ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 22.

An Act for altering and amending the ſeveral Laws now in force, for enabling *The Royal Canal Company* to complete a Navigable Canal from *Dublin* to *Tarmonbury* on the River *Shannon*.

[7th *April* 1803.]

WHEREAS by an Act made in the Parliament of *Ireland*, in the Twenty-ninth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Promotion and Encouragement of Inland Navigation*, it is enacted, that ſo ſoon as any of the Subſcribers to any of the Undertakings therein mentioned ſhould be conſtituted and created into a Body Corporate, they ſhould be and ſtand inveſted with and hold and enjoy all and ſingular the like Powers, Privileges, Advantages, and Authorities in all Things, for the Purpoſes of carrying on the Navigation, and of Branches therein mentioned, as were before the paſſing of that Act veſted in the Corporation for promoting and carrying on an Inland Navigation in *Ireland*, and as were then veſted in the Company of Undertakers of the Grand Canal for the Purpoſe of enabling them to carry on the ſaid Canal: And whereas certain Perſons having ſubſcribed to an Undertaking for completing a Navigable Canal from *Dublin* to *Tarmonbury* 29 Geo. 3. c 33. Letters Patent, 29 Geo. 3.

bury on the River *Shannon*, Letters Patent under the Great Seal of *Ireland*, bearing Date the First Day of *October* in the Twenty-ninth Year of His Majesty's Reign, constituting such Subscribers a Corporation by the Name of *The Royal Canal Company*, were passed: And whereas by an Act passed in the Parliament of *Ireland* in the Thirtieth Year of the Reign of His present Majesty, intituled, *An Act for the better enabling* The Royal Canal Company *to carry on and complete the Royal Canal from the City of* Dublin *to* Tarmonbury *on the River* Shannon, the said *Royal Canal Company* are invested with farther Powers for effecting the Objects of the said Acts of Parliament and Letters Patent: And whereas the Provisions of the said Acts, and of the said Letters Patent, have been found inadequate to the good Government of the Affairs of 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 a General Assembly of the said Company of Proprietors shall be holden on the Fourth *Monday* after the passing of this Act, for the Purpose of electing Fifteen Directors for the Management of the Affairs of the said Company; and the said Company shall at such Assembly proceed to elect and choose by Ballot, and they are hereby required to elect and choose, by a Majority of the Votes of the Members of the said Company then present, either in Person or by Proxy, Fifteen Persons, being Members of the said Company, to the Office of Directors of the said Company; and in case no such Election of such Fifteen Directors shall be then made, then and in such Case another General Assembly of the said Company shall be holden on the following *Monday* for the Purpose of making such Election; and in case no such Election shall then be made, then and in such Case another Assembly of the said Company shall be holden on the following *Monday*, and so *toties quoties* until such Fifteen Directors shall be elected and chosen; and such Fifteen Persons, so elected and chosen Directors, shall continue in Office from the Time of such Election until the Fourth *Monday* in the Month of *January* which will be in the Year of our Lord One thousand eight hundred and four, and until the same Persons respectively or others shall be duly chosen in their respective Places, and sworn into the same, unless they or any of them shall sooner die, resign, become disqualified, or be removed as herein-after mentioned; and, from and after the Election of such Fifteen Persons as Directors, all the Powers and Authorities of the present Directors of the said Company shall cease and be null and void to all Intents and Purposes whatsoever.

30 Geo. 3. c. 20. recited.

Directors.

How to be chosen.

For choosing new Directors.

II. And be it further enacted, That, from and after the Election of the First Fifteen Directors as aforesaid, all succeeding Directors of the said Company shall be yearly chosen out of the Members of the said Company, on the Fourth *Monday* in the Month of *January* in every Year, by the Majority of the Votes of the Members of the said Company present, either in Person or by Proxy; but in case no such Election of such Fifteen Directors shall be then made, then and in such Case another General Assembly of the said Company shall be holden on the following *Monday* for the Purpose of making such Election; and in case no such Election shall then be made, then and in such Case another

