ANNO SEXTO

GEORGII IV. REGIS.

Cap. cxiv.

An Act for amending and rendering more effectual Two Acts of the Thirty-sixth and Thirty-ninth Years of His late Majesty, for improving the Haven of *Great Grimsby*, in the County of *Lincoln*. [10th *June* 1825.]

WHEREAS an Act was passed in the Thirty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for widening, deepening, enlarging, altering, and improving the Haven of the Town and Port of* Great Grimsby, *in the County of* Lincoln, whereby several Persons therein named or described were incorporated by the Name of "The *Grimsby* Haven Company," and were authorized to enlarge, alter, improve, and support the Haven of the Town and Port of *Great Grimsby* aforesaid, and to make and maintain all such Works, Requisites, Matters and Things as might be necessary for carrying the Act into full and complete Execution: And whereas another Act was passed in the Thirty-ninth Year of the Reign of His said late Majesty, intituled *An Act for enabling the* Grimsby *Haven Company to finish and complete the Navigation of the said Haven, and for amending an Act passed in the Thirty-sixth Year of His present Majesty, for widening, deepening, enlarging, altering, and improving the Haven of the Town and Port of* Great Grimsby, *in the County of* Lincoln: And whereas under and by virtue of the said Acts, a Lock and various other Works have been made and erected, and the said Haven and Branches have been widened, deepened, and otherwise altered, whereby the Navigation thereof hath been greatly improved, and the Trade of the said Town and Port much increased: And whereas the said Company laid out and expended towards erecting and making the said Lock and other Works, and in widening, deepening, and otherwise altering and improving the said Haven and Branches, the Sum of Thirty-eight thousand four hundred Pounds, which

36 G. 3. c. 98.

39 G. 3. c. 70.

they raised amongst themselves in Shares, as authorized by the said Acts: And whereas the said Company laid out and expended towards erecting and making the said Works, and improving the said Haven and Branches, the further Sum of Eight thousand five hundred and fifty Pounds, which was raised from various Persons, Bodies Politic and Corporate, by granting Annuities charged upon and made payable out of the Rates or Duties granted by the said recited Acts, in preference to any Dividend being paid to the said Company or Proprietors of the said Navigation: And whereas the said Company laid out and expended, towards erecting and making the said Lock and other Works, and improving the said Haven and Branches, the further Sum of One thousand one hundred Pounds, which was also raised by granting Annuities charged upon and made payable out of the said Rates or Duties along with the said former Annuities, before and in preference to any Dividend being paid to the said Company or Proprietors of the said Navigation: And whereas the said Company laid out and expended towards erecting and making the said Works, and improving the said Haven and Branches, the further Sum of Eleven thousand and eighty Pounds, which was also raised from various Persons, Bodies Politic and Corporate, by granting Annuities, which were charged upon and made payable out of the said Rates or Duties immediately after the said former Annuities, but before and in preference to any Dividend being paid to the said Company or Proprietors of the said Navigation in respect of their said Shares: And whereas the said Company in erecting and making the said Lock and other Works, and improving the said Haven and Branches, have expended the several Sums of Money herein-before mentioned, and also contracted several Debts, of which the Sum of Three thousand four hundred and twelve Pounds Two Shillings and Three-pence is still due and owing: And whereas the said Lock and some of the other Works are now out of repair, and the said Haven and Branches were not completed of the exact Dimensions mentioned in the said recited Acts or one of them, and Banks and Dams were left by the Workmen employed in widening and improving the said Haven and Branches which have not yet been removed, and from various Causes large Quantities of Mud have since gradually been deposited in the said Haven and Branches, which now occasionally obstruct the Navigation thereof, or render the same difficult and expensive, whereby the Accommodation for Shipping is impaired; and the Trade carried on in the said Port, which has now a great Tendency to increase, would necessarily decay unless the said Haven and Branches be cleansed, deepened, and scoured out, and the said Locks and other Works repaired: And whereas it is expedient that the said Company should be empowered to raise a sufficient Sum of Money to enable them to discharge their existing Debts, and to cleanse, deepen, and scour out the said Haven and Branches, and to repair the said Lock and other Works; and that some of the Powers, Regulations, and Provisions contained in the said Acts should be altered and amended, that some of the existing Rates and Duties should be increased, and that some further Powers should be granted to the said Company: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, any Number of Proprietors of or Proxies for One hundred Shares, whether

Regulations as to General Meetings.

whether original or additional Shares or both, shall be competent to hold any General or Special General Meetings of the said Company, and to transact thereat any Business whatever relative to the Affairs or Concerns to them belonging; and all Acts, Orders, Minutes, and Proceedings at any such Meetings respectively, shall, when entered in the Book or Books kept for that Purpose, be signed by the Chairman of every such Meeting; and such Entries when so signed shall be accepted, allowed, and read in Evidence in all Causes, Suits, and Actions, and before all Judges, Justices, and others, touching any thing done in pursuance of or otherwise relating to this or either of the said recited Acts.

Proprietors to have a Vote for each original and additional Share. Proxies.

II. And be it further enacted, That every Proprietor shall be entitled to One Vote for each of his or her original and additional Shares; and also that any Person may hold a Proxy or Proxies, and vote for any absent Proprietor or Proprietors at any Meeting of the said Company, for any Number of Shares, whether the same be original or additional Shares, or both, not exceeding Forty Shares; any thing herein or in the said recited Acts to the contrary thereof notwithstanding.

Meetings of Committee.

III. And be it further enacted, That if the Committee of the said Company appointed and to be appointed at each and every annual Meeting of the same Company, shall neglect to name the Time of their First Meeting, or to adjourn the same or any subsequent Meeting, then and in every such Case any One of such Committee may, by Advertisement in *The Lincoln, Rutland, and Stamford Mercury*, or in some other Newspaper which shall at that Time be circulating in the County of *Lincoln*, appoint a Meeting of the said Committee, to be held at such a Place in *Great Grimsby* aforesaid as he shall therein appoint, at any Time not sooner than Five Days nor later than Ten Days after the Appearance of such Notice; and the Meetings of the said Committee so convened and held may be adjourned from Time to Time, as other Committee Meetings can or may be under and by virtue of the said recited Acts.

