



CHAPTER lxxx.

An Act to authorise the Felixstowe Dock and Railway Company to levy additional rates tolls and charges to purchase additional lands for the provision of workmen's dwellings to redeem debenture stock and for other purposes.

A.D. 1923.

[31st July 1923.]

WHEREAS by the Felixstowe Railway and Pier Act 1875 the Felixstowe Railway and Pier Company were incorporated and were empowered to make and maintain a railway and pier :

And whereas by the Felixstowe Railway and Dock Act 1879 (hereinafter referred to as "the Act of 1879") the Felixstowe Railway and Pier Company were empowered to construct certain works and the name of that company was changed to the Felixstowe Railway and Dock Company :

And whereas under the provisions of the Great Eastern and Felixstowe Railways Arrangement Act 1887 the undertaking authorised by the Felixstowe Railway and Pier Act 1875 was transferred to the Great Eastern Railway and the name of the Company was changed to the Felixstowe Dock and Railway Company (hereinafter referred to as "the Company") and other provisions were made with regard to the undertaking of the Company :

And whereas the dock and railway and other works authorised by the Act of 1879 have respectively been completed and the Company have carried out the undertaking authorised by the Act of 1879 :

[Ch. lxxx.] *Felixstowe Dock and* [13 & 14 GEO. 5.]
Railway Act, 1923.

A.D. 1923.

— And whereas the cost of maintaining and improving such dock and railway has greatly increased and it is expedient that the maximum rates tolls and charges that the Company are authorised to levy at such dock and in respect of the railway should be altered to meet modern requirements :

And whereas the Company under the powers of the Act of 1879 have in respect of the dock and railway authorised to be constructed under the powers of that Act raised capital amounting to one hundred and thirty thousand pounds and have in respect of such capital issued debenture stock to the amount of twenty-three thousand five hundred pounds :

And whereas it is expedient to authorise the Company to pay off or redeem such debenture stock and to have power to re-borrow moneys for the purposes of the undertaking of the Company up to the amount of the debenture stock so paid off or redeemed :

And whereas under the provisions of section 22 of the Act of 1879 the Company have leased to Messieurs E. Marriage and Son Limited certain lands comprising warehouses and other buildings and it would be in the interest of the trade of the dock that the Company be empowered to lease such lands and warehouses for a longer period than the period of five years limited by that section :

And whereas the Company have in pursuance of the provisions of section 23 of the Act of 1879 granted leases of certain lands for the term of ninety-nine years mentioned in that section and it would be in the interest of the Company to acquire by agreement the benefit of such leases :

And whereas it is expedient owing to the heavy motor vehicle traffic within the dock premises to authorise the Company to make byelaws for the regulation of such traffic and to charge tolls in respect of such traffic :

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 King'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 :— A.D. 1923;

1. This Act may be cited as the Felixstowe Dock and Railway Act 1923 and the Felixstowe Railway and Dock Act 1879 the Great Eastern and Felixstowe Railways Arrangement Act 1887 and this Act may be cited together as the Felixstowe Dock and Railway Acts 1879 to 1923. Short and collective titles.

2. The Lands Clauses Acts except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 so far as the same are not varied by or inconsistent with this Act are hereby incorporated with this Act : Incorporation of Acts.

Provided that the following expressions used in the Harbours Docks and Piers Clauses Act 1847 shall have the following respective meanings (that is to say) :—

The expressions “ packet boat ” and “ post office packet ” mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and the expression “ Post Office bag of letters ” means a mail bag as defined by the same Act :

Provided also that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Act shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

3. In this Act the following expressions have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction :— Interpretation.

The expression “ the Company ” means the Felixstowe Dock and Railway Company ;

The expression “ the Act of 1879 ” means the Felixstowe Railway and Dock Act 1879.

