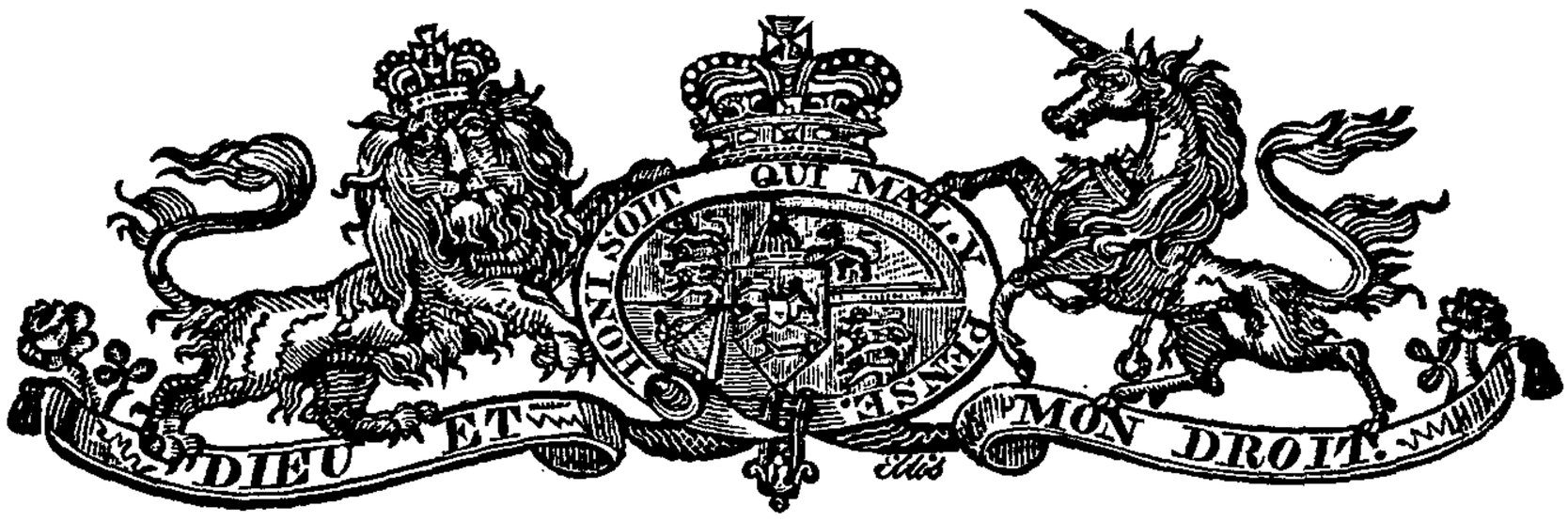


ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

Cap. cviii.

An Act for making a Railway from or near *Romford* in the County of *Essex* to *Shell Haven* in the same County, and for constructing a Tide Dock at the Termination of the said Railway at *Shell Haven* aforesaid. [4th *July* 1836.]

WHEREAS the making of a Railway from or near *Romford* in the County of *Essex* to *Shell Haven* in the same County, and the Formation of a Tide Dock at the Termination of the said Railway at *Shell Haven* aforesaid will be a great public Good, by opening a convenient and expeditious Communication between the Metropolis and the Northern Bank of the River *Thames* near the Mouth of the said River: And whereas the several Persons herein-after named, with other Persons, are willing at their own Expence to carry into execution the said Undertaking; but the same 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 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 *Charles Henry Clay*, *James Saumarez Jephson*, *James Esdaile*, *William Wingfield*, *Crisp Molineux Montgomerie*, *Richard Heathfield*, *Ernest Vaux*, *Francis Graham Moon*, *Thomas Haviside*, *James Richardson*, *James Guest*, *John Rogers*, *William Archer Price*, *Joseph Raleigh*, *William Houldsworth*, *Thomas Smethurst*, *Henry Cotes*, Proprietors incorporated.

Cotes, *Phillip Ganns*, and all other Persons and Corporations who have subscribed or who shall hereafter subscribe towards the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for making and maintaining the said Railway and Dock, and for erecting Piers and Lighthouses and Light-vessels, and for executing the other Works by this Act authorized, according to the Provisions and Restrictions herein-after mentioned, and for that Purpose shall be One Body Corporate by the Name and Style of "The *Thames Haven* Dock and Railway Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority to purchase and hold Lands, Tenements, and Hereditaments to them and their Successors and Assigns, for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and shall also have Power to sell and demise or otherwise dispose of the said Lands, Tenements, and Hereditaments in manner by this Act directed.

Meaning of certain Words in this Act.

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

Capital to be 450,000*l.* to be divided into 9,000 Shares of 50*l.* each.

III. And be it further enacted, That it shall be lawful for the said Company to raise amongst themselves any Sum or Sums of Money for making and maintaining the said Railway and Dock, and for erecting Piers, Lighthouses, and Light-vessels, and for executing the other Works by this Act authorized, and for the general Purposes of this Act, not exceeding in the whole the Sum of Four hundred and fifty thousand Pounds Sterling, the whole to be divided into Nine thousand Shares of Fifty Pounds each; and such Nine thousand Shares shall be numbered, beginning with Number One and ending with Number Nine thousand, in Arithmetical Progression, and every such Share shall be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby vested in the several Parties so raising and paying the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their proper Use and Benefit proportionably to the Sums they shall severally contribute; and all Corporations and Persons, and their several Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards the said Undertaking, shall be entitled to

Proprietors to contribute to the Capital, and share the Profits rateably.

and

and be the Proprietors of a proportionate Share of the Capital Stock of the said Company, and shall be entitled to and shall receive, at such Time or Times as shall in manner herein-after provided be directed or appointed, in proportionable Parts, according to the respective Sums so by them respectively paid, the net Profits and Advantages which shall arise or accrue from or by the Rates, Tolls, and other Sums of Money to be received by the said Company by the Authority of this Act, as and when the same shall be divided; and all Corporations and Persons having such Property in the said Undertaking as aforesaid shall bear and pay a proportionate Sum towards carrying on the same to the full Amount of their respective Shares in the said Undertaking.

Application of Money to be raised.

IV. And be it further enacted, That all the Money to be raised or received by the said Company by virtue of this Act, whether by way of Capital or Profits or otherwise, shall be laid out and applied, in the first place, in paying and discharging all Costs and Expences incurred in applying for, obtaining, and passing this Act, and all other Expences preparatory or relating thereto, and the Remainder of such Money shall be applied in and towards purchasing Lands, and making and maintaining the said Railway and Dock, and erecting Piers, Lighthouses, and Light-vessels, and otherwise in carrying this Act into execution.

Compulsory Power of taking Land not to be put in force until the estimated Expence is subscribed for.

V. And whereas the probable Expence of making the Railway and other Works hereby authorized will amount to the Sum of Four hundred and fifty thousand Pounds Sterling, Four Fifth Parts whereof have already been subscribed for by several Persons, under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them respectively subscribed; be it therefore enacted, That the whole of the said Sum of Four hundred and fifty thousand Pounds, shall be subscribed for in like Manner before any of the Powers given by this Act in relation to the compulsory taking of Land for the Purposes of the said Railway and other Works shall be put in force.

Proof of Subscription of Estimate.

VI. Provided always, and be it further enacted, That a Certificate under the Hand and Seal of any Justice of the Peace for the County of *Essex*, that the whole of the said Sum of Four hundred and fifty thousand Pounds hath been subscribed for as aforesaid, and which Certificate such Justice is hereby authorized and required to grant upon Application made to him by the said Company, and on Production of the Subscription Deed of or relating to the said Company, shall for all Purposes whatsoever be conclusive Evidence that the whole of the said Sum of Four hundred and fifty thousand Pounds has been subscribed for.

Company empowered to make the Railway and Dock and other Works

VII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to make and maintain a Railway or Railways, Tramroad or Tramroads, with Warehouses, Wharfs, Stations, Landing Places, Bridges, and suitable and commodious Buildings, Erections, and Works, with all proper Conveniences connected

through and in the Places named.

connected therewith, for the Passage of locomotive and other Engines, Coaches, Chaises, Waggons, Carts, and other Carriages, and for shipping, embarking, landing, depositing, and warehousing of Goods, and Conveyance of Passengers, in the Line or Course, and upon, across, under, or over the Lands delineated on the Plan and described in the Book of Reference deposited with the Clerk of the Peace for the County of *Essex* as herein-after mentioned; (that is to say,) commencing at or near to a certain Place called *The Barracks* near *Romford* in the said County, and thence extending into or passing through the several Parishes of *Romford*, *Hornchurch*, *Upminster*, *Cranham*, *North Ockendon*, *South Ockendon*, *Orsett*, *Horndon-on-the-Hill*, *Muckinge*, *Stanford-le-Hope*, *Corringham*, and *Fobbing* in the same County, or some of them, and terminating at or near a certain Creek or Inlet in the River *Thames* hitherto called *Shell Haven*, but which shall for the future be called "*Thames Haven*," in the said Parishes of *Corringham* and *Fobbing*, or one of them, and also to make, complete, and maintain a Tide Dock or Basin at the Termination of the said Railway at, in, or near *Thames Haven* aforesaid, and also to construct and maintain such Pier or Piers, Light-houses, Light-vessels, Breakwaters, Jetties, and other Works and Conveniences, for the safe and convenient Entrance, Egress, and Navigation of Ships and other Vessels into and from the said Docks, and also to erect and maintain such Wharfs, Quays, Warehouses, Landing Places, Cranes, Weighing Machines, and other Works and Conveniences connected therewith, as shall be deemed necessary by the said Company.

Plan and Book of Reference deposited with the Clerk of the Peace to remain there, and be open to Inspection.

VIII. And whereas a Map or Plan describing the Line of the said Railway, and the Situation of the said Dock, and the Lands upon, across, under, or over which the said Railway and Dock, and the Works connected therewith respectively, are intended to be carried and made, together with a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited in the Office of the Clerk of the Peace for the County of *Essex;* be it therefore enacted, That the said Map or Plan and Book of Reference so deposited shall remain with the said Clerk of the Peace; and all Persons interested in any Manner in such Lands shall at all seasonable Times have Liberty to inspect the said Map or Plan and Book of Reference, and to have Copies thereof or Extracts therefrom at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and for furnishing Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference so deposited, or any Copy thereof or Extract therefrom, certified by such Clerk of the Peace to be a true Copy or Extract, shall be good Evidence in all Courts of Law and elsewhere.

Certified Copy thereof to be Evidence.

Unintentional Errors in the Act or Plan or Book of Reference not to pre-

IX. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Railway, Dock, and other Works in the Line or Course, and upon or through the Lands so delineated on the said Map or Plan deposited as aforesaid, although such Lands or any of them, or the Situation thereof respectively,

or the Names thereof or of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule (A.) hereto, or in the said Book of Reference, if it shall appear to any Two or more of His Majesty's Justices of the Peace acting for the County of *Essex*, in case of Dispute about the same, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

Provision to prevent the Execution of the Act.

