

ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

***

another Annual General Meeting on the Fourth *Wednesday* of *October* in every Year at some convenient Place in *Glasgow* to be appointed by the Governor and Council, which Meetings should be called "Ordinary Meetings," and that every Meeting of the Company other than an Ordinary Meeting should be called an "Extraordinary Meeting," and such Meetings might be convened by the Governor and Council at such Times as they might think fit, in *London* or *Westminster* or the Liberties thereof, and also that the Meetings of the Governor and Council should be held in *London* or *Westminster* or the Liberties thereof, and that a Committee of their Number should be appointed for managing the Affairs of the Company in *Scotland*: And whereas the said Navigation is situated in *Scotland*, having *Glasgow* as its Terminus, both from the East and the West Seas, and the chief Business of the Company is necessarily conducted there, and the great Majority of the Shareholders are now resident in *Scotland*: And whereas the holding of Meetings in *London* or *Westminster* of the Company and of the Board for managing their Affairs is attended with much Inconvenience, and it is expedient, and would be for the Advantage of the Company and the Public, that all Meetings of the Company and of the Board should be held in *Glasgow*, and that further Provision should be made for the Regulation and Management of the Affairs of the Company; but these Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. The following Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Expression "the Company" shall mean the Company of Proprietors of the *Forth and Clyde* Navigation; the Expression "the Board" shall mean the Board constituted by this Act for managing the Affairs of the Company; and the Expression "Members of the Board" shall mean and include the Governor, Deputy Governor, and Members of Council of the Company for the Time being.

Short Title.

II. This Act may be cited for any Purpose as "The *Forth and Clyde* Navigation Amendment Act, 1852."

Certain Sections of Act 4 & 5 Vict. c. 55. repealed.

III. The several Sections of the said first-recited Act which are numbered and specified in the Schedule annexed to this Act are hereby repealed: Provided always, that the said first-recited Act, except in so far as expressly repealed by this Act, and all other Acts relating

relating to the Company or the said Navigation, shall be and remain as valid and effectual as if this Act had not been passed.

Registry of Shareholders.

IV. The Secretary of the Company shall keep a Book, to be called the "Register of Shareholders," and in such Book shall be fully and distinctly entered from Time to Time the Names of the several Corporations, and the Names and Descriptions of the several Persons, being Shareholders of the Company, the Number of Shares to which such Shareholders shall be respectively entitled, distinguishing each Share by its Number, and the Amount of the Subscriptions paid on such Shares; and such Book shall be authenticated by the Common Seal of the Company being affixed thereto, and such Authentication shall take place at the First Ordinary Meeting of the Company after the passing of this Act, or at some subsequent Ordinary Meeting of the Company.

Addresses of Shareholders.

V. In addition to the said Register of Shareholders, the Company shall provide a Book, to be called the "Shareholders Address Book," in which the said Secretary shall from Time to Time enter the Corporate Names and Places of Business of the several Corporations, and the Christian Names, Surnames, Descriptions, and Places of Abode of the several Persons, being Shareholders of the Company, so far as the same shall be known to the Company; and every Shareholder, or, if such Shareholder be a Corporation, the Clerk or Agent of such Corporation, may at all Times peruse such Book *gratis*, and may require a Copy thereof, or of any Part thereof; and for every One hundred Words so required to be copied the Company may demand a Sum not exceeding Sixpence.

Construction of certain Sections and Schedule of Act 4 & 5 Vict. c. 55.

VI. The several Sections of the said first-recited Act which, in the Copies thereof printed by the Queen's Printers, are numbered respectively XXI., XXII., XXVI., XXVII., LIII., LV., and LIX., and also the Schedule (A.) to the said Act annexed, shall be read and construed as if the Word "Secretary" had been inserted therein instead of the Word "Superintendent."

Ordinary Meetings of the Company.

VII. A General Meeting of the Company shall be held on the Fourth *Wednesday* after the passing of this Act; and a Half-yearly General Meeting of the Company shall be held on the Fourth *Wednesday* of *October* next after the passing of this Act, and on the Fourth *Wednesday* of *April* and the Fourth *Wednesday* of *October* respectively in every Year thereafter; and all such Meetings shall be called "Ordinary Meetings," and shall be held at some convenient Place in *Glasgow* to be from Time to Time appointed by the Governor and Council or the Board.