4.—(1) As from the passing of this Act the Company may from time to time in lieu of the rates tolls and charges payable under the provisions of the Act of 1879 demand receive or recover for the use of the dock or any wharf quay pier jetty embankment or other work constructed by the Company under the powers of the Power to levy rates.

[Ch. lxxx.] *Felixstowe Dock and* [13 & 14 GEO. 5.]
Railway Act, 1923.

A.D. 1923. Act of 1879 or any lands of the Company connected therewith and in respect of vessels boats persons goods animals fish and things and for services described in the First Schedule to this Act any rates tolls and charges not exceeding those specified in that Schedule.

(2) Section 31 (Rates payable on vessels using the dock) section 33 (Rates payable on goods) and section 35 (Rates to be charged for the use of cranes weighing machines and repairing slips) of the Act of 1879 are hereby repealed.

Periodical
revision of
rates tolls
and charges.

5.—(1) If at any time (but only while the Company are charging rates tolls and charges in excess of the maximum rates tolls and charges authorised by the Act of 1879) it is represented in writing to the Minister of Transport—

(a) by a chamber of commerce or shipping or any representative trader or body of traders or ship-owners concerned; or

(b) by the Company;

that under the circumstances then existing all or any of the rates tolls and charges authorised by this Act should be revised the said Minister may after inquiry in pursuance of any such representation by order in writing alter modify reduce or increase all or any of such rates tolls and charges and thenceforth such order shall be observed until the same is revoked or modified by an order of the said Minister made in pursuance of this section.

(2) Provided that the revised maximum rates tolls and charges shall not in any case be less than the maximum rates tolls and charges authorised by the Act of 1879 or more than the maximum rates tolls and charges authorised by this Act.

(3) The provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

Power to
lease ware-
houses &c.

6. Notwithstanding anything contained in the Harbours Docks and Piers Clauses Act 1847 or in the Act of

1879 the Company may let on lease for a period or periods not exceeding ninety-nine years to Messieurs E. Marriage and Son Limited or their successors (in this section called "the lessees") at such rent and on such terms as shall be agreed between the Company and the lessees such part or parts of the lands warehouses and premises occupied by the lessees at the time of the passing of this Act as are not included in the demise effected by the lease dated the twelfth day of April one thousand nine hundred and six and granted by the Company to the lessees under the powers conferred by section 23 (Power to grant building and improvement leases) of the Act of 1879.

A.D. 1923.

7. The agreement made the twenty-sixth day of May one thousand nine hundred and twenty-three between the Company of the one part and E. Marriage and Son Limited of the other part and set out in the Second Schedule to this Act is hereby confirmed and made binding on the parties thereto.

Confirming
scheduled
agreement.

8. The Company may purchase or take on lease any lands within the urban district of Felixstowe and may erect fit up maintain and let thereon dwelling-houses for persons employed by them for the purposes of their undertaking.

Dwelling-
houses for
persons in
employ of
Company.

9. The Company may acquire by agreement the leasehold interest in any lands and buildings in respect of which the Company may have granted building leases in accordance with the provisions of section 23 of the Act of 1879.

Power to
acquire
leases.

10. The Company may in addition to any lands which they were authorised at the time of the passing of this Act to purchase purchase by agreement and hold for the purpose of constructing graving docks and other works and conveniences which the Company are authorised to make and maintain by section 9 of the Act of 1879 any lands not exceeding in the whole ten acres but nothing in this section shall exempt the Company from any proceedings for nuisance caused or permitted by them on lands acquired by them under the powers of this section and the said section 9 of the Act of 1879 is hereby amended so as to confer upon the Company power to construct graving docks.

Lands for
extra-
ordinary
purposes.

A.D. 1923.

—
Power to
take ease-
ments &c. by
agreement.

11. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant any easement right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) 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
retain sell
&c. lands.

12. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Company may retain hold and use for such time as they may think fit or may sell let lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands and premises or any interest therein vested in them or acquired by them under this Act and may sell exchange or dispose of any rents reserved on the sale exchange lease or other disposition of such lands and premises and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Byelaws.

