chapter twenty there has been transferred into the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act the sum of fifty pounds Three per Centum Consolidated Bank Annuities (herein-after referred to as "the original deposit fund") representing five per centum upon the amount of the estimate in respect of the railways proposed to be authorised by the Bill for this Act as originally introduced into Parliament: And whereas such railways included a railway which was struck out of the Bill during its progress through Parliament and the estimate for the railways authorised by this Act amounts to seven hundred and six pounds: Be it enacted that notwithstanding anything contained in the said recited Act out of the original deposit fund a sum of thirty-five pounds six shillings Three per Centum Consolidated Bank Annuities representing five per centum upon the amount of the estimate in respect of the railways authorised by this Act (which last-mentioned sum is herein-after referred to as "the deposit fund") shall not be transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them (which persons, survivors, or survivor are or is in this Act referred to as "the depositors") unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railways, open the railways for the public conveyance of passengers. Provided that if within such period so limited for the completion of the railways the Company open any portion of the railways for the public conveyance of passengers, then on production of a certificate of the Board of Trade specifying the length of the portion of the railways opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railways so opened bears to the entire length of the railways, the court shall on the application of the depositors order the said portion of the deposit fund so specified in such certificate as aforesaid to be transferred to the depositors or as the depositors shall direct, and any such certificate as aforesaid of the Board of Trade shall, if signed by the secretary or by an assistant secretary of the said Board, be sufficient evidence of the facts therein certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the recited Act to the contrary notwithstanding.

Application
of deposit.

12. If the Company do not, previously to the expiration of the period limited by this Act for the completion of the railways, com-

plete and open the same as aforesaid, then, and in every such case, the deposit fund, or so much thereof as shall not have been transferred to the depositors, shall be applicable, and after due notice in the "London Gazette" shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railways, or any portion thereof respectively, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act for the purposes of the railways, and for which injury or loss no compensation, or inadequate compensation, shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court may seem fit; and if no such compensation shall be payable, or if a portion of the deposit fund shall have been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty and shall accordingly be transferred to or for the account of Her Majesty's Exchequer in such manner as the Court thinks fit to order on the application of the Solicitor to Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or in the discretion of the Court, if the Company is then insolvent and has been ordered to be wound up, or the undertaking of the Company is then in the hands of a receiver, shall wholly or in part be transferred to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof. Provided that until the deposit fund shall have been repaid to the depositors, or shall have become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the depositors.

13. On the application of the depositors by petition in a summary way at any time after the passing of this Act the Court may and shall order that the sum of fourteen pounds fourteen shillings Three per Centum Consolidated Bank Annuities being the balance of the original deposit fund, and the interest and dividends thereof shall be paid or transferred to the depositors or to any other person or persons whom they may appoint on their behalf.

Release of
portion of
deposit.

14. If the railways by this Act authorised are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for

Period for
completion
of works.

A.D. 1884. making and completing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Tolls for use of railways and carriages.

15. The Company may demand and take for the use of the railways by this Act authorised, and for the supply of carriages, waggons, or trucks any tolls not exceeding the following, that is to say :—

For passengers.

With respect to passengers—

For every person conveyed in or upon a carriage upon the railway not exceeding the sum of one penny.

And if conveyed in or upon any carriage belonging to the Company an additional sum not exceeding one penny.

For animals.

With respect to animals—

Class 1. For every horse, mule, ass, or other beast of draught or burden conveyed in or upon a carriage upon the railway not exceeding twopence.

And if conveyed in or upon a carriage belonging to the Company an additional sum not exceeding one penny.

Class 2. For every ox, cow, bull, or head of neat cattle, calf, pig, sheep, lamb, or other small animal conveyed in or upon a carriage upon the railway not exceeding three halfpence.

And if conveyed in or upon a carriage belonging to the Company an additional sum not exceeding one penny.

For goods.

With respect to goods and other things—

Class 3. For all goods of whatever description other than those herein-after specified not exceeding twopence a ton.

And if conveyed in a carriage belonging to the Company, an additional sum not exceeding one penny a ton.

Class 4. For every carriage of whatever description not being adapted and used for travelling on a railway and not weighing more than two tons not exceeding sixpence.

