ANNO PRIMO

VICTORIÆ REGINÆ.

****

Cap. xxviii.

An Act for making and maintaining a Pier or Jetty and other Works at the Town and Borough of *Deal* in the Parish of *Deal* in the County of *Kent*. [11th *June* 1838.]

WHEREAS the Town and Borough of *Deal* in the County of *Kent* is large and populous, and a Place of considerable Resort, and is conveniently situated for communicating with Vessels anchoring in the *Downs* or in the Roads near the said Town: And whereas the Erection of a Pier or Jetty, with proper Works and Approaches connected therewith, would greatly conduce to the Safety, Convenience, and Advantage of the Inhabitants of the said Town and of all Persons resorting thereto and communicating therewith, and would also be of great public Utility, by affording an easy means of rendering Assistance to Vessels in the *Downs* or wrecked upon the *Godwin Sands*, and also of great Importance to the Shipping and Commercial Interests: And whereas the several Persons herein-after named are desirous at their own Expence to carry into execution the before-mentioned Undertaking; but the same cannot be effected without the Aid and 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

Proprietors incorporated.

the same, That *Charles Bleaden*, *William Potts Bathe*, Vice-Admiral Sir *Thomas Baker*, *Benjamin Bingley*, *John Bolton*, *William Bird*, *John Baker*, *John Thomas Bridges*, *John Bleaden*, *Edward Boys*, *William Banks*, Sir *James Rivett Carnac* Baronet, *John Turner*, *Clement William Cousens*, *Samuel Preston Child*, *William Cutfield*, *Henry Dean*, *Charles Elley*, *Francis Fisher*, *William Float*, *William Game*, Rear-Admiral Sir *Thomas Harvey*, *Henry Wise Harvey*, *George Hammond*, *John Harman*, *Henry Pott Hannam*, *William Hulke*, *William Hulke* junior, *Charles Thomas Hills*, *George Hooper*, *Edward Hodges*, *Henry Jackson*, *Joseph Knight*, *John Lund*, *William Nicholson*, *John Noakes*, *John Oakley*, *John Pirie*, *Stephen Pritchard*, *Joseph Robinson*, *William Richardson*, *Thomas Sinclair Robinson*, *James Talbot*, *Francis Tuke*, *Andrew Atkins Vincent*, *John Wheelton*, *James Whisson*, and *John Wright*, together with such other Persons as have subscribed or shall hereafter subscribe towards, or as shall at any Time hereafter be possessed of any Share in the Undertaking hereby authorized to be carried into execution, and their several and respective Executors, Administrators, and Assigns, shall be and they are hereby united into and declared to be a Company for constructing and maintaining the said Pier or Jetty, and the Approaches and Works by this Act authorized, according to the Provisions and Restrictions herein-after contained, and for that Purpose shall be one Body Corporate, by the Name and Style of "The *Deal* Pier Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill of Indictment against any Person who shall commit any Felony or other Offence indictable by the Laws of this Realm, and by that Name and Description shall have full Power and Authority to purchase and hold Lands to them and their Successors and Assigns, without incurring any Penalties or Forfeitures whatsoever, and shall have Power to sell and dispose of the said Lands in manner by this Act directed.

Construction of certain Words in the Act.

II. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend to several Persons or Things as well as one Person or Thing, and every Word importing the Plural Number shall comprise one Person or Thing as well as several Persons or Things, and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Lands" shall extend to Messuages, Buildings, Lands, Tenements, and Hereditaments of any Tenure; and the Word "Corporation" shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the Word "Company" is used the same shall be understood to mean the said "*Deal* Pier Company," unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Company empowered to construct

III. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to make, construct, and maintain a Pier or Piers in the Parish of *Deal* in the County of *Kent*, with

with Landing Places, Jetties, Wharfs, Groins, Sea Walls, Embankments, and other Works on or adjoining the same, and to put down, and from Time to Time to remove, as Occasion shall require, such Buoys, Mooring Chains, and other Matters and Things as the said Company shall think necessary and proper for the landing and embarking of Passengers and Goods, and also to make and maintain an Approach or Approaches, with all necessary Works, Buildings, and Conveniences connected therewith; such Pier or Piers and Approaches to be made in the Line or Situation described in the Plan deposited as herein-after mentioned with the Clerk of the Peace for the County of *Kent*; and for the Purposes aforesaid the said Company, their Agents and Workmen, are hereby empowered to enter into and upon the Lands of any Person or Corporation whatsoever authorized to be taken by the said Company according to the Provisions of this Act, and to survey the same or any Part thereof, and to set out and appropriate such Parts thereof, and do, execute, and perform all such other Acts, Matters, and Things as they shall think necessary and proper for making and maintaining the said Pier, Approaches, and other Works, and also from Time to Time to alter and repair the before-mentioned Works or any of them, and to place, lay, work, or manufacture the Materials necessary for making and maintaining the said Pier, Approaches, and other Works on the Lands adjoining to the Place where the said Works or any of them shall be or are intended to be made or executed, and to erect and make all other Works and Buildings which they shall think convenient or necessary for the making, improving, and using of the said Pier, Approaches, and other Works, they the said Company, their Agents and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in manner herein-after mentioned to the Owners and Proprietors of and all Persons interested in any Lands which shall be taken, used, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Company, their Agents, Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisions and Restrictions as are herein-after contained.

the Pier and Approaches.

IV. And whereas the probable Expence of making and completing the said Pier or Jetty and other Works, and the Approaches hereby authorized to be made and provided, will, according to an Estimate thereof, amount to the Sum of Eighteen thousand nine hundred Pounds, the whole whereof has been already subscribed for by several Persons, under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the said Company to proceed immediately to put this Act into execution.

Compulsory Powers of the Act may be put in force.

V. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves any Sum of Money for making and constructing the Pier or Jetty, Approaches, and other Works herein-before mentioned, not exceeding in the whole

Capital to be 21,000*l.* to be divided into 4,200 Shares of 5*l.* each.

whole the Sum of Twenty-one thousand Pounds, and the same shall be divided into Four thousand two hundred Shares, of Five Pounds each, and such Shares shall be numbered in regular Progression, and every such Share shall always be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby vested in the several Persons so raising and contributing the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum they shall severally raise and contribute; and all Persons, their several and respective Executors, Administrators, and Assigns, who have subscribed or shall severally subscribe for One or more Share or Shares, or such Sum or Sums of Money as shall be demanded in lieu thereof, shall be Proprietors of the said Undertaking, and shall be entitled to and shall receive an equal proportionate Part, according to the Money so by them respectively paid, of the net Profits and Advantages that shall and may arise and accrue by the Tolls or other Sums of Money to be raised, recovered, or received by the said Company by the Authority of this Act, and shall also from Time to Time bear and pay a proportionate Sum towards carrying on the said Undertaking, in manner herein directed and appointed: Provided always, that no Proprietor of the said Company shall in any Case be called upon to advance any Sum or Sums of Money beyond the Amount of the Share or Shares he or they may have in the Capital of the said Company:

Shares to be Personal Estate.

VI. And be it further enacted, That all Shares and Proportions of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall to all Intents and Purposes be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

Names of Proprietors and Numbers of their Shares to be entered in Book.

VII. And for the better securing to the several Subscribers towards the said Undertaking their respective Shares therein, be it further enacted, That the Directors of the said Company herein-after appointed shall, as soon as the same can or may be done, cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Undertaking, and the Number of Shares to which they shall be respectively entitled, and also the proper Number by which every such Share shall be distinguished, to be entered in a Register Book, to be kept by the Clerk of the said Company; and after such Entry made to cause the Common Seal of the said Company to be affixed thereto; which said Book shall from Time to Time be altered and corrected, and new Books shall from Time to Time be sealed with the said Common Seal, as the Change of Proprietors and Transfer of Shares shall render the same necessary or expedient.

For compelling Payment of Subscriptions.

VIII. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe or advance any Money for or towards the said Undertaking shall and they are hereby required to pay the Sums by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Directors, under and by virtue of the Powers and Directions

tions of this Act, at such Times and Places as shall be ordered by the said Directors in manner herein-after mentioned; and in case any Person shall refuse or neglect to pay the same at the Time and in the Manner required for that Purpose, it shall and may be lawful for the said Company to sue for and recover the same in any Court of Law or Equity, together with Interest on such Sum or Sums of Money at the Rate of Five Pounds *per Centum per Annum* from the Time when the same was directed to be paid as aforesaid.

Shares may be transferred.

IX. And be it further enacted, That it shall be lawful for the Proprietor of any Share in the said Undertaking, his Executors or Administrators, to sell and dispose of any Share to which he shall be entitled therein, subject to the Rules and Conditions in this Act mentioned and provided; and the Conveyance of every such Share shall be by Deed, duly stamped, and may be in the Words or to the Effect following; (that is to say,)

Form of Transfer of Shares.

'I *A.B.* of in consideration of the Sum of Pounds, paid to me by *C.D.* of do hereby bargain, sell, assign, and transfer to the said *C.D.* Share [*or* Shares], numbered of and in the Undertaking called "The *Deal* Pier Company," to hold unto the said *C.D.*, his Executors, Administrators, and Assigns, on the same Conditions that I held the same immediately before the Execution hereof; and I the said *C.D.* do hereby agree to take and accept of the said Share [*or* Shares], subject to to the same Conditions. As witness our Hands and Seals the Day of .'

And on every such Sale the said Deed or Conveyance (being executed by the Seller and Purchaser of such Share) shall be kept by the Purchaser for his Security, after the Clerk to the said Company shall have entered in a proper Book to be kept for that Purpose a Memorial of such Transfer and Sale, and have testified or endorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Five Shillings for each Memorial shall be paid to the said Clerk, and the said Clerk is hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed such Purchaser shall have no Part or Share of the Profits of the said Undertaking, nor any Vote in respect thereof as Proprietor in the said Undertaking.

After a Call made Shares not to be sold until the Call is paid.

X. And be it further enacted, That after any Call for Money shall have been made as aforesaid no Person shall sell or transfer any Share which he shall possess in the said Undertaking unless at the Time of such Sale or Transfer he shall have paid to the said Company the whole and entire Sum of Money which shall have been called for in respect of such Share so sold or transferred, nor shall any Proprietor in arrear for any Call be allowed to vote or give his Voice in the Agitation of any Question, at any Meeting, until such Time as he shall have so paid all such Arrears as may be due from him in respect of such Calls.

No Proprietor in arrear allowed to vote.

Regulations as to Acquisition of Shares.

XI. And whereas much Inconvenience may arise by the frequent Transfer of the Shares of and in the said Undertaking by the Marriage or Death of Proprietors, and it may be difficult in such Cases to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid and do belong; be it therefore further enacted, That before any Person or Persons who shall claim any Part of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same, or to vote in respect of any Share, a Declaration containing a Copy of the Register of such Marriage shall be made by some credible Person before a Master or Master Extraordinary in Chancery, or One of Her Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking; and before any Person or Persons who shall claim any Part of the Profits of the said Undertaking by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same or to vote in respect of any Share, the said Will or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator shall be made and declared to by the Executor or Executors of such Will before a Master or Master Extraordinary in Chancery, or One of Her Majesty's Justices of the Peace, and shall also be transmitted to the said Clerk, who shall file and enter the same in the Manner herein-before mentioned; and in all Cases, other than as herein-before mentioned, where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Proprietor or Proprietors thereof to any Person or Persons by any other legal Means than by a Transfer and Assignment thereof as herein directed, a Declaration shall be made by Two credible Persons before a Master or Master Extraordinary in Chancery, or One of Her Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Declaration shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors in the said Undertaking.

The Persons whose Names appear in the Register Book to be deemed the Proprietors of the Shares standing in their Names, and answerable for Calls.

XII. And be it further enacted, That all and every Person and Persons whose Name or Names shall at any Time hereafter stand in the said Register Book or List of Proprietors of the same Undertaking as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking shall be deemed and taken to be the Proprietor or Proprietors of the several Shares standing in the said Book in his, her, or their respective Name or Names, and shall be subject and liable to the Payment of all and every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which such Proprietors of Shares in the said Undertaking are hereby made subject and liable; and all Notices by this Act required to be given previous to the Forfeiture of Shares to the Proprietors thereof shall, if given to the Person or Persons appearing by the Register

Book of the said Company to be such Proprietor or Proprietors, or their Representatives, be in all respects good, sufficient, and conclusive, and all Payments of Interest and Dividends due and to grow due on any such Shares shall be made to such Person or Persons as by the said Book of the said Company shall so appear to be the Proprietor or Proprietors thereof.

The Company may buy up Shares and sell them again.

XIII. And be it further enacted, That it shall be lawful for the said Directors for the Time being, if they shall deem it expedient, out of any Surplus of Monies or otherwise, to buy up any Share or Shares in the said Undertaking which shall be offered for Sale, and in such Case it shall be lawful for them either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company in Trust for the said Company, and such Share or Shares may in such last-mentioned Case at any Time thereafter be sold for the Benefit of the said Company, and for the raising of any Sum of Money which may be wanted for or towards the erecting, making, maintaining, or repairing of any Building or Works belonging to the said Undertaking, or any other Purpose necessary for carrying on the same.

Power to raise further Sums of Money by additional Shares.

XIV. And be it further enacted, That it shall be lawful for the said Company to raise, in addition to the Capital Sum of Twenty-one thousand Pounds by this Act authorized to be raised, and whether the same shall or shall not have been all raised, any further Sum or Sums of Money not exceeding in the whole Seven thousand Pounds, and the said Company are hereby authorized and empowered to raise the same Money by Contribution amongst themselves, or by the Admission of other Persons as Subscribers to the Undertaking, and by issuing new Shares of Five Pounds each to such Contributors or Subscribers; and all Persons who shall contribute and pay upon or in respect of such new Shares, or who may become entitled thereto, and their several and respective Executors, Administrators, and Assigns, shall be and are hereby declared to be Owners or Proprietors of Shares in the said Undertaking, and shall become united to and incorporated with the said Company.

Power to borrow an additional Sum of 7,000*l.* by Mortgage.