VIII. No

Business of Ordinary Meetings.

VIII. No Matters, except such as are appointed by the said first-recited Act or this Act to be done at an Ordinary Meeting, shall be transacted at any such Meeting, unless special Notice of such Matters have been given in the Advertisement calling such Meeting.

Extraordinary Meetings.

IX. Every Meeting of the Company other than an Ordinary Meeting shall be called an "Extraordinary Meeting," and such Meetings may be called by the Board at such Times as they think fit, and shall be held at some convenient Place in *Glasgow* to be from Time to Time appointed by the Board.

Business at Extraordinary Meetings.

X. No Extraordinary Meeting shall enter upon any Business not stated in the Requisition or in the Notice upon which the same shall have been convened.

Extraordinary Meetings may be required by Shareholders.

XI. It shall be lawful for any Six or more Shareholders of the Company holding Shares or Quarter Shares to the Amount in the aggregate of not less than One thousand Shares of One hundred Pounds each, by Writing under their Hands at any Time to require the Board to call an Extraordinary Meeting of the Company; and such Requisition shall fully express the Object or Business of the Meeting required to be called, and shall be delivered to the Secretary at the Head Office of the Company in *Glasgow*, or, if there be no Secretary, shall be given to at least Three Members of the Board, or left at their last or usual Places of Abode, and forthwith upon the Receipt of such Requisition the Board shall call an Extraordinary Meeting; and if for Twenty-one Days after Service of such Requisition as aforesaid the Board fail to call such Meeting, the said Number of Shareholders, qualified as aforesaid, may call such Extraordinary Meeting by Advertisement as herein-after provided.

Notice of Meetings.

XII. Notice of every Meeting of the Company, whether ordinary or extraordinary, shall be given by Advertisement stating the Time and Place of holding such Meeting, which Advertisement shall be inserted in Newspapers published in *London*, *Edinburgh*, and *Glasgow* respectively Fourteen Days at the least before the Day of Meeting; and every Notice of an Extraordinary Meeting shall specify the Object or Business for which such Meeting is called.

Powers of Ordinary Meetings.

XIII. Every Ordinary Meeting which shall be held under the Provisions of this Act shall have Power to call for, audit, and settle all Accounts of Money laid out and disbursed on account of the said Navigation, and shall alone have Power to appoint and remove the Treasurer of the Company, to order and fix the Amount of Remuneration to be paid to the Members of the Board and Treasurer, to determine as to the borrowing of Money on Mortgage, and as to the

the Augmentation of Capital and Declaration of Dividends, and also to confirm or disallow any Acts of the Board, but not so as to invalidate any Act lawfully done by the Board or by their Authority.

Powers of Ordinary and Extraordinary Meetings.

XIV. The Ordinary and Extraordinary Meetings of the Company to be held under the Provisions of this Act shall respectively have all such and the like Powers, Privileges, and Authorities as by or under any Act of Parliament or otherwise were conferred upon or might have been lawfully used or exercised by any Ordinary or Extraordinary Meeting of the Company respectively before the passing of this Act, except in so far as such Powers, Privileges, and Authorities are expressly enlarged or repealed by this Act.

Constitution of the Board.

XV. The Board for managing the Affairs of the Company shall consist of a Governor, Deputy Governor, and not less than Five nor more than Seven Members of Council: Provided always, that the present Governor and Council shall continue in Office, and may meet and act at such Times and Places and in such Manner as are directed and authorized by the said first-recited Act, until the Fourth *Wednesday* after the passing of this Act, or until other Persons are elected in their Stead, under the Provisions of this Act.

Number of Members of Council may be varied.

XVI. It shall from Time to Time be lawful for the Company at any Ordinary Meeting to vary the Number of Members of Council, special Notice of that Purpose being given in the Advertisement calling such Meeting: Provided always, that the Number of Members of Council shall not be less than Five nor more than Seven.

Qualification of Members of the Board.

XVII. No Person shall be capable of being a Member of the Board unless he be a Shareholder possessed in his own Right and registered in the Books of the Company as the Proprietor of Shares or Quarter Shares of the Company to the Amount of at least Two thousand five hundred Pounds; and no Person holding an Office of Place or Trust or Profit under the Company, or interested in any Contract with the Company, shall be capable of being a Member of the Board; and no Member of the Board shall be capable of accepting any other Office or Place of Trust or Profit under the Company, or of being interested in any Contract with the Company, during the Time he shall be a Member of the Board.

