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mentioned was immediately from and after such Time as the said River and Channel should be made navigable and passable with and for such Ships and Vessels to and from the said City of *Chester* to be vested in the said Mayor and Citizens for ever, and they were thereby authorized to defend, inclose, and improve the same, and receive the Rents and Profits thereof, and apply the same for maintaining and repairing the said intended Works and Fences, and for making, erecting, and doing such further and other Works from Time to Time as Occasion should require for making and keeping the said River navigable as aforesaid: And whereas by an Act (in this Act referred to as "the Act of 1732") passed in the Sixth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to recover and preserve the Navigation of the River* Dee *in the County Palatine of* Chester, reciting the said Act passed in the Eleventh and Twelfth Years of the Reign of King *William* the Third, and also reciting that considerable Sums of Money had been laid out and expended pursuant to the said Act, but the said River was not made navigable, the Provisions for making the same navigable by the said recited Act being insufficient, and that the Time thereby granted for making the same navigable was then expired, and further reciting that the Sands, Soil, and Ground not bearing Grass, commonly called "the White Sands," from the City of *Chester* to the Sea, and lying between the County of *Chester* on the North Side and the County of *Flint* on the South Side, were of great Breadth in most Places, and the said River not being navigable was chiefly owing to the Breadth of the said Sands and to the shifting of the Channel from the one Side thereof to the other as the Winds and Tides varied, and also that the said Sands, Soil, and Ground commonly called "the White Sands" were not nor were likely to be of any Advantage or Benefit to any Person whatsoever unless the said River was bounded in and made navigable by Sea Walls, Banks, and Fences, which would require a very great Expense as well to erect as to maintain and repair from Time to Time, and that if the said White Sands were recovered from the Sea by Sea Walls, Banks, and Fences, and the Channel of the said River *Dee* thereby confined to One certain Course, it would not only effectually make the said River navigable, but vesting the said White Sands in the Undertakers of the said Navigation would be a considerable Encouragement to the Undertaking, and also reciting that the making the said River navigable would be a Means to advance the Trade of the City of *Chester*, and would effect other Objects in the said Act mentioned, it was enacted that *Nathaniel Kinderley*, in the said Act named, his Heirs, Assigns, and such Person as he and they should nominate and appoint in manner therein mentioned, should be appointed Undertakers of the said Navigation, and empowered at their own Costs and Charges to make and keep the said River *Dee* navigable from the

6 G. 2. c. 30. (*Pub.*)

the Sea to a certain Point within the Liberties of the said City of *Chester* in such Manner that there should be Sixteen Feet Water in every Part of the said River at a moderate Spring Tide, and to alter, divert, and make the Channel of the said River to run through such Part of the said White Sands or the common Salt Marshes thereunto adjoining, and to make such Banks and Works upon and through the said Lands and Marshes for making, maintaining, and preserving the said Channel of the said River within proper Bounds, and for that Purpose to cleanse, enlarge, or straighten and confine the said River and Channel and the Streams adjacent thereto, and remove and use such Materials in or upon the said White Sands or Lands and Marshes therein mentioned as should be necessary either for making or keeping the said River navigable or for the better carrying on or effecting the said Undertaking; and by the said Act now in recital, after reciting that the said *Nathaniel Kinderley*, his Heirs, Assigns, and Nominees, would necessarily be at considerable Charge and Expense in making the said River navigable, and in repairing and keeping up the same, they were empowered, so soon as the said River was made navigable and passable for Ships and Vessels, to take and receive certain Duties and Tonnages in the said Act mentioned; and for the better enabling the said *Nathaniel Kinderley*, his Heirs, Assigns, or Nominees, to make and keep the said River navigable, all that Sand, Soil, Ground, Marsh, and Salt Grass lying and being between certain Points in the said Act mentioned, and all other the Sands, Soil, and Ground, commonly called "the White Sands," lying and being between the common Salt Marshes on the South Side of the said River and the Hundred of *Wirral* in the said County of *Chester* on the North Side of the said River, and between the Marsh or Marshes of *John Wright* Esquire, called *Brewers Hall Marsh*, and the Sea, (excepting as therein excepted,) should from and immediately after such Time as the said River should be made navigable as aforesaid be vested in the said *Nathaniel Kinderley*, his Heirs, Assigns, or Nominees for ever, and that it should be lawful for the said *Nathaniel Kinderley*, his Heirs, Assigns, or Nominees, to defend, enclose, and improve the said White Sands, Soil, and Ground, and to take the Rents and Profits thereof, subject to the Provisoes and Conditions in the said Act mentioned: And whereas by an Act passed in the Fourteenth Year of the Reign of His said Majesty King *George* the Second, intituled *An Act for incorporating the Undertakers of the Navigation of the River* Dee, it was, amongst other things, enacted that the several Persons therein named should be incorporated into One Company for the Purposes aforesaid by the Name of "the Company of Pro- "prietors of the Undertaking for recovering and preserving the "Navigation of the River *Dee*," and should have Power to do all such Acts as the said *Nathaniel Kinderley*, his Heirs, Assigns, and Nominees,