XV. And be it further enacted, That it shall be lawful for the said Company, after One Half of the said Capital of Twenty-one thousand Pounds by this Act authorized to be raised shall have been paid up, to borrow and take up at Interest any Sum of Money not exceeding the Sum of Seven thousand Pounds, by Mortgage of the said Undertaking, as to them shall seem meet and convenient; and the Directors of the said Company, after an Order has been made for that Purpose by any General Meeting, are hereby authorized and empowered to assign the Property of the said Undertaking, and the Tolls arising or to arise by virtue of this Act, or any Part thereof, the Costs and Charges of assigning the same to be paid out of the Funds of the said Company, as a Security for any such Sum to be borrowed as aforesaid, with Interest, to such Person who shall advance the same, or to his Trustee; all which said Mortgages or Assignments shall be made by Deed in Writing under the Common Seal of the said Company, in the Words or to the Effect following; (that is to say,)

'Number

Form of Mortgage.

'Number

'BY virtue of an Act passed in the Year of the Reign of 'Queen *Victoria*, intituled [*here set forth the Title of this Act*], 'we, "The *Deal* Pier Company," incorporated by the said Act, in 'consideration of the Sum of to us in hand 'paid by of do assign 'unto the said his [*or* her] Executors, Administrators, and 'Assigns, the said Undertaking, all and singular the Tolls arising by 'virtue of the said Act, and all the Estate, Right, Title, and Interest 'of us, the said Company, of, in, and to the same, to hold unto the 'said his [*or* her] Executors, Administrators, and Assigns, 'until the said Sum of together with 'Interest for the same after the Rate of for every One 'hundred Pounds for a Year, shall be fully paid and satisfied. Given 'under our Common Seal this Day of 'in the Year of our Lord .'

And the respective Parties to whom such Mortgages or Assignments shall be made shall be equally entitled, one with another, to their Proportion of the said Tolls and Premises according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of Priority in Date of any such Mortgages or Assignments, or on any other Account whatsoever; and a Memorial of every such Mortgage or Assignment, containing the Number and Date thereof, and the Name of the Party to whom the same shall have been made, with his proper Addition, and the Sum of Money borrowed, and the Rate of Interest, shall be entered in a Book to be kept by the said Company, which said Book shall and may be perused at all seasonable Times by any of the Proprietors or Creditors of the said Undertaking, or other Persons interested therein, without Fee or Reward;

Mortgage may be transferred.

and every Person to whom any such Mortgage shall be made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his Right and Interest therein to any Person whomsoever; which Transfer shall be by Deed duly stamped, in which the Consideration for the same shall be truly stated and specified, and may be in the Words or to the Effect following; (that is to say,)

Form of transfer of Mortgage.

'I [*or* We], of in 'consideration of the Sum of paid 'by of do hereby 'transfer a certain Mortgage numbered made by "The *Deal* 'Pier Company" to bearing Date the 'Day of for securing the Sum of and 'Interest, and all my [*or* our] Right and Property therein, to the said 'his [*or* her] Executors, Administrators, and Assigns. Dated 'this Day of in the Year of our Lord .'

And every such Transfer shall, within Twenty-one Days after the Date thereof, if executed in *England*, or within Twenty-one Days after the Arrival thereof in *England* if executed elsewhere, be produced to the Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in like Manner as of the original Mortgages, for

for which the said Company shall be paid any Sum not exceeding Two Shillings and Sixpence; and after such Entry made every Transfer shall entitle such Assignee, his Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the same, or any Sum thereon due or thereby secured, or any Part thereof.

Interest of Money borrowed to be paid in preference to Dividends.

XVI. And be it further enacted, That the Interest of the Money which shall be raised by Mortgage as aforesaid shall be paid half-yearly to the several Parties entitled thereto, and in preference to any Dividends payable by virtue of this Act to the Proprietors of the Company or any of them; and in case such Interest or any Part thereof shall be behind or unpaid by the Space of Thirty Days next after the same shall become due and payable as aforesaid, and after Demand made thereof, it shall be lawful for any Two or more Justices of the Peace acting for the said Borough of *Deal*, and they are hereby required on Request to them made by or on behalf of any Creditor or Creditors whose Interest shall be so in arrear, and which shall amount to the Sum of Twenty Pounds, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Tolls as are liable to pay such Interest so due and unpaid as aforesaid, and the Money so to be received by such Person is hereby declared to be so much Money received by or to the Use of the Person to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the said Tolls, shall be fully satisfied and paid; and after such Interest and Costs shall be paid and satisfied the Power and Authority of such Receiver for the Purposes aforesaid shall cease and determine; or otherwise the said Interest so due and unpaid as aforesaid shall be sued for and recovered with Costs by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*.

Application of the Money to be raised.

XVII. And be it further enacted, That all the Money to be raised by the said Company by Subscription or Mortgage by virtue of this Act shall be applied in paying and discharging all Costs, Charges, and Expences incurred in applying for, obtaining, and passing this Act, and in and towards purchasing Land authorized to be taken by this Act, and making and maintaining the said Pier, Approaches, and other Works, and otherwise in carrying this Act into execution.

First and Annual General Meetings of the Company.

XVIII. And be it further enacted, That the First General Meeting of the said Company for putting this Act into execution shall be held within Six Calendar Months next after the passing of this Act, at some convenient Place in the Town of *Deal* or in the City of *London*; and from and after such First General Meeting One Annual General Meeting shall be holden in the Month of *May* in every Year in the Town of *Deal* or in the City of *London*, of which Meeting not less than Fourteen Days Notice shall be given by public Advertisement as herein-after mentioned, and the said Company shall and may meet and adjourn from Time to Time in such Manner as they shall deem expedient and proper; and the said Company shall at such Meetings

proceed to put the several Powers and Authorities hereby given and granted into execution, and do all Things hereby authorized to be done and executed by the said Company.

Meetings to consist of Persons holding not less than Four hundred Shares.

XIX. And be it further enacted, That if at any Meeting of the said Company held under this Act, whether General or Special, there shall not be present as many Proprietors as together shall be possessed of or entitled to or hold at least Four hundred Shares in the said Undertaking, no Proceedings shall take place at such Meeting, but in such Case the said Meeting shall stand adjourned to that Day Fortnight, and so on until a Number of Proprietors entitled to or holding a sufficient Number of Shares as aforesaid in the said Undertaking shall attend.

Special Meetings may be called.

XX. And be it further enacted, That if it shall at any Time be thought expedient to call a Special Meeting of the said Company, it shall be lawful for any Number of the said Proprietors, not less than Five, who together shall be possessed of or entitled to Two hundred Shares at the least in the said Undertaking, to give Notice in Writing to the Clerk of the said Company, who shall without Delay cause Notices to be given in manner directed by this Act, specifying in such Notice the Reason of requesting such Special Meeting, and the Time when and the Place where the same shall be held; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of them as shall be present shall proceed in the Execution of the Power by this Act given to the said Company with respect to the Matters which shall be specified in such Notice, and to those only; and all such Acts of the Proprietors, or the major Part of them, met together at every such Special Meeting, shall be as valid with respect to the Matter specified in such Notice as if the same had been done at a Meeting at the Time by this Act appointed for holding the same.

Chairman to be appointed at Meetings.

XXI. And be it further enacted, That at every such General or Special Meeting as aforesaid One of the Proprietors present shall be appointed Chairman, by whom all Acts, Resolutions, and Orders of the said Meeting shall be signed; and such Chairman shall not only have a Vote or Votes as a Proprietor, but shall also, in case of an equal Division, have the decisive or casting Vote.

Notice of Meetings.

XXII. And be it further enacted, That all Notices by this Act directed to be given of any General or Special Meeting of the said Company shall be given by Advertisement in One or more Newspapers published in the County of *Kent*, and in One or more *London* Newspapers.

Proprietors entitled to vote in respect of their Shares.

XXIII. And be it further enacted, That every Person who shall for the Time being be entitled to and be in the actual Possession of any Number of Shares not less than Five in the said Undertaking shall have, in respect of such Five Shares of which he, she, or they shall so be in Possession, a Vote, and also a further Vote for every Ten Shares of which he, she, or they shall be so possessed, in addition to the said Five Shares, at all Meetings of the said Company to be held in pursuance of this Act; and every Question, Matter, or Thing which shall

shall be proposed, discussed, or considered at any Meeting of the said Company to be held in pursuance of this Act shall be determined by the Majority of Votes then present; and in case any Proprietor entitled to vote at any Meeting of the said Company shall be a Lunatic or Minor, such Lunatic shall or may vote at such Meeting by his or her Committee or Committees, or by any One of such Committees, and such Minor shall or may vote by his or her Guardian or Guardians, or any One of such Guardians; and such Committee or Guardian may, if a Proprietor, also vote in right of his or her own Shares as well as in the Character of a Committee for any Lunatic, or of a Guardian of any Minor, on the same Occasion.

A Board of Directors to be constituted.

XXIV. And be it further enacted, That a Board of Directors, consisting of not more than Eleven Persons, being Members of the said Company, shall be constituted and appointed, and from Time to Time kept up, for the better managing the Affairs and Business of the said Company; and of the said Directors so to be appointed Three shall be competent to act; and *Charles Bleaden*, *William Potts Bathe*, *Charles Elley*, *John Harman*, *Edward Hodges*, *Henry Jackson*, *John Lund*, *John Oakley*, *John Pirie*, *John Wheelton*, and *John Wright*, being Members of the said Company, or the Survivors of them, or such of them as shall continue to act, shall be and they are hereby appointed the first Directors of the said Company; and each of such Directors so appointed as aforesaid, being neither disqualified nor resigning, shall continue in Office and be respectively Directors until the Annual General Meeting of the said Company which shall be held in the Month of *May* which will be in the Year of our Lord One thousand eight hundred and forty-three, and until others shall be elected in their stead in pursuance of this Act; and the said Company at any General Meeting shall have Power to fix what Remuneration (if any) shall from Time to Time be allowed to the Directors of the said Company.

Directors not to be personally liable for any Act done.

XXV. And be it further enacted, That none of the Directors hereby appointed or hereafter to be appointed under the Authority of this Act shall, by reason or means or on account of his or their being Parties or Party to, or making, signing, or executing, in their or his Capacity of Directors or Director of the said Company, pursuant to this Act, any Contract, Covenant, Agreement, Assignment, Conveyance, or Security for and on behalf of the said Company, or otherwise lawfully executing any of the Powers and Authorities given to them or any of them by this Act, be subject or liable to be sued, prosecuted, or impleaded, either collectively or individually, by any Person or Persons whomsoever; and the Body or Bodies, Goods, Chattels, Lands, or Tenements of the said Directors, or any of them, shall not, by reason or on account or in consequence of any such Contract, Covenant, Agreement, Conveyance, Assignment, or Security so entered into or made, signed, or executed by them or any of them as aforesaid, or any other lawful Act which shall be done by them or any of them in the Execution of any of the Powers and Authorities given to them or any of them by this Act, be liable to be arrested, seized, and detained or taken in execution; but that in every such Case any Person or Persons making any Claim or Demand upon the said Company, or

upon

upon any Director or Directors thereof, under or by virtue of any such Contract, Covenant, Assignment, Conveyance, or Security, or other lawful Act or Acts, may sue and implead the said Company in like Manner as if such Contract, Covenant, Agreement, Conveyance, Assignment, or Security had been entered into and executed by the said Company, or such other Act or Acts had been done by the said Company; and the Party or Parties so suing or impleading shall be entitled to Remedies by suing and impleading the said Company, but not to any further or other Remedy whatsoever.

Directors to go out of Office annually.

XXVI. And be it further enacted, That at the General Meeting to be held in the Month of *May* which will be in the Year One thousand eight hundred and forty-three, and at every succeeding General Meeting in each Year, or at some Adjournment thereof respectively, Three of the Directors (to be determined by Ballot amongst themselves) shall go out of Office and cease to be Directors of the said Company, and an equal Number of Persons who shall be Proprietors, and respectively possessed in their own Right of Sixty or more Shares in the said Undertaking, shall be elected by the said Company to be Directors in their Place and Stead; and such Persons shall continue in their Offices for the Space of Twelve Calendar Months, to be computed from the Day of Election, or until others shall be duly elected in their or any of their Places: Provided always, that at every annual Election of Directors any of the former Directors shall be eligible to be re-elected to the Office again, immediately or at any Time afterwards, notwithstanding his Term of Service shall have expired, or notwithstanding his having forfeited his Office by reason of Disqualification, in case he shall have again become duly qualified.

Directors going out of Office eligible to be re-elected.

Disqualification of Directors.

XXVII. Provided always, and be it further enacted, That any Director who shall cease to possess Sixty Shares in the said Undertaking shall become disqualified, and shall *ipso facto* cease to be a Director; and if any Person who shall be elected a Director shall at any Time subsequent to his Election accept any Place of Trust or Profit, or shall either directly or indirectly be concerned in any Contract with the said Company for his individual Benefit, every such Person shall thereby become disqualified from acting as a Director, and his Office shall thereupon become vacant.

For filling up Vacancies in the Direction.

XXVIII. And be it further enacted, That every Vacancy in the Direction by Resignation, Disqualification, or otherwise shall be filled up by the surviving Directors, and the Person who shall be chosen to fill such Vacancy (being duly qualified) shall continue in Office upon the same Terms and for the same Period only as the Person whose Place he shall supply would have continued if his Office had not been vacated.

First Meeting of Directors.

XXIX. And be it further enacted, That the Directors herein-before appointed shall hold their First Meeting at such Time and Place, either in *London* or *Deal*, as they shall think proper, and shall have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time and from Place to Place, either at *London* or *Deal*, as they shall think fit; and the said Directors, at one of their

their First Meetings shall appoint One of the Directors to preside as permanent Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors at any of their Meetings shall be decided and determined by a Majority in Number of the Directors present (the Number present not being less than Three, and each Director having but One Vote); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman, such Chairman shall have the decisive or casting Vote; and if on the Day appointed for any Meeting of the said Directors Three Directors qualified to vote shall not attend, then and in every such Case the Meeting shall be adjourned till such Time as the Director or Directors then present, or if none be present as the Clerk of the said Company or such other Person as shall attend in his Place, shall appoint; and any Two or more Directors may at any Time when they shall think fit call a Meeting of the Directors, by Notice in Writing, signed by such Two or more Directors, or by the Clerk to the said Company, to be sent by the Post or otherwise to the Residence or Address of every Director.

Powers and Duties of Directors.