Election of Members of the Board.

XVIII. At the General Meeting of the Company to be held on the Fourth *Wednesday* after the passing of this Act the Shareholders present, personally or by Proxy, shall elect a Governor, Deputy Governor, and any Number of Members of Council, not being less than

than Five nor more than Seven; and at the Ordinary Meeting to be held on the Fourth *Wednesday* of *October* in the Year One thousand eight hundred and fifty-three, and on the Fourth *Wednesday* of *October* in every Year thereafter, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Governor, Deputy Governor, or Members of Council then retiring from Office by Rotation as herein-after provided; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Governor, Deputy Governor, and Members of Council respectively until others are elected in their Stead, as provided in this Act.

As to Failure of Meeting for Election of Members of the Board.

XIX. If at any Ordinary Meeting at which an Election of Members of the Board ought to take place the Number of Shareholders required to constitute such Meeting, and qualified as prescribed by the said first-recited Act, shall not be present within One Hour after the Time appointed for holding the Meeting, no Election shall be made, but such Meeting shall stand adjourned to the following Day at the same Time and Place; and if at such adjourned Meeting the prescribed Number of qualified Shareholders be not present within One Hour after the Time appointed for holding the Meeting, the then present Governor and Members of Council, or Governor, Deputy Governor, and Members of Council, shall continue to act and retain their Powers until a new Governor or Deputy Governor or new Members of Council, as the Case may be, shall be appointed at the Ordinary Meeting to be held in the Month of *October* in the following Year.

Rotation of Members of the Board.

XX. The Members of the Board shall, subject to the Provision herein-before contained for varying the Number of Members of Council, retire from Office at the Times and in the Manner following, the Individuals to retire being in each Instance determined by Ballot among the Members of the Board, unless they shall otherwise agree; (that is to say,) at the Ordinary Meeting to be held in the Month of *October* One thousand eight hundred and fifty-three Two Members of the Board shall go out of Office, and at the Ordinary Meeting to be held in the Month of *October* in every Year thereafter Two of the remaining Members of the Board shall go out of Office, until the Governor, Deputy Governor, and whole Members of Council who shall be first elected under the Provisions of this Act shall have retired by regular Rotation; and at the Ordinary Meeting to be held in the Month of *October* in every Year thereafter Two of the Members of the Board who have been longest in Office shall go out of Office; and in each Instance the Places of the retiring Members of the Board shall be supplied by an equal Number of qualified Shareholders:

Provided

Provided always, that every Member of the Board so retiring from Office may be immediately re-elected to the Office held by him at the Time of his Retirement, or may be elected as Governor or Deputy Governor, or as a Member of Council, immediately or at any future Time, and after such Election or Re-election respectively shall, with reference to the going out by Rotation, be considered as a new Member of the Board.

Cases in which Office of Member of the Board shall become vacant.

XXI. If any Member of the Board at any Time subsequently to his Election accept or continue to hold any other Office or Place of Trust or Profit under the Company, or be directly or indirectly concerned in any Contract with the Company, or participate in any Manner in the Profit of any Works to be done for the Company, or if any Member of the Board at any Time cease to be possessed in his own Right of Shares or Quarter Shares of the Company to the Amount of at least Two thousand five hundred Pounds, then and in any such Case the Office of such Member shall become vacant, and thenceforth he shall cease from voting or acting as a Member of the Board: Provided always, that no Person being a Shareholder or Member of any incorporated Joint Stock Company shall be disqualified or prevented from acting as a Member of the Board by reason of any Contract entered into between such Joint Stock Company and the Company; but no such Member of the Board, being a Shareholder or Member of such Joint Stock Company, shall vote on any Question as to any Contract with such Joint Stock Company.

General Meeting to be called for filling up Vacancies.