Assembly

Assembly of the said Company shall be holden on the following *Monday*, and so *toties quoties* until such Fifteen Directors shall be elected and chosen; which Directors so chosen shall severally continue in Office for One Year, and until the same Persons respectively or others shall be duly chosen and sworn into their Places respectively as aforesaid, unless in case of Death, Resignation, Disqualification, or Removal: Provided always, that no Person shall at any Time be capable of being chosen a Director of the said Company, unless he shall, at the Time of such Election, have in his own Name and Right, and shall continually have had for Six Calendar Months next preceding such Election, in his own Name and Right, One thousand two hundred Pounds at least in the Capital Stock of the said Company; and that no Person shall continue to be a Director of the said Company longer than he shall remain possessed of Capital Stock to that Amount in his own Name and Right; and in case any Person, who shall have been chosen a Director by virtue of this Act, shall cease to be so possessed of so much of the said Stock as shall amount to the Sum of One thousand two hundred Pounds, in his own Name and Right, then and in every such Case every such Person shall cease to be a Director of the said Company, and it shall and may be lawful to and for the said Company to choose and elect any other Person qualified as aforesaid in his or their Room or Stead.

Qualifications of Directors.

III. And be it further enacted, That so often as the Office of Director shall become vacant by Death, Resignation, Disqualification, or Removal, the Survivors of such Directors, or the Majority of those remaining in Office, or any Five or more of them, shall and they are hereby required, within Thirty Days after such Vacancy shall happen, to call an Assembly of the said Company, in order to elect a Person or Persons to be a Director or Directors in the Room or Stead of the Person or Persons who shall have died, resigned, become disqualified, or been removed; and the said Company, when so assembled, shall, and they are hereby required to elect a Person or Persons, qualified as aforesaid, in the Room or Stead of the Person or Persons who shall have died, resigned, become disqualified, or been removed as aforesaid; and such Person or Persons so elected shall continue in Office until the next annual Election of Directors of the said Company, and no longer, unless he or they shall be re-elected at such Election: Provided always, that no Person so chosen a Director of the said Company (except as herein is excepted) shall be capable of acting in the Execution of the said Office of Director, until he shall have taken the Oath (or made the Affirmation being a Quaker) following; *videlicet*,

Notice to be given of Death or Resignation of Directors.

Directors required to take an Oath.

Oath.

‘ I *A. B.* do swear, [*or*, if a Quaker, do affirm], That the Sum of
‘ of the Capital Stock of *The Royal Canal*
‘ *Company*, in Right whereof I am elected and chosen to be a Director of
‘ the said Company, doth at this Time belong to me in my own Right,
‘ and that I do not hold the same in Trust for any other Person or Persons
‘ whomsoever; and that in case I shall at any Time, during the Time for
‘ which I have been elected and chosen a Director of the said Company,
‘ cease to possess in my own Right the full Sum of
‘ in the said Capital Stock of the said Company, I will
‘ immediately thereupon disclose the same to the Court of Directors, and

'to the Secretary or Secretaries of the said Company; and that I will 'faithfully, honestly, and impartially, execute the said Office of Director 'of the said Company, and execute the several Powers thereby reposed in 'me for the good Government and Benefit of the said Company, according 'to the best of my Skill and Judgement, and without Favour or Affec-'tion to any Person or Persons whomsoever.

'So help me GOD.'

By whom to be administered.

Which said Oath or Affirmation to be taken or made by the said Directors so to be first elected and chosen, shall and may be administered by any Master of the High Court of Chancery in *Ireland*; and such Oath or Affirmation of any future Director shall and may be administered by the Directors of the said Company for the then last preceding Year, or any Two or more of them, and the said Persons respectively are hereby authorized and required to administer the said Oath or Affirmation accordingly.

In case Persons chosen Directors do not take the Oath.

IV. And be it further enacted, That if any Person who shall hereafter be elected a Director of the said Company as aforesaid, shall, for the Space of One Calendar Month after such Election, if at the Time of such Election he shall be in *Ireland*, or for the Space of Six Calendar Months after such Election, if at the Time of such Election he shall not be in *Ireland*, neglect or refuse to take the Oath or Affirmation hereinbefore appointed to be taken or made as aforesaid, then and in every such Case every such Person so neglecting or refusing shall cease to be a Director of the said Company, and it shall and may be lawful to and for the said Company, and they are hereby required, at a General Assembly of the said Company to be holden for that Purpose, to elect another Person, qualified as aforesaid, to be a Director in the Room or Stead of every such Person so neglecting or refusing.

Meetings of Directors.