X. And be it further enacted, That the said Company, in making the said Railway, Dock, and other Works by this Act authorized, shall have full Power and Authority to deviate from the Line delineated on the Map or Plan so deposited with the Clerk of the Peace as herein-before mentioned, with such Alteration in the Section as may be necessary in consequence thereof: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Line so delineated upon the said Map or Plan, nor shall such Deviation extend into the Lands of any Person whose Name is not mentioned in the said Book of Reference, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided for in Cases of unintentional Errors in the said Book of Reference.

Company empowered to deviate from Plan to an Extent not exceeding 100 Yards.

XI. Provided always, and it is hereby expressly enacted and declared, That nothing in this Act contained shall extend or be construed to extend to authorize the said Company, under the Power of Deviation herein-before contained, to deviate, in the Lands of *Crisp Molineux Montgomerie* Esquire, in the Parish of *Horndon* in the County of *Essex*, from the Line delineated on the Map or Plan so deposited with the Clerk of the Peace as herein-before mentioned, so as to carry the said Railway nearer to the Farm-house or Stables or Buildings of the said *Crisp Molineux Montgomerie*, without the Consent in Writing of the said *Crisp Molineux Montgomerie*, his Heirs or Assigns, for that Purpose first had and obtained.

Not to deviate in the Lands of Crisp Molineux Montgomerie, Esquire, without Consent.

XII. And be it further enacted, That, for the Purposes and subject to the Provisions and Restrictions of this Act, it shall be lawful for the said Company, their Deputies, Engineers, Contractors, Servants, Agents, and Workmen, and other Persons by them authorized, and they are hereby empowered, from Time to Time to enter into and upon the Lands of any Person or Corporation whatsoever, and to survey and take Levels of the same or any Part thereof, and to set out and appropriate such Parts thereof as the said Company are by this Act empowered to take or use for making the said Railway, Dock, Piers, Lighthouses, Jetties, Breakwaters, and such other Works, Matters, and Conveniences as they shall think proper and necessary for making, effecting, preserving, and improving, completing, maintaining, and using the same, and for the Reception and Accommodation, loading and unloading of Ships, Vessels, Boats, or other Craft,

General Power to enter to survey and take Lands, and make the Railway and Dock and Works.

Rafts or Floats of Timber, or other Articles or Things in the said Dock, and for the Conveyance of Passengers, Goods, and Merchandize to and from the said Dock and Railway; or in or upon such Lands, and in or upon any Lands adjoining thereto, to bore, dig, cut, trench, embank, and to remove or lay, and also to use, work, and manufacture, any Earth, Clay, Stone, Soil, Rubbish, Timber and other Trees, Sand, Roots of Trees, Beds of Gravel, Shingle, or any other Materials or Things whatsoever which may be dug or obtained therein or therefrom, or removed thereto or laid thereon, or otherwise in the Execution of any of the Powers of this Act, and which may be necessary or proper for making, maintaining, altering, repairing, or using the said Railway, Dock, Piers, Lighthouses, Jetties, Breakwaters, and other Works, Matters, and Conveniences by this Act authorized, or which may obstruct the making, maintaining, altering, extending, repairing, or using of the same respectively, according to the true Intent and Meaning of this Act; and also, for the Purposes and according to the Provisions and Restrictions of this Act, to construct, make, and set up, in, upon, across, under, or over the said Railway and Dock and other Works, and upon the Shore of the River *Thames* adjoining the Lands which the said Company are by this Act empowered to take or use, and in, upon, across, under, or over any Lands, Streets, Hills, Vallies, Roads, Rivers, Canals, Brooks, Streams, or other Waters whatsoever, such Inclined Planes, Tunnels, Embankments, Bridges, Arches, Piers, Jetties, Breakwaters, Aqueducts, Basins, Boats, Posts, Ropes, and Chains, for passing any Rivers, Brooks, Streams, and other Waters, and Roads, Ways, Passages, Conduits, Drains, Culverts, Cuttings, and Fences; and also to erect and construct such Houses, Wharfs, Quays, Warehouses, Toll Houses, Landing Places, Weighing Machines, Cranes, Engines, and other Buildings, Machinery, and Apparatus, and other Works and Conveniences as the said Company shall think proper; and also to divert or alter the Course of any Rivers, Canals, Brooks, Streams, or Watercourses during such Time as may be necessary for constructing Tunnels, Bridges, or Passages under or over the same; and also to divert or alter the Course of any Roads or Ways, or to raise or sink any Roads or Ways, in order the more conveniently to carry the same over or under the said Railway; and also to widen, deepen, enlarge, improve, cleanse, scour out, and maintain the Channels and Approaches from and to the said intended Dock and the River *Thames*; and also from Time to Time to alter, repair, or discontinue the before-mentioned Works or any of them, and to substitute others in their Stead, and to do and execute all other Matters and Things necessary for making, maintaining, altering, or repairing and using the said Railway, Dock, and other Works by this Act authorized; they the said Company, their Deputies, Contractors, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and the said Company making Satisfaction in manner herein-after mentioned to all Persons and Corporations interested in any Lands which shall be taken, used, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Company and all Persons whomsoever for what they or any of them shall do by virtue of the Powers hereby granted,

subject nevertheless to such Provisions and Restrictions as are hereinafter contained.

Ordnance Lands not to be affected without Consent.

XIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to or in any Manner affect any Lands, Tenements, Estates, or Property belonging to the Crown, and under the Charge or Control of His Majesty's Ordnance, without the Consent in Writing of the principal Officers of His Majesty's Ordnance for the Time being first obtained under the Hands and Seals of Two of the said principal Officers for that Purpose.

Power to make and repair Sluices Bridges, Roads, &c.

XIV. And be it further enacted, That the said Company shall and may make or cause to be made such Engines, Machines, Pipes, Bridges, Roads, and other Works, Requisites, Matters, and Things, in or upon or leading to or communicating with the said intended Dock and Works or any of them, as they shall from Time to Time deem necessary, for the more convenient Use thereof and of the other Works appertaining thereto, and for the Purposes aforesaid or any of them to erect such Dams, Coffer-dams, and other Devices and Things within the Tideway of the River *Thames* as may be found necessary or proper, during such Time or Times as any of the said Works respectively shall be making, altering, and repairing, and from Time to Time and at all Times hereafter shall also well and sufficiently amend, repair, maintain, support, and cleanse such Dock, Machine, Bridges, and other Works, Matters, and Things respectively, so that the Navigation of the said River be not prevented or impeded thereby.

Power to scour out the Beach and Bed of the River and the Dock, and to remove Wrecks, &c.

XV. And be it further enacted, That it shall be lawful for the said Company, their Agents, Servants, or Workmen, as often as Occasion shall require, to enter on, deepen, and scour out the Beach and Bed of the *Thames*, and for ever after maintain and preserve the Depth so made from the Piers and other Works at the Entrances from the said River to the said Dock so as to admit Vessels navigating or entering into the said Dock from the said River, and to cleanse, scour, open, deepen, and widen the said Dock and Entrances, or any of them, and to cut through, remove, and open any Banks, Hills, Earth, Soil, or Rubbish in or on the Beach or Bed of the said River or in the said Dock, or any of them, or in or near the Entrances thereto, in such Manner as the said Company shall think proper, for the convenient Entrance of Shipping into the said Dock, and their Security and Accomodation therein; and also to take up and remove Wrecks of Ships or Vessels, or any Ship or Vessel that shall be sunk therein respectively, or any Lighter, Barge, or Craft, or any Wood, Timber, Anchors, or other Obstructions that may be found or arise respectively; and in case the Owner of any such Ship or Vessel, Lighter, Barge, or Craft, or the Person causing or making any such Obstruction or Impediment so removed by the said Company, their Agents, Servants, or Workmen, shall refuse or neglect to pay the Costs and Charges of removing the same for the Space of Fourteen Days after Demand thereof made by any Clerk, Collector, or other Officer of the said Company,

Company, the same shall and may be assessed by any Justice or Justices of the Peace for the said County of *Essex*, and recovered in such and the like Manner as any Penalties and Forfeitures are by this Act directed to be recovered.

Consent of the Corporation of London to be obtained previous to the Works being made, if any Alteration is made in the Plan.

XVI. Provided always, and be it further enacted, That before commencing the said Tide Dock or Basin, Pier or Piers, Lighthouses, Light-vessels, Breakwaters, Jetties, Wharfs, Quays, Landing Places, and other Works and Conveniences in and near to the River *Thames* or connected therewith, it shall be and is hereby declared to be incumbent and conditional on the said Company to obtain the Consent and Approbation of the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, to the Plan of such Works, provided any Alteration be made to the Plan of such Works now before Parliament, which Plan is to be signed by the Speaker of the House of Commons, such Consent and Approbation to be signified in Writing under the Hand of the Town Clerk of the said City: Provided also, that all such Works shall be done and performed according to the Plans referred to as above, to the Satisfaction of the Clerk of the Works for the Time being employed by the said Mayor, Aldermen, and Commons in the *Thames* Navigation.

For obviating Danger to the Navigation of the River Thames.

XVII. And be it further enacted, That in case the said Pier or Piers, Lighthouses, Light-vessels, Breakwaters, Jetties, Wharfs, Quays, Landing Places, and other Works and Conveniences in and near to the River *Thames* or connected therewith shall not be finished and completed by the said Company within the Time limited by this Act, or in case at any Time after the same shall have been finished and completed the said Works or any of them shall not be kept in proper Repair, and shall become a Nuisance or an Impediment to the safe Navigation of the said River *Thames*, and the said Company shall not within Twenty-one Days after Notice in Writing for that Purpose shall have been left at the Office of the Clerk of the said Company immediately proceed to repair the said Works or any of them, or shall refuse to repair and render the same free from all Danger to the Navigation of Ships and Vessels, as the Case may be, then and in either of the said Cases it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, or the Lord Mayor of the City of *London* for the Time being, to employ Persons to take away and remove the Materials of the said Works or any of them, and to sell or employ the same for the Purpose of the Improvement of the Navigation of the said River *Thames*.

Any Accumulation of Mud to be removed.

XVIII. And be it further enacted, That in case at any Time there shall be any Accumulation of Mud, Sand, Dirt, or other Matter adjoining to the said Pier or Piers, Lighthouses, Light-vessels, Breakwaters, Jetties, Wharfs, Quays, Landing Places, and other Works and Conveniences in and near the River *Thames* or connected therewith and occasioned thereby, which shall appear to the said Mayor, Aldermen, and Commons, in Common Council assembled, or to the

the Lord Mayor of the City of *London* for the Time being, as Conservator of the said River *Thames*, to be injurious to the Navigation of the said River, then and in every such Case the said Company shall, within Seven Days after Notice in Writing for that Purpose by the Town Clerk of the said City of *London* shall have been left at the Office of the Clerk of the said Company, cause the said Mud, Sand, Dirt, or other Matter to be taken away and effectually removed, and in case the said Company shall neglect or refuse to cause the said Mud, Sand, Dirt, or other Matter to be removed effectually, it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, or the said Lord Mayor for the Time being, to employ Persons to take away and remove the same; and the said Company shall, on Demand, pay to the Mayor and Commonalty and Citizens of the said City of *London* all Costs and Charges occasioned by the Removal thereof, and the same may be recovered from the said Company by an Action of Debt in any of His Majesty's Courts of Law at *Westminster*.