XXII. If the Governor, Deputy Governor, or any Member of the Council shall happen to die, or shall quit his Office, or become disqualified, then it shall be lawful for the Board and they are hereby required to call an Extraordinary Meeting of the Company for the Purpose of filling up such Vacancy, of which Meeting Notice shall be given in the same Manner as is herein-before provided with respect to the calling of Extraordinary Meetings of the Company: Provided always, that in the event of the Governor, Deputy Governor, or any Member of the Council so dying, quitting Office, or becoming disqualified, the Acts of the Remainder, constituting a Quorum, shall not be invalidated by reason of any new Governor, Deputy Governor, or Member of Council not having been elected in his Stead.

Meetings and Quorum of the Board.

XXIII. The Board shall hold Meetings at such Place in *Glasgow* and at such Times as they shall appoint for the Purpose, and they may meet and adjourn from Time to Time as they think fit, and at any Time the Governor or Deputy Governor or any Two Members of the Council may require the Secretary to call a Meeting of the Board; and in order to constitute any Meeting of the Board there shall be present

present at the least Three Members of the Board; and all Questions, Matters, and Things considered at any such Meeting shall be determined by the Majority of Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a Casting Vote, in addition to his Vote as a Member of the Board.

Chairman of Meetings of the Company and of the Board.

XXIV. The Governor, and in his Absence the Deputy Governor, shall preside at all Meetings of the Company and of the Board; and in case of the Absence of the Governor and the Deputy Governor, the Majority of the Shareholders or Members of Council present at such Meetings respectively shall choose One of their own Number out of those present to preside for the Time being: Provided always, that the Person chosen to preside at any Meeting of the Company shall be a Shareholder possessed in his own Right of Shares or Quarter Shares of the Company to the Amount of at least Two thousand five hundred Pounds.

Powers of the Board.

XXV. The Board constituted by this Act shall have all such and the like Powers, Privileges, and Authorities as by or under any Act of Parliament or otherwise were conferred upon or might have been lawfully used or exercised by the Governor and Council of the Company elected before the passing of this Act, and the same Duties shall be incumbent upon the Board as were incumbent upon the Governor and Council of the Company elected before the passing of this Act, except in so far as such Powers, Privileges, Authorities, and Duties are expressly enlarged or repealed by this Act.

Contracts and Agreements to be valid.

XXVI. All Contracts, Agreements, or Liabilities made, entered into, or contracted before the passing of this Act by, to, or with the Governor and Council, under the Provisions of the said recited Acts or any of them, shall be and remain as valid and effectual in favour of or against the Company, and may be proceeded in and enforced in the same Manner, and to the same Extent and Effect, in all respects, as if this Act had not been passed.

Committees may be appointed.

XXVII. It shall be lawful for the Board to appoint One or more Committees, consisting of such Number of Members of the Board as they think fit, and they may grant to such Committees respectively Power on behalf of the Company to do any Acts relating to the Affairs of the Company which the Governor, Deputy Governor, and Council could lawfully do, and which they shall from Time to Time think proper to intrust to such Committees.

Meetings of Committees.

XXVIII. Any Committee to be so appointed may meet and adjourn from Time to Time and from Place to Place, as the Members thereof think

think proper, for carrying into effect the Purposes of their Appointment; and no such Committee shall exercise the Powers intrusted to them except at a Meeting at which there shall be present the Quorum to be fixed for that Purpose by the Board; and at all Meetings of such Committee One of the Members present shall be appointed Chairman; and all Questions at any such Meetings shall be determined by the Majority of Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a Casting Vote, in addition to his Vote as a Member of such Committee.

Orders and Proceedings to be recorded.

XXIX. The Orders and Proceedings of all Ordinary and Extraordinary Meetings of the Company, and of the Board and Committees of the Board respectively, shall be entered in the Book or Books provided or to be provided for that Purpose, and shall be signed by the Governor, Deputy Governor, or Chairman of such respective Meetings; and such Orders and Proceedings, when so entered and signed, shall be deemed original Orders and Proceedings, and shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened or held, or of the Persons making or entering such Orders or Proceedings being Shareholders, or being Members of the Board or of such Committees respectively, or of the Signature of such Governor, Deputy Governor, or Chairman, or of the Fact of his having been Governor, Deputy Governor, or Chairman, as the Case may be, all of which last-mentioned Matters shall be presumed until the contrary be proved.

Duties of the Secretary.