And if any such carriage be conveyed on a truck or platform belonging to the Company an additional sum not exceeding one penny.

And for every carriage of whatever description (not being adapted and used for travelling on a railway and weighing more than two tons) a further sum not exceeding one penny for every quarter of a ton or fractional part of a quarter of a ton above two tons.

Tolls for locomotive power.

16. The Company may demand and take for the supply of engines for drawing or propelling carriages or trucks on the railway any sum not exceeding one penny for each passenger, animal, or ton of goods or other articles, matters, or things.

17. The maximum rates of charge to be made by the Company for the conveyance of passengers upon the railway, including the tolls for the use of the railway and of carriages and of locomotive power and every other expense incidental to such conveyance, shall not exceed:—For every passenger conveyed the sum of twopence.

A.D. 1884.

Maximum rates of charges for passengers.

And the maximum rate of charge to be made by the Company for the conveyance of animals and goods, including the tolls for the use of the railway carriages and locomotive power and for every other expense incidental to such conveyance, except a reasonable charge for loading and unloading of goods, and for delivery and collection and any other service incidental to the business or duty of a carrier (when any such service is performed by the Company), shall not exceed the sums following (that is to say):—

For animals and goods.

For every animal in class 1, not exceeding threepence.

For every animal in class 2, not exceeding twopence.

For everything in class 3, not exceeding threepence.

For everything in class 4, not weighing more than two tons, not exceeding sevenpence.

And if weighing more than two tons not exceeding twopence for every quarter of a ton or fractional part of a quarter of a ton above two tons.

Notwithstanding any other tolls by this Act prescribed the Company shall not for the carriage of small parcels on the railway demand and take any tolls exceeding the following (that is to say):—

Tolls for small parcels.

For any parcel not exceeding seven pounds in weight twopence.

For any parcel exceeding seven pounds and not exceeding fifty-six pounds in weight threepence.

And for parcels exceeding fifty-six pounds in weight but not exceeding five hundred pounds in weight the Company may demand and take any sum they may think fit.

Articles sent in large aggregate quantities although made up of separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

With respect to single articles of great weight notwithstanding the rate of tolls by this Act prescribed, the Company may demand and take the tolls following (that is to say):—

Tolls for single articles of great weight.

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone or rope, or other single article, the weight of which including the carriage exceeds four tons, but does not exceed eight tons, the Company may demand any sum not exceeding two shillings.

And if conveyed in or upon a carriage belonging to the Company, an additional sum not exceeding sixpence.

A.D. 1884.

And if propelled by an engine belonging to the Company a further sum not exceeding threepence.

For the carriage of any boiler, cylinder, or single piece of machinery, or single piece of timber, stone, or rope, or other single article, the weight of which with the carriage exceeds eight tons the Company may demand and take any sum which they think fit.

Regulations
as to the
tolls.

18. The following provisions and regulations shall be applicable to the fixing of the tolls (that is to say) :—

For a fraction of a ton the Company may demand and take toll according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber, the weight shall be determined by the imperial avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Passengers
luggage.

19. Every passenger travelling upon the railway may take with him his ordinary luggage not exceeding one hundred and twenty pounds in weight for first-class passengers, one hundred pounds in weight for second-class passengers, and sixty pounds in weight for third-class passengers without any charge being made for the carriage thereof.

Special
trains.

20. The restriction as to the charge to be made for passengers shall not extend to any special train that may be required to run upon the railway, but shall apply only to the ordinary and express trains appointed or to be appointed from time to time by the Company for the conveyance of passengers and goods on the railway.

Power to
take extra
tolls by
agreement.

21. This Act, or anything herein contained, shall not prevent the Company from taking any increased charges, over and above the charges by this Act limited for the conveyance of goods of any description by agreement with the owners, or persons in charge of such goods, either in respect of the conveyance of such goods, except small parcels by passenger trains, or by reason of any other special service performed by the Company in relation thereto.

User of other
railways.