No Mud or other Matter to be washed into the River Thames.

XIX. And be it further enacted, That no Mud or other Matter shall be washed, emptied, or removed from the said Dock into the River *Thames*; and in case any Mud or other Matter shall at any Time be washed, emptied, or removed from the said Dock into the said River *Thames* the said Company shall pay to the Mayor and Commonalty and Citizens of the City of *London* the Sum of Five hundred Pounds, and the same may be recovered from the said Company by an Action of Debt in any of His Majesty's Courts of Law at *Westminster*.

Payment to be made to the City of London for cutting into and communicating with the River Thames.

XX. And be it further enacted, That the said Company shall pay to the said Mayor and Commonalty and Citizens of the City of *London* the Sum of Five Pounds and Five Shillings as a Fine or Acknowledgment for the Liberty of cutting and digging the Bank or Wall and Shore and Bed of the River *Thames*, and of communicating therewith, and shall also pay to the said Mayor and Commonalty and Citizens, their Successors, Collectors, or Assigns, for ever, an annual Rent or Sum of Five Pounds and Five Shillings after the said Bank or Wall and Shore and Bed shall be cut and dug, and the Communication completed for the Purposes aforesaid, and such annual Sum is hereby charged upon and made payable by and may be recovered from the said Company by Action of Debt in any of His Majesty's Courts of Law at *Westminster*.

Houses and Gardens not to be taken without Consent, except such as are specified in the Schedule.

XXI. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Company or any other Person to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected on or before the First Day of *September* last, or any Land then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to any Dwelling House, or planted and set apart as a Nursery for Trees, other than and except such as are specified in the Schedule (A.) to this Act annexed, without the

previous Consent in Writing of the Owner or Occupier thereof, or of such other Person interested therein respectively whose Consent is herein-after required in respect to Property to be sold to the said Company.

Breadth of Land to be taken for the Railway.

XXII. And be it further enacted, That the Lands to be taken or used for the Line of the said Railway shall not exceed Twenty-two Yards in Breadth, except in those Places upon the Line of such Railway where a greater Breadth shall be judged necessary for Approaches to the said Railway, or for Carriages to wait, load, or unload, and to turn or pass each other, or for Embankments for crossing Vallies or low Grounds, or for Cuttings through high Grounds, or for the Erection and Establishment of any fixed or permanent Machinery, Toll House, Warehouse, Wharf, or other Erection or Building, and not in any Place exceeding Two hundred Yards on each Side of the Line of Railway, except at or near the Commencement and Termination of the Line of the said Railway, and except also on Commons, Downs, or Waste Lands.

Where small Parcels of Land are intersected, the Company compellable to purchase the whole.

XXIII. And be it further enacted, That if in the Execution of any of the Powers of this Act any Land shall be cut through and divided so that what shall be left thereof on either Side of the said Railway shall be less than Half an Acre in Quantity, and if the Owner of any such Land shall not have any other Land adjoining to that which shall be so left, then and in every such Case, if such Owner shall so require, but not otherwise, the said Company shall also purchase the Land left on either Side of the said Railway, being less than Half an Acre in Quantity as aforesaid, the Value thereof to be ascertained in the same Manner as is directed concerning any Land to be taken or used for the Purposes of this Act; or in case such Owner as aforesaid shall have any other Land adjoining to that which shall be so left, he may require the said Company, at the Expence of such Company, to throw the same into the adjoining Land of such Owner, by removing the Fences and levelling the Sites thereof, and soiling the same in a sufficient and workmanlike Manner: Provided always, that if in respect of any Land which shall be so left, being less than Half an Acre in Quantity, and the Owner whereof shall not have any Land adjoining on the same Side of the said Railway, the said Company shall be called upon to make any Bridge or Culvert for the Purpose of making a Communication therewith, it shall be lawful for the said Company and they are hereby empowered to take and purchase such Piece of Land, being less than Half an Acre in Quantity, the Price whereof shall be ascertained in the same Manner as is directed concerning any Land or Ground to be taken and used for the Purposes of this Act.

Penalty on obstructing Persons employed in the Construction of the Railway and Dock.

XXIV. And be it further enacted, That if any Person shall obstruct or prevent any Person employed by the said Company in setting out the Line of the said Railway and Dock, or engaged in the Construction thereof or of any Part thereof, or shall pull up or remove any Stakes that may have been driven into the Ground for the Purpose of setting out the Line of the said Railway and Dock, he

he shall forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings for every such Offence.

Power to treat for the Purchase of Lands.

XXV. And be it further enacted, That it shall be lawful for the said Company to treat and agree for the Purchase of any Lands authorized to be taken and used by them as aforesaid, and of any subsisting Leases, Terms, Estates, Rights, and Interests therein and Charges thereon, or such of them or such Part thereof as the said Company shall think proper.

Corporations, Trustees, and Persons having a limited Interest, or under Disability, empowered to sell and convey Lands.

XXVI. And be it further enacted, That after any Lands intended to be taken or used for the Purposes of this Act shall have been set out and ascertained, it shall be lawful for all Corporations, Tenants for Life, in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees and Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of or interested in any such Lands, to contract for, sell, and convey the same or any Part thereof to the said Company; and all such Contracts, Sales, and Conveyances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (namely,)

Form of Conveyance to the Company.

‘ I of, &c., in consideration of the Sum of
‘ to me [*or, as the Case may be*, into the Bank of *England*, in the
‘ Name and with the Privity of the Accountant General of the Court
‘ of Exchequer, *ex parte* “The *Thames Haven* Dock and Railway
‘ Company”] [*or* to *A. B.* of and *C. D.* of
‘ Trustees appointed to receive the same,] pursuant to the Act
‘ after mentioned, paid by the *Thames Haven* Dock and Railway
‘ [*or* said] Company, established and incorporated by an Act of
‘ Parliament pased in the Sixth Year of the Reign of King *William*
‘ the Fourth, intituled [*here insert the Title of this Act*], do hereby
‘ convey [*or, in Cases of Copyhold or Customary Lands requiring*
‘ *Surrender*, do hereby agree to surrender] to the said Company,
‘ their Successors and Assigns, all [*describing the Premises to be*
‘ *conveyed*], together with all Ways, Rights, and Appurtenances
‘ thereto belonging, and all such Estate, Right, Title, and Interest
‘ in and to the same and every Part thereof as I am or shall become
‘ seised of or entitled to, or am by the said Act capacitated or
‘ empowered to convey, to hold the Premises to the said Company,
‘ their Successors and Assigns for ever, according to the true Intent
‘ and Meaning of the said Act. In witness whereof I have hereunto

‘ set

‘ set my Hand and Seal this Day of
‘ in the Year of our Lord .’

And all such Conveyances and Assurances as aforesaid shall be valid and effectual in Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest thereby conveyed or aliened, and to bar and destroy all Estates Tail, and all Titles to Dower, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and to the same; and although the Terms shall be merged they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the Company, and to attend the Reversion and Inheritance.

Copyholds to be conveyed by Surrender, and Compensation to be made for the Fines and Services until Enfranchisement.

XXVII. Provided always, and be it further enacted, That if any Contract or Agreement shall be made or entered into for or in respect of any Lands to be taken or used by virtue of the Powers of this Act for the Purposes thereof, which shall be of Copyhold or Customary Tenure, or in the Nature thereof, every such Contract and Agreement shall be executed and completed by Surrender of such Lands in the Court of the Manor of which the same may be held or parcel according to the Custom of such Manor, or otherwise according to the Custom of such Manor, which Surrender shall and may be made by all Corporations and Persons by this Act authorized and empowered to make Conveyances of other Lands, and shall have like Force and Effect in respect of such Copyhold or Customary Estates and Interests as such Conveyance as aforesaid made by the same Corporations or Persons would have had over the Lands comprised in such Surrender in case the same had been of Freehold Tenure in the same Corporations or Persons, and such Lands shall continue subject to the same Fines, Rents, and Services as may be then due and payable and of Right accustomed, in the same Manner as if this Act had not been passed, until such Lands shall have been enfranchised by virtue of the Powers herein-after contained; but inasmuch as the vesting and continuing of such Copyhold or Customary Lands in the said Company as a Corporation would, if the same should not be enfranchised, prevent such Lord from receiving the same Benefit of Fines, Heriots, and other Services due upon Death, Descent, or Alienation as he would have received in case such Copyhold or Customary Lands had continued to be the Property of Persons in their natural Capacities, the said Lord shall be paid by the said Company a reasonable Recompence or Satisfaction for the Loss which may arise to him in respect of such Fines, Heriots, and other Services the Receipt or Enjoyment of which shall be lost or diminished by the vesting or continuing of such Copyhold or Customary Premises in a Corporation, and such Recompence and Satisfaction, if not settled by Agreement between the Parties, (and which Agreement all Lords of Manors and other Corporations and Persons by this Act authorized to enfranchise Copyhold or Customary Lands are hereby empowered to enter into,) shall be ascertained and settled by the Verdict of a Jury (if required), in like Manner as the Price of any Lands to be taken in pursuance of this Act is directed

to

to be settled in case of Dispute as to the Value thereof; and in all Cases where the Lord of any Manor whereof any Copyhold or Customary Lands purchased by the said Company for the Purposes of this Act shall be Parcel shall not have contracted to enfranchise the same, and shall in consequence thereof have received from the said Company a Recompence or Satisfaction in respect of the Fines, Heriots, and other Services being lost or diminished by the vesting and continuing of such Copyhold or Customary Lands in a Corporation, then and in every such Case, if the same Lands or any Part thereof shall not be ultimately required for the Purposes of this Act, and shall be sold and disposed of by the said Company under the Authority to them by this Act given for that Purpose, the Copyhold or Customary Lands which shall be so sold and disposed of by the said Company shall remain in the Hands of the Purchaser thereof, and for ever thereafter continue freed and discharged from the Fines, Heriots, and other Services in respect whereof such Recompence and Satisfaction shall have been made as aforesaid.

Lords of Manors under Disability empowered to enfranchise.

XXVIII. And be it further enacted, That it shall be lawful for the Lord for the Time being of any Manor whereof any Copyhold or Customary Lands required for the Purposes of this Act are holden or Parcel, whether a natural Person or a Corporation, and whether seised in his own Right or as a Trustee, and whether seised in Tail or for Life or other limited Estate, and in case of a Lady, whether married or sole, and in case of an Infant, Lunatic, Idiot, or other incapacitated Person being Lord of such Manor, then for his Guardian, Committee, or Trustee, to contract, and the several Corporations or Persons aforesaid are hereby empowered to contract for the Enfranchisement of and to enfranchise such Copyhold or Customary Lands by such or the like Form of Conveyance as by this Act is directed or authorized to be used in case of the Conveyance of Lands; and in case such Lord or other Corporation or Person hereby capacitated to enfranchise such Lands shall require the same, it shall be compulsory on the said Company to purchase the Enfranchisement of such Lands; and the Price to be paid by the said Company for the Purchase of the Enfranchisement of any such Lands shall, in case the Parties differ about the same, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Lands to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof.