XXX. And be it further enacted, That the Directors or Chairman for the Time being, or the Clerk, shall have the Custody of the Common Seal of the said Company; and the said Directors shall have full Power to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places of holding General and Special Meetings; and the said Directors are hereby authorized and empowered to enter into and make such Contracts or Agreements with any Agent or Person or Persons in and about or for carrying on the said Works hereby authorized to be made, or any of them or any Part thereof, as shall be thought expedient, and to order and direct how the several Works shall from Time to Time be carried on, and also from Time to Time to use the Common Seal of the said Company in such Manner and for such Purposes as they shall think fit, by the Use whereof the Company shall be bound, and generally to direct and manage the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued and received, laid out and disposed of for the Purposes of the said Company, as in contracting for and purchasing Lands, Tenements, and Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and to do, execute, and perform all Acts, Matters, and Things which the said Company are by this Act authorized and empowered to do (except such Acts, Matters, and Things as are directed to be done, executed, and performed at some General or Special Meeting of the said Company); and in nominating, electing, appointing, placing, or displacing any Officer, Agent, or Servant of the said Company, except the Treasurer and Clerk of the said Company, or in paying or rewarding any such Officers, Agents, or Servants, with Salaries, Gratuities, or other Recompence, as to the said Directors shall seem proper; and in ordering, directing, and employing the Works and Workmen, and in making, enforcing, rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the same; subject to

such Rules, Orders, Bye Laws, and Regulations as shall at any Time be duly made by the said Company in restraint, control, or regulation of the Powers and Authorities by this Act granted.

Directors may appoint Committees.

XXXI. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to nominate and appoint out of their own Body One or more Committee or Committees (every such Committee to consist of Three or more Persons), who shall have full Power and Authority to enter into and make any such Contracts or Agreements on behalf of the said Company, and to hire and employ any Agents, Workmen, and Servants in and about the said Undertaking, and to do, execute, and perform all such Matters and Things in and about the said Undertaking which the said Directors are themselves herein authorized to do, or such of them as the said Directors shall think proper to intrust to the Care and Management of any such Committee or Committees (save and except nevertheless the making Calls for Money upon the Proprietors of the said Undertaking, which shall be done by the said Directors only as herein-before directed); and it shall be lawful for the said Directors, by an Order or Resolution for that Purpose, at any Time to break up and dissolve any such Committee or Committees, or to remove or displace any Member or Members thereof, and to appoint some other or others in his or their Place or Stead, when and so often as such Directors shall think proper and expedient; and every such Committee shall have full Power and Authority to meet from Time to Time, and adjourn from Place to Place, as they shall think proper and as Occasion shall require for effectuating the Purposes aforesaid; and all the Powers and Authorities hereby vested or which shall by the said Directors be vested in any such Committee within the Intent and Meaning of this Act shall and may be exercised by the major Part of the Members present at their respective Meetings, the whole Number of Members present not being less than Three; and at all the Meetings of such Committees respectively One of the Members present shall be appointed Chairman, and all Questions shall be decided by the Majority of Votes, and the Chairman shall, besides his own Vote, have the casting Vote in case of an equal Division, but no other Member shall have more than One Vote.

General Meeting to appoint Treasurer and Clerk.

XXXII. And be it further enacted, That it shall be lawful for the said Company, at some of their General Meetings, to elect a Treasurer and Clerk for transacting the Business of the said Company, and at any subsequent General Meeting or Special General Meeting from Time to Time to remove and displace any such Treasurer or Clerk, or any Person who shall be thereafter elected to their respective Offices, and to elect in manner aforesaid any other Person to act as Treasurer or Clerk of the said Company in the Place of such of the said Officers as shall die or resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers respectively as they shall from Time to Time think proper; and the Directors of the said Company shall take such Security from every such Treasurer, and from any other Officer having the Care or Custody of any Money to be raised or received by virtue of this Act, for the due Execution of their respective Offices, as the said Directors shall think proper.

XXXIII. And

Clerk and Treasurer not to be the same Person.

XXXIII. And be it further enacted, That it shall not be lawful for the said Company to appoint any Person who may be appointed the Clerk to the said Company, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, to be the Clerk to the said Company; and if any Person shall accept the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk, or shall act as Deputy of the Clerk, or in any Manner officiate for the Clerk, in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Trust or Profit under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information.

Officers to account.

XXXIV. And be it further enacted, That every Officer or Person to be appointed by virtue of this Act shall, under his respective Hand, and at such Time or Times and in such Manner as the said Directors shall direct, deliver to the said Directors, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge, and also of all Monies which shall have been by such Officer or Person received by virtue of or for the Purposes of this Act, and of how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments; and every such Officer or Person shall (if required) pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person as the said Directors shall appoint to receive the same; and if any such Officer or other Person shall refuse or wilfully neglect to make and render such Accounts, or to produce and deliver up the Vouchers in his Possession or Power relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to produce to the said Directors, or to such Person as they shall appoint, within Seven Days after being thereunto required by the said Directors by Notice in Writing under the Hands of any Two or more of them given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Information and Satisfaction to the said Directors, or such other Person as aforesaid, respecting the same, then and in every such Case, upon Complaint being made by the said Directors, or by any Person whom they the said Directors shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the

the Peace for the County, City, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer or Person so refusing or neglecting to appear before such Justice; and upon the said Officer or Person appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being found, it shall be lawful for the Justice to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath or Affirmation (which Oath or Affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any Monies remain due from such Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if sufficient Goods and Chattels of such Officer or Person shall not be found to answer and satisfy the said Money and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer or Person had refused or wilfully neglected to render and give such Account, or to produce the Vouchers relating thereto in his Possession or Power, or that any Books, Papers, or Writings in his Possession or Power relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to produce or give Satisfaction respecting the same as aforesaid, or to give up the same on the Expiration of his Office, then and in every such Case such Justice may commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given a satisfactory Account, or until he shall have paid such Monies as aforesaid, or compounded with the said Directors for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Directors are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, or Writings, or have given Satisfaction in respect thereof; but no such Offender shall be kept or detained in such Common Gaol or House of Correction for Want of sufficient Distress for any longer Space of Time than Three Calendar Months.

No Prosecution or Commitment of any Officer to acquit his Sureties.

XXXV. And be it further enacted, That no Prosecution or Commitment under the Provisions of this Act of any Treasurer, Clerk, Collector, or other Officer or Person to be appointed under the Powers of this Act shall acquit or discharge any Security or Securities that shall or may have been taken by or given to the said Company or Directors for the due and faithful Execution of his Office, or the Payment of the Monies received or to be received by him.

Accounts to be entered in a Book.

XXXVI. And be it further enacted, That the said Directors shall enter or cause to be entered in a Book or Books to be provided for that Purpose, and to be kept by the Clerk or other Officer of the said Company, a full and true Account of all Monies received, and also of all Monies disbursed and Payments made by them, and of the several Articles,

Articles, Matters, and Things for which such Monies shall have been disbursed and paid, and also a full and true Account and proper Notes and Minutes of every Contract, Bargain, and Agreement which shall be entered into by them respectively for or on behalf of the said Company, and of every Order, Transaction, and Proceeding of the said Company and Directors; and every such Book, and all other Books, Papers, and Writings belonging to the said Company, shall at all reasonable Times be open to the Inspection of the said Proprietors, who may take Copies thereof or Extracts therefrom without Fee or Reward; and if any such Clerk or other Officer shall refuse to permit or shall not permit any Proprietor to inspect and peruse such Book at all reasonable Times, or take Copies thereof or Extracts from the same, every such Clerk or other Officer shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Agents, Collectors, &c. when removed to give Possession of Houses, &c.

XXXVII. And be it further enacted, That if any Agent, Toll Collector, or other Servant of the said Company, occupying any House, Offices, or Buildings belonging to the said Company, shall be discharged from his Office and shall not deliver up the Possession of such House, Offices, or Buildings, with the Appurtenances and other Matters and Things in his Custody, Power, or Possession, within Twenty-one Days next after Notice of such Discharge shall be given to him, or left at such House, Offices, or Buildings; or if the Wife or Family of any such Agent, Toll Collector, or other Servant, who shall happen to die while in the Service of the said Company, shall refuse or neglect to deliver up the Possession of such House, Offices, or Buildings, with the Appurtenances as aforesaid, and other Matters and Things belonging to the said Company in his, her, or their Custody, Power, or Possession, within Seven Days after another Person shall have been appointed in the Place and Stead of such Person so dying or having been discharged; then and in either of the said Cases it shall be lawful for any Justice of the Peace for the said Borough, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House, Offices, and Buildings, and to take possession of all Matters and Things belonging to the said Company which shall be found therein, and to deliver the Possession of such House, Offices, and Buildings, together with such Matters and Things found therein and belonging to the said Company, to the new-appointed Agent, Toll Collector, or other Servant, or other such Person or Persons as the said Directors shall appoint to receive the same.

For Appointment of Auditors.

XXXVIII. And be it further enacted, That at the First General or Special General Meeting of the Proprietors of the said Undertaking to be held after the passing of this Act Three Persons, being Holders respectively of not less than Twenty Shares in the said Undertaking, shall be appointed to audit the Accounts of the said Company, each of which Auditors shall continue in Office for One Year from the Day of Appointment (such Day being excluded), unless he shall die, resign, or become disqualified to act by reason of not holding the requisite Number of Shares, or otherwise, or shall be displaced by a Resolution passed at a General or Special General Meeting of the said Proprietors; and an annual Appointment of Three Auditors for the Year following

the Day when the Auditors for the Time being shall go out of Office shall in like Manner take place at such General or Special General Meeting as shall be held next previous to the Day on which the Auditors for the Time being shall go out of Office; and the Auditors shall be allowed such Remuneration for their Services as shall be fixed at such first or some other subsequent General or Special General Meeting; and the Remuneration which shall from Time to Time be paid shall continue to be payable annually until altered prospectively by a Resolution of a General or Special General Meeting: Provided always, that any Auditor who shall go out of Office shall be considered re-eligible for the next ensuing or any future Year; provided also, that when any Vacancy in the Office of Auditor shall occur during any current Year the Directors of the said Company shall appoint a Proprietor duly qualified as an Auditor to fill up such Vacancy, and such Auditor shall continue in Office, if duly qualified, until the next annual Appointment of Auditors, but shall be capable of Re-election as aforesaid.

Annual Accounts to be laid before General Meetings.

XXXIX. And be it further enacted, That at every Annual General Meeting of the said Proprietors an Account of all the Monies received or paid by or on account of the said Company, brought down to the Twenty-fifth Day of *March* in each Year, and duly audited, shall be laid before such Meeting to be passed and allowed.

Dividend to be declared.

XL. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered, at any General or Special Meeting, to declare and make a Dividend out of the clear Profits of the said Undertaking, and such Dividend shall be after the Rate of so much *per* Share upon the several Shares held by the Proprietors of the said Company in the Joint Stock thereof: Provided always, that such Dividend shall not be made oftener than half-yearly; and no Dividend shall be made exceeding the net Amount of clear Profit at the Time being in the Hands of the said Company, nor whereby the Capital of the said Company shall in any Degree be reduced or impaired; nor shall any Dividend be paid in respect of any Share after a Day appointed for the Payment of any Call of Money in respect thereof until such Call shall have been paid.

General Meetings may make Bye Laws.

XLI. And be it further enacted, That the said Company at some General or Special Meeting shall have full Power and Authority from Time to Time to make, frame, ordain, and establish, revoke, repeal, annul, or alter such Bye Laws, Rules, Orders, and Regulations as they shall think fit for the good Government of the said Company, and their Treasurer, Clerk, Collectors, Officers, Workmen, and Servants to be employed in or about the Affairs or Business of the said Pier or Jetty, Approaches, or other Works by this Act authorized, and for lighting the same, and for the Convenience of Persons walking upon or landing or embarking therefrom, or shipping or landing Goods, Merchandize, or other Commodities at or from the same, and for the Regulation and ordering the shipping or landing of Goods, Merchandize, or other Commodities, and the Nature of the Goods, Merchandize, or other Commodities, Articles, Matters, or Things which may or may not be shipped or landed, and the Mode and Time of shipping and landing the same, and for the regulating, stationing, removing, distributing,

and arranging all and every the Ships, Packets, Boats, and other Vessels resorting thereto for the Purpose of landing or embarking, or which may come to anchor or remain within the Distance of One hundred Yards from the said Pier, and for the effectually preserving the Works to be done in pursuance of this Act, and for the well-governing, ordering, and managing of the Officers and Crews of such Ships, Packets, Boats, and other Vessels, and the Boatmen, Servants, and others employed therein or belonging thereto, and for the governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggons, Carts, Drays, Trucks, or other Carriages for conveying Passengers, Goods, Merchandize, or other Commodities, Articles, Matters, or Things to or from the said Pier or Jetty, for the Convenience of the Persons using or resorting to the same, or otherwise in regard to the several Works to be made under and by virtue of this Act; and the said Company are hereby empowered to impose and inflict reasonable Fines and Forfeitures on all Persons offending against such Bye Laws, Rules, Orders, and Regulations, or any of them, not exceeding the Sum of Five Pounds for any One Offence; and all such Bye Laws, Rules, Orders, and Regulations shall be reduced into Writing under the Common Seal of the said Company, and signed by the Clerk, and shall be binding upon and be observed by all Persons using or in anywise concerned in the said Undertaking, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act upon the same, provided that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with any of the Laws of this Kingdom, or the Provisions and Directions in this Act contained, or any of them; provided also, that such of the said Bye Laws, Rules, Orders, and Regulations as shall concern or relate to the said Pier or Jetty, Approaches, or other Works, or any of them, shall be signed by the Clerk of the said Company, and shall be painted on a Board, and put up or affixed on some conspicuous Part of the said Pier or Jetty or Approaches, which from Time to Time shall be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced; but no such Rule or Regulation shall have any Force or Effect until Seven Days next after the same shall have been first affixed as aforesaid, or at any future Time unless a like Board shall remain affixed at the Time of the Infraction of any such Rule or Regulation: Provided always, that a written or printed Paper purporting to be the Bye Laws, Rules, Orders, and Regulations of the said Company, and authenticated by having the Common Seal attached thereto, shall be Evidence of the Existence and due making of such Bye Laws, Rules, Orders, and Regulations; provided also, that no such Bye Laws, Rules, Orders, or Regulations so made, or any Alteration, Amendment, or Repeal thereof, shall be valid, unless the same respectively shall have been allowed by the Justices of the Peace assembled at any General or Quarter Sessions of the Peace for the said Town and Borough of *Deal*, or by Her Majesty's Justices of Her Courts of Queen's Bench or Common Pleas, or the Barons of Her Majesty's Court of Exchequer, or by any One or more of the said Justices or Barons.