22. The Company and any company or persons for the time being lawfully working or using the docks, railways, or other works of the Company, or any part thereof, either by agreement or otherwise, may run over, work and use with their engines, carriages, and waggons, officers and servants, whether in charge of engines and trains, or for any other purpose whatsoever, and for the purposes of

traffic of all kinds the whole of the railway of the railway company extending from and including the pier near Newton Noyes to the junction of that railway with the Milford Railway at or near the Milford Station including all stations, platforms, yards, sidings, junctions, sheds, buildings, booking and other offices, roads, approaches, water, water engines, engine sheds, standing room for engines, telegraphs, points, signals, works, machinery, and conveniences of or connected with the said railway, but not including the Milford Station of the Milford Railway Company or any of the sidings, works or conveniences connected therewith; and, as regards traffic conveyed by them, the Company, and any such other Company or person so working or using the docks, railways, or other works of the Company may (subject as next herein-after mentioned) demand and take the same tolls and charges upon and in respect of the said railway as are now authorised to be taken upon and in respect thereof. Provided that the Company and any company or persons for the time being running over and using the railway of the railway company or any part thereof may demand and take any increased charges over and above the charges limited by the Milford Haven Dock and Railway Act 1860 or any other Act relating to that railway by reason of any services performed by the Company or such other company or persons as aforesaid in relation to the loading and unloading delivery and collection of such goods, and any other service incidental to the business or duty of a carrier (when any such service is performed by the Company). Provided that unless otherwise agreed between the Company and the railway company, the powers by this section conferred as aforesaid on the Company, and any such company or persons as aforesaid for running over, working, and using the railway of the railway company shall not be exercised, if and so long as the said railway of the railway company is bonâ fide and efficiently worked for the development both of the local and through traffic to and from the docks, and any question as to such bonâ fide and efficient working shall be determined on the application of the Company or the railway company by the Railway Commissioners, who shall determine by whom and in what proportion the costs of such application shall be paid.

23. The terms, conditions, and regulations to be observed and fulfilled, and the tolls and charges, rents, or other consideration to be paid by the Company or any such other Company or persons as aforesaid for or in respect of the use of the said railway, stations, works, and conveniences shall be such as may be from time to time agreed upon between them and the Company or companies owning the railway so used, or as failing such agreement may be from

Terms of
such user.

A.D. 1884.

time to time determined by an arbitrator to be appointed by the Board of Trade on the application of either of the parties interested, and the decision of such arbitrator shall be final and conclusive, and the costs of such arbitration shall be in his discretion.

Power to enter into traffic arrangements.

24. The Company on the one hand, and the Milford Haven Railway and Estate Company (Limited), and the trustees of Lake and Taylor, or any of them on the other hand may, subject as regards the Company to the provisions of Part III. of the Railways Clauses Act, 1863, as amended or varied by the Regulation of Railways Act, 1873, from time to time enter into, carry into effect, alter and rescind contracts, agreements and arrangements, with respect to the following purposes or any of them (that is to say) :—

The working, use, management, and maintenance by the contracting parties or any or either of them of the railways or tramways of the Company or any part or parts thereof.

The management, regulation, interchange, collection, transmission, and delivery of traffic upon or coming from or destined for the railways or tramways of the contracting parties or any or either of them.

The supply and maintenance under any agreement for the railways or tramways of the Company being worked and used by the contracting parties or either of them of engines, stock, and plant necessary for the purposes of such agreement, and the employment of officers and servants for the conduct of traffic.

The fixing, collection, appropriation, division, and distribution of the tolls, rates, income and profits arising from such traffic.

The payments, allowances, or rebates to be made by any one or either of the contracting parties to the other or others of them.

The appointment of joint committees for carrying into effect any of the objects aforesaid.

Revival of powers for compulsory purchase of lands.

25. The powers granted by the Act of 1874, and by the Act of 1875, respectively, including the powers of those Acts as extended by the Milford Docks (Extension of Time) Act, 1880, for the compulsory purchase of lands, so far as regards the lands mentioned in the schedule to this Act annexed, save and except any interest of John George Lister in such lands, are hereby revived and extended, and may be exercised by the Company at any time within, but shall not be exercised after the expiration of two years from the ninth day of July, one thousand eight hundred and eighty-four.

Extension of time for completion of works.