Leases, Securities, &c. heretofore granted to be valid.

IV. And be it further enacted, That all Conveyances and Leases or Demises of Land on the East Side of the said Haven or Lock, for which valuable Considerations or Fines have been paid, and all Grants of Shares, Annuities, and Securities, of what Nature or Kind soever, heretofore made, granted, or given by the said Haven Company under their Common Seal, unto any Person or Persons, or Body or Bodies Politic or Corporate whomsoever, shall be and be deemed valid and effectual, and of full Force, Operation, and Effect, and available in all Courts of Law and Equity, according to the Terms and Stipulations therein respectively mentioned and contained, and according to the true Intent and Meaning thereof respectively; any thing in the said recited Acts or this Act contained to the contrary in anywise notwithstanding.

Company's Estates.

V. And be it further enacted, That the Rents arising from all and every the Lands of or belonging to the said Company, which they are by the said last-recited Act empowered to sell, convey, and dispose of, shall be paid, laid out, and applied from Time to Time, when and as received, in aid of the Rates and Duties granted by the said recited Acts or either of them, and shall in all respects be applicable to the same Purposes as the said Rates and Duties are applicable, until the same Lands shall be

sold

sold and conveyed, or otherwise disposed of; and when and as the said Lands, or any Part thereof, shall be so sold, conveyed, or otherwise disposed of, then they the said Company shall pay, lay out, and apply the Money that will arise from such Sale or Sales, or other Disposition or Dispositions, in such Manner and for such Intents and Purposes as the said Company shall at any such General Meeting or Special General Meeting direct; and that the Purchaser or Purchasers, Mortgagee or Mortgagees, or other Person or Persons, Body or Bodies Politic or Corporate, paying for or advancing Money on any such Sale, Mortgage, or other Disposition, shall not be liable to see to the Application of the Monies so paid or advanced, or any Part thereof, or be answerable or accountable for the Loss, Misapplication, or Nonapplication thereof.

Power to sell Lands not wanted for the Purposes of this Act.

VI. And whereas some Part or Parts of the Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of the said recited Acts and this Act may happen to be more than will be necessary for the Purposes of the said recited Acts and this Act; be it therefore further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to sell or dispose of, and to convey, or cause to be sold or disposed of and conveyed, such Part or Parts of the said Lands, Tenements, or Hereditaments vested in them by virtue or in pursuance of the said recited Acts, to any Person or Persons willing to contract, agree for, or purchase the same; and the Money arising therefrom shall be paid and applied for the Purposes of the said recited Acts and this Act.

In case Lands, &c. sold by Company, the same to be by public Auction.

VII. Provided always, and be it further enacted, That in case the said Company shall think proper to sell any of the said Lands, Tenements, or Hereditaments which may not be necessary to be made use of for the Purposes of the said recited Acts and this Act, they are hereby directed and required to sell the same by public Sale or Auction, of which Fourteen Days previous Notice at the least shall be given by Advertisement, to be inserted in some Newspaper circulating in the said County of *Lincoln*.

Act not to affect the Right of any other Persons to Lands, &c.

VIII. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to take away, alter, impeach, diminish, change, or affect the Right, Title, Estate, or Interest of any other Person or Persons, Body or Bodies Politic or Corporate, of, in, or to any of the said Lands, Tenements, or Hereditaments, or any other Lands, Tenements, or Hereditaments taken, claimed, or used by the said Haven Company; but all and every such Person and Persons, Body and Bodies Politic and Corporate, shall have and remain invested with all such Right, Title, Estate, and Interest of, in, to, or out of any of the said Lands, Tenements, or Hereditaments, as they or any of them was or were invested with before the passing of this Act.

Company may raise Money on Bonds.

IX. And be it further enacted, That it shall and may be lawful for the said *Grimsby* Haven Company, and they are hereby authorized and empowered, to raise such Sum or Sums of Money as will be sufficient to enable them to carry the Purposes of this Act into Execution, on the Credit of the Rates and Duties granted by this Act and the said recited Acts,

Acts, upon the Security of transferrable Bonds under the Common Seal of the said Company; and the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall contract, advance, or contribute any Part of the said Monies, shall, in respect of the Sums which they shall respectively advance, be entitled to Interest at such Rate as the said Company shall think reasonable, not exceeding Five *per Cent.*, such Interest to commence at such Time as shall be agreed upon, to be payable Half-yearly, and to continue until the Payment of such respective Principal Sums.

Company to cause Bonds, or other Securities, to be given, assignable by Indorsement.

X. And be it further enacted, That the said Company shall cause a Bond or other Security in Writing to be delivered to every Person advancing any Part of the said Monies, for the Payment of such Interest as shall be agreed upon in respect thereof, out of the said Rates and Duties; which Bonds or other Securities shall be assignable by Indorsement.

Or Company may borrow Money on Mortgage.

XI. Provided always, and be it further enacted, That it shall be lawful for the said Company, and they are hereby empowered from Time to Time, if they shall think it advisable, to borrow and take up at Interest all or any Part of the said Monies upon the Credit of the Rates and Duties granted by the said recited Acts and this Act, and by Writing under their Common Seal to mortgage or assign over the said Rates and Duties, or any Part thereof, to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall advance or lend such Money, or his, her, or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment may be according to the following Form; (that is to say),

Form of Mortgage.