14 G. 2. c. 8. (*Pub.*)

Nominees, might have done or were empowered to do by virtue of the last-recited Act, and to take and receive all such Duties, Tonnage Dues, and Payments as he or they were empowered by that Act to do, and to embank, enclose, improve, and apply to the Use of the said Company "the White Sands," Soil, and Ground, and other Lands whatsoever by the said last-recited Act vested in the said *Nathaniel Kinderley*, his Heirs, Assigns, and Nominees, upon the Terms and Conditions in the said last-recited Act mentioned, in the same Manner as the said *Nathaniel Kinderley*, his Heirs, Assigns, or Nominees, might have done, and also to execute all the Powers and Authorities given to and vested in the said *Nathaniel Kinderley*, his Heirs, Assigns, and Nominees, by or by virtue of the said last-recited Act, subject to the Limitations, Conditions, and Restrictions in the said last-recited Act mentioned, and in such Manner as he or they might have executed the same; and by the said Act now in recital it was enacted that the Joint Stock of the said Company so incorporated should be and consist of Fifty-two

17 G. 2. c. 28. thousand Pounds: And whereas by an Act passed in the Seventeenth Year of the Reign of His said Majesty King *George* the Second, Chapter Twenty-eight, (in this Act referred to as "the Act of 1743,") it was enacted that instead of the Depth of Sixteen Feet Water as provided by the Act herein-before recited the said Company should be required to maintain and keep the said River so that there should be on the Computation of a moderate Spring Tide, as marked on the Standard mentioned in the Act now in recital, Fifteen Feet Water in every Part of the Channel of the said River for Ships and Vessels to come and go to and from the City of *Chester*: And whereas the Act of 1743 empowered the Commissioners acting in execution of the Act of 1732 (in this Act called "the River *Dee* Commissioners") in the events therein mentioned to enter into and upon the White Sands, Lands, Grounds, Marshes, and Salt Marshes by the Act of 1743 or the former Acts therein and herein before recited vested in the Company, or any Part thereof, and take the Rents, Issues, and Profits thereof, and from Time to Time to distrain for the same as they should see Occasion until they should have thereby raised and received so much Money as should from Time to Time be necessary to be expended and laid out for regaining the said Depth of Fifteen Feet, and also all such Costs, Charges, and Expenses as therein mentioned: And whereas by the Act of 1743 the said Company were empowered in manner therein mentioned to call in and raise a Sum not exceeding Forty Pounds *per Centum*

26 G. 2. c. 35. on their said Joint Stock: And whereas by an Act passed in the Twenty-sixth Year of the Reign of His said Majesty King *George* the Second (in this Act referred to as "the Act of 1752"), after reciting (amongst other things) that Doubts and Differences had arisen touching the Extent of the Lands, Grounds, or Salt Marshes lying