26. The period limited by the Act of 1874 and by the Act of 1875 for the completion of the works by those Acts respectively

authorised as extended by the Milford Docks (Extension of Time) Act 1880 and the Milford Docks (Further Powers) Act, 1882, is hereby further extended for a period of three years from the twelfth day of July, one thousand eight hundred and eighty-five, and the Act of 1874 and the Act of 1875 shall be read and have effect as if such extended time had been originally named therein as the period limited for the completion of the works thereby respectively authorised. Provided that this section shall not apply to either of the two graving docks or the entrance lock authorised by the Act of 1875 to be abandoned.

A.D. 1884.

27. Notwithstanding anything in the Act of 1874, or any Act incorporated therewith, the construction of the sill of the entrance to the graving dock on the westerly side of the entrance lock to the wet dock authorised by that Act at a depth of eight feet or thereabouts lower than is shown upon the sections deposited in respect of and referred to in that Act is hereby confirmed, and the Company may in the construction of any other of the works by that Act authorised, or of any of the works authorised by the Act of 1875, deviate vertically from the levels of such works as shown on the said sections to any extent not exceeding five feet upwards, and ten feet downwards.

Confirma-
tion of con-
struction of
certain
works.

28. The board of directors of the Company may by agreement with the holder or holders of any portion of the debenture stocks B and C in respect of which the Company may have a right of redemption, release such right in consideration of the surrender by such holders of a portion of the stock held by them or upon such other terms and conditions as the directors may think fit. Upon any surrender as aforesaid the said board may either cancel the stock so surrendered or re-issue the same on such terms and conditions as they may think fit.

Extinguish-
ing right of
redemption
in certain
cases.

29. Whereas it is expedient for the better and more fully carrying into effect the objects and purposes of the Act of 1883, and for determining the rights of all persons by that Act referred to arbitration, to amend that Act by conferring such further powers upon the arbitrator appointed under the provisions thereof (herein-after called the arbitrator) as are herein-after contained: Be it enacted that the arbitrator may, by writing under his hand, limit or appoint such a time, not being less than one calendar month, as he in his discretion may think reasonable, within which all persons (if any) having claims to any such rights not then already submitted or notified to him, shall submit their claims or give notice thereof to him, and such limitation or appointment shall be published by the Company in the London Gazette, and such other newspapers and at such time or times as the arbitrator may direct. And after the

As to the
barring of
claims by
arbitrator.

A.D. 1884. — expiration of the time so limited or appointed as aforesaid the arbitrator may by an award or order in writing under his hand declare that all such claims as aforesaid, not submitted or notified to the said arbitrator before the expiration of the time so limited or appointed as aforesaid, shall be absolutely barred and extinguished, and such order or award shall have the force and effect of an Act of Parliament, barring and extinguishing such claims (if any), and may be pleaded as such in all courts of law or equity in all parts of Her Majesty's dominions.

Provision as
to general
Railway
Acts.

30. Nothing in this Act contained shall exempt the railways by this Act authorised from the provisions of any general Act relating to railways now in force, or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges authorised by this Act or by any other Act or Acts.

Costs of Act.

31. All the costs, charges, and expenses of and incident to the preparing and applying for and the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

A.D. 1884.

PART I.

LANDS, &C., SHOWN ON THE PLANS AND SPECIFIED IN THE BOOK OF REFERENCE DEPOSITED IN RESPECT OF THE ACT OF 1874.

| Parish. | No. on Deposited Plans of 1874. |
|----------------|---|
| Hubberston - - | 46, 51, 52, 53, 54, 55, 56, 57, 58, 59, 26, 26A, 27, 28, 29, 30, 31, 48, 49, 49A, 50, 78, 78A, 1, 1A, 32, 33, 34, 34A, 35, 62, 63, 64, 65, 66, 67, 68, 69, 69A, 70, 70A, 71, 71A, 72, 73, 74, 75, 76, 77, 78B, 78C, 78D, 80, 81, 82, 85A. |
| Steynton - - - | 23, 24, 36, 41, 47, 49, 50, 1, 19, 31, 37, 38, 39, 40, 48, 48A, 48B, 48C, 48D. |

PART II.

LANDS, &C., SHOWN ON THE PLANS AND SPECIFIED IN THE BOOK OF REFERENCE DEPOSITED IN RESPECT OF THE ACT OF 1875.

| Parish. | No. on Deposited Plans of 1875. |
|----------------|---------------------------------|
| Hubberston - - | 1, 2, 3, 4, 5. |