'BY virtue of an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.* [*here insert the Title of this Act*], we the *Grimsby* Haven Company, in consideration of the Sum of paid to us by *A. B.* [*insert the Name, Place of Abode, and other necessary Addition of the Lender*] for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, [*or* to his or her Trustee or Trustees, *as the Case may require*] [*or, if a Body Politic, Corporate, or Collegiate*, Successors,] such Proportion of the Rates or Duties arising by virtue of the said Acts and this Act, as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Rates or Duties, to be had and holden from this Day of until the said Sum of with Interest for the same at the Rate of *per Centum per Annum*, to be paid Half-yearly, shall be fully repaid and satisfied; subject nevertheless to the Proviso and Declaration in the said Act contained, as to postponing the Payment of the said Principal Money hereby secured. In witness whereof we have hereunto set our Hands and Seals, the Day of in the Year of our Lord

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law.

Payment of Monies borrowed by this Act postponed till Arrears of Annuities, &c. are paid.

XII. Provided also, and it is hereby further enacted and declared, That the Principal Monies secured by Bonds and Mortgages hereby authorized to be granted shall not be paid out of the said Rates and Duties until after the Arrears now due and to grow due on the several Annuities and annual Payments granted by the said Company under or by virtue of the said recited Acts shall be paid and discharged.

Or Money may be raised by Life Annuities.

XIII. And be it further enacted, That in case the said Company shall think it advisable to raise all or any Part of the said Sum by the granting of Annuities for the Life or Lives of any Person or Persons, then it shall be lawful for the said Company, and they are hereby authorized and empowered, by any Writing or Writings under their Common Seal, to grant any Annuity or Annuities to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall contribute, advance, and pay into the Hands of the Treasurer to the said Company any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of every such Person as shall be nominated by or on behalf of such Contributor at the Time of the Payment of his, her, or their Contribution or Purchase Money; and the Grant of every such Annuity may be according to the Form following; (that is to say),

Form of Annuity.

'BY virtue of an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*] we the *Grimsby* Haven Company, in consideration of the Sum of paid to us by *A. B.* [*insert the Name, Place of Abode, and other necessary Addition of the Lender*]; for the Purposes of this Act, do hereby grant unto the said *A. B.*, his Executors, Administrators [*or if a Corporation*, Successors], and Assigns, Annuity or yearly Sum of out of the Rates or Duties arising by virtue of the said recited Acts and this Act, which Annuity or yearly Sum of shall be paid to the said his Executors, Administrators, [*or, if a Corporation*, Successors,] and Assigns, upon the Day of in every Year during the natural Life of and the first Payment thereof shall be made upon the Day of next ensuing the Date hereof. In witness whereof we have hereunto affixed our Common Seal, the Day of in the Year of our Lord

And every such Grant shall be a good, valid, and effectual Security in Law for the Payment of such Annuity; which said several Annuities so to be purchased shall be made payable and be paid Half-yearly during the natural Lives of such Contributors respectively, or the natural Life or Lives of such Person or Persons as shall be nominated by such respective Contributors; and a proportionate Part of such Annuity shall be paid from the last Half-yearly Day of Payment to the Day of the Death of the said Annuitant, or his or her Cestuique Vie; and the said Company shall pay the said Annuities, freed and discharged from every Tax and Deduction whatsoever.

Restrictions as to Grant of Annuities.

XIV. And for preventing any improvident Grant or Grants of Annuity or Annuities for Life or Lives, be it further enacted, That the

Amount of every Annuity for Life or Lives to be granted by virtue of this Act, shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts, one passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Redemption of the National Debt to grant Life Annuities.* 48 G.3.c.142. 52 G.3.c.129.

Not more than 600*l.* per Annum to be hereby charged on the said Rates and Duties.

XV. Provided always, and be it further enacted, That whether the said Company shall raise the Sum hereby authorized to be raised on a transferrable Bond or several transferrable Bonds, or by Mortgage or several Mortgages, or by the Grant of an Annuity or the Grants of several Annuities as aforesaid, or partly by one of those Means and partly by any other of them, the whole annual Amount of the Sum or Sums to be charged upon and payable out of the said Rates and Duties in respect of such Interest and Annuities, shall not in any One Year exceed the Sum of Six hundred Pounds.

Annuities granted under this Act to have a Preference to all other Securities.

XVI. And be it further enacted, That the Interest and Annuities to grow due on the Bonds, Mortgages, and Grants hereby authorized to be made and granted, shall be and the same are hereby charged and made chargeable upon the Rates and Duties granted by the said recited Acts and this Act; and the said Company are hereby authorized and required to pay the same Interest, Monies, and Annuities Half-yearly, when and as the same shall become due, immediately after the Rents payable by the said Company, their Officers Salaries, Servants Wages, ordinary Expences, and Repairs of the said Lock, Haven, and Works, shall be discharged or provided for, and before and in preference to any other Annuity or Annuities heretofore granted by the said Company, and before and in preference to any Dividend or Dividends on any Shares or Share, or other Security or Securities heretofore granted by the said Company.

Annuities to be vested in the Persons paying the Money; to be Personal Estate; may be assigned, &c.

XVII. And be it further enacted and declared, That the Securities hereby authorized to be granted shall be vested in the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, advancing or paying Money for the Purchase of the same as aforesaid, and their several and respective Executors, Administrators, Successors, and Assigns, for their and each and every of their own proper Use and Benefit; and all and every such Annuities are hereby declared to be Personal Estate, and transmissible and descendible as such, and not of the Nature of Real Property.

Certain Annuitants to have a Preference in treating for Annuities.