lying on the North Side of the new Channel which were Greensward or grassed over at the Time of passing of the Act of 1732, and not vested in the Company, all and every the Waste Lands, Commons, and Salt Marshes within the Manor of *Hawarden* in the County of *Flint* lying on the North Side of the Banks and Forelands of the new Channel of the River *Dee* were vested in the Company, freed and discharged from all Rights of Common or other Claim and Demand whatsoever (except Two yearly Sums of Two hundred Pounds and Fifty Pounds respectively payable by the Company as by the Act now reciting provided) of the Lord or Freeholders of the said Manor, or any other Person, in, over, or upon the same: And whereas by the Act of 1752 the Company were empowered to raise a further Sum not exceeding Twenty Pounds *per Centum* on their said Joint Stock, such Monies so called to be deemed Capital Stock, and to be written in the Books of the said Company: And whereas by an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty (in this Act referred to as "the Act of 1851"), intituled *An Act for the Restoration of the Standard in the River* Dee, *and for granting further Powers to the River* Dee *Company*, it was enacted that it should be lawful for the Company from Time to Time to borrow upon Bond or upon Mortgage of the Lands then already recovered and enclosed, or thereafter recovered and enclosed by the Company, or otherwise belonging to them, for any of the Purposes of that Act or the previous Acts of the Company, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-five thousand Pounds, and also from Time to Time, for the Purpose of improving the Navigation or for reimbursing to the Company any Sum or Sums that might be due to them upon the Toll Account, to borrow upon Mortgage of the Tolls, Rates, and Duties to be received by the Company under the Authority of that Act any Sum or Sums of Money not exceeding in the whole Twenty-five thousand Pounds; and it was by the said Act further enacted that the Right, Title, Claim, and Interest of the Mortgagees or Mortgagee in, to, or upon their or his respective Securities or Security should be paramount to all Right, Title, Estate, Claim, and Interest whatsoever of the said Company or of the said Commissioners or of any other Person or Persons whomsoever in, to, or upon the same; and it was by the said Act further enacted that in order to discharge the Principal Monies borrowed as aforesaid the Company should in every Year appropriate and set apart out of the Profits of their said Lands, and out of the said Rates, Sums equal to One Thirtieth Part of the Sums so borrowed on the said Securities as distinct Sinking Funds to be applied in paying off the said Principal Sums: And whereas the Company have borrowed on Mortgage on the Security of their Lands Nineteen thousand Pounds or thereabouts, but have not borrowed any Monies on Bond or on the Security of their Rates:

14 & 15 Vict. c. lxxxvii.

And whereas the said Lands, Grounds, and Salt Marshes mentioned in and referred to by the Act of 1752 which were Greensward or grassed over at the Time of the passing of the Act of 1732, and not previously to the passing of the Act of 1752 vested in the Company, (save and except a Piece of Land Three Statute Acres, little more or less, next adjoining to the upper Ferry House, and One other Piece of the said Marsh Land containing Five Statute Acres, little more or less, next adjoining to the lower Ferry House, by the said Act of 1743 vested in the Company,) are not subject to the Rights or Powers of the River *Dee* Commissioners, or other Person or Persons by their Warrant or Authority, to enter into or upon the same, and to take possession thereof, and to receive and take the Rents, Issues, and Profits thereof under the Act of 1743, or any other Act relating to the Company: And whereas the said Lands, Grounds, or Salt Marshes mentioned and referred to by the Act of 1752, and not previously to the passing of that Act vested in the Company, are as accurately as the Boundaries thereof can now be ascertained shown upon a Plan signed in Duplicate by *Charles Townshend* Esquire, the present Chairman of the Company, on behalf of the Company, and by *John Walker* Esquire on behalf of the said Commissioners, one Copy of which Plan has been deposited with the Clerk of the Peace for the County of *Chester*, and the other Copy thereof has been deposited with the Clerk of the Peace for the City of *Chester*, and on which Plan the said Lands, Grounds, or Salt Marshes are distinguished by being edged with the Colour Green, and which Plan is herein-after referred to as the deposited Plan: And whereas the Lands of the Company in themselves afford amply sufficient Security for the Repayment of the Monies borrowed and to be under this Act borrowed by the Company, and it would be to the Advantage of the Company that the Sinking Fund which they are required to set aside for the Discharge of the Principal Monies borrowed on the Security of their Lands should be abolished: And whereas the present Capital Stock of the Company written in the Books of the Company amounts to the Sum of Eighty-one thousand and ninety-two Pounds Six Shillings, and it is expedient in order to enable the Company to continue and extend the Works necessary for more effectually carrying out the Undertaking authorized by the said Acts that the Company should be empowered to raise further Monies: And whereas the Mode of assigning, transferring, and accepting any Interest in the Joint Stock of the Company, as prescribed by the Acts relating to the Company, is found in practice to be productive of Delay and Inconvenience, and the same would be simplified by adopting in lieu of the present Mode the Provisions, so far as applicable, of the Companies Clauses Consolidation Act, 1845: And whereas the Direction and Management of the Affairs of the Company is now, by the said several Acts relating to the