13. In addition to the power of making byelaws conferred upon the Company by section 83 of the Harbours Docks and Piers Clauses Act 1847 the Company may in accordance with the provisions of that section make byelaws for regulating and controlling motor and other vehicles resorting to the dock property of the Company Provided that no byelaw made in accordance with the provisions of this section shall come into operation until it has received the allowance and confirmation of the Ministry of Transport and that allowance and confirmation shall be sufficient for all purposes.

Dock-
master may
prevent
sailing of
vessels.

14. The dock-master may prevent the removal or sailing from the dock of any vessel in respect of which any rates are payable until evidence has been produced to him of the payment of those rates to the collector.

15. The Company may in pursuance of a resolution of the Company passed at a special meeting convened for the purpose by proprietors present in person or by proxy holding at least three-fourths of the paid-up capital of the Company represented by the votes at such meeting and with the consent of the holder of any such debenture stock redeem the debenture stock or any part thereof issued under the powers of the Act of 1879 held by him and the Company may from time to time re-borrow under the powers of the Act of 1879 any sum or sums of money in respect of the debenture stock so redeemed or paid off Provided that the creation and re-issue for the purposes aforesaid of any particular class of stock does not make the total nominal amount of such stock exceed the amount of that class of stock which the Company are for the time being authorised to create.

A.D. 1923.
—
Power to redeem debenture stock.

16. The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any such work may have been constructed the Company shall not alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval If any work be commenced altered extended or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable as a Crown debt or summarily.

Works below high-water mark not to be constructed without consent of Board of Trade.

17. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any

Crown rights.

A.D. 1923. — river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or of the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Exemption] from tolls in case of persons &c. in service of Crown &c.

18. Without prejudice to any existing right of His Majesty and save as provided by the Army Act nothing in this Act shall extend to authorise any tolls to be demanded or received from any person when on duty in the service of the Crown or for any animal vehicle or goods the property of or when being used in the service of the Crown or returning after being so used or from any police officer acting in the execution of his duty or for any mail bag as defined by the Post Office Act 1908.

Annual account to be sent to Ministry of Transport.

19.—(1) The Company shall within four months after the date to which their annual accounts are made up send a copy of the same to the Ministry of Transport and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account.

(2) The Company shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

Provision as to general Railway Acts.

20. Nothing in this Act contained shall exempt the Company or their railway from the provisions of any general Act relating to railways or the better or more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by the Acts relating to the Company.

Costs of Act.

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

The SCHEDULES referred to in the
foregoing Act.

A.D. 1923

THE FIRST SCHEDULE.

PART 1.

DOCK TONNAGE RATES PAYABLE IN RESPECT OF EVERY VESSEL
USING THE DOCK.

Vessels entering and leaving the dock will be charged the
inward or outward dock tonnage rates whichever may be the
higher.

For every vessel coming from or going to the under-
mentioned ports and places.

	Per net register ton.
	<i>s. d</i>
All foreign parts including the Islands of Guernsey Alderney and Jersey :—	
Steam - - - - -	2 0
Sailing - - - - -	1 6
Any port or place on the west coast of Great Britain or any part of Ireland - - - - -	1 0
Any other port or place in the United Kingdom other than vessels passing down the Rivers Orwell and Stour - - - - -	0 9
Any port or place in the Rivers Orwell and Stour - - - - -	0 6
For any vessel remaining in the dock for a longer period than 14 days—for every day or part of a day - - - - -	0 2

PART 2.

RATES ON GOODS.

Articles.	Rates.			
	In-wards.		Out-wards.	
	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Ale porter and vinegar - - - - - per hhd.	0	6	0	3
Alum - - - - - per ton	1	3	0	8
Annatto - - - - - per cwt.	0	2	0	1
Argols - - - - - per ton	2	0	1	0
Apothecaries' wares and drugs - - - - - per cwt.	0	3	0	1½
Arrowroot - - - - - per cwt.	0	3	0	1½
Bacon and hams - - - - - per ton	2	0	1	0

A.D. 1923.