V. And be it further enacted, That it shall and may be lawful to and for the said Directors, or any Five or more of them, at all convenient Times and Places, to assemble for the Direction and Management of the Affairs of the said Company, and that such Directors, when so assembled, shall have full and exclusive Power to create and institute, or to abolish from Time to Time all such Offices under the said Company as they shall think it necessary or conducive to the Interest or well being thereof so to create,

Salaries to Officers.

institute, or abolish; and they the said Directors shall also have full Power to annex to every Office under the said Company such Salary or Reward, or Salaries or Rewards, out of the Funds of the said Company, and to increase or diminish the Salary of any of the said Officers from Time to Time as they shall think proper; and they the said Directors are hereby authorized and empowered to appoint, suspend, or remove the Treasurer, and all Officers and Servants of the said Company; and that every Treasurer, Officer, and Servant of the said Company, when duly appointed, shall continue in such Situation until he shall be removed therefrom, without any new Appointment save as herein-after mentioned, and that the said Company shall in no Sort interfere with any of the said Matters; any Law, Custom, or Usage to the contrary in anywise notwithstanding.

VI. And

Officers to give Security.

VI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Court of Directors, in the Name of the ſaid Company, to require and take from each and every Officer of the ſaid Company ſuch Security by Bond, with One or more ſuch Sureties, and in ſuch Sum or Sums as they the ſaid Directors ſhall think proper; and every ſuch Bond ſhall be conditioned for the faithful Diſcharge of his Office.

Officers to account.

VII. And be it further enacted, That ſuch Treaſurer, and all ſuch Officers and Perſons ſo to be appointed as aforeſaid, ſhall, under their Hands, at ſuch Time and Times, and in ſuch Manner as the ſaid Directors, or any Five or more of them, ſhall direct, deliver to the ſaid Directors, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Treaſurer, Officer or Officers, and Perſon or Perſons reſpectively, received by virtue and for the Purpoſes of this Act, and how much thereof has been paid and diſburſed, and for what Purpoſes, together with the proper and legal Receipts and Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid Directors, or to ſuch Perſon or Perſons as they ſhall appoint, and every ſuch Treaſurer, Officer, and Perſon, ſhall, upon Oath, (which Oath any One or more of the ſaid Directors is hereby empowered to adminiſter), verify their reſpective Accounts; and if any ſuch Treaſurer, Officer, or Perſon, ſhall refuſe or neglect to verify upon Oath his or their Account or Accounts, or to produce or deliver up ſuch Receipts or Vouchers, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Directors, or to ſuch Perſon or Perſons as they ſhall appoint, within Twenty-one Days after being thereunto required by the ſaid Directors, all Books, Papers, and Writings, in his or their Cuſtody or Power, relating to the Execution of the ſaid recited Act and of this Act, or ſhall refuſe or neglect to pay ſuch Monies, as upon the Balance of any Account or Accounts ſhall appear to be in their reſpective Hands, to the ſaid Directors, or as they ſhall direct or appoint, then and in either of the Caſes aforeſaid, the ſaid Directors may and they are hereby authorized to bring or cauſe to be brought any Action or Actions againſt the Treaſurer, Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing as aforeſaid, in the Name of the ſaid Company of Proprietors, for the Recovery of the Monies that ſhall be in the Hands of ſuch Treaſurer, Officer or Officers, Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid Directors, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more of the Juſtices of the Peace for the County or Place wherein ſuch Treaſurer, Officer or Officers, Perſon or Perſons ſo neglecting or refuſing ſhall be or reſide, ſuch Juſtices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Treaſurer, Officer or Officers, Perſon or Perſons ſo refuſing or neglecting, to be brought before them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or upon the Teſtimony of any credible Witneſs or Witneſſes upon Oath, (which Oath ſuch Juſtices are hereby empowered to adminiſter), it ſhall appear to ſuch Juſtices that any of the Monies that ſhall have been collected or raiſed by

virtue of this Act shall be in the Hands of such Treasurer, Officer or Officers, Person or Persons, such Justices may and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treasurer, Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money and the Charges of levying the same, or if such Treasurer, Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Directors, or as they shall appoint, then and in any or either of the Cases aforesaid such Justices shall commit every such Offender to the Common Gaol or House of Correction for the County, City, or Place, where such Offender shall be or reside, there to remain, without Bail or Mainprize, until he shall give a true and perfect Account and make Payment as aforesaid, or until he shall compound with the said Directors for such Money and shall have paid such Composition in such Manner as they shall appoint, which Composition the said Directors are hereby empowered to make and receive, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Directors.