Company,

Company, vested in a Committee consisting of a Chairman and Ten others Members of the Company, chosen and qualified as therein mentioned, and it would tend to the more convenient and better Management of the Affairs of the Company if a Board of Directors, subject to the Regulations and with the Powers, Rights, Duties, and Liabilities specified in the Companies Clauses Consolidation Act, 1845, was substituted for such Committee: And whereas the Boundaries of the said "White Sands" and Property vested by the said several Acts in the Company on the North or *Cheshire* Side thereof are in some Places undetermined and doubtful, and Differences have from Time to Time arisen and still exist between the Company and certain of the Lords of Manors and Owners of Lands on the said North or *Cheshire* Side of the said White Sands and Property as to the Extent and Limits of the same: And whereas in some Instances the said Lords and Owners are unable to enter into any binding and permanent Agreement with the Company as to the said Boundaries by reason of their being Tenants for Life only, or having some other limited Interest in their said Manors and Lands respectively, and it is expedient and desirable, with a view to the Settlement of such Differences and the Prevention of future Litigation, to provide a Mode of enabling the said Parties to enter into valid and permanent Agreements binding upon their Successors with reference to the ascertaining, determining, and defining of the said Boundaries and Limits: And whereas the Objects of this Act cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The River *Dee* Company (Amendment) Act, 1868."

8 & 9 Vict. c. 16. and 26 & 27 Vict. c. 118. incorporated.

2. The Clauses and Provisions herein-after mentioned of "The Companies Clauses Consolidation Act, 1845," (that is to say,)

With respect to the Distribution of the Capital of the Company into Shares;

And with respect to the Transfer or Transmission of Shares;

And with respect to the Payment of Subscriptions, and the Means of enforcing the Payment of Calls;

And with respect to the Forfeiture of Shares for Nonpayment of Calls;

And with respect to the Remedies of Creditors of the Company against the Shareholders;

And with respect to the Conversion of borrowed Money into Capital;

And with respect to the Consolidation of Shares into Stock;
And with respect to the General Meetings of the Company, and the Exercise of the Right of voting by the Shareholders;
And with respect to the Appointment and Rotation of Directors;
And with respect to the Powers of Directors and the Powers of the Company to be exercised only in General Meeting;
And with respect to the Proceedings and Liabilities of the Directors;
And with respect to the keeping of Accounts and the Right of Inspection thereof by the Shareholders;
And with respect to the making of Dividends;
And with respect to the making of Byelaws;
And with respect to the giving of Notices;

and Section 40 of that Act (Evidence of Authority for borrowing), and Part I. (relating to the Cancellation and Surrender of Shares) and Part II. (relating to additional Capital) of "The Companies Clauses Act, 1863," shall, where not inconsistent with the Provisions of this Act, extend and apply to the Company, and to the Capital or Stock or borrowing which the Company are by this Act, or have been by any of the previous Acts relating to the Company, authorized to raise.

Interpretation of Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; and the Expression "the Company" means "the Company of Proprietors "of the Undertaking for recovering and preserving the Navigation "of the River *Dee*."

Increase of Capital.

4. It shall be lawful for the Company to raise, in addition to the Sums which they have been already authorized to raise, the Sum of Forty thousand Pounds by the Issue of new Ordinary Shares or Stock, or by the Issue of new Preference Shares or Stock, or by any of those Modes.

Shares not to issue until One Fifth paid up.

5. The Company shall not issue any Share or Portion of Stock created under the Authority of this Act, nor shall any Share or Portion of Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share or Portion of Stock shall have been paid in respect thereof.

Calls.

6. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Four Fifths of the Amount of a Share shall

shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

Company not to borrow upon Bond under Act of 1851.

7. From and after the passing of this Act any Monies which the Company shall borrow or reborrow under the Powers or Provisions of the Act of 1851 shall be borrowed or reborrowed on Mortgage only and not upon Bond.

Power to borrow further Monies on Mortgage.

8. The Company may from Time to Time borrow on Mortgage of the Lands already recovered and enclosed, or hereafter recovered and enclosed by the Company, or otherwise belonging to them, or any Part thereof, and in addition to the Monies which by "The *Dee* Standard Restoration Act, 1851," the Company are authorized to borrow for all or any of the Purposes of that Act or of the therein recited Acts, any further Sum or Sums not exceeding in the whole,—

In respect of the First Twelve thousand five hundred Pounds of additional Capital in Shares or Stock to be created under the Authority of this Act, Twelve thousand five hundred Pounds:

In respect of the Second Twelve thousand five hundred Pounds of additional Capital in Shares or Stock to be created under the Authority of this Act, Twelve thousand five hundred Pounds:

And all the Provisions of "The *Dee* Standard Restoration Act, 1851," contained in the Sections of that Act numbered 24 to 27 (both Numbers inclusive), and 30 to 39 (both Numbers inclusive), shall, so far as the same are applicable, apply to all Monies which may be borrowed by and to the Mortgages and the Mortgagees of the Company under this Act.