Regulation for Apportionment of the Rents of Copyholds of which a Part only is taken.

XXIX. And be it further enacted, That where a Part only of any Copyhold or Customary Land shall be taken for the Purposes of this Act, the Apportionment of the certain Copyhold or Customary Rents issuing out of such Copyhold or Customary Lands may be settled by Agreement between the Parties, and if not so settled the same shall then be assessed and determined by the Sheriff or Under Sheriff of the said County of *Essex:* Provided always, that when such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and shall not be valid without, the Consent and Approbation of the Lord (including any Lord capacitated as aforesaid) of the Manor whereof the same

Copyhold or Customary Lands are held or parcel; and the Apportionment of such Copyhold or Customary Rents as aforesaid shall not in any Manner invalidate, prejudice, or destroy the Custom or Customs in other respects by or under which the Copyhold or Customary Lands not taken for the Purposes of this Act shall be held, or the Remedies for the Recovery of the Rent for the same, after the Apportionment thereof.

Waste or Common Lands, and Lands subject to a Right of Common, by whom to be conveyed; and Application of the Purchase Money.

XXX. And be it further enacted, That in all Cases in which, in the Execution of the Powers of this Act, there shall be Occasion to take or use any Common or Waste Land or other Lands which shall be charged with or be subject or liable to the Exercise of any Right or Privilege of Common thereupon, of what Nature or Kind soever, the Conveyance of such Common or Waste Land or other Lands as aforesaid by any Corporation or other Person having such Estate or Interest in the Manor wherein such Common or Waste Land shall be situate, (or if the same shall not be Waste of any Manor, then having such Estate or Interest in the Soil of the said Lands as the Corporations and Persons who are by this Act enabled to sell other Lands have in such Lands, and which Conveyance may be of the like Form as by this Act is directed to be used in the Case of Conveyances of other Lands,) shall be a good and sufficient Conveyance to the said Company for the Purpose of vesting in them the Fee Simple and Inheritance of such Common or Waste Land or other Lands, as fully and effectually as if every Person having Right of Common upon such Common or Waste Land or other Lands were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyance; and the Compensation to be paid for the Extinguishment of any Right of Common upon any such Common or Waste Land as aforesaid, and which shall be determined by a Jury in case the Parties differ about the same, in like Manner as by this Act is directed in other Cases of the like Nature, shall be paid by the said Company to the Churchwardens for the Time being of the Parish wherein such Common or Waste Land shall be situate, and shall be by such Churchwardens received and applied for such general or public Purposes within the said Parish as a Vestry thereof, to be convened by such Churchwardens for that Purpose, shall direct; provided that in all Cases wherein the said Churchwardens are empowered to receive such Compensation as aforesaid the Notices by this Act directed to be served on the Owners or Occupiers of Land required for the Purposes thereof may be served on such Churchwardens, who shall have Power to treat and agree with the said Company touching the Amount; and in all Cases in which any such Commonable or other Rights shall extend over and be exercised and enjoyed out of or upon any other Lands than such Common or Waste Land, the Compensation for the Relinquishment thereof shall be paid to the Person having such Estate or Interest as aforesaid in the said Commonable or other Rights, or in any Lands whereunto the same shall be appendant or appurtenant, or otherwise, as the Case may require, shall be deposited in the Bank of *England* in manner by this Act directed in Cases of other Lands taken by the said Company; provided that in all Cases in which any such Manor or any Lands required for the Purposes of this Act is or are vested in any

Freeholders or Inhabitants at large, or in a greater Number of Persons than Three, or when the Lord of such Manor, if any, does not usually hold some Court for the same, or where it is not known to what Lord such Manor belongs, or in what Manor such Common or Waste Lands are situate, the Conveyance by Three at least of the Freeholders or Inhabitants whose Lands (whether vested absolutely in them or for such Estate as would capacitate them to convey such Lands if wanted for the Purposes of this Act) entitle such Freeholders or Inhabitants to Common Right on or over such Common or Waste Land or other Lands shall also in like Manner be a good and sufficient Conveyance to the said Company for the Purpose of vesting in them the Fee Simple and Inheritance of such Common or Waste Land or other Lands.

Where Commoners exceed Twelve in Number, a Meeting of them may be called for appointing a Committee to treat with the Company.

XXXI. And be it further enacted, That in all Cases where the Parties entitled, whether absolutely or for such Estate or Interest as would enable them to convey Lands for the Purposes of this Act, to any such Commonable or other Rights over any other Lands than such Common or Waste Lands as aforesaid, shall exceed Twelve in Number, it shall be lawful for the said Company to call a Meeting of such Parties by public Advertisement, to be inserted twice at least in some Newspaper circulating in the said County of *Essex*, for the Purpose of appointing and which Meeting shall have Power to appoint a Committee to be chosen from among the said Parties, and not exceeding Six in Number, to treat and agree with the said Company for the Compensation to be paid for the Extinguishment of such Commonable or other Rights, and at such Meeting the Decision of the Majority present shall bind the Minority and all absent Parties; and the Committee so to be chosen as aforesaid shall have full Power to treat and agree with the said Company for the Compensation to be paid for the Extinguishment of such Commonable or other Rights, and all Matters and Things relating thereto, for and on behalf of themselves and all other Parties interested therein, (who shall be bound and concluded thereby,) and to enter into and execute all necessary Agreements and Assurances for that Purpose, and for the Purpose of conveying the Lands in respect of which such Compensation shall be received by the said Company: Provided always, that no Meeting shall be effectual for the Purposes aforesaid unless Eight at least of the said Parties entitled shall attend the same; and if no such Meeting shall be held, or being held shall not appoint a Committee as herein-before directed, or if such Committee being appointed shall fail to agree with the said Company, the Amount of such Compensation as last herein-before mentioned shall be determined by the Verdict of a Jury in manner by this Act directed: Provided also, that in case the Amount of such Compensation as last mentioned shall be left to the Determination of a Jury as hereby is authorized, the Notices required to be given for that Purpose may be served upon any Two of the Parties entitled to such Commonable or other Rights, or left at their last usual Places of Abode, or with any Occupier of the Lands over which such Commonable or other Rights shall extend, or, in case the same shall be unoccupied, then affixed upon some conspicuous Part of such Lands.

If no Meeting take place, Compensation to be settled by a Jury.

Directing how Notice of such Jury shall be served.

XXXII. And

Declaring what shall be deemed Common or Waste Land.

XXXII. And be it further enacted, That no Land shall be deemed or taken to be Common or Waste Land within the Meaning of the Provisions herein contained, so as to entitle the Churchwardens of the Parish for the Time being to receive or agree respecting the Amount or Apportionment of any such Compensation Money as before mentioned, except the same shall be the Waste of some Manor, and liable to the Exercise of Rights of Common during the whole of the Year without Interruption.

Power to purchase Lands on Chief Rents.

XXXIII. And be it further enacted, That it shall be lawful for any Person who shall be seised in Fee or entitled to dispose of absolutely for his own Benefit any Lands authorized to be purchased for the Purposes of this Act, and who shall be willing to sell the same Lands for a perpetual annual Rent-charge in lieu of a Sum in gross, to sell and convey the same Lands or any Part thereof unto the said Company for and in consideration of an annual Rent-charge payable by the said Company, their Successors and Assigns, to the Person so selling and conveying, and to his Heirs and Assigns; and all such Sales and Conveyances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (namely,)

Form of Conveyance of Lands on Chief Rents.

'I of in consideration of the Rent-charge to be paid to me, my Heirs and Assigns, as herein-after mentioned, by the *Thames Haven* Dock and Railway Company, established and incorporated by an Act of Parliament passed in the Sixth Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], do hereby convey to the said Company, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereto belonging, and all such Estate, Right, Title, and Interest in and to the same and every Part thereof of or to which I am or shall become seised or entitled, to hold the said Premises to the said Company, their Successors and Assigns for ever, according to the true Intent and Meaning of the said Act, they the said Company, their Successors and Assigns, yielding and paying unto me, my Heirs and Assigns, one clear yearly Rent of by equal [quarterly *or* half-yearly, *as may be agreed upon*,] Portions henceforth, on the [*stating the Days*], clear of all Taxes and Deductions. In witness whereof I have hereunto set my Hand and Seal this Day of in the Year of our Lord .'

And all such Conveyances as aforesaid shall be valid and effectual to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed; but although the Terms shall be merged they shall in Equity afford the same or a like Protection and Priority as if they were assigned and kept on foot in Trust for the Company, and to attend the Reversion and Inheritance.

XXXIV. And

Yearly Rents to be charged on the Rates.

XXXIV. And be it further enacted, That all such yearly Rents as shall be agreed on between the said Company and the Parties interested in such Lands as aforesaid shall be charged on the Tolls or Rates arising by virtue of this Act, and shall be paid by the said Company as the same shall become due and payable; and in case the same shall not be paid within Twenty-one Days next after the same shall so become due and payable it shall be lawful for the Person to whom such yearly Rents shall be due and owing as aforesaid to sue for and recover the same from the said Company, with Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record, or otherwise to seize and distrain any Engines, Carriages, or other Goods or Effects of the said Company which shall be found upon or in the said Railway and Dock and Works, or in or upon the Wharfs, Quays, Warehouses, or other Works thereto belonging, (Information of such Distress being immediately given to the said Company by Notice in Writing,) and to detain the same until Payment of such yearly Rents then due and owing, together with the reasonable Charges attending such Distress; and if such Distress shall not be redeemed within Five Days next after making the same, and Notice thereof given in Writing as aforesaid, then such Engines, Carriages, or other Goods or Effects so distrained, shall and may be sold or disposed of in such Manner as the Law directs in Cases of a Distress for Rent.

Power to purchase the Release of Rents affecting Lands taken.