Powers of the Directors.

VIII. And be it further enacted, That the said Directors, or any Five or more of them so assembled, shall and may exclusively direct and manage the Affairs of the said Company; and for the well ordering and managing thereof shall, in the Name of the said Company, have, enjoy, perform, and execute all the Powers, Authorities, and Privileges of the said Company, and do all Acts and Things in relation thereto, as fully and effectually, to all Intents and Purposes, as the said Company could or might have done previous to the passing of this Act, except as herein excepted or otherwise provided.

Bye-Laws to be submitted to a General Meeting.

IX. And be it further enacted, That the said Directors, or any Seven of them, shall have full Power and Authority to enact, alter, or repeal any Bye-Law or Bye-Laws when they shall think it for the Advantage, Benefit, or good Government of the said Company so to do; but no such Bye-Law or Bye-Laws shall be enacted, altered, or repealed, until the same shall have been submitted by the said Court of Directors to a General Meeting of the said Company, to be duly called for that Purpose, and if the same shall be confirmed by a Majority of Votes at such Meeting, then and in every such Case, every such Bye-Law so enacted or altered and confirmed, and every Repeal of a Bye-Law so made and confirmed, shall from thenceforth be of the same Force and Validity, to all Intents and Purposes whatsoever, as the same would have been if duly made by the said Company before the passing of this Act; and from and after the passing of this Act no Bye-Law shall be made, altered, or repealed by or for the said Company in any other Manner whatsoever; and every Bye-Law, when so confirmed, shall, within Ten Days after the same shall have been so confirmed, be printed for the Use of the said Company of Proprietors: Provided always, that the Bye-Laws which have been heretofore enacted by the said Company shall be as valid and binding in Law as if this Act had not been made, until the same shall be so

ſo altered or repealed, notwithſtanding any Informality or Defect in the enacting thereof, or in the Performance of any previous Requiſites thereto: Provided always, that nothing herein contained ſhall extend or be conſtrued to extend ſo as to give the ſaid Directors any Power or Authority to mortgage, encumber, or alien the Lands or Tolls of the ſaid Company, or to demiſe any of the Lands, Tenements, or Hereditaments of the ſaid Company, or to borrow any Money, or make any Addition to the Stock of the ſaid Company, or to farm or leaſe the Tolls of Paſſage Boats, or any other Tolls, Profits, or Property of the ſaid Company, without the previous Approbation or Concurrence of the ſaid Company for that Purpoſe had and obtained at a General Meeting of the ſame ſpecially ſummoned by the ſaid Court of Directors for that Purpoſe.

Directors not to mortgage the Tolls.

X. And be it further enacted, That the ſaid Directors ſhall Once in every Six Months, at Two General Meetings of the ſaid Company, to be holden on the Third *Monday* in the Month of *January*, and on the Third *Monday* in the Month of *July*, in each and every Year, declare to the ſaid Company at ſuch reſpective Meetings the Dividend (if any) for the then preceding Half Year, and on ſuch Third *Monday* in the Month of *January* ſhall alſo report the State of the Works of the ſaid Company.

Meetings of the Company when to be holden.

XI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors, or any Seven of them aſſembled as aforeſaid, to ſummon a General Meeting of the ſaid Company as often as they ſhall ſee Cauſe.

Directors may ſummon General Meetings.

XII. And be it further enacted, That no Director ſhall have more than One Vote in any Court of Directors, ſave and except the Chairman of the ſaid Directors, who ſhall, in caſe of an Equality of Votes upon any Queſtion which may be agitated in the ſaid Court, over and above his Vote as a Director, have the deciſive or caſting Vote.

Chairman to have the caſting Vote.

XIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors, or any Five or more of them aſſembled as aforeſaid, to make Rules or Regulations for the Government of the ſaid Directors, and ſuch Rules or Regulations ſhall continue in Force and Effect until the ſame ſhall be changed or reſcinded by a like Number of Directors aſſembled as aforeſaid.

Directors to make Rules for their own Government.