Restrictions on borrowing.

9. Provided that no Part of either of the said Sums of Twelve thousand five hundred Pounds to be so borrowed shall be borrowed until the respective Portion of additional Capital in respect of which it is to be borrowed is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company shall have proved to the Justice who is to certify under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the Portion of additional Capital in respect of which the Money to be borrowed is to be borrowed has been subscribed for, issued, and accepted, and that One Half thereof is paid up, and that not less than One Fifth Part of the Amount of each separate Share or Portion of Stock in such Portion of additional Capital has been paid on account thereof before or at the Time of Issue or Acceptance thereof, and that such Portion of additional Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that the Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other

Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Existing Mortgages to have Priority.

10. All Mortgages and Bonds granted by the Company in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages and Bonds have Priority over any Mortgages to be granted by virtue of this Act.

Future Mortgages with certain Exceptions to be subject to Commissioners Rights.

11. Notwithstanding the Provisions to the contrary in the Act of 1851 contained, the Rights and Powers of Entry and Distress upon the Lands of the Company, and Perception of the Rents, Issues, and Profits of the said Lands which existed at the passing of the Act of 1851, and were vested in the River *Dee* Commissioners or other Person or Persons by their Authority by the Act of 1743, or any other Act relating to the Company, shall take Precedence of and be paramount to the Right, Title, Estate, Claim, and Interest of any Mortgagees by virtue of any Mortgage to be hereafter made by the Company under this Act or the Act of 1851, except so far as any such Mortgage extends to or comprises any of the Lands edged with Green on the deposited Plan, or any Lands acquired by the Company by Purchase since the passing of the Act of 1743, which excepted Lands shall be and remain free from the said Rights and Powers of Entry, Distress, and Perception.

Subjection to such Rights to be expressed on Mortgage.

12. Every Mortgage to be hereafter made by the Company under this Act or the Act of 1851 of or comprising any Lands other than the excepted Lands shall bear upon the Face of it a Note or Statement in the Form or to the Effect following, *viz.*:

'This Mortgage and the Mortgagee's Rights are subject to the 'River *Dee* Commissioners Rights under the Acts relating to the 'River *Dee* of Entry, Distress, and Perception of Rents on and of '[*here add* (*as the Case may be*) "the whole of the Lands hereby '"granted," *or* "the Lands coloured Red on the Plan drawn in the '"Margin of this Deed."]'

Application of Monies.

13. All Monies raised under this Act, whether by Shares or Stock or borrowing, shall be applied for all or some of the Purposes of this Act, and of the Acts relating to the Company, or some or one of them.

First Ordinary Meeting.

14. The First Ordinary Meeting of the Company under this Act shall be held within Six Months after the passing of this Act.

Period for holding General Meetings.

15. The future Ordinary Meetings of the Company shall be held in the Months of *April* and *October* in each Year, or at such other stated

stated Periods as shall be appointed for that Purpose by an Order of a General Meeting of the Company.

Number of Directors.

16. From and after the First Ordinary Meeting of the Company the Number of Directors shall be Nine, but the Company may from Time to Time reduce the Number to not less than Six.

Qualification of Directors.

17. The Qualification of a Director under this Act shall be the Possession of Stock or Shares of the Company of the nominal Value of not less than Five hundred Pounds.

Quorum.

18. The Quorum of a Meeting of Directors shall be Four when the Number of Directors exceeds Six, and Three when the Number of Directors is Six.

First Directors.

19. The Chairman and the other Members of the Committee of the Company shall continue in Office and may exercise all the Powers of Directors under this Act until the First Ordinary Meeting held after the passing of this Act; at that Meeting the Shareholders present in person or by proxy may either continue in Office as Directors Nine or any less Number of the Members of the said Committee, or may elect a new Body of Directors, or Directors to supply the Place of the Members of the Committee not continued in Office; and at the First Ordinary Meeting to be held in every Year after the First Ordinary Meeting the Shareholders present in person or by proxy shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the same Act.