Articles.	Rates.			
	In-wards.		Out-wards.	
	s.	d.	s.	d.
Bales cases and other packages of cotton linen and woollens - - - - per cwt.	0	1½	0	1
Bark - - - - - per ton	1	3	0	8
Basic slag - - - - - per ton	0	9	0	5
Beef and pork - - - - - per ton	2	0	1	0
Blacklead - - - - - per ton	2	0	1	0
Bones bone-ashes and dust - - - - per ton	0	9	0	5
Bran - - - - - per ton	1	0	0	6
Brass and copper - - - - - per ton	2	0	1	0
Bricks of all kinds - - - - - per 1,000	1	6	0	9
Brimstone - - - - - per ton	1	3	0	8
Builders' plant and materials not otherwise enumerated - - - - - per ton	1	6	1	0
Bullion plate coin clocks watches and jewellery not exceeding £100 sterling value per package	0	6	0	3
Butter - - - - - per ton	2	0	1	0
Cabinet manufactures and musical instruments per ton of 40 cubic feet	1	6	1	0
Carriages carts agricultural and other machines—				
Not exceeding one ton - - - - - each	2	0	1	0
Exceeding that weight - - - - - per ton	2	0	1	0
Cattle—				
Bulls cows and oxen - - - - - each	3	0	1	6
Calves and sheep - - - - - each	1	0	0	6
Horses - - - - - each	4	0	2	0
Pigs dogs and deer - - - - - each	0	6	0	3
Cement - - - - - per ton	1	0	0	6
Charcoal - - - - - per ton	1	3	0	8
Cheese - - - - - per ton	1	6	0	9
Chemicals dry not otherwise enumerated per cwt.	0	1½	0	1
Chicory - - - - - per ton	2	0	1	0
Cider - - - - - per hhd.	0	6	0	3
Clay - - - - - per ton	0	6	0	3
Clay manufactures (i.e. drain pipes tiles retorts &c.) - - - - - per ton	1	0	0	6
Coal and coke - - - - - per ton	0	4	0	3
Cocoa coffee and chocolate - - - - per ton	2	6	1	3
Cocoa nuts - - - - - per ton	2	0	1	0
Codfish - - - - - per ton	1	3	0	8
Copper - - - - - per ton	2	0	1	0
Copper ore and pyrites - - - - - per ton	0	9	0	5
Cork - - - - - per ton	2	6	1	3

Articles.	Rates.		A.D. 1923.	
	In-wards.	Out-wards.	s.	d.
Corn—				
Wheat and maize	per quarter of 480 lbs.	} 0 2	0	1
Barley	per quarter of 448 lbs.		0	1
Beans and peas	per quarter of 504 lbs.		0	1
Oats	per quarter of 336 lbs.		0	1
Malt	per quarter of 336 lbs.		0	1
Cotton and manufactures of cotton	per cwt.	0	1½	0 1
Cream of tartar	per cwt.	0	1½	0 1
Divi divi	per ton	1	6	0 9
Earth—red purple and fullers'	per ton	1	0	0 6
Earthenware in crates or other packages	per ton	1	6	0 9
Eggs	per ton	2	6	1 3
Elephants' teeth	per cwt.	0	8	0 4
Farina	per ton	1	6	0 9
Flax	per ton	2	6	1 3
Flour	per ton	1	6	0 9
Fruit dried	per cwt.	0	2	0 1
Furniture	per ton	2	6	1 3
Gambier	per ton	1	6	0 9
Glass manufactures	per cwt.	0	2	0 1
Grease (not lard or tallow)	per ton	1	6	0 9
Guano	per ton	1	0	0 6
Gums	per cwt.	0	3	0 1½
Gunpowder	per cwt.	0	4	0 2
Gypsum	per ton	1	0	0 6
Hair	per cwt.	0	2	0 1
Hardware and machinery	per ton	2	0	1 0
Hemp	per ton	2	6	1 3
Hides wet or dry	per ton	2	6	1 3
Hoofs of cattle	per ton	1	6	0 9
Horns	per ton	1	6	0 9
Ice	per ton	0	7	0 4
Indiarubber	per cwt.	0	2	0 1
Indigo	per cwt.	0	3	0 1½
Iron and steel manufactures	per ton	1	3	0 8
„ old	per ton	0	9	0 5
Jute	per ton	1	6	0 9
Kainit	per ton	0	9	0 5
Lard	per ton	2	6	1 3
Lead	per ton	1	6	0 9
Lead ore	per ton	0	9	0 5
Leather manufactures	per cwt.	0	2	0 1
Lemon and lime juice	per pipe	1	6	0 9
Lime	per ton	0	8	0 4
Litharge	per ton	1	6	0 9