XXXV. And be it further enacted, That where any Lands which shall be purchased by the said Company for the Purposes of this Act shall be subject, solely, or jointly with other Lands not so purchased, to or charged with any Rent-service, Rent-charge, or Chief Rent or other Rent, or other Payment or Incumbrance, it shall be lawful for the said Company to agree for the Release of such Lands so to be purchased from such Rent, Payment, or Incumbrance, and also (where necessary) for an Apportionment of such Rent, Payment, or Incumbrance, for such Consideration in Money as shall be agreed upon between the said Company and the Party who, under the Provisions of this Act, shall agree to sell or apportion the same (and which Agreement may be entered into by all Corporations and other Persons by this Act authorized and empowered to sell or convey Lands); and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or the Apportionment thereof, or the Money or Equivalent offered for the same, then the Value and the Apportionment of the same shall be determined and decided by a Jury (if required) in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof; which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Lands intended to be purchased, and shall also, where necessary, apportion such Rent, Payment, or Incumbrance according to the respective Values of the Lands so to be purchased, and of the Lands not so purchased, out of or from which such Rent, Payment, or Incumbrance shall be jointly issuing; and all Contracts, Conveyances, and Assurances which shall be made by and between the said Company and any such Persons as aforesaid respecting such Release, (and which may be of the like Form as by this Act is directed or authorized to be used in the Case of Convey-

ances of Lands,) shall be valid and effectual in the Law, and shall extinguish the Whole or a proportionate Part of such Rent, Payment, or Incumbrance, as the Case may be, and shall be within the Powers and Regulations of this Act: Provided always, that when the said Lands so to be purchased shall be released from any Rent, Payment, or Incumbrance affecting the same jointly with other Lands not purchased by the said Company, such last-mentioned Lands shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part only of any Rent, Payment, or Incumbrance shall be released it shall be lawful for the said Company, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent, Payment, or Incumbrance, to affix their Common Seal to a Memorandum indorsed on such Deed or Instrument, declaring what Part of the Lands originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrance to subsist and continue payable; and such Memorandum shall be Evidence in all Courts of the Facts thereby stated, but not so as to exclude any other Evidence of the same Facts.

Mortgagees to convey to the Company.

XXXVI. And be it further enacted, That all Persons and Corporations having any Mortgage on any Lands to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right or in Trust for any other Person, and whether in Possession thereof by virtue of such Mortgage or not,) shall, on Tender by the said Company of the Principal Money and Interest due thereon, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, immediately assign and transfer such mortgaged Lands to the said Company, and which Assignment may be of the like Form as the Conveyances by this Act directed or authorized to be used in Cases of Conveyance of Lands, or as near thereto as the Circumstances of the Case will permit; or in case such Mortgagees shall have Notice in Writing from the said Company that they will pay off the Principal Money and Interest which shall be due on the said Mortgage at the End of Six or less Calendar Months, to be computed from the Day of giving such Notice, then at the End of such Six Calendar Months, on Payment by the said Company of the Principal Money and Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall assign and transfer their respective Interests in the mortgaged Premises to the said Company, or as they shall direct; and in case any such Mortgagee shall refuse to assign or transfer as aforesaid, on such Tender or Payment as aforesaid, then all Interest on every such Mortgage Debt shall from thenceforth cease and determine: Provided always, that in case any such Mortgagee shall neglect or refuse to assign or transfer as aforesaid, then upon

upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or in lieu of such Notice and in addition to the said other Monies of Six Calendar Months Interest in advance for the Use of such Mortgagee, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon all the Estate, Title, Right, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him, shall vest in the said Company, and the said Company shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage to all Intents and Purposes whatsoever.

As to Cases where Mortgage Money is more than the Value of the Land, or a Part only of the Land taken.

XXXVII. And be it further enacted, That in all Cases in which any Lands subject to any Mortgage shall be required for the Purposes of this Act which Lands shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands subject to any Mortgage shall be required for the Purposes of this Act, and the Mortgagee thereof shall not consider the remaining Part of such Lands to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Lands, or, as the Case may be, of such Part of the said Lands as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Part so required, shall be settled and agreed upon by and between such Mortgagee and the Person entitled to the Equity of Redemption of such Lands on the one Part, and the said Company on the other Part; and in case of any Difference between them then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee in satisfaction of his Claim, so far as the same will extend; and such Mortgagee shall thereupon assign and transfer all his Interest in such mortgaged Lands the Value whereof shall so have been agreed upon or determined as aforesaid, or in case of his neglecting or refusing to assign or transfer as herein-before directed then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee, as by this Act is provided in Cases of a like Nature, and such Payment to the Mortgagee or into the Bank as last aforesaid shall be accepted in satisfaction of the Claim of such Mortgagee so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon, and thereupon such mortgaged Lands shall become absolutely vested in the said Company, and the said Company shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and

and Remedies for recovering or compelling Payment of their Mortgage Money or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage: Provided also, that when a Part only of the Lands (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands so taken shall, on the Assignment thereof to the said Company, have been paid to the Mortgagee thereof in part Satisfaction of his Mortgage Debt, a Memorandum of what shall have been so paid shall be indorsed on the Deed creating such Mortgage at the Time of executing such Assignment to the said Company, and shall be signed by such Mortgagee, and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Company, at their Expence, to the Person entitled to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

Landssubject to Incumbrances may be released on certain Conditions.

XXXVIII. And be it further enacted, That in all Cases where any Lands purchased or intended to be purchased by the said Company are or shall be subject jointly with other Lands not intended to be purchased to or with any Rent, Payment, Mortgage, or Incumbrance whatever, and the Party entitled to such Rent, Payment, Mortgage, or Incumbrance, or by this Act capacitated to sell, release, or apportion the same, or to release the Land so purchased therefrom, shall consider the remaining Part of the Lands so jointly subject, and such remaining Part of the Lands shall be a sufficient Security for such Rent, Payment, Mortgage, or Incumbrance, and shall therefore be willing to release the Lands so purchased by the said Company therefrom, then and in every such Case it shall be lawful for the Party entitled to, or by this Act capacitated to sell, release, or apportion such Rent, Payment, Mortgage, or Incumbrance, or to release the Lands so purchased or intended to be purchased therefrom, with the Consent of the Owners of the Land so purchased or intended to be purchased, and also of the Owner of the remaining Lands so jointly subject as aforesaid, and which Owner is hereby declared to include and extend to all Corporations and other Persons by this Act authorized and empowered to sell and convey Lands, to release the Lands so purchased or intended to be purchased as aforesaid from the Rent, Payment, Mortgage, or Incumbrance so affecting the same as aforesaid jointly with other Lands, on condition or in consideration of such other Lands continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, Mortgage, or Incumbrance, and when any Lands purchased by the said Company shall be so released as last aforesaid, the remaining or other Lands not intended to be purchased, and being so jointly subject as aforesaid, shall thenceforth be and remain wholly and exclusively charged with and subject to the Whole of such Rent, Payment, Mortgage, or Incumbrance, and all Remedies for the Recovery thereof against such remaining or other Lands, and the Owners and Occupiers thereof respectively shall not be prejudiced by reason of such Release as aforesaid, but shall at all Times thereafter remain as effectual as if such remaining or

other Lands had been originally exclusively charged with the full Amount of such Rent, Payment, Mortgage, or Incumbrance: Provided always, that when any Land so purchased as aforesaid shall be released as aforesaid, it shall be lawful for the said Company, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent, Payment, Mortgage, or Incumbrance, to affix their Common Seal to a Memorandum indorsed on such Deed or Instrument declaring what Part of the Lands originally subject to such Rent, Payment, Mortgage, or Incumbrance shall have been purchased and released as aforesaid by virtue of this Act, and also declaring that the remaining or other Lands so before jointly subject as aforesaid are thenceforth to remain and be wholly and exclusively charged with and subject to the full Amount of the said Rent, Payment, Mortgage, or Incumbrance; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts: Provided also, that the several other Powers and Provisions herein-before contained touching the Release of the Lands required for the Purposes hereof from any Rent, Payment, Incumbrance, or Mortgage charged thereon, affecting the same, either solely, or jointly with any other Lands, shall not be prejudiced, altered, or affected by the said Powers and Provisions last herein-before contained; but it shall be lawful for all Parties interested to act either under the Powers and Provisions last herein-before contained, or the other Powers and Provisions aforesaid, in relation to any such Rent, Payment, Mortgage, or Incumbrance as aforesaid, as they may respectively deem it expedient.

Parties to deliver a Statement of their Estates and Claims within One Calendar Month after Notice.

XXXIX. And be it further enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Company, or their Agent duly authorized, of their Intention to take or use any Lands, or any Part thereof, for the Purposes of this Act, shall have been given to any Person or Corporation seised, possessed, or interested in or authorized by this Act to accept and receive Satisfaction and Compensation for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, or for any Injury or Damage sustained on account of the Execution of this Act, such Person or Corporation shall deliver or cause to be delivered at the Office of the said Company a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he or they claim to be entitled to or to be authorized to receive Satisfaction and Compensation for, and of the Injury or Damage sustained by him or them, and the Amount of the Sum of Money which he or they may expect and be willing to receive in satisfaction and compensation for the Value of such Estate, Share, Interest, or Charge, and for such Injury or Damage respectively.

Corporations and Persons capacitated to sell, and Owners and Occupiers, may agree for Satisfaction and Compensation.

XL. And be it further enacted, That all Corporations and other Persons by this Act capacitated to sell and convey any Lands, or to enfranchise any Lands of Copyhold or Customary Tenure, or to release Lands from Rents and other Incumbrances charged thereon, and the respective Owners and Occupiers of any Lands upon, across, under, or over which the said Railway, Dock, and other Works hereby authorized

authorized are intended to be made, may agree to accept and receive, and may (subject to such Restrictions as in this Act are contained as to the Payment thereof) accept and receive Satisfaction for the Value of such Lands, or of the Interest therein by them conveyed, and also Compensation for and on account of any Damage sustained by them by reason of the severing or dividing of such Lands, or by reason or on account of the Execution of any of the Works by this Act authorized, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners (including Persons hereby capacitated as aforesaid) and Occupiers respectively and the said Company; and in case the said Company and the said Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively, or either of them, concerning which they do not so agree, shall be ascertained and settled by the Verdict of a Jury (if required), as herein-after is directed.

In case the Parties refuse or are incapable to treat the Amount of Satisfaction or Compensation to be settled by a Jury.

XLI. And for settling all Differences which may arise between the said Company and the several Owners and Occupiers of or Persons interested in any Lands which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation, Trustee, or other Person so interested or entitled, and capacitated to sell, contract, or convey as aforesaid, shall not agree with the said Company as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid, or if any of such Parties shall refuse to accept such Purchase Money or Satisfaction or other Compensation as aforesaid as shall be offered by the said Company, and shall give Notice thereof in Writing to the said Company within Ten Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall for the Space of Ten Days next after Notice in Writing shall have been given to him, or in case of any Corporation to the Clerk, Agent, or principal Officer of any such Corporation, either personally or by being left at his last or usual Place of Abode, or with the Tenant or Occupier of any Lands required for the Purposes of this Act, neglect or refuse to treat or shall not agree with the said Company for the Sale and Conveyance of the respective Estates and Interests which they respectively are hereby capacitated to convey, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability not provided for by this Act be incapable of making such Agreement or Conveyance as shall be necessary or expedient for enabling the said Company to proceed in making the said Railway, Dock, and other the Works aforesaid, or shall not disclose and prove the State of Title to the Premises of which they respectively may be in Possession and claim to be entitled unto or interested in, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of any of the Powers of this Act cannot be made, then and in every such Case the said Company shall and they are

hereby required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands in question shall be situate or the Matter in dispute shall arise, or in case the said Sheriff or his Under Sheriff shall be One of the said Company, or enjoy any Office of Trust or Profit under the said Company, or shall be in any way interested in the Matter in question, then to any of the Coroners of the said County not interested as aforesaid, or if all the Coroners shall be so interested then to some Person then living in the said County who shall have filled the Office of Sheriff or Coroner in the said County, and be free from personal Disability, and not interested as aforesaid, (a Person having more recently served either Office being always preferred,) commanding such Sheriff, Coroner, or other Person to impannel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impannel, summon, and return a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some other Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be procured (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may order and authorize such Jury, or any Six or more of them, to view the Place or Matter in controversy; and such Jury shall upon their Oaths or (being Quakers) upon their solemn Affirmations (which Oaths and solemn Affirmations, as well as the Oaths and Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands, (except for such Interest therein as shall have been of right purchased by the said Company from any other Person,) and also the separate and distinct Sum or Sums of Money to be paid by way of Satisfaction or Compensation either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages which shall have been so done or sustained as aforesaid, or may at any future Time or

Times be sustained, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Company, and which cannot or will not be further obviated, removed, or repaired by them; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereon to be pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes upon all Corporations and Persons whomsoever: Provided always, that in such Inquiry the Party or Parties claiming Compensation shall be Plaintiff or Plaintiffs, and shall have all such Rights and Privileges as Plaintiffs in Actions at Law are entitled to: Provided also, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party with whom any such Controversy shall arise, by personally serving or leaving such Notice at the Dwelling House of the Person, or the Clerk or Agent or principal Officer of any such Corporation, or of some Tenant or Occupier of the Land intended to be valued, or respecting which or any Damage to which any such Question shall arise.