Election of Directors.

Repeal of Provisions of former Acts.

20. The Sections and Parts of Sections of Acts enumerated in the Schedule to this Act relating to the setting apart and Appropriation of a Sinking Fund, the Management of the Company by a Committee and otherwise, the holding of Meetings, and the voting and other Proceedings thereat, the making and enforcing of Calls, and the Mode of assigning, transferring, and accepting any Interest in the Company, and all Byelaws, Rules, and Orders made by the Company in pursuance of the said Sections, or any of them, shall be and the same are hereby respectively repealed.

Saving existing Mortgages, &c.

21. Nothing in this Act contained shall in any way prejudice or affect any Mortgage, Bond, or other Security given or granted by the Company under the Provisions or by virtue of "The *Dee* Standard

Standard Restoration Act, 1851," without the Consent in Writing of the respective Mortgagee, or Bond or Security Holder.

Meaning of "General Court of the Company" in Company's Act.

22. From and after the passing of this Act the Expression "a General Court of the Company," or any like Expression in any Act heretofore passed relating to the Company, shall mean a General Meeting of the Company, whether ordinary or extraordinary.

Provision for enabling Persons under Disability to agree with the Company as to Boundaries, &c., and making such Agreements binding on Persons subsequently entitled.

23. It shall be lawful for all Parties being seised or possessed of or entitled to any Manors or Lands adjoining the said "White Sands" or other Property of the Company on the North or *Cheshire* Side of the said River *Dee*, and particularly it shall be lawful for all such Parties being Tenants in Tail, or for Life Corporations, married Women seised in their own Right, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in trust for charitable or other Purposes, Executors, and Administrators, and being entitled to the Receipt of the Rents and Profits of any such Manors or Lands in possession, by Writing under their respective Hands and Seals to agree with the Company as to the Boundaries and Limits of such Portions of the said Manors and Lands of the said several Persons respectively, and of such Portions of the said "White Sands" and Property of the Company as may adjoin or lie contiguous to each other, and also as to the setting out of all Roads from the said "White Sands" and Property of the Company over and through the Lands of the Parties to the Agreement as may be necessary for the proper Enjoyment of the said White Sands and Property by the Company, and any such Agreement so entered into shall be binding not only upon the said Parties thereto respectively, and their respective Heirs, Executors, Administrators, and Successors, but also upon every Person entitled in reversion, remainder, or expectancy after them, or in defeazance of the Estates of such Parties respectively, and as to such married Women, whether they be of full Age or not, as if they were sole and of full Age, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

24. In

On Failure to agree as to Boundaries, &c. Parties may refer to Arbitration.

24. In the event of the Company and any such Parties as are by the last preceding Section authorized to agree with the Company in manner therein provided failing to agree as to the Situation of the said Boundaries and Limits, or as to the said Roads, it shall be lawful for any such Parties and the Company by Writing under their respective Hands and Seals to submit the Matters so in difference between them to Arbitration, and in such Case the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration shall be applicable to such Submission to Arbitration, and Section One hundred and thirty-one of that Act shall also be applicable to any such Arbitration in the same Manner as if One of the Parties to any such Arbitration were a Railway Company: Provided that any Umpire to be appointed by the Board of Trade in pursuance of the said Section shall be a Barrister of not less than Ten Years Standing.

As to Compensation for Land taken for Roads.

25. If the said Arbitrators or Umpire shall order or direct any Roads to be set out over the Lands of any of the Parties to the Reference other than the Company for the Enjoyment by the Company of the said "White Sands" and Property belonging to them, the said Arbitrators or Umpire shall, if they or he think fit, award Compensation to be paid by the Company to such other Parties respectively in respect of the Value of the Land taken and used for the said Roads; and in case of any of such Parties having limited Interests in the said Lands, such Compensation shall be paid and applied in manner provided in like Cases by the Lands Clauses Consolidation Act, 1845, with respect to the Purchase Money or Compensation coming to Parties having limited Interests.

Power to state Case for Opinion of Court.

26. The Arbitrators or Umpire (as the Case may be) may, on the Request of either of the Parties to the Reference, and at any Stage of the Inquiry, state a Case for the Opinion of the Court of Queen's Bench upon any Point of Law that may be raised.

Award to be binding on all Persons subsequently entitled.