XVIII. And be it further enacted, That the said Company shall, as soon as conveniently may be after the passing of this Act, hold a Special General Meeting, of which Ten Days public Notice shall be given, as directed by the said first-recited Act; and all and every Person and Persons, Body and Bodies Politic, Corporate, or Collegiate, attending such Meeting

Meeting by themselves or their respective Agents, being the Holder or Holders of any Annuity or Annuities heretofore granted for raising the said Sum of Eight thousand five hundred and fifty Pounds as aforesaid, shall at such Special General Meeting have an Offer to contract or agree with the said Company for any of the Securities to be granted under or by virtue of this Act, to the Amount of the respective Principal Sums originally advanced for the Purchase of such Annuity or Annuities so held by him or them, to the Intent that he and they may have an Opportunity at such First Meeting of so contracting before and in preference to any other Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, not being entitled to any of the Annuities so granted for raising the said Sum of Eight thousand five hundred and fifty Pounds; and it is hereby directed, that the Notice to be given of the said Meeting shall specify that an Offer to this Effect will then be made to such Annuitants; and at such Meeting the said Company shall be at liberty to contract either with the Holders of the same Annuities, or with any other Person or Persons, Body or Bodies Politic or Corporate, for such Sum or Sums of Money as with the Sum of Money which may already have been contracted for by such Holders, or any of them, will be sufficient for carrying into Execution the Purposes of this Act, and to grant such new Security or Securities for the same as is or are hereby authorized to be granted; and at the same or any subsequent Meeting or Meetings, the said Company shall and may order and direct at what Time and Times, and in and by what Shares, Instalments, and Proportions, the Money agreed to be raised for the Purposes aforesaid shall be paid, and at what Place or Places, and to whom; and shall make such other Order or Orders, and appoint such Person and Persons to carry this Act into full and complete Execution, as to the said Company shall seem meet.

Securities first granted not to be preferred.

XIX. And be it further enacted, That all and every Persons and Person, Body or Bodies Politic, Corporate, or Collegiate, to whom any Security shall be made or granted under or by virtue of this Act, and his, her, and their Executors, Administrators, Successors, and Assigns, shall be entitled to their, his, and her respective Interest and Annuities out of the Rates and Duties granted by the said recited Acts and this Act, without any Preference by reason of Priority of the Date of such Security or Securities, or on any other Account whatsoever.

Mode of transferring Securities.

XX. And be it further enacted, That it shall be lawful for the Persons, Body or Bodies Politic, Corporate, or Collegiate, entitled to any of the Securities for the Money to be borrowed as aforesaid, or to the Annuities to be granted as aforesaid, by Writing under their Hands, or if a Corporation or Corporations are so entitled, by Writing under their Common Seal, to transfer the same respectively to any Person or Persons, or other Body or Bodies Politic, Corporate, or Collegiate, according to the Form following, or any other Form of Words to the like Purport or Effect, as the Case may be; *videlicet*,

'I *A. B.* [*insert the Name, Place of Abode, and other necessary Addition of the Person assigning,*] do hereby assign the within Mortgage [*or* Grant of the within-mentioned Annuity], and all my Right and Title in and to the Principal Money and Interest [*or* Annuity], and all Arrears now due thereon, and thereby secured, unto *C. D.* [*insert the Name,*

'*Name, Place of Abode, and other necessary Addition of the intended* '*Assignee*], his Executors, Administrators, and Assigns. Dated this Day of in the Year of our Lord

Power to borrow Money at lower Interest, to discharge Securities at higher.

XXI. And be it further enacted, That in case the said Company can at any Time borrow or take up any Sum of Money at a lower Rate of Interest than the Bonds, Mortgages, or Securities which shall be then in force shall bear, it shall be lawful for the said Company from Time to Time to charge the said Rates or Duties in manner aforesaid with such Sum or Sums of Money (subject as aforesaid) as they shall think proper, and the Interest thereof at such lower Rate aforesaid, and to pay off and discharge the Bonds, Mortgages, and Securities bearing a higher Rate of Interest.

Books to be kept for entering Grants of Annuity, &c.

XXII. And be it further enacted, That there shall be provided by the said *Grimsby* Haven Company, a Book or Books, in which the Clerk to the said Company shall fairly write, in Words at Length, the Name, Additions, and Places of Abode, and other necessary Descriptions of all such Person and Persons, and Body and Bodies Politic, Corporate or Collegiate, to or for whom any Annuity or Annuities shall be granted under or by virtue of this Act, and to whom any Annuity or Annuities have been granted, or have been intended to be granted under or by virtue of the said Two first-recited Acts, or either of them, and of the Person and Persons, Body and Bodies Politic, Corporate, or Collegiate, who shall from Time to Time be entitled thereto respectively, to which Book any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, interested, shall at all reasonable Times have Access and free Liberty to inspect, without Fee or Reward; and for the Entry of such Grant, and of every Transfer or Assignment of any such Grant, the said Clerk shall be paid the Sum of Two Shillings and Sixpence and no more.

Money how to be applied.

XXIII. And be it further enacted, That the Money to be raised under or by vitue of this Act as aforesaid, shall be vested in the said Company, and shall be laid out and applied, in the first Place, in the Payment and Discharge of all Expences incurred in preparing and obtaining this Act; in the next Place, in paying and discharging all Compensation for Damages in any Manner occasioned by or incidental to carrying this Act into Execution; in the next Place, in paying off and discharging all the existing Debts of the said Company, except the Arrears of Annuities and Dividends on Shares heretofore granted by the said Company; in the next Place, in doing and providing all Things necessary for and preparatory to the cleansing, deepening, and scouring out the said Haven and Branches, and for repairing the said Lock and other Works; in the next Place, in cleansing, deepening, and scouring out the same Haven and Branches, and discharging all Compensation Monies due for Damage sustained by any Person or Persons in so cleansing, deepening, and scouring out the same; next, in repairing the said Lock and other Works; and lastly, in paying, defraying, and discharging all other Costs, Charges, and Expences occasioned by or in any Manner incidental to such cleansing, deepening, scouring out, and repairing, under this Act.

Persons refusing or neglecting to complete their Payments, may be sued.