Power to make Calls.

XLII. And be it further enacted, That the Directors for the Time being of the said Company shall have Power from Time to Time to make

make such Calls for Money from the Subscribers to and Proprietors for the Time being of the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall think necessary for those Purposes, so that no Call shall exceed the Sum of One Pound upon each Share, and so that such Calls shall not be made but at the Distance of Three Calendar Months at the least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in some One Newspaper usually circulated in the said County of *Kent*, and in some One or more *London* Newspaper, or by Notice in Writing delivered to each Proprietor in the said Undertaking, or left at or sent by Post to his last known or usual Place of Residence, which Monies so called for shall be paid to such Person, at such Time and Place, and in such Manner as the Directors shall from Time to Time appoint; and if any Person shall neglect or refuse to pay his or their rateable or proportionable Part or Share of the Money so called for as aforesaid, at the Time and Place to be appointed as aforesaid, it shall be lawful for the said Company to sue for and recover the same in any of Her Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, or for the said Directors to declare the Shares belonging to any Person neglecting or refusing to pay any Calls in manner aforesaid to be forfeited, and to direct the same to be sold, subject to the Provisions of this Act; and all Shares so forfeited shall be sold for the most Money that can be gotten for the same, and shall be assigned by Writing, under the Common Seal of the said Company, unto the Purchaser thereof: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing, under the Hand of the Clerk or Treasurer of the said Company, of such Share having been declared by the Directors forfeited, shall have been given to or left at or sent by Post to the usual or last known Place of Abode of the Owner of such Share, nor until the Forfeiture of such Share shall have been confirmed at some General or Special Meeting of the said Company which shall be held after the Expiration of Two Calendar Months at the least from the Day on which such Notice of Forfeiture shall have been given or sent as aforesaid: Provided always, that every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor so forfeiting against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between the said Proprietor so forfeiting and the said Company, with regard to any Call for Money subsequent to the Declaration of such Forfeiture, or the future carrying on and Management of the said Undertaking; but no such Share shall be forfeited if the Owner thereof shall, within Two Calendar Months next after the same shall have been declared forfeited by the said Directors, pay or tender to the Treasurer or Clerk to the said Company what shall be due thereon, together with legal Interest for the same from the Time when the same ought to have been paid, and all Expences incurred for the Recovery thereof: Provided also, that in case the Money produced by the Sale of any such Share shall be more than sufficient to pay any such Arrears as aforesaid, and legal Interest thereon, together with the Penalties incurred by Nonpayment of the Expences attending the Sale thereof, the Surplus arising from such Sale shall be paid to the Person

If Calls are not paid the Company may sue for the same or declare the same to be forfeited, and sell them.

If Money produced by the Sale of such Shares shall be more than suffi-

Person to whom such Share shall have belonged: Provided also, that the said Company shall not by virtue of this Act at any Time sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter than shall be sufficient as near as may be at the Time of such Sale, to pay the Arrears due from such Defaulter for or on account of such Calls, and the Interest, Penalties, and Expences attending the same; and from and after the Payment of all Calls to be made by virtue of this Act, and the Interest, Penalties, and Expences as aforesaid, all Shares vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person to whom such Share shall have before belonged, in such Manner as if such Calls had been duly paid.

cient to pay the Arrears of Calls, the Surplus to be paid to the Defaulter.

XLIII. And be it further enacted, That in any Action to be brought by the said Company against the Proprietor of any Share in the said Undertaking, to recover any Sum of Money due and payable to the said Company for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant, being the Proprietor of a Share in the said Undertaking, is indebted to the said Company in such a Sum of Money as the Calls in arrear shall amount to or for so many Calls of so many Sums of Money upon so many Shares belonging to the said Defendant (as the Case shall happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant at the Time of making such Call was a Proprietor of a Share in the said Undertaking, and that such Call was in fact made, and that such Notice thereof was given as is directed by this Act, without proving any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call shall exceed One Pound for every Share, or was made within the Distance of Three Calendar Months from the last preceding Call, or without Notice given in any Newspaper or by Letter as aforesaid; and in order to prove that the Defendant was a Proprietor of such Share or Shares in the said Undertaking as alleged the Production of the Book in which the said Company is by this Act directed to enter and keep the Names of the several Proprietors of Shares in the said Undertaking, with the Number of Shares they are respectively entitled to, shall be *primâ facie* Evidence that such Defendant is a Proprietor, and of the Number and Amount of his Shares therein.

Proceedings and Evidence in Actions for Calls.

XLIV. And whereas a Map or Plan describing the Situation of the said Pier, Approaches, and Works, together with a Book of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Property in, upon, through, or into which the same are intended to be made, has been deposited with the Clerk of the Peace for the County of *Kent*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain with and be kept by the said Clerk of the Peace, which Map or Plan and Book of Reference all Persons shall have Liberty to

Plan, &c. to remain with the Clerk of the Peace.

examine and make Extracts therefrom or Copies thereof, paying to the said Clerk of the Peace for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Company not to deviate more than One hundred Yards from Plan.

XLV. And be it further enacted, That the said Company in making or improving the said Pier, Approaches, and other Works shall not deviate more than One hundred Yards from the Situation delineated on the said Map or Plan, nor shall any such Deviation extend into any Lands not described on the said Map or Plan and included in the said Book of Reference, without the Consent in Writing of the Owners or reputed Owners of the Land or Ground through which such Deviation is to be made first had and obtained.

Certain Property not to be taken without Consent.

XLVI. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected on or before the First Day of *November* One thousand eight hundred and thirty-seven, or any Land then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to any Dwelling House, or planted and set apart as a Nursery for Trees, other than and except such as are mentioned in the Schedule to this Act annexed, without the previous Consent in Writing of the Owner and Occupier thereof respectively.

Mistake in describing Premises not to prevent Execution of the Act.

XLVII. And be it further enacted, That if any Lands which are described in the said Plan, or are mentioned in the said Book of Reference, or in the Schedule to this Act, or any of the Owners, Lessees, or Occupiers thereof, shall happen to be omitted, misnamed, or inaccurately described, such Omission, Misnomer, or inaccurate Description shall not prevent the Execution of this Act, but the same shall and may be purchased and conveyed and applied for the Purposes of this Act, provided it shall appear to Two or more Justices of the Peace, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only.

Provision for Deficiencies in the Land Tax.

XLVIII. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessment for Land Tax in the Parish herein mentioned; be it therefore enacted, That the said Company shall, from and after the said Company shall become seised and possessed of any Premises charged with the Land Tax, and until the Work hereby authorized to be made shall be completed and assessed to such Land Tax (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax), be subject and liable from Time to Time to pay and make good to or in aid of the said Parish, out of the Monies to

arise by virtue of this Act, all such Sums of Money as may be deficient in the several Assessments for Land Tax within such Parish by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings, or Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of passing this Act; and the Treasurer or Collector to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments.

Power to purchase Lands, Buildings, &c.

XLIX. And be it further enacted, That it shall be lawful for the said Company from Time to Time to contract and agree with any Corporation, Tenant in Fee Simple, or for Life, or Years, or in Fee Tail, General or Special, or with any Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees for Idiots or Lunatics, Executors or Administrators, or other Trustees whomsoever, not only for or on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Idiots, Lunatics, Femes Covert, or other Persons under any Disability of acting for themselves, or with any Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any other Person the Owners or Proprietors for the Time being of all or any of the Lands, Tenements, Hereditaments, and Premises to be taken by virtue of this Act, or any Part thereof, or of any Estate, Right, or Interest therein, for the absolute Purchase of such several Premises, or any of them, or any Part thereof, or of any Estate, Right, or Interest therein which shall be necessary to be purchased for the Purposes herein-before mentioned; and all Sales, Conveyances, and Assurances of any Lands, Tenements, Hereditaments, and Premises, or any Estate or Interest therein, to be made to the said Company, may be made in the Form or to the Effect following; (that is to say,)

Conveyances to be made to the Company.

Form thereof.

‘ I , of , in consideration of the Sum of Pounds to me paid by “ The *Deal* Pier Company,” under or by virtue of an Act passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*], do hereby grant and convey to the said Company all [*here describe the Premises to be conveyed*], and all my Estate, Right, Title, Term, and Interest to and in the same and every Part thereof, to hold to the said Company and their Successors and Assigns for ever. In witness whereof I have hereunto set my Hand and Seal this Day of in the Year of our Lord .’

And every such Sale, Conveyance, Assignment, and Assurance so made shall be good, valid, and effectual, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Corporate Bodies may sell.

L. And be it further enacted, That it shall be lawful for all Corporations, Bodies Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole, and all Lords of Manors, Tenants in Fee Simple, or for Life, or for Years, or in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians,

Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustees and Persons whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to Dower or other Interest, and for every other Person whomsoever who is, are, or shall be seised or possessed of or interested in any of the said Lands, or entitled to any Estate, Right, Title, Lien, Charge, or Interest therein whatsoever, to contract and agree with the said Company for the absolute Sale thereof, or of any Part thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, and to convey and assign the same respectively unto the said Company, for the Purposes of this Act; and all such Contracts, Bargains, Sales, Conveyances, and other Assurances shall be good, valid, and effectual, not only to convey the Estate and Interest of the Party so conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them, or any of them, and all Persons entitled in Remainder or Reversion after their Estates, and the same shall be deemed and considered to bar all Dower of the Wife of such Party, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue of the same Party claiming under them, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding.

Lands bought of any Corporation or Person under Disability to be valued by a Surveyor.

LI. Provided always, and be it further enacted, That the Consideration Money to be paid for any Land to be purchased from or conveyed by any Person or Corporation under any Disability or Incapacity, and not having Power to sell except under the Provisions herein contained, and the Compensation Money to be paid for any permanent Damage or Injury to such Lands, shall not be less than shall be determined by such able practical Surveyor as any Two Justices of the Peace for the said Borough shall for that Purpose nominate; and such Surveyor shall annex to his Survey, Estimate, or Valuation, when completed, a Declaration of the Correctness thereof, in the Form (or as near thereto as the Circumstances of the Case will admit) prescribed in the Schedule of an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, for the suppression of voluntary and extra-judicial Oaths and Affidavits.

5 & 6 W. 4. c. 8.

Mortgagees not in Possession to assign Mortgages.

LII. And be it further enacted, That every Person or Corporation who shall have any Mortgage on the said Lands which may be required for the Purposes of this Act (not being in Possession of the said Premises by virtue of such Mortgage) shall on Payment or legal Tender of the Mortgage Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money by the said Company, immediately convey, assign, and transfer such Mortgage to the said Company; or in case such Mortgagee shall

shall have Notice in Writing from the said Company that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage, such Mortgagee shall convey, assign, and transfer the said Mortgage and his Interest in the Premises to the said Company; but in case such Mortgagee shall refuse to convey or assign on such Tender or Payment as aforesaid, then upon Payment of the Principal Money and the Amount of Six Calendar Months Interest into the Bank of *England*, in manner herein-after mentioned, all Interest on every such Mortgage shall from the Time of such Tender or Expiration of such Notice cease and determine: Provided always, that in case the Sum due upon any such Mortgage, with all Interest due thereon, shall amount to more than the real Value of such Lands, or the Part thereof which shall be taken for the Purposes of this Act, then the Company shall not be liable to pay the Mortgagee any more than the real Value of such Premises, which Value, in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury, in like Manner as the Value of any Property wanted for the Purposes of this Act is herein-after directed to be ascertained and settled.

On Persons refusing to treat or to sell a Jury to be summoned to assess the Value, &c.

LIII. Provided always, and be it further enacted, That if any Corporation, Tenant in Fee Simple, or for Life, or for Years, or in Fee Tail, General or Special, Feoffee, Husband, Guardian, Committee, Executor, Administrator, or Trustee, or any Person whomsoever, in anywise interested in such Lands hereby authorized to be purchased, shall (upon Notice to him given or left in Writing at his Dwelling House, or of the Principal or Head Officer of such Corporation) for the Space of One Calendar Month next after such Notice given or left as aforesaid neglect or refuse to treat and agree or shall not agree for the Sale of the said Premises, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in Possession of, or the Interest they claim therein, to the Satisfaction of the said Company, then and in every such Case it shall be lawful for the said Company to issue a Warrant under their Common Seal to the Mayor of the said Borough of *Deal*, or in case the said Mayor shall be in anywise interested in the Matter in question then to the Coroner of the said Borough, not interested as aforesaid, or if the Coroner shall be so interested then to some Person then living in the said Borough who shall have filled the Office of Mayor or Coroner therein, and be free from personal Disability and uninterested as aforesaid (a Person having more recently served either Office being always preferred), commanding such Mayor, Coroner, or other Person to impannel, summon, and return, and the said Mayor, Coroner, or other Person is hereby accordingly empowered and required to impannel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Mayor, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, a Jury of

Twelve Men shall be drawn by the said Mayor, Coroner, or other Person, or by some Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in default of a sufficient Number of Jurymen, the said Mayor, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to make up such Jury to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Mayor, Coroner, or other Person is hereby also required and empowered, from Time to Time as Occasion shall be and require, to summon and call before the said Jury, and examine upon Oath, every Person who shall be thought necessary and proper to be examined as a Witness touching or concerning the Premises; and the said Mayor, Coroner, or other Person shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all lawful Ways and Means, as well for his own as for the said Jury's better Information in the Premises, as the said Mayor, Coroner, or other Person shall think fit; and the said Jury, upon their Oaths, or, being Quakers, solemn Affirmation, (which Oaths or Affirmation, as well as the Oaths or Affirmations of all Persons called upon to give Evidence, the said Mayor, Coroner, or other Person is hereby empowered and required to administer,) shall assess the Purchase Money or Recompence for Damages to be given for the said Lands according to the respective Interests therein, and shall give in their Verdict thereupon; and the said Mayor, Coroner, or other Person shall accordingly give Judgment for such Purchase Money or Recompence as shall be assessed by such Jury: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party with whom any such Controversy shall arise, by serving such Notice personally, or leaving such Notice at the Dwelling House of the Person, or of the Clerk or Agent or Principal Officer of any such Corporation, interested in the Premises intended to be valued, or respecting which or any Damage to which any such Question shall arise: Provided also, that in all such Cases the Party claiming such Compensation shall be treated as the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs are in Actions tried in any of Her Majesty's Courts of Record at *Westminster* by Law entitled.