27. The Award of the said Arbitrators or Umpires shall be binding not only upon the Parties to the Arbitration respectively, and their respective Heirs, Executors, Administrators, and Successors, but also upon every Person entitled in reversion, remainder, or expectancy after them, or in defeazance of the Estates of such Persons respectively, as fully and to all Intents and Purposes as in the Case of Agreements under Section Twenty-three of this Act; and every such Award when made and published shall be deposited with the Clerk of the Peace of the County of *Chester* for the Time being, and kept by him with the Public Records of the County.

 28. Nothing

Rights of Corporation of Chester reserved.

28. Nothing in this Act contained shall extend or be deemed or construed to extend to affect the Rights of the Mayor, Aldermen, and Burgesses of *Chester* and their Successors of, in, and to all or any of the Lands, Soil, and Ground not vested by the said recited Acts or any of them in the said Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River *Dee*, or the Right of any Person or Persons claiming by, from, or under them, or to obstruct the said Mayor, Aldermen, and Burgesses or their Successors from making or creating any Warehouses, Weighbeams, Cranes, Quays, Landing Places, or Wharves upon the said River in and upon their own Lands, Wastes, or Grounds, so that the erecting of such Warehouses, Cranes, or Wharves does not obstruct or prejudice the Navigation or any of the Powers hereby given, and is and shall be subject always to the Provisions, Limitations, and Restrictions of this Act.

Not to affect Rights of Sir S.R. Glynne, Lord of the Manor of Hawarden.

29. Nothing in this Act contained shall affect or take away any Rights of Sir *Stephen Richard Glynne*, Baronet, his Heirs or Assigns, Lord or Lords of the Manor of *Hawarden* in the County of *Flint*.

Saving Rights of the Trinity House.

30. Nothing in this Act contained shall abridge, alter, diminish, or take away any of the Jurisdictions, Powers, Rights, or Privileges of the Corporation of *Trinity House of Deptford Strond*.

Saving Rights of the Crown.

31. Nothing contained in this Act, or to be done under the Authority thereof, shall in any Manner affect the Title to any of the Subjects, or any Rights, Powers, or Authorities, mentioned in or reserved by Sections 21 and 22 of "The Crown Lands Act, 1866," or shall divest, alter, or affect any other Estate, Right, or Interest belonging to the Queen's most Excellent Majesty, Her Heirs or Successors.

Saving Rights of the Crown in the Foreshore.

32. Nothing contained in this Act, or to be done under the Authority thereof, shall authorize the said Company to take, use, or in any Manner interfere with any Portion of the Shore or Bed of the Sea, or of any River, Channel, Creek, Bay, or Estuary, or any Right in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Board of Trade on behalf of Her Majesty (which Consent the Board of Trade may give), neither shall anything in the said Act contained extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

33. Further

Saving Rights of Corporation of Chester, &c.

33. Further or otherwise than as herein-before provided for the Purpose of carrying this Act into execution, nothing herein contained shall extend to divest, abridge, lessen, alter, or in any Manner to affect or prejudice the Seizin, Estate, Right, Title, or Inheritance of the Mayor, Aldermen, and Burgesses of the City of *Chester*, or of any Corporation, Company, or Person, in or to the said River *Dee*, or the Ground or Soil and Bed of the same or the Shores thereof, or of any Corporation, Company, or Person, but that all such Seizin, Estate, Right, Title, Prerogative, Authority, and Jurisdiction respectively shall continue and be preserved whole and unimpaired as if this Act had not been passed.

Rights of River Dee Commissioners preserved.

34. Nothing in this Act contained shall abridge, alter, diminish, or take away any of the existing Jurisdictions, Powers, Rights, or Privileges of the River *Dee* Commissioners under or by virtue of "The *Dee* Standard Restoration Act, 1851," or any other Act relating to the Company.

Expenses of Act.

35. All Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be borne and paid by the Company.

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SCHEDULE.

SECTIONS of former ACTS repealed.

14 George II. c. VIII. Sections Four to Sixteen, both inclusive.

17 George II. c. XXVIII. Sections Twenty-six and Twenty-eight.

14 and 15 Victoria, c. LXXXVII. Sections Forty and Forty-one (so far as those Sections require the Company to appropriate or set apart and apply a Sinking Fund for the Discharge of Principal Monies borrowed on the Security of their Lands, but not further or otherwise.

And the Section of 26 George II. c. XXXV. requiring the Committee to lay before a General Court of the Company a State of the Accounts and Situation of the Company's Stock and Affairs.

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