A.D. 1923.

Articles.	Rates.				
	In-		Out-		
	wards.		wards.		
	s.	d.	s.	d.	
Madder - - - - -	per ton	2	0	1	0
Manganese - - - - -	per ton	1	3	0	8
Marble rough - - - - -	per ton	1	3	0	8
„ polished and manufactured	per cwt.	0	2	0	1
Mats - - - - -	per ton	2	0	1	0
Meal - - - - -	per ton	1	0	0	6
Metal old - - - - -	per ton	1	6	0	9
Molasses - - - - -	per ton	1	3	0	8
Myrabollams - - - - -	per ton	1	6	0	9
Nuts - - - - -	per ton	1	6	0	9
Ochre - - - - -	per ton	1	0	0	6
Oil not otherwise enumerated	per ton	1	6	0	9
„ olive &c. in cases	per cwt.	0	2	0	1
Oil-cake - - - - -	per ton	1	0	0	6
Onions - - - - -	per ton	1	6	0	9
Oranges and lemons	per box	0	2	0	1
Orange lemon and citron peel	per cwt.	0	3	0	1½
Orchilla - - - - -	per ton	2	6	1	3
Paints painters' colours and materials	per ton	1	8	0	10
Paper - - - - -	per ton	1	8	0	10
Paraffin - - - - -	per ton	2	0	1	0
Pepper and pimento	per cwt.	0	2	0	1
Petrol - - - - -	per ton	2	0	1	0
Petroleum - - - - -	per ton	2	0	1	0
Piassava - - - - -	per ton	1	6	0	9
Pitch - - - - -	per ton	1	3	0	8
Plaster of Paris	per ton	1	0	0	6
Pot and pearl ashes	per ton	2	0	1	0
Potatoes - - - - -	per ton	0	6	0	3
Pumice stone - - - - -	per ton	1	3	0	8
Rags and junk	per ton	0	9	0	5
Resin - - - - -	per ton	1	3	0	8
Rice - - - - -	per ton	2	0	1	0
Rope and twine	per ton	2	0	1	0
Sago - - - - -	per ton	2	0	1	0
Salt - - - - -	per ton	0	4	0	2
Saltpetre - - - - -	per ton	2	0	1	0
Sand moulders'	per ton	0	8	0	4
„ common	per ton	0	4	0	3
Seeds—linseed rape seed and all other oil seeds	per quarter	0	2	0	1
„ Canary carraway clover grass and seeds not otherwise enumerated	per cwt.	0	2	0	1
Shellac - - - - -	per ton	2	0	1	0
Shumac - - - - -	per ton	1	6	0	9