XXX. The Person who has been or shall be chosen Secretary to the Company shall attend all Meetings of the Company, of the Governor and Council, and of the Board, and shall, in the Book or Books provided or to be provided for that Purpose, enter and keep a true and perfect Account of all the Acts, Proceedings, and Transactions of all such Meetings, and shall preserve all Reports, Accounts, and Proceedings to be received from any Committee appointed by the Board, and shall fulfil and obey all such Orders as he shall from Time to Time receive from the Board; and every Shareholder of the Company shall and may at all convenient Times have Access to and peruse and inspect the said Accounts, and may demand and have Copies thereof or any Part thereof, provided such Copies are made at the Expense of the Shareholder applying for the same; and if any such Secretary shall refuse to permit any Shareholder to inspect or peruse such Accounts, or refuse to make any Copies thereof, on Tender of Payment for the same as aforesaid, he shall for every such Offence forfeit the Sum of Five Pounds, which may be deducted from his Salary, if the Board shall think fit.

Appointment and Removal of Treasurer.

XXXI. The present Treasurer of the Company shall hold his Office until removed therefrom by an Ordinary Meeting of the Company; and if such Treasurer shall die, or resign, or be so removed, another Treasurer shall be appointed by the Company at an Ordinary Meeting; and from Time to Time any Ordinary Meeting may appoint or remove the Treasurer, and may fix the Salary or other Emoluments allowed to the Treasurer, as they think proper.

Inspection of Books and Balance-Sheets by Shareholders at stated Times.

XXXII. The Books and Half-yearly Balance Sheets, balanced and made up as provided by the said first-recited Act, shall for Seven Days previous to each Ordinary Meeting, and for One Month thereafter, be open for the Inspection of the Shareholders at the Office of the Secretary of the Company; but the Shareholders shall not be entitled at any Time, except during the aforesaid Period before and after each Ordinary Meeting, to demand the Use or Inspection of such Books, unless in virtue of a written Order signed by Three Members of the Board.

Appointment of Auditors.

XXXIII. The Company shall at the Ordinary Meeting to be held on the Fourth *Wednesday* after the passing of this Act appoint as Auditors Two Shareholders qualified as is herein-before provided with respect to the Qualification of Members of the Board, for the Purpose of auditing the Books and Accounts of the Company for the Half Year ending on the Thirtieth Day of *September* succeeding their Appointment; and the Company shall at the Ordinary Meeting to be held in the Month of *October* in every Year thereafter appoint as Auditors the same Two Shareholders or any other Shareholder or Two Shareholders qualified as aforesaid in the Place of them or either of them, for the Purpose of auditing the Books and Accounts of the Company for the Half Years ending on the Thirty-first Day of *March* and the Thirtieth Day of *September* respectively succeeding their Appointment; and such Auditors may, if they think fit, employ a professional Accountant to assist them in auditing the said Books and Accounts.

Balance Sheets and Accounts to be delivered to Auditors.

XXXIV. The Board shall, on or before the Twelfth Day of *October* next after the passing of this Act, and on or before the Twelfth Day of *April* and the Twelfth Day of *October* in every Year thereafter, deliver to such Auditors the Half-yearly Balance Sheets and Accounts for each Half Year immediately preceding, made up and prepared under the Provisions of the said first-recited Act, and shall allow them, and any Accountant employed by them, at all reasonable Times, free Access to and Inspection of the Books, Accounts, and Vouchers kept by the Board, and all Persons employed by them.

XXXV. It

Auditors to examine Accounts and to report.

XXXV. It shall be the Duty of such Auditors to receive the said Balance Sheets and Accounts from the Board, and to examine and audit the said Books, Balance Sheets, Accounts, and Vouchers, for the Half Year succeeding their Appointment or Re-appointment, as the Case may be, and to make a special Report upon the same to the next ensuing Half-yearly Ordinary Meeting of the Company, or oftener if required by any Ordinary Meeting of the Company; and such Auditors and Accountant shall receive such Remuneration as shall from Time to Time be fixed by the Company.

Service of Notices on the Company.

XXXVI. Any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, which it may be necessary to serve upon the Company, may be served either personally upon the Secretary of the Company, or by leaving the same at the Office of the Company in *Glasgow*, or by delivering the same to some Inmate at the Place of Abode of such Secretary; or in case the Place of Abode of such Secretary shall not be found or known, then the same may be personally served upon any Member of the Board in *Scotland*, or delivered to some Inmate at the Place of Abode of such Member in *Scotland*.