XIV. And be it further enacted, That the ſaid Directors, or any Seven or more of them, ſhall and they are hereby required to chooſe out of the ſaid Directors a Chairman and Deputy Chairman, which Chairman, or in his Abſence the Deputy Chairman, ſhall preſide at all Meetings of the ſaid Directors at which ſuch Chairman or Deputy Chairman ſhall be preſent; but in caſe of the Non-attendance of ſuch Chairman or Deputy Chairman at the Time appointed for the Meeting of ſuch Directors, then and in every ſuch Caſe the ſaid Directors ſo aſſembled may chooſe One other of the ſaid Directors to preſide in the Place of ſuch Chairman at ſuch Meeting.

Chairman to be elected by the Directors.

XV. And

One of the Directors to preside at all Meetings of the Company.

XV. And be it further enacted, That at all Aſſemblies of the ſaid Company ſuch Chairman, or in his Abſence ſuch Deputy Chairman, or in their Abſence One other of the ſaid Directors to be nominated by the Majority of Votes of the Company then aſſembled in Perſon or by Proxy ſhall preſide: Provided always, that, if at any ſuch Election of a Chairman or Deputy Chairman, any Two or more Perſons ſhall appear to have an equal Number of Votes, and no other Perſon ſhall have a greater Number of Votes, then and in every ſuch Caſe ſuch of the ſaid Perſons ſo having an equal Number of Votes as ſhall then be poſſeſſed of the largeſt Quantity of the ſaid Stock of the ſaid Company ſhall be declared duly elected to ſuch Office; and if any Two or more of the ſaid Perſons ſhall alſo in that Reſpect be equal, then and in every ſuch Caſe ſuch of the ſaid Perſons ſo being equal as to Quantity of Stock, who ſhall be the oldeſt Proprietor of Stock of the ſaid Company, ſhall be declared duly elected to the ſaid Office: Provided alſo, that no Chairman, Deputy Chairman, or Director, ſhall preſide at any Aſſembly of the ſaid Company aſſembled for the Purpoſe of hearing any Complaint againſt ſuch Chairman, Deputy Chairman, or Director.

In caſe of an Equality of Votes for Chairman.

Directors not to preſide when Complaints are heard of the Conduct of Directors.

Majority of Votes to decide Queſtions.

XVI. And be it further enacted, That at every General Meeting of the ſaid Company, every Queſtion ſhall be decided by the Majority of Votes and Proxies then preſent; and that every Proprietor of Stock of the ſaid Company ſhall have a Vote at every ſuch Meeting for every Six hundred Pounds of ſuch Stock of which he ſhall ſo be Proprietor, and which he ſhall have had for Six Calendar Months preceding; provided nevertheleſs that no Perſon ſhall be entitled to have more than Thirteen Votes in his own Right, nor ſhall any Perſon give or deliver in Proxies for more than Thirteen Shares.

No Buſineſs to be entered on but that for which the Meeting was ſummoned.

XVII. And be it further enacted, That, from and after the paſſing of this Act, no General Meeting of the ſaid Company ſhall be holden, ſave and except ſuch only as ſhall be holden purſuant to the Directions of this Act; and that at no ſuch General Meeting ſhall any Buſineſs whatſoever be done or entered upon, ſave and except the Buſineſs for which ſuch Meeting ſhall be called or aſſembled as aforeſaid, and ſave and except ſuch Buſineſs as ſhall be duly ſubmitted to the Conſideration of ſuch Meeting by the ſaid Court of Directors.

Book of Accounts to be left with the Clerk for the Inſpection of the Proprietors.

XVIII. And be it further enacted, That the ſaid Directors ſhall and they are hereby required to enter in a Book or Books to be provided for that Purpoſe, an Account of all Monies whatever received and diſburſed by them as Directors of the ſaid Company; which Book or Books of Accounts ſhall be kept at the Office of the Secretary to the ſaid Company of Proprietors, and be open for the Inſpection of any of the ſaid Company of Proprietors without Fee or Reward, for Fourteen Days preceding the Third *Monday* in the Month of *January*, (*Sundays* excepted) in each and every Year, from Ten of the Clock in the Forenoon until Three of the Clock in the Afternoon, and from Six of the Clock in the Evening until Ten of the Clock at Night; and in caſe the ſaid Directors, or their ſaid Secretary, ſhall neglect to procure and keep ſuch Book or Books of Accounts as aforeſaid, or refuſe the Inſpection thereof to any of the ſaid Proprietors at ſuch Hours and Times as aforeſaid, or ſhall refuſe any ſuch Proprietor to make Extracts from ſuch Book or Books without