Articles.	Rates.				A.D. 1923.
	In-		Out-		
	wards.	wards.	s.	d.	
Skins - - - - -	per cwt.	0	2	0	1½
Slates - - - - -	per ton	1	0	0	6
Soap and candles - - - - -	per ton	1	8	0	10
Soda and nitrate of soda - - - - -	per ton	1	6	0	9
Spelter - - - - -	per ton	1	6	0	9
Spirits - - - - -	per ton	2	6	1	3
Starch - - - - -	per ton	2	0	1	0
Stone broken paving and road - - - - -	per ton	0	6	0	3
„ tooled - - - - -	per ton	1	0	0	6
Sugar - - - - -	per ton	1	6	0	9
Tallow - - - - -	per ton	2	6	1	3
Tar - - - - -	per ton	1	3	0	8
Tea - - - - -	per cwt.	0	3	0	1½
Tin - - - - -	per ton	2	0	1	0
Tobacco - - - - -	per ton	2	6	1	3
Tow - - - - -	per ton	1	6	0	9
Toys - - - - -	per ton	2	6	1	3
Turmeric - - - - -	per ton	2	0	1	0
Turpentine and spirits of turpentine - - - - -	per ton	2	0	1	0
Valonia - - - - -	per ton	2	6	1	3
Vetches and tares - - - - -	per quarter	0	2	0	1
Wax - - - - -	per ton	2	6	1	3
Wines - - - - -	per ton	2	6	1	3
Wood cedar mahogany and all other furniture					
wood - - - - -	per ton	2	0	1	0
„ dye woods - - - - -	per ton	1	6	0	9
„ deals battens and boards					
per load of 50 cubic feet		0	6	0	3
„ lathwood and firewood					
per fathom of 216 cubic feet		1	0	0	6
„ oars and oar rafters - - - - -	per 120	1	10	0	11
„ spars 22 feet long and above - - - - -	per 120	2	6	1	3
„ „ under 22 feet long - - - - -	per 120	1	8	0	10
„ timber viz. fir birch alder pitch pine larch &c. - - - - -	per load of 50 cubic feet	0	8	0	4
„ timber (hard woods) viz. ash beech elm oak teak wainscot greenheart &c.					
per load of 40 cubic feet		0	8	0	4
Wool and manufactures of wool - - - - -	per cwt.	0	1½	0	1
Zinc - - - - -	per ton	1	6	0	9

All other goods not enumerated above to be charged rates equal to the rates for the time being payable in respect of goods of a similar nature package and quality.

A.D. 1923.

PART 3.

TOLLS ON PASSENGERS.

s. d.

For every passenger who shall land on or embark from the dock in any ship or decked vessel for each and every time - - - - - 1 0

NOTE.—Each passenger is allowed to take personal luggage not exceeding 100 lbs. weight free of toll.

PART 4.

RATES FOR THE USE OF CRANES &C.

s. d.

Articles not exceeding 1 ton each - - - - -	2 0
Articles exceeding 1 ton and not exceeding 2 tons -	2 6 each
Articles exceeding 2 tons and not exceeding 3 tons	3 6 each
Articles exceeding 3 tons and not exceeding 4 tons	5 0 each
Articles exceeding 4 tons and not exceeding 5 tons	7 6 each
Articles exceeding 5 tons and not exceeding 10 tons	15 0 each

These rates are for single heavy articles only and do not apply to cargoes or parcels of merchandise &c. on which the labourage operations are partly performed by cranes.

PART 5.

WEIGHING.

d.

Merchandise in trucks per ton of goods - - - - - 4

Minimum charge 1*s.* 6*d.*

On portable machines as per agreement.

PART 6.

WAREHOUSING.

For each ton of goods of 20 cwt. (or of 40 cubic feet) the sum of three pence for the first 48 hours and the sum of sixpence per ton for each day or part of a day during which the goods shall remain after the first 48 hours.

STORAGE.

For the storage otherwise than in a warehouse of goods on the quays and wharves of the dock such reasonable charges not exceeding in amount one half of the charges hereinbefore authorised to be levied in respect of warehousing as may be agreed between the Company and the person to be charged or as failing agreement may be sanctioned by the Minister of Transport.