Power to consolidate Shares or Quarter Shares into Stock.

XXXVII. It shall be lawful for the Company, from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any General Meeting of the Company, when due Notice for that Purpose shall have been given, to convert or consolidate all or any Part of the Shares and Quarter Shares, or either of them, then existing in the Capital of the Company, and in respect whereof the whole Money subscribed shall have been paid up, into a general Capital Stock, to be divided among the Holders of the Shares or Quarter Shares so converted or consolidated into Stock, according to their respective Interests therein.

Proprietors of Stock may transfer the same.

XXXVIII. After such Conversion or Consolidation shall have taken place, all the Provisions in any Act relating to the Company which require or imply that the Capital of the Company shall be divided into Shares or Quarter Shares of any fixed Amount, and distinguished by Numbers, shall, as to so much of the Capital as shall have been so converted or consolidated into Stock, cease and be of no Effect, and the several Proprietors of such Stock may thenceforth transfer their respective Interests therein, or any Parts of such Interests, in the same Manner, and subject to the same Regulations and Provisions, as or according to which any Shares or Quarter Shares in the Capital of the Company might be transferred under the Provisions of this or the said recited Acts; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer, and

for

for every such Entry they may demand any Sum not exceeding Two Shillings and Sixpence.

Register of Stock.

XXXIX. The Company shall from Time to Time cause the Names of the several Parties who may be interested in any such Stock as aforesaid, with the Amount of the Interest therein possessed by them respectively, to be entered in a Book to be kept for that Purpose, and to be called "The Register of Proprietors of Consolidated Stock," and such Book shall be accessible at all reasonable Times to the several Proprietors of Shares or Stock in the Company.

Proprietors of Stock entitled to Dividends.

XL. The several Proprietors of such Stock shall be entitled to participate in the Dividends and Profits of the Company, according to the Amount of their respective Interests in such Stock; and such Interests shall, in proportion to the Amount thereof, confer on the Proprietors of such Stock respectively the same Privileges and Advantages for the Purpose of voting at Meetings of the Company, Qualification for the Office of Governor, Deputy Governor, or Member of Council, and for other Purposes, as would have been conferred by Shares of equal Amount in the Capital of the Company, but so that none of such Privileges or Advantages, except the Participation in the Dividends and Profits of the Company, shall be conferred by any aliquot Part of such Amount of Consolidated Stock which would not, if existing in Shares, have conferred such Privileges or Advantages respectively.

Company not to be bound to enter with Superiors of Lands purchased for the Use of the Navigation.

XLI. And whereas by the said first-recited Act it was enacted, with respect to the Land set out, ascertained, and purchased to and by the Company for the Use of the said Navigation, except in Cases where they have purchased the whole of the Land of the original Proprietor, that the Company should not be chargeable with any Part or Portion of the Land Tax, Minister's Stipend, or of any other public Burdens or Taxations whatsoever for the Lands which have been so set out, ascertained, and purchased, but that all such Taxations and public Burdens should be chargeable upon the Lands remaining with the Vendor or Vendors after such partial Alienation to the Company, and should be levied from them, their Heirs and Successors in the said Lands, in the same Manner as if such partial Alienations had never been made, and the said Vendor or Vendors, and all other Person or Persons interested in the Lands so sold to the Company, as Superiors or otherwise, should be entitled to the same Rights and Privileges from the remaining Parts of these Lands as if such Sale or Sales to the Company had never been made: Be it enacted, That the Company shall not be bound to enter with the Superiors of the Lands so set out, ascertained, and purchased for the Use of the said Navigation: Provided always, that nothing herein contained

contained shall prejudice or affect the Rights of such Superiors to any Feu Duties or Casualties which would have been payable to them in respect of such Lands in case such Sales to the Company had never been made, and the said Navigation had never been formed, and reserving all Claims competent to such Superiors, or to the Company, against the Vendors of such Lands, and also against the remaining Lands belonging to the said Vendors, and their Heirs and Successors.

Expenses of Act.

XLII. All the Costs, Charges, and Expenses of obtaining and passing this Act, and incident thereto, shall be paid by the Company.

SCHEDULE to which this Act refers.

SECTIONS of the Act 4 & 5 Vict. Cap. 55. which are repealed by this Act.

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