Verdicts to be recorded by the Clerk of the Peace.

LIV. And be it further enacted, That the said Verdict and Judgment, being first signed by the said Mayor, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the said Borough of *Deal* amongst the Records of the Quarter Sessions for the said Borough, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying to such Clerk of the Peace for such Inspection the Sum of One Shilling, and shall be entitled to be furnished with Copies thereof, paying to the said Clerk of the Peace for every Copy after the Rate of Sixpence for every One hundred Words.

LV. And

Penalty on Mayor or his Substitute, or Jurors or Witnesses making default.

LV. And be it further enacted, That if any such Mayor, or any Coroner or other Person herein-before authorized and directed to act in the stead of such Mayor, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds to and for the Benefit of the Party who shall be injured or aggrieved by such Default, the same to be recovered by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster;* and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or, being a Quaker, to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or, being a Quaker, affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse (such Excuse to be judged of and determined by the said Mayor, Coroner, or other Person), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds, which said last-mentioned Penalty shall and may be levied, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the said Borough of *Deal*, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

Jurors to be under the same Regulations as those of the Superior Courts.

LVI. And be it further enacted, That every such Jury and Juryman as aforesaid shall, in addition to the Penalty hereby inflicted, also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster;* and all Persons who, in any Examination to be taken by virtue of this Act, upon their Oaths, or, being Quakers, upon their solemn Affirmations, shall wilfully and corruptly give false Evidence before any such Jury, Mayor, Coroner, or other Person, shall and may be prosecuted for the same, and upon Conviction thereof shall be liable to the Pains and Penalties to which Persons guilty of wilful Perjury shall or may by Law be subject or liable.

Expences of Jury and Witnesses how to be paid.

LVII. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation for any Damage occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, and the Expences of the Bond to be given as herein-after mentioned by the Party requiring the Jury to be summoned, shall be borne by the said Company; and such Costs, Charges, and

and Expences shall be settled and determined by the said Mayor, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company, under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on the Behalf of the said Compnay, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Company; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender and Satisfaction of the whole thereof.

Persons requesting Juries to enter into Bond to prosecute their Complaint and pay Expences.

LVIII. And be it further enacted, That all Parties with whom the said Company shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Company shall be obliged to issue their Warrant for summoning such Jury, enter into a Bond to the said Company in a Penalty of One hundred Pounds to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning, impannelling, and returning such Jury, taking such Inquisition, and of the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to such Inquisition, in case any Part of such Costs and Expences shall fall upon them.

Damages under Twenty Pounds may be settled by Justices.

LIX. And be it further enacted, That in case any Difference shall arise between the said Company and any of the Owners, Lessees, or Occupiers of the Lands to be taken or used for the Purposes of this Act, as to the Amount or Value of the Damages done in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Twenty Pounds, be ascertained and determined by some Two or more Justices of the Peace for the said Borough of *Deal*, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Company.

Power to settle Questions by Arbitration.

LX. And be it further enacted, That in case any Difference or Disagreement shall arise between the said Company and any Owner or Lessee, Tenant, Occupier, or other Person having an Interest in any

any Lands which may be required for the Purposes of this Act, and in respect of which Payment is hereby required to be made according to the Value thereof, or between the said Company and any Person who shall sustain any Damage or Injury by or in consequence of any thing done or to be done in pursuance of this Act, or by the Neglect or Omission of any thing by this Act required to be done or performed respecting the Value, Payment, or Compensation for the same or otherwise on account thereof, and such Owner, Lessee, Tenant, Occupier, or other Person so having an Interest as aforesaid, or any of them, in respect of their respective Estates, Rights, or Interests, shall agree and consent, by Writing under their respective Hands, to settle the same by Arbitration in lieu of the Mode herein appointed for the settling of Differences, such Matters in difference shall be referred to Three Arbitrators, One to be appointed by such Owner, Lessee, Tenant, or Occupier, or other Person so interested as aforesaid, another by the said Company, and the Third by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, within Twenty-one Days after Notice in Writing, to be given by such Owner, Lessee, Tenant, Occupier, or other Person so interested as aforesaid, to the said Company and such Justice for that Purpose; and in case of the Death or Incapacity to act of any or either of the said Arbitrators, another shall be appointed in his Stead by the Party by whom or in whose Behalf he was so appointed, within Twenty-one Days next after Notice thereof; and the said Arbitrators, or any Two of them, shall and they are hereby authorized and required, by Examination of Witnesses upon Oath (which Oath the said Arbitrators are hereby empowered to administer), and by other fit and proper Ways and Means, to hear, settle, and determine the Matter in question, and to make their Award therein by Writing under their Hands, or under the Hands of any Two of them; and in case either of the said Parties shall not appoint One Arbitrator for the Purposes aforesaid within Twenty-one Days after being thereunto required by Writing to be delivered to the Party by whom or on whose Behalf any Arbitrator shall not have been appointed as aforesaid within the Time or Times herein-before limited for that Purpose, or if the Arbitrator appointed by or on behalf of either of the said Parties shall refuse to act in the Premises, or having acted shall refuse or neglect to proceed by the Space of Thirty Days, then such Matter may be settled and determined as soon as conveniently may be by the Arbitrator appointed by or on behalf of the other of the said Parties, and the Determination to be had and made by such One Arbitrator as herein-before directed shall be final and binding on both Parties; but if either of such first-named Arbitrators shall neglect or refuse to act any further, then and in such Case the Matter may be settled and determined as soon as conveniently may be by the Arbitrator who shall not decline to act and such Third Arbitrator, and the Determination to be had and made by such One of the Two first-named Arbitrators and such Third Arbitrator shall be final and binding on both Parties; and the Costs and Charges incurred in and about such Reference, and the making of such Awards as aforesaid, shall be apportionably paid and payable and recoverable on such and the like Conditions and in such and the like Manner as is herein provided in case of Purchase or Compensation being settled and determined

mined by a Jury; provided that in all Cases wherein the Power of Reference to Arbitrators lastly herein-before contained shall not be resorted to and carried into effect, all Questions and Disputes concerning the several Matters and Things aforesaid (except where the Settlement and Adjustment thereof is herein otherwise provided for) shall be ascertained and settled by the Verdict of a Jury, as is herein directed with respect to the Lands which may be taken for the Purposes of this Act.

On Payment of Money the Property to vest in the Company.

LXI. And be it further enacted, That upon Payment or legal Tender of such Sum of Money as shall have been contracted or agreed for between the Parties, or assessed by such Justices, Arbitrators, or Jury in manner aforesaid, for the Purchase of any such Lands as herein mentioned, to the Proprietor of such Lands, or to such other Person as shall be interested therein or entitled to receive such Money, after One Calendar Month next after the same shall be so agreed for or assessed, or upon Payment of the said Sum of Money after the said One Calendar Month into the Bank of *England*, as herein-after directed and required, for the Use of the Person entitled thereto, it shall be lawful for the said Company, and their Attornies and Agents, Workmen and Servants, to enter upon such Lands, and then and thereupon such Lands, and all the Estates, Uses, Trusts, and Interests of any Person therein, for the Purchase of which such Sum of Money shall have been paid as aforesaid, shall thenceforth be vested in and become the sole Property of the said Company for the Purposes of this Act; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his Issue, and of every other Person whomsoever therein in respect of whose Estates and Interests the said Sum of Money shall have been paid.

Application of Compensation Money when amounting to 200*l.*

LXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of this Act, or of any Interest therein, or for any Compensation under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hnndred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The *Deal* Pier Company," pursuant to the Method prescribed by an Act passed in the First Year of the Reign
1 G. 4. c. 35. of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said*

said Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the Lands in respect whereof such Money shall be paid, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting such Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court, made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Purchase can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled, in case the same had been so purchased and settled.

When less than 200*l.*, and not less than 20*l.*

LXIII. And be it further enacted, That if any Money so agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands in respect whereof such Money shall be so awarded or agreed to be paid, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Company, signified in Writing under their Common Seal, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as last aforesaid, to be applied in manner last herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option, such Nomination to be approved of by the said Company, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties and under such Common Seal of the said Company; and the Money

Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

When less than 20*l.*

LXIV. And be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall be less than the Sum of Twenty Pounds, then the same shall be paid to the respective Parties who for the Time being would have been entitled to the Rents and Profits of the Lands in respect whereof such Money or Compensation shall be paid, for their own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid for their Use to their respective Husbands, Guardians, Committees, or Trustees.

In case of not making out Titles, or of Absence, or Refusal to convey, the Money to be paid into the Bank.

LXV. And be it further enacted, That in case any Party to whom any Sum of Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken under the Powers of this Act, or for any Right or Interest to, in, or affecting the same, or otherwise for Compensation as aforesaid, shall refuse or neglect to accept the same, or shall refuse, neglect, or be unable to make a Title to the Satisfaction of the said Company, or shall be absent from *England*, or cannot be conveniently found, or if any Party entitled unto or by this Act capacitated to convey such Premises, Right, or Interest, be not known or discovered, or be absent from *England*, or shall refuse to convey the same, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Company to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Premises, describing them so far as the said Company can do, subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money, or any Part thereof, by Petition, is hereby empowered, in a summary Way of Proceeding or otherwise as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Company, or to the Party so paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, and in respect of what Purchase the same has been so paid in.

In case of disputed Title, Persons in Pos-

LXVI. And be it further enacted, That where any Question shall arise in reference to the Provisions aforesaid, or otherwise upon this Act, touching the Title of any Party to any Lands or to any Interest in

in the same, or to any Compensation in respect of any Damage done thereunto, or to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer in pursuance of this Act, or to any Annuities or Securities to be purchased with any such Money, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in Possession or Receipt of the Rents and Profits of such Lands at the Time of taking or using the same, and all Corporations or Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands, or to such Interest therein, or to such Money as aforesaid, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly.

session to be deemed presumptively entitled.

LXVII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands to be purchased, taken, or used under the Authority of this Act, or from any other Cause, except the wilful Refusal of such Person or Corporation to convey the said Lands or to accept the Purchase or Compensation Money, the Purchase Money for the same or the Money paid for such Compensation shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of such Lands, and also all the Costs, Charges, and Expences of the Investment of the Purchase or Compensation Money in Government or Real Securities, and in the Reinvestment of the same in the Purchase of other Lands, together with the necessary Costs and Charges of obtaining the proper Orders and all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends and Interest of such Government or Real Securities in which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said Company, and the said Company shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Company.

LXVIII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Company for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Company may require, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Premises so purchased or taken, shall pay the Amount of such

Expences of Titles to be paid by the Company.

Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Premises shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into Possession of the said Premises so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Land shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company: Provided also, that in case the said Company shall not require the making out or furnishing such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Property purchased or taken, such Seller shall be bound, at the Expence of the said Company, to produce or cause the Production of the Title Deeds relating to the said Lands, when required by the said Company so to do, without furnishing any Abstract of his Title.

How such Expences are to be ascertained.

LXIX. And be it further enacted, That if the said Company and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Company to the Party from whom the Premises shall have been purchased or taken, shall be paid to the Party aforesaid: Provided always, that the said Company shall not be at liberty to enter into Possession of the Premises so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Company shall have deposited the Sum claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The *Deal* Pier Company," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, which Sum shall be applied, under the Order of the said Court, in payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless the Sixth of the said Costs, Charges, and

Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Premises were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sum so deposited by them as aforesaid.

Tenants at Will to deliver Possession on Six Months Notice.

LXX. And be it further enacted, That every Tenant at Will, and every other Person in Possession of any Lands which shall be purchased or taken by virtue and for the Purposes of this Act, who shall have a less Interest than as Tenant from Year to Year, shall deliver up the Possession of the said Premises to the said Company, or to such Person as they shall appoint to take possession of the same, upon having Six Calendar Months Notice from the said Company to quit the same, at such Time, or Times as shall be required by such Notice, the said Company making just and reasonable Compensation for any Damage thereby sustained; and in case any Dispute or Difference shall arise touching or concerning the same such Compensation shall be ascertained and settled in such and the like Manner as the Compensation to be made by the said Company of the Purchase of any Lands; and if any such Tenant or other Person aforesaid shall refuse or neglect to deliver up Possession on Payment or Tender of such Compensation, then and in every such Case it shall be lawful for the said Company to issue their Precept to the said Mayor to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same; and the said Mayor is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the Issuing or Execution of such Precept on the Person refusing to deliver up Possession as aforesaid, by Distress and Sale of his Goods and Chattels.

Company to sell Lands not wanted for the Purposes of the Act.

LXXI. And whereas by means of the Purchases which the said Company are empowered to make by virtue of this Act they may happen to be seised or possessed of more Land than will be necessary for effecting the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company and they are hereby required, within Ten Years after the passing of this Act, to sell and dispose of any such Land, either together or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, to such Person as shall be willing to contract for and purchase the same, and to convey the same accordingly; and such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary notwithstanding: Provided always, that the said Company shall first offer to re-sell the same to the Person from whom such Land was purchased by the said Company, in case he shall be the Owner of any Land adjoining thereto; and in case such Person shall have died or cannot be found, or shall refuse or neglect to re-purchase such Land, then the Offer to sell the same shall be made to the Owner of any adjoining Land; and a Declaration, pursuant to an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of 'Oaths and Affirmations taken and made in various Departments of the 'State,* 5 & 6 W. 4. c. 62.

'*State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits,*' *and to make other Provisions for the Abolition of unnecessary Oaths,* made before a Master or Master Extraordinary in the High Court of Chancery, or before a Justice of the Peace for the said Borough, by some Person not interested in the said Land, stating that such Offer was made by or on behalf of the said Company, and that such Offer was then and thereupon not agreed to, or was refused by the Person to whom the same was so offered, shall in all Courts whatever be sufficient Evidence and Proof that such Offer was made and was not agreed to or was refused by the Person to whom such Offer was made, as the Case may be; and in case such Person shall be desirous of purchasing or re-purchasing the same, and he and the said Company shall differ and not agree with respect to the Price thereof, in such Case the Price thereof shall be ascertained by a Jury in manner herein-before directed with respect to the disputed Value of Premises to be purchased by the said Company in pursuance of this Act; and the Expences of hearing and determining such Difference shall be borne and paid in like Manner as is herein-before directed with respect to Purchases made by the said Company, *mutatis mutandis;* and the Money produced by the Sale which may be made by the said Company of such Land as aforesaid shall be applied to the Purposes of this Act, but the Purchaser thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money: Provided also, that if such superfluous Lands shall not be sold within the Time herein-before limited, the same shall vest in and become the Property of the Owners of the adjoining Lands.