Demand of Compensation for Loss or Injury to be made before any Proceedings taken.

XLII. And be it further enacted, That the said Company shall not be obliged nor shall any Jury to be summoned by virtue of this Act be allowed to receive or take notice of any Complaint to be made by any Party for any Loss, Injury, or Damage by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, signed by the Chief Clerk or Treasurer or other proper Officer of the Corporation, or by the Person making such Complaint, stating the Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Company within Two Calendar Months next after the Time of such supposed Loss or Injury having been sustained, or after the doing or committing thereof shall have ceased, and Thirty Days before the summoning of such Jury.

Persons requesting Juries to enter into Bonds to prosecute their Complaints and pay Expences.

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

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

XLIV. And be it further enacted, That if any such Sheriff or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse

refuse to be sworn, or being a Quaker to make his solemn Affirmation or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or being a Quaker affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse, (such Excuse to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; all which Penalties or Forfeitures shall and may be levied by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County or Place in which the said Lands shall be situate or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

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

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

Value of Land and Compensation for Damages to be ascertained separately.

XLVI. Provided always, and be it further enacted, That on ascertaining the Money to be paid for the Purchase of any Lands to be taken for the Purposes of this Act the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Company for any Damages which shall or may be sustained by any Persons interested in such Lands, for or by reason of the severing or dividing the same from other Lands whereof, wherein, or whereto any such Persons aforesaid shall be seised, possessed, or entitled, and also for or on account of any Damage, Loss, or Inconvenience whatsoever which shall or may accrue to or be sustained by such Persons by reason of the Execution of any of the Powers of this Act, such Damages, Compensation, and Satisfaction to be settled and ascertained separately and distinctly from the Value of the Lands so to be taken as aforesaid.

Purchase Money and Compensation to be

XLVII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to settle

apportioned between Parties having particular Interests.

settle what Shares and Proportions of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises, for his Interest therein.

Compensation for Corn Rents in lieu of Tithes to be made by Payment of a Sum in gross.

XLVIII. And be it further enacted, That in all Cases where a Composition in lieu of Tithes shall have been made under an Act of Parliament by the Grant of a perpetual annual Sum of Money or Corn Rent, and any of the Lands chargeable with such Sum of Money or Corn Rent, or any Part of the same, shall be taken by the said Company under the Authority of this Act, Compensation shall be made by the said Company for the Value of the said annual Sum of Money or Corn Rent chargeable upon the Lands so taken by the Payment of a Sum in gross, such Sum being equal in Amount to Twenty-five Years Value of the annual Amount of the annual Sum of Money or Corn Rent payable at the Time of the passing of this Act, or the said Proportion of the said annual Sum of Money or Corn Rent; and the said Company are hereby required to pay such Sum of Money into the Bank of *England* in manner by this Act provided in Cases where any Monies are to be paid to incapacitated Persons, before entering into the Possession of the said Lands, and from and after the Payment of such Sum the Lands so taken shall be for ever discharged of and from the said perpetual annual Sum of Money or Corn Rent, or from the proportionable Part of the said annual Sum of Money or Corn Rent, as the Case may be: Provided always, that in case Part only of any Lands and Grounds liable to the Payment of any such annual Sum or Corn Rent as aforesaid shall be purchased or taken by the said Company, nothing in this Act contained shall extend or be construed to extend to discharge the Remainder of the said Lands or Grounds from the Payment of the Remainder of the annual Sums or Corn Rents which would have been payable in respect of such Lands and Grounds, after deducting therefrom the proportionate Part of the said annual Sum or Corn Rent chargeable in respect of the Lands or Grounds so purchased or taken, but that the Remainder of such Lands and Grounds shall remain and be liable to such proportionate Part or Share of the said annual Sum or Corn Rent as the same would have been assessed at or would have been payable in respect of the same in case they had been assessed alone under the Authority of the Act under which the said Composition for Tithes had taken place; and the Rector, Vicar, or other Person or Persons entitled to the said annual Sum or Corn Rent shall have the same Remedies for the Recovery of the said last-mentioned proportionate Part of the said annual Sum or Corn Rent, by Suit or Action, or by Distress, Entry, or Perception of Rents and Profits, in, upon, or over the said last-mentioned Lands and Grounds, or otherwise, as he or they had or were entitled to in respect of the whole of the said annual Sum or Corn Rent.

Verdicts to be recorded by the Clerk of the Peace.

XLIX. And be it further enacted, That the said Verdicts and Judgments, being first signed by the Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County or Place in which the Matter

in

in dispute shall have arisen, amongst the Records of the Quarter Sessions for such County or Place, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying to such Clerk of the Peace for such Inspection the Sum of One Shilling, and shall be entitled to be furnished with Copies thereof, paying to the said Clerk of the Peace for every Copy after the Rate of Sixpence for every One hundred Words.

Expences of Jury and Witnesses how to be paid.

L. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, and the Expences of the Bond to be given by the Party requiring the Jury to be summoned, as herein-before mentioned, shall be borne by the said Company, and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company, (unless the Treasurer of the said Company shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Essex*, and not interested in the Matter in question; which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on the Behalf of the said Company, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Company, and the other Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid, as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in Cases where by reason of Absence in Foreign Parts, or from any other Cause of Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing

agreeing as aforesaid, the whole of such Costs, Charges, and Expences (to be settled and determined in manner herein-before directed) shall be borne and paid by the said Company.

Tenants at Will, for a Year, or from Year to Year, to deliver up Possession on Notice.

LI. And be it further enacted, That all Tenants at Will, Lessees for a Year, Tenants from Year to Year, and other Persons in Possession of any Lands which shall be intended to be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Lands than as Tenants at Will, or Lessees for a Year, or as Tenants from Year to Year, shall respectively deliver up the Possession of such Lands to the said Company, or to such Person or Persons as they shall appoint to take Possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Company to such respective Tenants or Lessees or Persons in Possession, or left upon the said Lands, (whether such Notice be given with reference to the Time of the Commencement of such Tenant's Holding or not, and whether such Notice be given before or after the said Lands shall be purchased by the said Company,) or at such Time after the Expiration of Six Calendar Months from the giving or leaving of such Notice as they shall be respectively required; and in case any such Tenant or Lessee or Person so in Possession as aforesaid shall refuse to deliver up such Possession as aforesaid, it shall be lawful for the said Company, either under their Common Seal or under the Hands and Seals of Two at least of the Directors of the said Company, to issue their Precept to the Sheriff of the said County to deliver Possession thereof to such Person or Persons as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Lands accordingly, and to levy and satisfy such Costs as shall accrue by or on account of the issuing and Execution of such Precept, on the Person so refusing to deliver Possession, by Distress and Sale of his Goods and Chattels.

Compensation for Interest of Tenants to be settled by a Jury in case of Dispute.

LII. And be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Lands so occupied by him before the Expiration of his Term or Interest therein, the said Company shall and they are hereby required to make or tender to such Tenant or Lessee, before they shall issue their Precept to the Sheriff to give Possession of the Lands in the Occupation of such Tenant or Lessee, Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises, which Satisfaction or Compensation, in case of Difference, shall be ascertained and determined in the same Manner as any other Satisfaction or Compensation for any Lands to be taken or used under the Authority of this Act is by this Act directed to be made or determined.

Persons holding under Leases to produce the same.

LIII. Provided always, and be it further enacted, That in all Cases in which any Party shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Lands to be taken or used under the Authority of this Act, under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or

Grant thereof, the said Company are hereby authorized to require such Party to produce or show the Lease or Demise, or Agreement for Lease or Demise, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made; and if such Lease or Demise, or Agreement for Lease or Demise, or Grant, shall not be produced and shown in obedience and pursuant to the Requisition of the said Company, the Party claiming such Compensation or Satisfaction shall be considered as holding only from Year to Year.

Power to enter Lands, &c. on Payment or Tender of Purchase Money.

LIV. And be it further enacted, That upon Payment or legal Tender of such Money as shall have been agreed upon between the Parties, or awarded by a Jury, in manner aforesaid, for the Purchase of any Lands, or of any Estate or Interest in any Lands, or as a Satisfaction or Compensation for any Loss or Injury, as herein-before mentioned, to the respective Proprietors of such Lands or other Persons respectively interested therein, and entitled to receive such Money or Satisfaction or Compensation respectively, within Thirty Days after the same shall have been so agreed upon or awarded, or if the Parties so respectively entitled or interested as aforesaid cannot be found, or shall be absent from *England*, or shall refuse to receive such Money as aforesaid, or shall refuse, neglect, or be unable to make a good Title to such Lands to the Satisfaction of the said Company, or if any Party entitled unto or to convey such Lands shall not be known, or shall be absent from *England*, or shall refuse to convey the same, or in case such Money shall be liable to be invested in the Purchase of other Lands, then and in every such Case, upon Payment of such Money into the Bank of *England*, as herein-after directed, to the Credit of the Parties interested in such Lands, or, in case such Money shall have been agreed or awarded to be paid for the Purchase of any such Lands, or such Compensation or Satisfaction as aforesaid, which any Corporation, Trustee, or Person under Disability is hereby capacitated to convey, upon Payment of such Money into the Bank of *England* as herein-after directed, to an Account *ex parte* "The *Thames Haven* Dock and Railway Company," then and in every such Case it shall be lawful for the said Company immediately to enter upon such Lands, and thereupon such Lands, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of all Parties therein, shall thenceforth be vested in and become the sole Property of the said Company, to and for the Purposes of this Act; and such Payment or Tender and Conveyance, or such Deposit in the Bank of *England* as aforesaid, shall not only bar all the Right, Title, Interest, Claim, and Demand of every such Party, and operate to merge all outstanding or other Terms of Years, but shall also bar all Dower, and all Estates Tail, and other Estates in Reversion and Remainder, and all Rights, Titles, Limitations, and Trusts whatsoever of and in the said Lands; but although the Terms shall be merged they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the Company, and to attend the Reversion and Inheritance: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid shall have been made it shall not be lawful for the said Company, or for any Person acting under their

Authority, to bore under, dig, or cut into or enter upon such Lands for any of the Purposes of this Act, save for the Purpose of ascertaining and setting out the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

Power to take temporary Possession of Land adjoining the Railway, &c., for depositing Earth, digging Clay, or other temporary Purposes, Compensation being made for Damage.