XXIV. And be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall have agreed to advance any Sum or Sums of Money for the Purposes of this Act, shall neglect or refuse to pay the same, or any Part or Instalment thereof, at such Time and Times, at such Place, and to such Person as the said Company shall order and direct, the Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, so neglecting or refusing, may be proceeded against by an Action at Law in any of His Majesty's Courts of Record at *Westminster*, in such Manner as is directed or allowed by the said recited Acts, in Cases where any Person or Persons, Body or Bodies Politic or Corporate, having subscribed for One or more Part or Parts, Share or Shares of the Money to be raised by the same Acts, or either of them, neglect or refuse to pay the same, or his or their rateable or proportionate Part or Parts thereof, at the Time or Times when the same should be called for, and be appointed to be paid, as in the said Acts is mentioned.

Additional Rates and Duties.

XXV. And be it further enacted, That if at any Time or Times hereafter the Rates and Duties granted by the said recited Acts, and the Rents to arise or accrue and be collected from the Lands and Real Estate of or belonging to the said Company, herein-before directed to be applied in aid of the said Rates and Duties, shall not be sufficient, after paying their Officers Salaries, Servants Wages, ordinary Expences, and Repairs of the said Lock and Haven and Works, to pay the whole of the Interest on the said Bonds and Mortgages, and the Annuities authorized to be granted by this Act, then and in such Case, and not otherwise, it shall and may be lawful for the said Company to make good such Deficiency by demanding and receiving such additional Sum and Sums of Money, Rates, or Duties respectively, as the said Company, at any of their General or Special General Meetings, shall from Time to Time order, direct, or appoint, not exceeding the several additional Rates or Duties next herein-after mentioned; that is to say,

For every Quarter of Corn or Grain, Vetches and Lentils, which shall be conveyed from or to any other Port or Place within the United Kingdom of *Great Britain* and *Ireland*, into or out of the said Haven, the Sum of Two-pence, and so in proportion for any less Quantity than a Quarter:

For every Ton of Dung, Compost, or Manure, made from the Produce of any Farm or Lands, which shall be conveyed out of the said Haven, the Sum of Five Shillings.

Workmen, &c. to enter Lands.

XXVI. And be it further enacted, That the Agents, Servants, and Workmen of the said Company, employed for carrying this Act into Execution, shall and they are hereby authorized and empowered to enter into the Lands and Grounds of any Person or Persons, or Body or Bodies Politic or Corporate, adjoining or lying near to the said Lock, Haven, and Branches, or any of them, or any Part thereof respectively, for the Purpose of their depositing any Tools, Implements, or Materials to be used or worked up for the Purposes of this Act, and for laying and depositing thereon any Mud, Clay, Earth, or Rubbish that may be brought or dug out of the said Haven and Branches, or any of them, by reason of cleansing, deepening, and scouring out the same, or for any other Purpose for carrying

carrying this Act into Execution, the said Agents, Servants, and Workmen doing as little Damage as may be; and the said Company are hereby directed and required forthwith, out of the Monies to be raised by virtue of this Act, or out of any other Monies coming to their Hands, to make such Compensation and Satisfaction to the Person or Persons, or Body or Bodies Politic or Corporate, as shall be adequate to the Loss or Damage he, she, or they, or any of them, may respectively have sustained by carrying the Purposes of this Act into Execution; and if any Difference shall arise between the said Company and the Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, claiming a Compensation or Satisfaction for such Loss or Damages, the same shall be settled and determined by the Verdict of a Jury, in such Manner as by this Act directed in Cases where Parties differ in respect of Damages occasioned by or in consequence of carrying the said recited Acts or this Act into Execution; and the said Company is hereby directed and required to reserve and set apart, in the first Instance, out of the Monies to be raised by virtue of this Act, after Payment and Discharge of all Expences incurred in preparing and obtaining this Act, a Sum sufficient to answer all such Claims of Compensation for Damages: Provided always, that no Compensation or Satisfaction shall be made to the Owner or Owners of any House, Warehouse, Building, Jetty, or other Work or Erection standing or being near to or adjoining the said Haven and Branches, for any Damage that may happen to such House, Warehouse, Building, Jetty, Erection, or other Work, by running the Water out of the same Haven and Branches, or by cleansing, scouring out, and deepening the same, or any Part thereof.

Company to make Compensation for Damages, &c.

XXVII. And be it further enacted, That the said recited Acts, and every Article, Provision, Power, Matter and Thing therein contained and now in force, save and except such Parts thereof as are varied, altered, or repealed, shall extend to and be enforced and practised, applied and put in Execution, for the several Intents and Purposes of this present Act, so far as the same are applicable thereto, and not otherwise provided for by this Act, as fully and effectually, to all Intents and Purposes, as if the same were herein repeated and re-enacted with relation thereto.

Former Acts applicable to this Act.

XXVIII. Provided always, and be it further enacted, That no Bye Law, Rule, or Order, made or to be made by virtue of the Provisions of the said first-recited Act, shall be binding on any Person or Persons whomsoever, unless such Bye Law, Rule, or Order shall be consistent with the Provisions of the said recited Acts and this Act, and not repugnant to the Laws of that Part of the United Kingdom called *England*.

Bye Laws not to be binding, if contrary to the Law of the Land, or the Provisions of this Act.

XXIX. And be it further enacted, That so much of the said first-recited Act as relates to the Appointment of Commissioners for settling, determining, and adjusting such Questions, Matters, and Differences as are therein mentioned, and all the Powers by the said herein-before recited Act vested in or given to such Commissioners, shall be and the same are hereby repealed: Provided always, that nothing herein contained shall invalidate, prejudice, alter, or affect any Acts, Orders, or Judgments, made, done, executed, or passed in conformity with the said recited Act by or before the said Commissioners previously to the passing of this Act.

Repeal of so much of first-recited Act as relates to Commissioners settling Differences.

XXX. And

Clause in first-recited Act empowering Bodies Corporate, &c. to sell and exchange Land, &c. repealed.