The Word "grant" in Conveyances from the Company to amount to certain Covenants.

LXXII. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the Word "grant" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to Grantees or other Purchasers, their Heirs, Executors, Administrators, or Assigns, from the said Company, for themselves and their Successors, that the said Company, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, freed from all Incumbrances done or occasioned by them, for quiet Enjoyment thereof against the said Company and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances or any of them; and such Purchasers or Grantees, their several Heirs, Executors, Administrators, and Assigns respectively, shall and may in any Action to be brought assign a Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

Land to be purchased within Three Years.

LXXIII. And be it further enacted, That unless the said Company shall within the Space of Three Years, to be computed from the passing of this Act, purchase and pay for the Lands which they are by this Act empowered to take or use, or otherwise so much thereof as they shall deem necessary or proper, then and from thenceforth the Powers

Powers which are hereby granted to them for taking or using such Lands shall cease and be utterly void, save and except with the Consent of the Owners and Occupiers thereof respectively.

If Works not completed in Seven Years the Powers to cease, except as to such Part as shall be completed.

LXXIV. And be it further enacted, That in case the said Pier and Works shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Seven Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Seven Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said Pier or Jetty and other Works as shall be declared and certified to have been completed within the said Term by the Recorder of the said Borough of *Deal* at any General or Quarter Sessions of the Peace held for the said Borough at any Time before the Expiration of the said Term of Seven Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of Two or more Witnesses upon Oath (or, in the Case of Quakers, Separatists, or Moravians, Affirmation,) to be produced before such Recorder for that Purpose.

Authorizing Tolls on Goods.

LXXV. And be it further enacted, That from and after the Time that the said Pier or Jetty or other Works shall be so far formed as to afford Accommodation, and that Ships, Packets, Boats, or other Vessels are able to lade or unlade, take on board, discharge, or put on shore, any Goods, Merchandize, or other Commodities, Articles, Matters, or Things at or from the same, the Tolls enumerated in the Second Schedule hereunto annexed shall become payable and be paid to the said Company; and every Master of every Ship, Packet, Boat, or other Vessel who shall lade or unlade, take on board or discharge any Goods, Merchandize, or other Commodities, Articles, Matters, and Things at the said Pier or Jetty or other Works shall pay to the said Company in respect thereof the several Tolls set down in Figures against the Words applicable to the same respectively in the said Second Schedule.

Authorizing Tolls on Passengers.

LXXVI. And be it further enacted, That from and after the Time that the said Pier or Jetty and other Works shall be so far formed that Passengers are able to embark or land from or at the same, every Person who shall land from or embark in any Ship, Packet, Boat, or other Vessel at or from the said Pier or Jetty or other Works, and every Person who shall walk on the said Pier or Jetty or other Works or the Approaches thereto, shall pay to the said Company in respect of every such Landing or Embarkation, and of every Time of entering or coming upon the said Pier or Jetty or other Works or Approaches, such Sum or Sums as the said Directors shall appoint, not exceeding the Sum or Sums mentioned in the said Second Schedule and set down in Figures against the Words applicable to such landing, Embarkation, or walking.

Recovery of Tolls.

LXXVII. And be it further enacted, That all Tolls payable under and by virtue of this Act shall be paid to such Persons and in such Manner as the Directors shall in that Behalf direct or appoint, and the Money payable by or in respect of Passengers shall, if the Directors shall so direct, be collected and received by the Master or

other Person having the Command or Direction of the Ship, Packet, Boat, or other Vessel carrying such Passengers, before the Departure of such Passengers from on board such Packet, Boat, or other Vessel, and shall be by such Master or other Person having such Command or Direction as aforesaid, with all convenient Speed paid over to the Collector for the Time being or other Person to be appointed by the Directors for that Purpose; and in case of Refusal or Neglect of Payment of such Tolls or any Part thereof, or any Arrears of such Tolls, on Demand, to the Person or Persons who shall be appointed to receive the same as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or upon the Case in any of Her Majesty's Courts of Record; and in every such Action it shall be sufficient for the Plaintiff to declare that under or by virtue of this Act the said Company are lawfully possessed of or entitled to such Tolls as in and by the said Action are sought to be recovered, and to allege when, where, how, and wherefore such Tolls accrued and became payable to the said Plaintiff; or it shall be lawful for the Directors, or their Clerk, Collector, or any other Person or Persons authorized and deputed by the said Directors, or for the Person to whom such Tolls or any Arrears thereof ought to be or to have been paid, and he is hereby empowered, to seize the Goods, Merchandize, Commodities, Articles, Matters, or Things for or in respect whereof any such Tolls ought to be or to have been paid, or any Part thereof, and the Ship, Packet, Boat, or other Vessel laden therewith, and to detain such Ship, Packet, Boat, or other Vessel, Goods, Merchandizes, Commodities, Articles, Matters, or Things, until Payment of the Amount of all Tolls which at the Time of such Seizure and Distress made shall be due and owing, together with reasonable Charges for such Seizure and Distress; and if such Seizure and Distress shall not be redeemed within Seven Days after the taking thereof the same shall be appraised and sold as the Law directs in Cases of Distress for Rent, any thing in this Act to the contrary thereof notwithstanding.

Penalty on Persons refusing to pay Toll.

LXXVIII. And be it further enacted, That if any Person liable to the Payment of any Toll for or in respect of his landing or embarking at the said Pier, or for or in respect of any Goods, Merchandize, Commodities, Articles, Matters, or Things, shall elude, evade, or refuse the Payment of the said Tolls by any Means whatever, every such Person shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, over and above the Payment of the said Tolls.

For settling Disputes concerning Tolls.

LXXIX. And be it further enacted, That if any Dispute shall arise concerning the Amount of Tolls due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Collector or Person distraining to detain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of the Tolls due, and the Charges of seizing, distraining, keeping, or settling such Distress (as the Case shall happen), shall be ascertained by some Justice of the Peace for the said Borough of *Deal*, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath, and determine the Amount of the Tolls due and of such Charges as aforesaid; and it shall be lawful for such Justice to

assess

assess and award such Costs to be paid by either of the said Parties to the other of them as he shall think just and reasonable; and in case of Nonpayment thereof on Demand such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same by Warrant under the Hand and Seal of such Justice.

Tolls may be varied.

LXXX. And be it further enacted, That it shall be lawful for the said Company from Time to Time to reduce all or any of the Tolls by this Act granted, and again to raise the same to any Amount not exceeding the respective Tolls by this Act granted, and such reduced and also such advanced Tolls shall be paid, collected, recovered, and applied in the same Manner as the said Tolls in this Act specified and made payable are directed to be paid, collected, recovered, and applied.

Tolls to be charged equally.

LXXXI. Provided always, and be it further enacted, That the aforesaid Tolls to be taken by virtue of this Act shall at all Times be charged equally and after the same rate in respect of Persons, Goods, Merchandize, Commodities, Articles, Matters, and Things landed and embarked at the said Pier, and no Reduction, Exemption, or Advance in the said Tolls shall either directly or indirectly be made partially or in favour of or against any particular Person or Company, but that every such Reduction, Exemption, or Advance of Tolls upon any particular Kind or Description of Articles, Matters, or Things shall extend and take place upon and in respect of the same Description of Articles, Matters, and Things so reduced or advanced, and shall extend to all Persons using the said Pier, any thing to the contrary thereof in anywise notwithstanding.

List of Tolls to be fixed in conspicuous Places.

LXXXII. Provided always, and be it further enacted, That the said Company shall from Time to Time cause to be painted on Boards, and affixed and stuck up, and continued and renewed as often as the same shall be obliterated or defaced, on some conspicuous Part of the said Pier or the Approaches thereto, in large and legible Characters, an Account or List of the Tolls which the said Company shall from Time to Time direct and appoint to be taken; and in case any Collector of the Tolls aforesaid shall, after such Account or List shall be affixed and stuck up as aforesaid, demand or take more than the Price or Sum of Money therein specified and ascertained, such Collector or other Person as aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

General Exemptions.

LXXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge with the Payment of any of the Tolls hereby imposed and made payable in respect of the said Pier or Jetty or other Works any Person or Persons whilst on Duty and actually employed in Her Majesty's Service, in respect of any of Her Majesty's Ships, Vessels, or Boats, or of any other Ship, Vessel, or Boat whatsoever in the Service or Employ of Her Majesty's Customs or Excise, or in the Service or Employ of the Board of Ordnance, nor of any Vessel which may be seized by the Officers of Her Majesty's Revenues, nor in respect of any Goods or Merchandize the Property of the Crown or under Seizure, nor of any Articles shipped or landed for the Public Service,

Service, nor of any Ship or Transport or Packet employed in Her Majesty's Service in carrying the Mails of Letters or Express under the Authority of Her Majesty's Postmaster General, or in the Conveyance by any of Her Majesty's Ships, Vessels, or Boats, of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage belonging to them or any of them; but if any Person or Persons shall claim and take the Benefit of any Exemption as aforesaid without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Forty Shillings over and above the Tolls imposed by this Act.

Company empowered to lease Tolls.

LXXXIV. And be it further enacted, That it shall be lawful for the said Directors to let, lease, or demise all or any of the Tolls and Duties hereby authorized to be taken, for any Term of Years not exceeding Three Years at any One Time, for such Rent, payable at such Times and under such Covenants, as they shall think fit, taking sufficient Security from the Person or Persons to whom such Tolls shall be leased or demised for Payment of such Rent and Performance of such Covenants respectively.

Penalty on obstructing Persons employed.

LXXXV. And be it further enacted, That if any Person shall obstruct or prevent any Person employed by the said Company under the Authority of this Act on the said Pier or Jetty or other Works or Approaches, or engaged in the Construction thereof or of any Part thereof, or shall molest or hinder any Collector, Officer, Servant, or any Director of the said Company in their Execution of any of the Powers by this Act granted, or shall concur or aid herein, he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

For preventing Damage to the Works.

LXXXVI. And whereas Damage may frequently be done to the Pier and the other Works belonging thereto by Ships, Packets, Boats, and other Vessels, owing to the Wilfulness or Negligence of the Master or other Person having or taking the Command or the Care or Charge of such Ships and Vessels; be it therefore enacted, That every Master or other Person having the Command or Charge of any Ship, Packet, Boat, or Vessel, by whose wilful Neglect or Mismanagement thereof any Damage shall be done or happen to the Pier or other Works belonging to the said Company, shall pay for or make good all such Damage; and the Amount of such Damage, in case the same shall exceed the Sum of Twenty Pounds, may be recovered by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*; but if the Amount of Damage claimed do not exceed the Sum of Twenty Pounds, then the same shall be recovered before any Two Justices of the Peace for the said Borough of *Deal*, who are hereby authorized and empowered to summon such Master or other Person having the Command or Charge of such Ship, Packet, Boat, or other Vessel doing such wilful or negligent Damage as aforesaid, and to hear and determine the same and ascertain such Damage; and if Judgment shall be given by them against such Master or other Person, then it shall be lawful for such Justices, or any other Justices of the Peace for the said Borough, and they are hereby authorized, by Warrant under their Hands and Seals, to levy or cause to be levied the

the Sum awarded by them as the Amount of such Damage, and for that Purpose to seize and distrain the Ship, Packet, Boat, or other Vessel doing such Damage as aforesaid, and any Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and the same to detain until the Sum of Money so awarded as aforesaid shall be paid; and in case the same shall not be paid for the Space of Seven Days after any Distress so made or taken, then it shall be lawful to sell the same, or any Stores, Articles, or Things belonging to the same, which may be sufficient in Value, and therewith to pay and satisfy the Money so awarded, together with the reasonable Costs and Charges of taking, keeping, and selling the same, rendering the Overplus (if any) to the Master or other Person entitled to the same, on Demand; and the same, when levied in manner aforesaid, shall go and be paid to the said Company, to be applied for the Purposes of this Act.

Owners liable for Damages done by their Vessels or Crew.

LXXXVII. And be it further enacted, That the Master and Owner of every Ship, Packet, Boat, or Vessel shall be and he is hereby made answerable for any Trespasses, Damages, Spoil, or Mischief that shall be done by his Ship, Packet, Boat, or Vessel, or by any of the Seamen or Boatmen, or other Persons belonging to or employed in or about the same respectively, to the Pier and other Works or Approaches made by virtue of this Act, by any Means whatsoever; and such Owner of such Ship, Packet, Boat, or Vessel shall for every such Damage, upon Conviction of such Person before One Justice of the Peace, either by Confession of the Party offending, or upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice is hereby authorized and empowered to administer), pay to the Person injured the Damages, to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Twenty Pounds, and also, over and above such Damages, forfeit and pay all the Costs, Charges, and Expences attending such Conviction, which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Owner of any such Ship, Boat, or Vessel, by Warrant under the Hand and Seal of such Justice; and the Overplus (if any), after such Penalty, Damages, and Costs and Charges of such Distress and Sale are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; or, if the Damages shall exceed the Sum of Twenty Pounds, then and in such Case the Owner of such Ship, Boat, or Vessel may be sued and prosecuted for the same in any of Her Majesty's Courts of Record, and if a Verdict shall be given against him, either on Proof made, or by Default, or upon Demurrer, the Plaintiff in any such Case shall recover Damages thereby sustained: Provided always, that if the Owner of any such Ship, Packet, Boat, or Vessel shall be compelled to pay any Penalty, or make any Satisfaction for any Damages by reason of any wilful Act or Neglect or Default of his Seamen, Boatmen, or other Persons employed by him, then and in such Case every such Seaman, Boatman, or other Person shall be liable to repay such Penalty or Satisfaction for Damages, with the Costs attending the same, to such Owner; and in case of Nonpayment thereof on Demand, the same shall be recovered by Distress and Sale of the Goods and Chattels of any such Boatman, Seaman, or other Person.

Owners may recover such Damages from their Servants.

Declaring what shall be good Service of Notice on the Company.