THE SECOND SCHEDULE.

A.D. 1923.

AN AGREEMENT made the twenty-sixth day of May 1923 between the FELIXSTOWE DOCK AND RAILWAY COMPANY (hereinafter called "the Company" which expression shall include their successors and assigns where the context so admits) of the one part and E. MARRIAGE & SON LIMITED (hereinafter called "the Lessees" which expression shall include their successors and assigns where the context so admits) of the other part.

WHEREAS by an indenture of lease (hereinafter called "the lease") dated the 12th day of April 1906 and made between the Company of the one part and the Lessees of the other part the Company demised to the Lessees for the term of 99 years from the 25th day of March 1906 upon and subject to the terms conditions covenants and provisions therein set forth certain lands rights and premises therein described :

And whereas the Lessees covenanted by the lease to erect upon certain of the said lands a corn and flour mill with buildings and plant in connection therewith and the Lessees have erected the same and have for many years carried on thereat a large flour-milling and corn and grain business and the premises connected therewith are known as the East Anglia Flour Mills :

And whereas the rights demised by the lease included the right for the Lessees to use by themselves their workmen and employees in common with the Company and all persons authorised by the Company in that behalf (subject to the regulations and byelaws of the Company for the time being in force and to the payment of all dues and charges) the docks quays wharves roads and footpaths belonging to the Company and which might be convenient or necessary to enable the Lessees to carry on and conduct their business in a proper manner and the lease reserved to the Company the full right and liberty to make such regulations as might from time to time be necessary for regulating the user of and the character of the traffic to be brought on the docks quays wharves roads and footpaths the user of which was demised to the Lessees as aforesaid but so that such regulations should not limit the amount of such traffic to be brought thereon by the Lessees for the purpose of their business and the lease further provided that the Lessees should be at liberty to bring into and upon and transport from the demised premises by rail or road without paying any charges tolls or dues whatsoever (except such carriage and demurrage rates

[Ch. lxxx.] *Felixstowe Dock and* [13 & 14 GEO. 5.]
Railway Act, 1923.

A.D. 1923. for railborne goods as were in the lease expressly covenanted
— to be paid) any plant machinery goods chattels wares or merchandise whatsoever to be used exclusively in connection with the business of flour millers and corn and grain merchants of the Lessees :

And whereas by the lease various provisions were made regulating the rates dues tolls and charges to be paid by the Lessees in respect of their use of the docks quays wharves railways and other facilities of the Company :

And whereas by two agreements each made between the Company of the one part and the Lessees of the other part and dated respectively the 30th day of March 1908 and the 30th day of December 1912 the provisions of the lease in relation to the said rates dues tolls and charges and in relation to certain other matters not material to these presents were varied in certain respects :

And whereas in the present session of Parliament the Company are promoting a Bill (hereinafter called " the Bill ") intituled " A Bill to authorise the Felixstowe Dock and Railway Company " to levy additional rates tolls and charges to purchase additional " lands for the provision of workmen's dwellings to redeem " debenture stock and for other purposes " and the Company are by the Bill seeking among other things power to levy increased rates tolls and charges and to repeal certain existing enactments with respect to the rates tolls and charges which they are entitled to levy and power to make byelaws for regulating and controlling motor and other vehicles resorting to the dock property of the Company and by such byelaws to impose and take tolls for the use of the roads upon the dock property by motor and other vehicles :

And whereas the Lessees have deposited a petition against the Bill in the House of Lords but have undertaken to withdraw the same in consideration of the entry by the Company into this agreement and an undertaking on the part of the Company to introduce certain amendments in the Bill :