XXX. And be it further enacted, That so much of the said first-recited Act as enacts that it shall be lawful for all Bodies Politic, Corporate, or Collegiate, whether Aggregate or Sole, and for the Husbands, Guardians, Trustees, and Feoffees in Trust, Committees or Attornies, Executors, Administrators, and all other Trustees whatsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for every Person or Persons, however incapacitated, who are or shall be seised, possessed of, or interested in any Messuages, Lands, Tenements, or Hereditaments, either to demise or lease the same, or any Part thereof, for any Term or Number of Years at a certain yearly Rent, or otherwise to contract for, sell, and convey to the said Company, or to such other Person or Persons as they shall nominate or appoint, as well for the Use of the Navigation of the said Haven, and other the Purposes aforesaid, as for making in future out of or with the Surplus Money to arise by or from the Rates or Duties hereby imposed, and Interest of Investments, or the Money which may be borrowed on the Credit thereof, any Dock or Docks, or further or other Works, Accommodations, and Conveniences, all or any Part of such Messuages, Tenements, or Hereditaments which shall from Time to Time be so set out and ascertained as aforesaid; and where by the making the said several Cuts or Drains, or straightening any of the present Drains or Ditches, for conveying such Back or Land Waters as aforesaid, the Property of any Land Owner or Owners shall be separated into small Parcels, so as to render the Occupation thereof inconvenient, it shall and may be lawful for such Bodies Politic, Corporate, and Collegiate, and other such Land Owners, to contract for, sell, and dispose of, or to convey in Exchange in lieu of other Lands, all or any Part of such Lands, Tenements, or Hereditaments, through or near which the said Cuts and Drains shall be made, enlarged, and straightened, to the said Company, or to any Person or Persons whomsoever, for such Price or Prices in Money or other Equivalent, as the said Commissioners shall adjudge to be reasonable; shall be and the same is hereby repealed.

Clause giving Power to re-convey Lands, &c. and make Exchanges, repealed.

XXXI. And be it further enacted, That so much of the said first-recited Act as enacts that it shall and may be lawful for the said Company, or such other Person or Persons to whom such Conveyance shall be made, by any Writing or Writings to be by him, her, or them sealed and delivered in the Presence of and attested by Two or more credible Witnesses, to sell and dispose of, or to convey in Exchange, all or any Part of such Lands, Tenements, or Hereditaments which they may purchase as aforesaid; all which Contracts, Agreements, Sales, Leases, Assignments, Conveyances, Assurances, and Exchanges, and which shall be made in the Form set forth in the Schedule to this Act annexed, or in any other Form of Words to that or the like Effect, shall be valid and effectual in the Law, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, and Collegiate, and all Persons whomsoever, so conveying or exchanging as aforesaid, are hereby indemnified for what he, she, or they, or any of them, shall respectively do by virtue of or in pursuance of this Act; and all such Contracts,

Agreements,

Agreements, Bargains, Sales, Leases, Assignments, Conveyances, Assurances, and Exchanges (other than those which concern any Purchase or Exchange between any such respective Land Owners), shall be made in the Form set forth in the Schedule to this Act annexed, or any other Form of Words to that or the like Effect, at the Expence of the said Company, at whose Expence also the same shall be enrolled by the Clerk of the Peace for the said Parts of *Lindsey*, in the County of *Lincoln*, or the Town Clerk of the said Borough of *Great Grimsby*, as the Case may be, and true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; for which Enrolment, or Copy thereof, the Clerk of the Peace, or Town Clerk aforesaid, shall have and receive, from every Person or Persons requiring the same, the Sum of Sixpence and no more for every Hundred Words, and so in proportion for any less Number of Words; and every such Conveyance or Exchange as aforesaid, which shall be made to any Person or Persons other than the said Company, shall be made in the Form in the said Schedule set forth, or any other Form of Words to that or the like Effect; shall be and the same are hereby repealed.

Act not to affect Contracts already made.

XXXII. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice, lessen, or defeat any Demise or Lease, or any Contract, Sale, Conveyance, Assignment, Assurance, or Exchange already made by or to the said Company, by virtue or in pursuance of the said recited Acts, or either of them.

Compensation hereafter to be made in gross Sums, and not by annual Rents.

XXXIII. And be it further enacted, That so much of the said first-recited Act as authorizes or directs any Compensation or Satisfaction to be made for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of the said recited Act, by annual Rent, shall be and the same is hereby repealed; and from henceforth all such Compensations and Satisfactions shall be made by a Sum or Sums in gross; Provided always, that nothing herein contained shall affect or invalidate any Compensations or Satisfactions already made, and which are or shall be payable at the Time of passing this Act: Provided also, that it shall and may be lawful for the said Company of Proprietors, with the Consent of the Parties interested, to purchase for a Sum or Sums in gross, any annual Rent or Rents now payable by them as a Compensation or Satisfaction for any Lands, Tenements, or Hereditaments purchased for the Purposes of the said recited Act by any annual Rent or Rents.

Repealing Compensation for Tithes.

XXXIV. And be it further enacted, That so much of the said recited Act as directs that Recompence and Satisfaction shall be made for all the Tithes of the Lands which shall be taken or made use of by the said Company of Proprietors to the several Persons who may be entitled thereto, shall be and the same is hereby repealed: Provided always, that nothing herein contained shall affect or invalidate any Recompence or Satisfaction, by Rents Charge or otherwise, which the said Company of Proprietors shall have made or granted for Tithes previous to the passing of this Act.