without Fee or Reward, the Party or Parties ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Pounds; and in caſe of Nonpayment thereof, on Conviction of the Offenders reſpectively on the Oath of any credible Witneſs or Witneſſes, or by the Confeſſion of the Party or Parties offending, before ſome Juſtice of the Peace for the ſaid County of *Dublin*, ſuch Fine or Forfeiture ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of ſuch Juſtice; and the Overplus of the Money raiſed by ſuch Diſtreſs and Sale, after deducting the Fines or Forfeitures, and the Expences of ſuch Diſtreſs and Sale, ſhall be rendered to the Owner of the Goods ſo diſtrained; and for Want of ſufficient Diſtreſs, and in caſe the Fine or Forfeiture ſhall not be forthwith paid, it ſhall and may be lawful to and for ſuch Juſtice, by Warrant under his Hand and Seal, to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unleſs ſuch Fine, Penalty, or Forfeiture, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Right of fiſhing in the Canal.

XIX. And be it further enacted, That whenſoever any Commons or Common Land, or any Land or Ground, ſhall be conveyed to the ſaid Royal Canal Company by private Contract, and without any Valuation thereof by a Jury, and without any valuable Conſideration *bonâ fide* paid for the ſame, then and in every ſuch Caſe the Right of fiſhing or fowling in the ſeveral Cuts and Drains to be made upon, in, and through every ſuch Common, Ground, and Land, purſuant to this Act, ſhall belong to the Lord or Lords, Owner or Owners, of the Soil of the ſaid Commons, Lands, or Grounds, ſuch Owner or Owners being duly qualified by Law to uſe or exerciſe ſuch Right.

Penalty for deſtroying Engines, *etc.*

XX. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter maliciouſly cut, break down, burn, demoliſh, or deſtroy any Bank, Engine, Floodgate, Ebbgate, Lock, Sluice, Tunnel, or Bridge, already made or erected, or which ſhall at any Time hereafter be erecting or making, or made or erected, ſupported, or maintained, for anſwering any of the Purpoſes of this Act, or of the ſaid Company, every Perſon or Perſons ſo offending, being convicted thereof, ſhall be ſubject and liable to the like Pains and Penalties as in Caſe of Felony; and the Court by or before whom any ſuch Perſon or Perſons ſhall be tried, ſhall have Power and Authority to cauſe ſuch Perſon or Perſons to be puniſhed in like Manner as Felons are directed to be puniſhed by the Laws and Statutes of this Realm, or in Mitigation of ſuch Puniſhment, ſuch Court may, if they think fit, award ſuch Sentence as the Law directs in Caſes of Petit Larceny; and if any Perſon or Perſons ſhall maliciouſly ſtop, dam up, or damage, any River, Drain, Watercourſe, Door, Dam, Bridge, or other Work or Works already made or erected, or which ſhall at any Time or Times hereafter be making or erecting, or made or erected, ſupported or maintained, for anſwering any of the Purpoſes aforeſaid, all and every Perſon and Perſons ſo offending, being thereof convicted before any Two or more Juſtices of the Peace for the County, Place, or Liberty, wherein ſuch Offence ſhall be committed, (who are hereby required to hear and determine the ſame), on the Oath

of One or more credible Witneſs or Witneſſes, ſhall forfeit and pay any Sum not exceeding Twenty Pounds to the Informer who ſhall firſt ſue for the ſame; and in Default of Payment thereof, the Perſon or Perſons ſo offending ſhall be committed to the Gaol of the County, City, or Liberty, where ſuch Offence ſhall be committed, there to be kept to hard Labour for ſuch Time as ſuch Juſtices ſhall order and direct, not exceeding Three Calendar Months.

Coſts of the Act.

XXI. And be it further enacted, That all the Coſts, Charges, and Expences, incident to and attending the obtaining and paſſing of this Act, ſhall, in the Firſt Place, be paid and defrayed out of any of the Monies belonging to the ſaid Company of Proprietors.

Publick Act.

XXII. And be it further enacted, That this Act ſhall be deemed, taken, and allowed to be a publick Act; and all Courts, Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch without ſpecially pleading the ſame.

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