Now it is hereby agreed between the parties hereto as follows :—

1. During a period of 21 years from the 1st day of July 1923 (which period shall be determinable nevertheless by the Lessees at their option at the end of the first 7 or 14 years thereof by not less than six calendar months' previous notice in writing to the Company) the Lessees shall pay to the Company tolls on all grain flour meal offal and cones delivered by motor and other vehicles by road to or from the East Anglia Flour Mills of the Lessees at Felixstowe Dock and the Silo House adjoining the same at the rates hereinafter mentioned (namely) in the case of delivery by road from or to any place distant more than ten

miles from any part of the Felixstowe Docks of the Company (exclusive of the borough of Ipswich as existing at the time of the passing of the Bill) the rate of one shilling per ton and in the case of delivery by road from or to any part of the borough of Ipswich as existing at the time of the passing of the Bill the rate of eight pence per ton and the said tolls shall be paid within 28 days after the end and in respect of each of the half-yearly periods ending respectively on the 31st day of December and the 30th day of June and during the period aforesaid (determinable nevertheless in manner hereinbefore mentioned) the Lessees shall not except with the consent of the Company use or employ on the roads of the Company in connection with the business of flour millers and corn and grain merchants carried on by the Lessees at Felixstowe Dock (hereinafter called "the said business") or for any other purpose any motor or other vehicle loaded with or drawing at any one time goods weighing more than five tons or any motor vehicle not fitted with rubber tyres or run on the roads of the Company at a speed exceeding five miles per hour any motor or other vehicle so used or employed but save as aforesaid the Lessees shall until the expiration or sooner determination in manner hereinbefore mentioned of the said period be entitled to the user of the roads belonging to the Company by motor vehicles (fitted with rubber tyres) or any other vehicles loaded with or drawing at any one time goods of any kind weighing not more than five tons and running at a speed not exceeding five miles per hour whilst on the roads of the Company in connection with or for the purposes of the said business in the manner and subject to the covenants reservations exceptions and conditions specified in the lease but free of all tolls and charges Provided that no restrictions inconsistent with this agreement shall be imposed by the Company by byelaws or regulations or otherwise.

A.D. 1923.
—

2. Save as hereinbefore provided the Company shall not during the continuance of the lease levy any rates dues tolls or charges directly upon the Lessees in respect of any goods or vessels used in connection with or for the purposes of the said business at amounts exceeding any amounts levied in respect thereof prior to the 1st day of April 1923 Provided that this provision shall not apply in the case of allowances which have been temporarily granted in respect of dues on vessels bringing or receiving part cargoes.

3. Subject to the provisions of this agreement nothing in the clauses of the Bill with respect to byelaws and with respect to the levying of rates dues tolls or charges and the periodical revision thereof shall when passed extend in any way to override alter or prejudice the lease or any of the provisions thereof (as varied by the said agreements dated respectively the 30th day of March 1908 and the 30th day of December 1912) or this agreement.

A.D. 1923;

4. This agreement is made subject to the approval of Parliament and to such alterations as Parliament may think fit to make therein and shall be scheduled to the Bill but in the event of the Committee of either House of Parliament to whom the Bill may be referred making any material alteration in this agreement it shall be competent to either party thereto to withdraw the same.

In witness whereof the parties hereto have hereunto caused their respective common seals to be affixed the day and year first above written.

The common seal of the Felixstowe Dock
and Railway Company was hereunto
affixed in the presence of

L.S.

GEORGE PRETYMAN

Vice Chairman.

E. H. WOODMANCY

Mg. Director & Secy.

The common seal of E. Marriage & Son
Limited was hereunto affixed by
order of the Board in the presence of

L.S.

WILSON MARRIAGE }
T. E. WYNOLL } Directors.

H. G. THOMPSON

Secretary.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of
Acts of Parliament.

To be purchased through any Bookseller or directly from
H.M. STATIONERY OFFICE at the following addresses:
IMPERIAL HOUSE, KINGSWAY, LONDON, W.C. 2, and 28, ABINGDON STREET, LONDON, S.W. 1;
YORK STREET, MANCHESTER; 1, ST. ANDREW'S CRESCENT, CARDIFF;
or 120, GEORGE STREET, EDINBURGH.