LV. And whereas in making and executing the said Railway and Dock, and the several other Works by this Act authorized, it may be necessary for the said Company, their Deputies, Engineers, Contractors, Servants, and Workmen, to enter upon and take temporary Possession of some Part or Parts of the Lands adjoining to the Line or Situation of the said Railway, Dock, and other Works, for the Purpose of laying or depositing thereon the Earth, Clay, and other Materials which shall have been taken out in excavating the said Dock or Tunnels or Cuttings, or of manufacturing such Clay into Bricks, or of getting and procuring Earth and Materials from such adjoining Lands for forming Embankments, or for making Bricks, or for any other Purpose connected with the said Undertaking; but inasmuch as a Jury summoned as directed by this Act to assess a Compensation for the Damage and Injury done to such adjoining Lands by the Exercise of the Powers and Authorities by this Act granted cannot, either upon View or from Evidence, form a just Opinion of the permanent Injury which will or may be sustained by the Owners or Occupiers of such adjoining Lands by the Exercise of the Powers and Authorities aforesaid, until the Works shall have been completed, it is expedient that the said Company, their Deputies, Engineers, Contractors, Servants, and Workmen, should be empowered to enter upon such adjoining Lands for the Purposes aforesaid, without incurring or being liable to any Penalty for entering or remaining on the said Lands without having previously made such Payment, Tender, or Investment of Money as herein-before mentioned or referred to; be it therefore enacted, That notwithstanding any thing in this Act contained it shall be lawful for the said Company, their Deputies, Engineers, Contractors, Servants, and Workmen, and they are hereby empowered, to enter upon the Lands of any Person or Corporation whatsoever adjoining or lying within a Quarter of a Mile of the said Railway and Dock and other Works by this Act authorized to be made and maintained, or any of them, or any Part thereof respectively, for the Purpose of laying, depositing, or manufacturing upon such Lands any Soil, Gravel, Clay, Sand, Stone, or other Materials which shall have been excavated, dug, or got in making the said Railway, Dock, and other Works, or any of them, or which may be taken or dug out of or from any Lands adjoining to the Place where the said Works or any of them shall be then carried on, and to dig, cut, get, take, remove, and carry away, out of and from such adjoining Lands or any Part thereof, any Soil, Gravel, Clay, Sand, Stone, or other Materials which can or may be got or found therein, and which may be requisite or convenient for making the said Railway, Dock, and other Works, or any of them, and to manufacture the same, without having previously made such Payment, Tender, or Investment as herein-before mentioned or referred to, they the said Company, their Deputies, Engineers, Contractors, Servants, and Workmen, doing as little Damage as may be in the

Exercise of the several Powers hereby granted to them, and making such Compensation to the Owners or Occupiers thereof, for such temporary Occupation of the said Lands for the Purposes aforesaid, as shall be agreed upon between the respective Parties interested and the said Company; and in case the said Company and such respective Parties shall not agree as to the Amount of such Compensation, then the same shall be ascertained and fixed in manner herein-after provided in Cases of Dispute as to Damages to a small Amount: Provided always, that the said Company shall and they are hereby required, within Six Calendar Months after the Expiration of the Period by this Act granted for executing the said Railway, Dock, and other Works, to make such Compensation and Satisfaction for the permanent Damage or Injury, if any, which may have been done to the said Lands by the Exercise of any of the Powers and Authorities aforesaid, in the same Manner as in this Act is directed in other Cases of permanent Damage or Loss occasioned by the said Company: Provided also, that before it shall be lawful for the said Company to make such temporary Use as aforesaid of the Lands adjoining or lying near the said Railway and Dock or Works, the said Company shall and they are hereby required to give Ten Days Notice of such their Intention to the Owners or Occupiers of such Lands, and to separate and set apart by sufficient Railings or Fences so much of the Lands as shall be required to be used as aforesaid from the other Lands adjoining thereto: Provided always, that before entering upon any such Lands for such temporary Purposes as aforesaid the said Company shall, if required by the Owner or Occupier thereof, find Two sufficient Persons, who shall enter into a Bond to such Owner or Occupier in a Penalty to the Amount of Fifty Pounds *per* Acre, conditioned for the Payment of such Compensation, such Securities to be approved of by Two Justices for the said County, in case the Parties differ about the same.

Damages under 20*l* may be settled by Justices;

LVI. And be it further enacted, That in case any Difference shall arise between the said Company and any of the Owners or Occupiers of the Lands to be taken or used for the Purposes of this Act, as to the Amount or Value of the Damages done by the said Company, their Deputies, Engineers, Contractors, Servants, Agents, or Workmen, to such Lands, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall be ascertained and determined by some Two or more Justices of the Peace for the County, Liberty, or Place in which such Lands shall lie, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Company, provided such Compensation do not exceed the Sum of Twenty Pounds; and the said Justices respectively are hereby authorized and required, on Nonpayment of the said Damages for the Space of Ten Days after the same shall become due, to levy such Damages, and all Charges respecting the same, by Distress and Sale of any Goods and Chattels of the said Company, in the same Manner as by this Act is directed with respect to the Recovery of Compensation for other Damages done by the said Company.

how to be recovered in case of Default.

LVII. And

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

LVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers or under the Authority of this Act, or for the Release of any such Lands from any Rents or other Incumbrances charged thereon, or for the Enfranchisement of any such Lands being of Copyhold or Customary Tenure, or for any Compensation or Satisfaction under this Act which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust not absolutely entitled in his own Right, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two 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 the Court of Exchequer, to be placed to his Account there *ex parte* "The *Thames Haven* Dock and Railway Company," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster, *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the said Lands, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the same Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out by Order of the said Court, made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the

1 G. 4. c. 35.

said

said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled, in case the same had been so purchased and settled.

Application of Compensation Money when less than 200*l.* and not less than 20*l.*

LVIII. And be it further enacted, That if any Money agreed or awarded to be paid for any Lands to be taken or used for the Purposes of this Act, or for the Release of any such Lands from any Rents or other Incumbrances charged thereon, or for the Enfranchisement of any such Lands, being of Copyhold or Customary Tenure, or for Compensation or Satisfaction as aforesaid in respect of any Lands belonging to any Corporation, or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands so taken or used, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Company, signified in Writing under their Common Seal, or under the Hands of at least Three of the Directors of the said Company, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Company), and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and under such Common Seal or the Hands of Three at least of the Directors of the said Company; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

Application of Compensation Money when less than 20*l.*

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

Court of Exchequer may order

LX. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Corporation entitled to any

reasonable Expences of Purchases and Costs to be paid by the Company.

any Lands or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause, the Purchase Money for any Lands or Hereditaments, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities and of the Re-investment of the same or the Government or Real Securities purchased therewith, in the Purchase of other Lands and Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders, and of all other Proceedings for such Purposes, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid to be paid by the said Company, and the said Company shall from to Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

Expences of Titles to be paid by the Company.

LXI. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well as of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Company for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company.

How such Expences are to be ascertained.

LXII. And be it further enacted, That if the said Company and the Party or Parties aforesaid cannot agree as to the Amount of such

 Costs,

Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer, and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court, to be taxed in the usual Manner, and such Order shall be served on the Party or Parties aforesaid, who shall be at liberty to proceed under the same, and after Taxation thereof, it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Company to the Person or Persons from whom such Lands shall have been purchased or taken, to be paid to the Person or Persons aforesaid: Provided always, that the said Company shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and shall have been served on the Party or Parties aforesaid, and the said Company shall have deposited in the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The *Thames Haven* Dock and Railway Company," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, the Amount claimed for such Costs, Charges, and Expences, which Sums shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless the Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Person or Persons from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sums so deposited by them as aforesaid.

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

LXIII. And be it further enacted, That in case any Party to whom any Sum of Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken under or by virtue of the Powers of this Act, or for the Release of any such Lands from any Rent or other Incumbrance charged thereon, or for the Enfranchisement of any such Lands being of Copyhold or Customary Tenure, or for Compensation and Satisfaction, or otherwise as aforesaid, or shall be due or owing, shall refuse to accept the same, or shall refuse, neglect, or be unable to make a Title to such Lands to the Satisfaction of the said Company for the Purposes of this Act, or shall be absent from *England*, or cannot be found, or if any Party entitled unto or by this Act capacitated to convey any such Lands be not known or discovered, or be absent from *England*, or shall refuse to convey the same, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Company to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account

to

to the Credit of the Parties interested in the said Lands, (describing them, so far as the said Company can do so,) subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money or to any Part thereof, by Petition, is hereby empowered, in a summary Way of proceeding or otherwise, as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Company, or to the Party so paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

In case of disputed Title the Persons in Possession to be deemed presumptively entitled.

LXIV. And be it further enacted, That where any Question shall arise touching the Title of any Party 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, or of any Estate, Right, Title, or Interest in any Lands to be taken or used in pursuance of this Act, for the Purposes aforesaid, or for Compensation or Satisfaction as aforesaid, or to any Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in Possession or Receipt of the Rents or Profits of such Lands at the Time of taking or using the same, and all Corporations or Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some other Party was lawfully entitled to such or to such Part of such Lands, or to some Estate or Interest therein.

Company empowered to purchase Orsett Hall.

LXV. And whereas the Line of the said Railway passes over or through Part of the Gardens of *Orsett Hall* in the Parish of *Orsett*, and within Fifty Yards or thereabouts of the Mansion House called *Orsett Hall*, and it is expedient that the said Company should be enabled to purchase the whole of the said Mansion House, with the Offices, Gardens, Lawn, and Paddock thereto belonging, not exceeding Six Acres, and be required again to sell so much thereof as shall not be wanted for the Purposes of the said Company; be it therefore enacted, That it shall be lawful for the said Company and they are hereby empowered to contract, with any Person or Persons who shall be willing to sell the same, for the Purchase of and to purchase the said

said Mansion House called *Orsett Hall*, with the said Offices, Gardens, Lawn, and Paddock thereto belonging, not exceeding Six Acres as aforesaid; and it shall be lawful for all Persons whomsoever (including such Persons as are herein-before capacitated to sell and convey other Lands for the Purposes of this Act) to sell and convey the said Mansion House, Offices, Gardens, Lawn, and Paddock unto the said Company and their Successors in the same Manner as is herein-before directed concerning the Lands to be taken for the Purposes of making the said Railway and other Works by this Act authorized.