Repealing Clause which directs Duties

XXXV. And be it further enacted, That so much of the said first-recited Act as enacts that all and every the said Rates or Duties hereby granted

to be exempt from Parish Rates, &c. when less than 5*l.* per Cent. Dividend is paid.

granted and authorized to be collected, had, and received, shall, during so long Time as the same shall not afford a Dividend to the said several Subscribers of Five Pounds *per Centum per Annum*, be exempted from the Payment of all and every Tax, Rate, Assessment, or Imposition whatsoever, any Law or Statute to the contrary thereof notwithstanding; but that all and every the Lands and Grounds, Warehouses, and other Buildings (except the said Lock or Watch House, with its Appurtenances,) which shall belong to or be in the Occupation of the said Company, shall and may, from Time to Time, be rated to all parliamentary and parochial Taxes and Assessments, or the said Company in respect thereof, in the same Proportion as other Lands, Grounds, and Buildings lying near the same or in the same Parish, and as the same Lands, Grounds, and Buildings so belonging to or occupied by the said Company would be rateable in case the same were the Property of Individuals in their natural Capacity, shall be and the same is hereby repealed.

Repeal of Power to require Officers to account on Oath.

XXXVI. And be it further enacted, That so much of the said first-recited Act as directs or requires any Receivers, Collectors, or other Officers or Persons, to account upon Oath, and subjects them to any Penalty for refusing to verify their Accounts upon Oath, and as authorizes any Persons to administer any such Oath, shall be and the same is hereby repealed.

Repealing so much of first-Act as imposes any pecuniary Penalty for setting fire to Works.

XXXVII. And be it further enacted, That so much of the said first-recited Act as imposes or authorizes to be imposed any pecuniary Penalty or Forfeiture on any Person or Persons who shall set on fire any of the Works, Erections, or Buildings to be constructed, erected, or made or provided by virtue of the said Act, or any Ship or Vessel lying and being in the said Haven, or in any Dock or Basin which may be made in future, shall be and the same is hereby repealed.

Treasurer and Clerk not to be the same Person.

XXXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of the said recited Acts or this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of the said recited Acts and this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers; or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other the Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of the said recited Acts and this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XXXIX. And

In case the Parties refuse, or are incapable to treat, the Value to be settled by a Jury.

XXXIX. And for settling all Differences which may arise between the said Company or their Successors, and the several Owners of and Persons interested in the Lands and Grounds, Tenements, Hereditaments, Streams, Brooks, Waters, or Watercourses, which shall or may be affected or prejudiced by the Execution of the Powers granted by the said recited Acts or this Act, touching the Purchase Money to be paid, or Recompence to be made to them respectively; be it further enacted, That if any Body Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons so interested, for and on his, her, or their Part or Parts, or for or on the Part of his, her, or their Cestuique Trusts, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money, Recompence, or other Compensation as shall be offered them by the said Company or their Successors, or their Agent, or by or on their Behalf, and shall give Notice thereof in Writing to the said Company within Fourteen Days next after such Offer shall have been made, and the Party and Parties giving such Notice as aforesaid shall therein request that the Matter or Matters in dispute may be submitted to the Determination of a Jury; or if any Body Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons seised or possessed of or interested in any such Lands or other Hereditaments as aforesaid, shall refuse to treat, or shall not agree with the said Company or their Successors, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found, or shall not be known or discovered, or shall not produce or evince a clear Title to the Premises they may be in Possession of, or to the Interest they may claim therein, to the Satisfaction of the said Company or their Successors, or the Person or Persons authorized by them as aforesaid; then and in every such Case the said Company or their Successors shall and they are hereby empowered and required, from Time to Time, to issue a Warrant under their Common Seal to the Sheriff of the County in which such Lands, Tenements, or Hereditaments shall lie, or the Matter in question or dispute shall arise; or in case such Sheriff or his Under Sheriff shall happen to be One of the said Company, or enjoy any Office of Trust or Profit under them, or shall be otherwise interested in the Matter in question, then to any One of the Coroners of the same County not interested therein, requiring such Sheriff or Coroner to impannel, summon, and return, and the said Sheriff or Coroner is hereby accordingly authorized, empowered, and required to impannel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trial of Issues joined in His Majesty's Courts of Record at *Westminster*, to appear before the Justices of the Peace for the Parts of *Lindsey* in the said County of *Lincoln*, at some Court of General or Quarter Sessions of the Peace to be holden for the said Parts of *Lindsey*, or at some Adjournment thereof, as in such Warrant or Warrants shall be appointed; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Sheriff or Coroner shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the Clerk of the Peace of the said Parts of *Lindsey*, or his Deputy, is

Witnesses to be summoned.

Jury to view.

is hereby required and empowered to summon and call before the said Justices all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in question, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matter in controversy; and such Jury upon their Oaths, or being of the Society of Persons called *Quakers*, upon their solemn Affirmations (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations to such Person and Persons as shall be called upon to give Evidence, the said Justices are hereby empowered to administer), shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands, Grounds, Tenements, and Hereditaments, and also what other separate and distinct Sum or Sums of Money shall be paid by way of Recompence, either for the Damages which shall or may before that Time have been sustained as aforesaid, or for the future temporary or perpetual Continuance of any recurring Damages which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been only in part obviated or repaired by the said Company or their Successors, and which can or will be no further obviated, repaired, or remedied by them; and the said Justices shall accordingly give Judgment for such Purchase Money or Recompence, as shall be assessed by such Jury; which said Verdict, and the Judgment to be thereupon pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes, against all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever: Provided that not less than Ten Days Notice in Writing of the Time and Place of Meeting of the said Justices and Jury, shall be given by the Clerk of the said Company, to the Party or Parties with whom any Controversy shall arise, by leaving such Notice at the Dwelling House or usual Place of Residence of such Person or Persons, Trustee or Trustees, or the Clerk or Agent of any such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises to be valued, or respecting which any such Question shall arise.

Justices to give Judgment.

Notice of the Time and Place of Meeting to be given.

Penalty upon Sheriffs, &c.