LXXXVIII. And be further enacted, That in all Cases in which it shall be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Company, personal Service thereof upon the Clerk of the said Company, or leaving the same at the Office of the said Company or of the said Clerk, or at the last or usual Place of Abode of such Clerk, or in case the same respectively shall not be found or known, then personal Service thereof upon any other Agent of or Officer employed by the said Company, or on any One Director of the said Company, or delivering the same to some Inmate of the last or usual Place of Abode of such Agent or Officer or Director, shall be deemed good and sufficient Service of the same respectively on the said Company.

Declaring what shall be good Service of Notices, Summonses, &c. by the Company.

LXXXIX. And be it further enacted, That in all Cases in which it may be necessary to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, or otherwise, by or on behalf of the said Company upon any Person or Corporation under the Provisions of this Act, or under any Rule or Regulation made in pursuance thereof, Service of such Summons, Demand, Notice, Writ, or other Proceeding respectively, either upon the Person to whom the same ought to be given, or upon the Clerk or principal Officer of such Corporation, or in case the same respectively shall not be found or known, then Service thereof upon any Agent or other Officer of such Corporation, shall be deemed good and sufficient Service of the same respectively upon such Corporation (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Company, may be signed by the Clerk of the said Company, and need not be under the Common Seal of the said Company (unless it be otherwise specially directed by this Act), and may be in Writing or in Print, or partly in Writing and partly in Print.

For securing Offenders whose Names and Residences are unknown.

XC. And be it further enacted, That it shall be lawful for any Officer or Servant of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Servant who shall commit any Offence against this Act, and to convey him with all convenient Dispatch before some Justice of the Peace for the said Borough of *Deal*, without any Warrant or other Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Recovery and Application of Penalties.

XCI. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act, or by any Bye Law, Order, Rule, or Regulation made in pursuance thereof, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is hereinbefore made, shall in every Case be heard, adjudged, and determined by or before any Justice of the Peace for the said Borough of *Deal* in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not, and which shall in every Case be

made within Six Calendar Months at furthest next after the committing such Offences respectively; and upon any such Information or Complaint as aforesaid the said Justice shall summon the Party accused, and examine into the Complaint thereof; and if upon the Confession of the Party accused, or on the Oath of any credible Witness, the Party accused shall be convicted of having committed such Offence, then and in every such Case the Penalty, Fine, or Forfeiture hereby, or by the said Rule or Regulation respectively, made payable in respect of such Offence, together with the Costs of Conviction, to be ascertained by such Justice, shall be forthwith paid by the Party so convicted as aforesaid; and in case such Party so convicted shall refuse or neglect to pay the same forthwith, then, except in Cases otherwise provided by this Act, the same shall, by Warrant under the Hand and Seal of such Justice (which he is hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice, by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus of the Money arising by such Sale (if any) to the Party whose Goods and Chattels shall be distrained; any Portion of which Penalties not herein directed to be otherwise applied, not exceeding one Moiety thereof, and which Portion is to be fixed and determined by such Justice, shall be paid to the Informer, and the Residue of such Penalty shall be paid to the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, one Moiety to the Informer, and the Remainder to the Overseers of the Poor of the Parish of *Deal*, to be applied by such Overseers in aid of the Poor Rate of the said Parish; and it shall be lawful for the said Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before the said Justice on such Day as shall be appointed for the Return of such Warrant of Distress (such Day not being more than Eight Days from the Time of taking any such Security), and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty, Fine, or Forfeiture, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justice, either upon the Confession of the Offender or otherwise, that the Offender hath not sufficient Goods or Chattels whereon such Penalty, Fine, or Forfeiture, and such Costs as aforesaid can be levied if such Distress Warrant were issued, such Justice shall not be required to issue the same, and thereupon it shall be lawful for the said Justice and he is hereby empowered, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction for the said Borough of *Deal*, there to remain without Bail or Mainprize for any Term not exceeding Two Calendar Months, or until such Offender shall have fully paid such Penalty, Fine, or Forfeiture, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justices, or shall otherwise be discharged by due Course of Law.

XCII. And

Officers under the Act not incompetent Witnesses.

XCII. And be it further enacted, That in case any Dispute, Suit, or Litigations shall arise touching or in anywise relating to the said Tolls and Duties, or respecting any Matter or Thing relating to the said Undertaking, no Person or Persons acting by or under the Authority or in the Service of the said Company shall for that Reason alone be in any Manner disqualified or incapacitated from giving Evidence in, upon, and respecting such Dispute, Suit, or Litigation, respecting any thing ministerially done by them or any of them in the Execution of their respective Offices or Authorities.

Directors may grant Releases to Witnesses.

XCIII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, for any Claim or Compensation against or for or on behalf of the said Company, and also in all Prosecutions commenced or instituted by or on behalf of the said Company, or other Proceedings in or consequent upon or arising out of any such Actions and Suits or Proceedings, it shall be lawful for Three or more of the said Directors, in their own Names, for or on behalf of the said Company, to make, sign, seal, execute, and deliver all and every such general and other Release or Releases as may be deemed to be necessary for the Purpose of exonerating, releasing, or discharging all and every or any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, or other Proceedings as aforesaid, from all Claims or Demands which may be necessary to be relieved by the said Company in order to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Action, Suits, Prosecutions, or other Proceedings as aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Prosecution, or other Proceedings which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution or other Proceedings; and every such relative Act, Matter, and Thing respectively shall be as valid and effectual in all respects and to all Intents and Purposes whatsoever as if the same were under the Seal of the said Company.

Forms of Information and Conviction:

XCIV. And be it further enacted, That all the Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information, whenever an Information shall be taken in Writing or in Print, and the Conviction respectively, to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

Information.

'Borough of *Deal* to wit.} BE it remembered, That on the Day of *A.B.* of informeth me *C.D.* one of Her Majesty's Justices of the Peace for the Borough of *Deal*, that *E.F.* of [*here describe the Offence, and the Time and Place when and where committed*], contrary to an Act passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*], which hath imposed a Forfeiture of for the said Offence. Taken the Day of before me, *C. D.*'

BE

'Borough of *Deal* to wit } BE it remembered, That on the Day of Conviction. in the Year of our Lord '*A.B.*, is convicted before me *C.D.*, one of Her Majesty's Justices 'of the Peace for the Borough of *Deal* [*here describe the Offence, 'and the Time and Place when and where committed*], contrary to 'an Act [*or* contrary to a Rule or Regulation duly made in pursuance 'of an Act] passed in the Year of the Reign of Her 'Majesty Queen *Victoria*, intituled [*insert the Title of this Act*], for 'which Offence I do adjudge the said *A. B.* to have forfeited [*if 'the Offence is to be subject to a Fine*] the Sum of [*insert the 'Penalty*], together with the Sum of for 'Costs, [*if any given*] [*or, if to be imprisoned,*] do adjudge the said '*A.B.* to be committed to the [*naming the Gaol*] for the Space of '[*insert the Time, and if the Commitment be for the Nonpayment of 'a Penalty, then add*], unless the said Sum of be 'sooner paid. Given under my Hand and Seal the Day and Year 'first above written.'

Damages and Charges, in case of Dispute, to be settled by Justices.

XCV. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered for any Offence in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice of the Peace by or before whom any Offender shall be convicted of any such Offence, which Justice is hereby authorized and required, on Nonpayment thereof, to order such Damages or Charges to be levied by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

XCVI. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture hereby imposed is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice or Justices of the Peace to whom Complaint shall be made of any Offence against this Act, or against any Rule or Regulation made in pursuance of this Act, to summon the Party complained against, and any Witness the said Justice may think proper, before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, whether he be present or absent, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summon swithout Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing were exhibited.

Distress not to be avoided for Want of Form.

XCVII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, or of any Rule made in pursuance thereof, the Distress itself shall not be deemed unlawful, nor shall the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in such Distress or in any Proceeding relating thereto, nor a Trespasser *ab initio* on account of any subsequent Irregularity in the prosecuting of such

Distress, but the Person aggrieved by such Irregularity may recover Satisfaction for special Damages in an Action upon the Case.

Proceedings not to be quashed for Want of Form, nor removed by Certiorari.

XCVIII. And be it further enacted, That no Order, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act, or of any Rule or Regulation made in pursuance thereof, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Westminster* or elsewhere; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and that there be a good and valid Conviction to sustain the same, any Law or Statute to the contrary thereof in anywise notwithstanding.

Plaintiffs not to recover without Notice, or after Tender of Amends.

XCIX. And be it further enacted, That no Plaintiff shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act, or of any Rule or Regulation made in pursuance thereof, unless Notice in Writing shall have been given to the Defendant Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff, and specifying the Cause of such Action; nor shall the Plaintiff recover in any such Action if Tender of sufficient Amends shall have been made to him or his Attorney by or on the Behalf of the Defendant before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Persons aggrieved may appeal to Quarter Sessions.

C. And be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Bye Law, Order, or Rule of the said Company, except such as shall relate solely to the Proprietors or Directors of the said Company or to any of their Officers or Servants, or by any Order or Judgment given or made in pursuance of any such Bye Law, Order, or Rule, whether relating solely to the Proprietors or Directors of the said Company or to any of their Officers or Servants, or not, and also the said Company and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may within Four Calendar Months next after such Bye Law, Order, or Rule, Judgment or Determination, shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County or Place where the alleged Cause of Appeal shall arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended

to

to be made, or to the said Company (as the Case may be), and forthwith after such Notice, in the Case of an Individual appealing, entering into a Recognizance before some Justice of the Peace, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or (if they think proper) may adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County or Place; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Order, or Rule, or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

Compelling Witnesses to attend.

CI. And be it further enacted, That if any Person shall be summoned as a Witness by any Justice of the Peace for the said Borough of *Deal*, touching any Matter contained in any Information or Complaint for any Offence against this Act, or any Rule or Regulation made in pursuance thereof, either on behalf of the Prosecutor or on behalf of the Person accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a sufficient Excuse being given for such Non-appearance, or appearing, after having been paid or tendered a reasonable Sum of Money for his Costs and Expences (the Amount of such Costs and Expences to be ascertained and determined by the said Justice), he shall refuse or decline to be examined upon Oath or upon solemn Affirmation, or to give Evidence touching the Matter in question before such Justice, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

General Power to Justices to administer Oaths.

CII. And be it further enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the solemn Affirmation of any Person before he shall be examined by or before such Justice; and if any Witness who shall be examined by or before any Justice of the Peace, under this Act, upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he shall be subject to the same Punishment as Persons convicted of Perjury are by Law subject and liable to.

List of Penalties to be affixed on Pier.

CIII. And be it further enacted, That no Penalty shall be recovered from any Person under or by virtue of this Act until the said Company shall have caused to be painted on Boards, and affixed to or upon the said Pier or the Works or Approaches adjoining, an Abstract or List of the Penalties by this Act imposed for any thing done contrary to the Provisions thereof, and the said Company shall cause the same to be continued and renewed as often as the same shall be obliterated or defaced;

defaced; and if any Person shall wilfully pull down, deface, or destroy any such Board which shall have been affixed according to the Directions of this Act, or shall in any Manner concur or aid therein, he shall, on Conviction, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

In case of Nonpayment of Compensation for Damages, &c., the same to be levied by Distress on the Goods of the Company.

CIV. And be it further enacted, That whenever any Money shall by any Justice of the Peace be ordered to be paid in pursuance of this Act as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage or Injury of any Nature or Kind whatsoever done or committed by the said Company, or for any Penalty, and such Money shall not be paid by the said Company to the Party entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made upon the said Company, in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation and Satisfaction shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company, or of their said Treasurer, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Money; and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then such Overplus shall be returned, on Demand, to the said Company, or to their said Treasurer, as the Case may be.

Execution may be issued against any holder of a Share.

CV. Provided always, and be it further enacted, That in case any Execution upon any Judgment or Decree in any Action, Suit, or other Proceeding obtained against the said Company, whether as Plaintiff or as Defendant, shall be ineffectual for obtaining Payment of or Satisfaction for the Sum sought to be recovered thereby, it shall be lawful for the Court in which such Action, Suit, or other Proceeding may have been brought or instituted, upon the Application of the Party who shall have obtained such Judgment or Decree against the said Company, previous Notice of such Application being given to the Person or Persons sought to be charged, to issue Execution against the Goods and Chattels of any Person who shall be a Proprietor of any Share in the said Undertaking; and in case such last-mentioned Execution against such Proprietor shall also be ineffectual for obtaining Payment of or Satisfaction for the Sum sought to be recovered thereby, it shall be lawful for the said Court, upon Motion to be made in open Court, on Notice to the Person sought to be charged, to issue Execution against the Goods and Chattels of any other Person who shall be a Proprietor of any Share in the said Undertaking: Provided always, that the Sum which shall be recovered from the Proprietor of any Share in the said Undertaking shall not in any Case exceed the Sum remaining unpaid upon the Share or Shares of which such Proprietor shall be possessed, and for the Payment of which Sum such Proprietor would have been liable if called for by the Directors of the said Company: Provided also, that the Sum recovered from any such Proprietor shall

No larger Sum to be recovered than the Amount remaining unpaid upon any Share.

shall be considered as so much Money advanced to and for the Use of the said Company, and it shall be lawful for the Directors of the said Company to make Calls in respect of any Share belonging to such Proprietor for such Sum of Money only as together with the Sum recovered from such Proprietor in respect thereof shall amount to the Sum of Five Pounds for each such Share: Provided also, that for the Purpose of ascertaining the Proprietors of the said Company it shall be lawful for any Judgment Creditor at all reasonable Times to inspect the Book containing the List of Proprietors of the said Undertaking without Fee or Reward.

Saving the Rights of the Trinity House.

CVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights, Privileges, Jurisdictions, or Authorities of the Corporation of *Trinity House* of *Deptford Strond*.

Saving the Rights of Crown, &c.

CVII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to take away, lessen, diminish, or derogate from any of the Prerogatives, Estates, Rights, Interests, Immunities, Franchises, and Privileges of the Queen's Majesty, Her Heirs or Successors, or of the Lord Warden of the Cinque Ports or his Successors, or of the Mayor, Aldermen, and Burgesses of the said Town and Borough of *Deal*, or of the Commissioners of Pavements of the said Town and Borough, further or otherwise than is herein-before expressly contained and enacted.

Public Act.

CVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The FIRST SCHEDULE to which the foregoing Act refers;

CONTAINING

A DESCRIPTION of the PROPERTY to be taken.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Royal Hotel Tap, Premises, and Foreshore.	Archbishop of Canterbury.	Bleaden and Co. -	Bleaden and Co.
Shop, Premises, and Foreshore.	Ditto -	John Woodruff -	John Woodruff.
Ditto -	Ditto -	William Larkins -	William Larkins.
Ditto -	Ditto -	Thomas Glover -	Henry Thompson.
Ditto -	Ditto -	Ambrose Rose -	Ambrose Rose and —— Friend.
Capstan Ground, and ditto.	Ditto -	John Hoile -	George Bushell and others.
Pelican Public-house and Premises.	Ditto -	John Hoile -	Thomas Higgins.
House and Premises	Ditto -	Ambrose Rose -	Edward Philpot.
House, Premises, and Foreshore.	Ditto -	Ditto -	John Norris.
Storehouse, &c. -	Ditto -	Edward Iggulden -	Edward Iggulden.
Three Capstan Grounds, and Foreshore.	Ditto -	Ditto -	William Holbrook, George Philpot, and others.
Capstan Ground, and Foreshore.	Ditto -	Richard Chitty or Edw. Erridge; Thomas Middleton and George Woodland, his Assignees.	Edward Erridge, Thomas Middleton, George Woodland, and others.
Beach Street -	Commissioners of Pavements.	Commissioners of Pavements.	—
Passage from Beach Street to the Sea.	Ditto -	Ditto -	—

The SECOND SCHEDULE referred to by the foregoing Act.

	£	s.	d.
For every Passenger or other Person who shall land on the Pier, Landing Places, Quays, Wharfs, or other Works, or embark or go on board any Vessel, Boat, Wherry, or other Machine from the said Pier or Landing Place, Quays, Wharfs, or Works, or any Part thereof, for each and every Time, not exceeding - -	0	1	6
For every Person who shall use the said Pier or Approaches for the Purpose of walking for Exercise, Pleasure, or otherwise, per Day, not exceeding - - - - - -	0	0	3
For every Four-wheeled Carriage being landed or embarked from the said Pier, Landing Places, Quays, Wharfs, or other Works, not exceeding - - - - - -	0	10	0
For every Two-wheeled Carriage - - - -	0	5	0
For every Master of any Vessel, Boat, or Wherry, being an Inhabitant of the Town of Deal, and residing there only, and using the said Pier and other Works for the Purpose only of going to or returning from his own Vessel, Boat, or Wherry, such annual Sum as the Directors shall appoint, not exceeding per Annum -	1	0	0
For every Quarter of Wheat, Oats, Rye, Barley, Malt, Beans, Peas, Tares, Mustard Seed, Canary, and Seeds of every Denomination, if landed or loaded from the Pier, not exceeding - -	0	0	6
Anchor, per Hundred Weight - - - -	0	0	9
Ashes, per Barrel - - - - -	0	0	3
Alum, per Hundred Weight - - - - -	0	0	1
Anchovies, per Barrel - - - - -	0	0	3
Ale, Porter, Cyder, or Perry, per Gallon - - -	0	0	0½
Ditto, - in Bottles, per Dozen - - -	0	0	3
Anchor Stock, per Foot, run - - - -	0	0	2
Apples and Pears, per Sack of Three Bushels - - -	0	0	6
Asparagus, per Basket - - - -	0	0	4
Ditto - smaller Ditto - - - - -	0	0	3
Beer, per Butt - - - - -	0	1	0
—— per Hogshead - - - - -	0	0	6
—— per Half Hogshead - - - - -	0	0	3
Bran or Pollard, per Eight Bushels - - - -	0	0	4
Beer, Table, per Nine Gallons - - - -	0	0	1½
Beef or Pork contained in any Cask, per Hundred Weight -	0	0	3
Barrel Boards or Staves, per Thousand - - -	0	3	0
Butts Staves, per Hundred - - - - -	0	4	0
And all other Staves in proportion.			
Battens, Petersburgh, per Hundred - - -	0	2	0
Boards or Battens, close, per Hundred - - -	0	1	6
Billiard Table - - - - -	0	10	0
Bedstead, Mahogany - - - - -	0	0	9
——— every other - - - - -	0	0	6
Bricks, per Thousand - - - -	0	1	6
Barilla, per Ton - - - - - -	0	4	0
——— per Sewn - - - - -	0	0	6
Bolt of Canvas, No. 1, 2, 3 - - - -	0	0	4
——————every other - - - -	0	0	3
Butt, Pipe, or Puncheon, entire or in Staves, each - -	0	0	3
Bottles, empty, per Dozen - - - -	0	0	1

(*continued*)

	£	s.	d.
Bale, every, Box, Truss, Trunk, Case, Chest, Bundle, or Parcel containing Goods not enumerated in Schedule, per Cubic Foot	0	0	1½
Ditto, per Hundred Weight - - -	0	0	3
Basket or Maund, containing Goods not enumerated in Schedule -	0	1	0
Ditto, smaller, each - - - -	0	0	9
Ditto, empty, per Dozen - - -	0	0	2
Beef or Pork, per Tierce - - - -	0	0	4
——— per Barrel - - - -	0	0	4
Butter, per Barrel - - - -	0	0	4
——— or Cheese, per Hundred Weight - - -	0	0	4
Biscuit, per Bag - - - -	0	0	6
Beans and Pease, per Sack - - -	0	0	3
Bottles, full, in Hampers, per Dozen - - -	0	0	1
Brooms, Hair, and Mops, per Dozen - -	0	0	1
Beast or Calf, each - - - -	0	3	0
Bacon, per Side - - - -	0	0	2
Beef, per Hundred Weight - - - -	0	0	3
Bedding, Seaman's - - -	0	0	3
Currants or Raisins, per Hundred Weight - -	0	0	3
Coffee, per Hundred Weight - - - -	0	0	3
Copper or Brass, wrought or unwrought, per Hundred Weight -	0	0	3
Chalk Stones, rough or hewn, per Ton - -	0	0	6
Corpses, each - - - -	1	11	6
Cordage, per Hundred Weight - - - -	0	0	6
Cod Fish, per Hundred Weight - - - -	0	0	3
Canary, or other live Fancy Bird - - - -	0	0	6
Clover Seed, per Sack - - - -	0	0	3
Calves Skins, per Dozen - - - -	0	1	0
Colours, per Firkin - - - -	0	0	3
Carboys, each - - - -	0	0	6
Coals, Culm, Splint, Coke, or Cinder, per Ton - -	0	2	0
Chest of Drawers, double - - - - -	0	2	6
Ditto single - - - - -	0	1	6
Chairs, per Dozen - - - - - -	0	1	6
Chairs, Mahogany, each - - - -	0	0	3
—— not Mahogany, each - - - -	0	0	2
Chimney Pots, each - - - - -	0	0	3
Cabbages, per Dozen - - - - -	0	0	1
Carrots, per Hundred - - - - -	0	0	2
Deals, per Load containing Fifty Cube Feet - - - -	0	3	0
Dogs, each - - - - - - -	0	1	6
Earthenware, per large Crate - - - -	0	1	6
——— per small Crate - - - - -	0	1	0
Fish, per Pot, Prickle or Pad - - - -	0	0	1
—— per Trunk - - - - -	0	0	2
—— per Bushel or Sieve - - - - -	0	0	1
Fruit, per Bushel or Sieve - - - -	0	0	1
Flour, per Sack of Five Bushels - - - -	0	0	3
Faggot, per Hundred - - - - -	0	0	9
Fire Wood, per Chord - - - -	0	0	9
Feathers, per Hundred Weight - - - -	0	0	3
Foxes, each - - - - - -	0	5	0
Fowls, and every other Sort of Poultry, per Head - -	0	0	1
Flint Stones, per Ton - - - - -	0	0	3
Glass Ware, per large Crate - - - -	0	1	6
——— per small Crate - - - - -	0	1	0
——— Window, per Crate - - - -	0	1	6
Grindstones, each - - - - -	0	0	3

(*continued*)

	£	s.	d.
Grate or Range, large	0	2	0
——— small	0	1	0
Gunpowder, per Barrel	0	2	0
Garden Stuff, per Bushel or Sieve	0	0	2
Hay, per Load of Thirty-six Trusses	0	1	6
Hops, per Bag	0	1	0
—— per Pocket	0	0	9
Hams, Bacon, or Tongues, per Hundred Weight	0	0	3
Herrings, Red, per Barrel	0	0	6
Hogshead packed with Goods not enumerated in Schedule	0	2	0
Hoops, per Bundle	0	0	3
Hurdles, per Hundred	0	3	6
Harpsichord	0	4	0
Harps, each	0	2	6
Hemp, per Hundred Weight	0	0	3
Horses, each	0	5	0
Hares, Pheasants, and all other Game, per Head	0	0	3
Hides, raw or tanned	0	0	4
Hogs, per Score	0	3	0
Iron, per Hundred Weight	0	0	3
—— per Ton	0	4	0
—— Pots, each	0	0	1
Kelp, per Ton	0	2	0
Laths, per Twenty Bundles	0	1	0
Lathwood, Six Feet, per Fathom	0	2	0
——— Five Feet, ditto	0	1	6
Lead, per Hundred Weight	0	0	3
—— per Ton	0	4	0
Lime, per Load of Twenty-eight Bushels	0	0	3
Leather, per Hide	0	1	0
Leeks, per Dozen Bundles	0	0	3
Lumber, and every other Article not specified before in this Table, per Foot Cube	0	0	$0\frac{1}{2}$
——— Dosser, Hundred Weight	0	0	3
Meal or Middlings, per Hundred Weight	0	0	3
Mahogany, in Logs or Planks, per Foot Cube	0	0	1
Masts, Ten Inches in Diameter or upwards, each	0	4	6
—— under Ten Inches, each	0	3	0
Millstones, large, each	0	2	0
——— small, each	0	1	6
Molasses, per Puncheon	0	1	0
Mustard, per 30 Pound Barrel	0	0	3
Marble, per Ton	0	4	0
Nuts, per Bag	0	0	2
Nails, per Bag	0	0	2
Oil Cakes, per Thousand	0	3	0
Oranges and Lemons, per Chest	0	1	0
——— per Half Chest	0	0	6
Oil, Train or Fish, per Barrel, and so in proportion for any greater or smaller Quantity	0	2	0
Oak or Elm Planks, per Load containing 30 Cube Feet	0	2	0
Oysters, per Bushel	0	0	3
——— per Firkin or smaller Barrel	0	0	3
Ovens, each	0	1	0
Ordnance, Pieces of, Brass or Iron, per Hundred Weight	0	0	8
Onions, per Bushel	0	0	2
Oatmeal, per Sack	0	0	3
Oil, per Pipe	0	1	6
—— per Hogshead	0	0	8

	£	s.	d.
Oil, per Half Hogshead	0	0	4
—— per Jar	0	0	1
—— per Chest	0	0	2
—— per Half-Chest	0	0	1
Poultry, per Basket	0	0	6
Potatoes, per Barrel	0	0	3
——— per Ton	0	3	0
Plums, per Box	0	0	1
Potatoes, per Sack of Three Bushels	0	0	2
Pale, Cleft, per Thousand	0	3	0
Posts and Rails, per Load of Fifty Cube Feet	0	2	0
Pewter, wrought, per Hundred Weight	0	0	3
——— old	0	0	3
Pianofortes, each	0	3	0
Pitch and Tar, per Barrel	0	0	6
Parcels, none to be charged less than	0	0	2
Straw, per Load	0	1	6
Sugar, Loaf, per Hundred Weight	0	0	3
——— Raw, per Hundred Weight	0	0	3
Salt, per Hundred Weight	0	0	3
Spars, per Score	0	1	0
Solder, per Hundred Weight	0	0	3
Sophas, each	0	2	0
Stone, per Ton	0	2	0
Ditto, Paving, per Ton	0	2	0
Slate, per Ton, containing 24 Feet Cube	0	2	0
Stove, Register	0	1	6
—— other	0	1	0
Sedan Chairs, each	0	2	0
Salmon, per Kit	0	0	6
Skins, Goat, Dog, Calf, Sheep, or Lamb, per Dozen	0	1	6
Soap, per Hundred Weight	0	0	3
Starch, per Hundred Weight	0	0	3
Staves, Pipe, per Hundred	0	0	4
—— Hogshead, per Hundred	0	0	3
—— Barrel, per Hundred	0	0	2
—— Ends, per Hundred	0	0	2
Shot, per Bag	0	0	3
Salt Fish, per Hundred Weight	0	0	3
Sheep, Lambs, Pigs, or Hogs, per Score	0	3	0
Shrimp Baskets, each	0	0	2
Tallow, Soap, or Candles, per Hundred Weight	0	0	3
Tea, per Quarter Chest	0	0	8
And so in proportion for any greater or less Quantity than a Half Chest.			
Treacle, per Hundred Weight	0	0	4
Timber, per Load, containing Fifty Cubic Feet	0	2	0
Tables, Dining, per Set	0	4	6
——— other Dining Tables, each	0	1	6
——— Card or Pembroke, each	0	1	0
——— every other, each	0	1	0
Tombstones, each	0	10	6
——— Marble	1	1	0
Tiles, plain, per Thousand	0	1	0
—— Hip or Gutter, per Thousand	0	1	6
—— Ridge or Pantiles, per Thousand	0	2	0
—— Mathematical, per Thousand	0	3	0
—— Paving, per Thousand	0	1	0
Turtle, each	0	3	6

(*continued*)

	£	s.	d.
Tobacco and Snuff, per Hundred Weight	0	0	4
Tallow, per Hundred Weight	0	0	3
Turbot, per Score	0	0	3
Trunk, Portmanteau, or Bundle, each	0	0	3
Vats, packed with Goods not enumerated in Schedule, each per Foot Cube	0	0	0½
Ditto, per Hundred Weight	0	0	3
Violins or Bass Viols, each	0	0	6
Vinegar, per Hogshead	0	0	4
Wool, Yarn or Cotton, per Hundred Weight	0	1	6
Wine (not British), Sweet Oil, or Spirits, for every Gallon contained in any Butt, Pipe, Puncheon, or Piece, or any Cask whatsoever	0	0	0½
Wine or Vinegar (British), per Gallon	0	0	0½
Oil or Spirits, in Bottles, per Dozen	0	0	6
——————— per Pipe	0	2	0
——————— per Hogshead	0	1	0
——————— per Half Hogshead	0	0	6

All Goods not enumerated in this Table to pay at the Rate of One Halfpenny per Cubic Foot, or Three-pence per Hundred Weight.

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