XL. And be it further enacted, That if such Sheriff or his Deputy, or any Coroner, shall make default in the Premises, he shall for each and every such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so to be summoned and returned upon any such Jury as aforesaid shall not appear without sufficient Excuse, or appearing shall refuse to give his Verdict, or in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act; or if any Person so to be summoned to give Evidence as aforesaid shall not appear without sufficient Excuse, on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, examined, or to give Evidence, then and in such Case every Person so offending shall forfeit and pay, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall be summoned, any Sum not exceeding Ten Pounds, to be levied by virtue of any Warrant or Warrants under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering to him, her, or them the Overplus of the Money thereby produced, after such Penalties, and the Charges and Expences of such Distress and Sale, shall be deducted.

XLI. And

expences of Jury, how to be defrayed.

XLI. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money, as a Recompence or Satisfaction for any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, or Hereditaments, or other Property, than had been previously offered by or on behalf of the said Company, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, or where no Compensation, or a smaller Sum than shall be given by such Verdict, had been previously offered or tendered in respect thereof by or on behalf of the said Company, or where by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation from the said Company as herein-before mentioned, then and in all such Cases, all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff, and be defrayed by the said Company; and the Treasurer of the said Company shall, and he is hereby directed and required to pay the same accordingly, within Five Days after the same shall have been so settled, and Demand made to him thereof; and in case such Costs shall not be paid by the said Company within Five Days after the same shall be so demanded, the same shall and may be levied, by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting in and for the said Parts of *Lindsey*, by Distress and Sale of the Goods and Chattels of the said Company; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the said Company, or for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with or to make Conveyances to or receive Compensation from the said Company by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey, or receive such Compensation as aforesaid; then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Company), the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Sheriff so impannelling, summoning, and returning such Jury and taking such Verdict, and be borne and paid in the Manner following; (that is to say), One Moiety or Half Part of such Costs and Expences by the said Company, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Company shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict, where the Dispute is for Compensation only, such Costs and Expences, after having been

so ascertained and settled as aforesaid, shall and may be recovered by the said Company, by such Ways and Means as are provided for the Recovery of any Penalty or Forfeiture incurred under the said recited Acts, or either of them.

Juries to be under the same Regulations as those of the Courts of Westminster.

XLII. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be liable and 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 His Majesty's Courts of Record at *Westminster*; and that all and every Person and Persons, who in any Examination to be taken by virtue of this Act upon their Oaths (or being of the Society of Persons called *Quakers*) upon their solemn Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, or before any Justice of the Peace, acting as such in the Execution of this or the said recited Acts, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

Persons giving false Evidence, subject to the Penalties of Perjury.

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

XLIII. And be it further enacted, That all and every Person and Persons with whom the said Company or their Successors shall have any such Controversy or Dispute as aforesaid, shall, before the said Company or their Successors shall be obliged to issue out the Warrant or Warrants for the summoning of such Jury as aforesaid, first enter into a Bond to the Clerk of the said Company for the Time being, in a Penalty of Two hundred Pounds, to prosecute such his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning such Jury and taking such Inquest, and of the summoning and attendance of Witnesses, in case such Costs and Expences shall fall upon him, her, or them to be paid according to the true Intent and Meaning of this Act.

No Complaint to be taken Notice of, unless previous Notice has been given to the Company.

XLIV. And be it further enacted, That the said Company shall not be obliged to receive or take notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, under or in consequence of this Act or the said recited Act, unless Notice in Writing shall have been given in relation thereto by or on behalf of such Person or Persons, to the Clerk of the said Company for the Time being, or left at the Office or other usual Place of Abode of such Clerk, within the Space of Six Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Value of Lands and Damages to be ascertained separately.

XLV. And be it further enacted, That the said Juries shall award all Determinations, Verdicts, and Judgments which they shall respectively make and give concerning the Value of Lands, Tenements, and Hereditaments, separately and distinctly from any Damages sustained or to be sustained as aforesaid, and shall distinguish the Value set upon the Lands and other Hereditaments, and the Money assessed or adjudged for such Damages as aforesaid, separately and apart from each other.

Compensation Money to be apportioned.

XLVI. And be it further enacted, That the said Juries shall and they are hereby respectively empowered to settle what Shares and Proportions of

of the Purchase Money, or Compensation for Damages, which shall be agreed for, determined, and adjusted, or assessed in manner aforesaid, shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interest or respective Interests therein.

Verdicts of Juries to be recorded.

XLVII. And be it further enacted, That all the said Verdicts and Judgments shall be kept by the Clerk of the Peace of the said Parts of *Lindsey*, amongst the Records of the Quarter Sessions of the said Parts, and shall be deemed Records to all Intents and Purposes, and the same or true Copies thereof shall be read and allowed as Evidence in all Courts whatsoever; and all Persons shall have free Liberty to inspect the same, paying for each Inspection the Sum of One Shilling and no more, and also to take or make Copies thereof, paying for each Copy after the Rate of Sixpence for every Seventy-two Words.

In case of Nonpayment of Compensation for Damages, &c. by the said Company, the same to be levied by Distress of the Goods vested in Company, or their Treasurer.

XLVIII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Acts or this Act, as or by way of Compensation or Satisfaction for Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from the Clerk to the said Company or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company, by virtue of the said recited Acts or this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of 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 and in such Case such Overplus shall be returned on Demand to the said Company, or to their Treasurer for the Time being, as the Case may be; Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of the said recited Acts or this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Application of Compensation if amounting to 200*l.* and

XLIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts

and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as herein-before is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account *ex parte* the *Grimsby* Haven Company, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, 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 Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, 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; and in the meantime and until such Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, in case such Purchase or Settlement were made.

1 G. 4. c. 33.

Where less than 200*l.* and exceeding 20*l.*

L. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the

Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Company (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application where not more than 20*l.*

LI. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts and this Act, in such Manner as the said Company shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

LII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Company, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Company to order the said Sum or Sums of Money, so 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 Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same 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 Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or

Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles to Money.

LIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person 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, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

LIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of the said recited Acts and this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Public Act.

LV. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without the same being specially pleaded.

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