Purchase Money for Orsett Hall may, under the Direction of the Court of Chancery, be applied in erecting or purchasing another Mansion in the County of Essex.

LXVI. Provided nevertheless, and be it further enacted, That it shall not be lawful for the said Company to take or use for the Purposes of this Act any of the Lands or Hereditaments now held with the said Mansion House called *Orsett Hall* under the Uses or Trusts created by the Will of *Richard Baker*, unless the said Company shall purchase the said Mansion House, Offices, Gardens, Lawn, and Paddock thereto belonging, not exceeding in the whole Six Acres, and that on Payment for the Purchase for the same under the Provisions herein contained the Monies to arise from the Sale of the said Mansion House and other the Premises hereby authorized to be purchased shall, under the Direction of the High Court of Chancery, be invested in the Purchase or in the Erection of a suitable Mansion House, Garden, and Offices in the said County of *Essex*, to be settled and assured to such and the like Uses and Trusts, and subject to such and the like Conditions and Provisions, as to Residence and otherwise, as shall under the said Will of the said *Richard Baker* be subsisting and capable of taking effect of and concerning the said Mansion House called *Orsett Hall;* and that if such Mansion House and Offices shall be erected under the said Court, the same may be erected in such Part of the Estates devised by the Will of the said *Richard Baker*, together with his said Mansion House at *Orsett*, or which are now subject or which shall hereafter be subject to the Uses thereof, as the said Court shall direct.

Company required to sell so much of Orsett Hall and Grounds as are not wanted for the Purposes of this Act.

LXVII. And be it further enacted, That it shall be lawful for the said Company and they are hereby required, within Seven Years from the passing of this Act, to sell and dispose of so much and such Part of the said Mansion House called *Orsett Hall*, and Offices, or of the Site thereof, and of the Gardens, Lawn, and Paddocks, with the Appurtenances, which shall have been purchased by the said Company, and which may not be required for the Purposes of the said Company, either together or in Parcels, by public Auction or private Contract, or both, and to any Person whomsoever, for such Price and in such Manner as the said Company shall think fit, and by Deed under their Common Seal to convey the same unto the Purchaser thereof; and in the meantime and until such Sale shall be made it shall be lawful for the said Company to let the same or any Part thereof to any Person willing to become the Tenant thereof, for such Term of Years, upon such Terms and Conditions, and generally in such Manner as the said Company shall think proper.

Company empowered to purchase additional Two hundred Acres of Land for Stations and other Purposes.

LXVIII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to contract with any Person or Corporation who shall be willing to sell the same for the Purchase of any Lands (not exceeding in the whole Two hundred Statute Acres), in addition to the Lands herein-before authorized to be taken, in such Places as the said Company shall deem eligible for the Purpose of making and providing additional Stations, Yards, Piers, Jetties, Wharfs, waiting, loading, and unloading Places, Weighing Machines, Toll Houses, Warehouses, and other Buildings and Conveniences for receiving, depositing, loading, unloading, weighing, or keeping any Goods, Articles, Cattle, Matters, or Things conveyed or intended to be conveyed upon the said Railway, or exported from or imported into the said Dock, or for making convenient Roads or Ways thereto, or for any other Purpose whatsoever connected with the Undertaking by this Act authorized, which the said Company shall judge requisite; and it shall be lawful for all Corporations and other Persons whomsoever (including especially such or the like Corporations and Persons as are herein-before capacitated to sell and convey other Lands for the Purposes of this Act) to sell and convey to the said Company and their Successors any Lands whatsoever for the Purposes herein-before mentioned or any of them, in the same Manner as is herein-before directed concerning the Lands to be taken for the Purposes of making the said Railway, Dock, and other Works by this Act authorized.

Company empowered to sell such additional Two hundred Acres, and to purchase other Lands, and sell again, but not to hold more than such Two hundred Acres at any one Time.

LXIX. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of such additional Lands as they are by this Act empowered to purchase and shall have actually purchased for the Purposes of additional Stations, Yards, Piers, Jetties, Wharfs, waiting, loading, and unloading Places, Weighing Machines, Toll Houses, Warehouses, and other Buildings and Conveniences as aforesaid, or such Parts of such Lands as the said Company shall think fit, in such Manner and to such Persons as the said Company shall think proper, and by Deed under their Common Seal to convey such Lands to the Purchasers thereof, and again from Time to Time to contract for and to purchase any other Lands which the said Company shall deem more eligible for the Purposes aforesaid, and afterwards to sell and dispose of the same as aforesaid, and so from Time to Time as the said Company shall deem proper, so that the total Number or Quantity of Acres to be purchased and held by the said Company for any of such Purposes shall not exceed at any one Time the Number or Quantity of Two hundred Statute Acres for those Purposes expressly specified or allowed in or by this Act.

Company not to purchase more than such Two hundred additional Acres from Corporations or Persons under Disability.

LXX. And whereas the said Company are enabled to purchase Two hundred Statute Acres of Land by virtue of this Act for the Purpose of providing additional Stations, Yards, Piers, Jetties, Wharfs, waiting, loading, and unloading Places, Weighing Machines, Toll Houses, Warehouses, and other Buildings and Conveniences, in addition to the Lands authorized to be taken or used for making the said Railway, Dock, and other Works, and all Corporations and all Persons whosoever are empowered to sell such Number or Quantity of

of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from Corporations or from Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or from any other Corporations or Persons being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Corporation, Trustee, or Feoffee in Trust for charitable or any other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Lunatic, Idiot, Feme Covert, or Cestuique Trust not absolutely entitled in his own Right, or from any Tenant for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Persons being under legal Disability or Incapacity, more than such Two hundred Statute Acres; and in case the said Company shall purchase such Two hundred Statute Acres from any Corporations or other Persons under such legal Disability or Incapacity as aforesaid, and shall afterwards sell the Whole or any Part of such Two hundred Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same or of or from any other Corporations or Persons being under legal Disability or Incapacity, nor for the same nor for any other Corporations or Persons being under legal Disability or Incapacity to sell to the said Company, any other Lands in lieu of such Two hundred Statute Acres of Land or any Part thereof so sold or disposed of by the said Company.

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

LXXI. And whereas by means of the Purchases which the said Company are empowered to make by virtue of this Act they may happen to be seised of more Lands than will be necessary for effecting the Purposes of this Act, or of Lands not applicable to the Purposes hereof; be it therefore enacted, That it shall be lawful for the said Company and they are hereby required, within Ten Years after the passing of this Act, to sell, and by any Deed under their Common Seal to convey, any such Lands or any Part thereof, either together or in Parcels, by public Auction or private Contract, or partly by public Auction and partly by private Contract, and for such Price as they shall deem most convenient and think fit; and all such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom to the contrary notwithstanding: Provided always, that the said Company before they shall dispose of any such Lands shall first offer to sell the same to the Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, and who shall be in *England* and be conveniently found, and be capable of entering into a Contract for the Purchase thereof; and all Persons and Corporations hereby capacitated to sell in like Manner shall be and are hereby capacitated to purchase of the said Company; and every such Person, in case he shall be desirous of purchasing the same Lands, shall signify such his Desire and Intention in that Behalf to the said Company in Writing within Ten Days after such Offer of Sale shall have been made, by Notice in Writing given to or left for him at his last known or usual Place of Abode; and in case such Persons shall decline or neglect to avail

avail themselves of such Offer, or shall neglect so to signify their Desire and Intention to purchase such Lands for the Space of Ten Days after such Offer shall have been made, the Right of Pre-emption of every such Person so declining or neglecting in respect of such Lands included in such Offer shall cease, and a Declaration pursuant to an Act passed in the Sixth Year of the Reign of His present Majesty,
6 W. 4. c. 62. intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affir-'mations taken and made in various Departments of the State, and to 'substitute Declarations in lieu thereof, and for the more entire Suppres-'sion of voluntary and extra-judicial Oaths and Affidavits,' and to make other Provisions for the Abolition of unnecessary Oaths*, made before a Master or Master Extraordinary in the High Court of Chancery, or before any Justice of the Peace for the County or Place where such Lands may be situate, by some Person not interested in the said Lands, stating that the Person entitled to such Right of Pre-emption was not in *England*, or was not to be found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said Company, and was refused or was not accepted or agreed to (as the Case may be) by the Person to whom the same was made within the Space of Ten Days from the Time of making the same, shall in all Courts and on all Occasions whatever be conclusive Evidence and Proof that the Person entitled to such Right of Pre-emption was not in *England*, or was not to be found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made, and refused or was not accepted or agreed to (as the Case may be) within the Time aforesaid, by the Person to whom such Offer was made; and in case such Person shall be desirous of purchasing the same, and he and the said Company shall not agree with respect to the Price thereof, then the Price shall be ascertained by a Jury in manner by this Act directed with respect to the disputed Value of Lands to be taken by the said Company, and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to the disputed Value of Lands to be taken or used by the said Company as aforesaid, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Company of any such Lands as aforesaid shall be applied to the Purposes of this Act; and in the meantime and until the said Company shall think proper to make such Sale it shall be lawful for the said Company to let any such superfluous Lands to any Person willing to become the Tenant thereof, in such Manner and upon such Terms as the said Company shall think proper.

Company to give Receipts for Money paid.

LXXII. And be it further enacted, That upon Payment of the Money which shall arise by the Sale of any Lands authorized by this Act to be sold by the said Company, or upon Payment to the said Company of any Money under this Act, it shall be lawful for the Secretary of the said Company for the Time being, or any Officer appointed by the Directors for that Purpose, to sign and give Receipts for the Money so paid, which Receipts shall be sufficient Discharges to all Persons for the Purchase Money for such Lands as shall be so sold, or for such other Sums of Money as in such Receipts respectively shall

shall be expressed to be received, and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase or other Monies, or any Part thereof.

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

LXXIII. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised of or entitled to the Lands thereby granted for an indefeasible Estate of Inheritance in Fee Simple free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted free from Incumbrances done or occasioned by them, that the Purchasers thereof, their Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the said Company, their Successors and all claiming under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances committed by the said Company, and also for further Assurance of such Lands by the said Company, their Successors, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be thereby conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

Company not to claim Mines or Minerals under the Lands purchased.

LXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to give to the said Company any Coal, Stone, Slate, or other Mines or Minerals under any Lands purchased by the said Company under the Provisions of this Act, (except only so much of such Coal, Stone, Slate, or other Mines or Minerals as shall be necessary to be dug or carried away or used for the Purposes of this Act,) but all such Coal, Stone, Slate, or other Mines or Minerals not necessary to be so dug, carried away, or used as aforesaid shall be deemed to be excepted out of the Purchase of such Lands, and may (subject to the Restrictions herein-after contained) be worked by the respective Owners and Lessees thereof under the said Lands, or the Railway, Dock, or other Works of the said Company, as if this Act had not been passed, so that no Damage or Obstruction be thereby done or occur to or in such Railway, Dock, or Works: Provided nevertheless, that in case any Damage or Obstruction shall be so done or occur to or in such Railway, Dock, or other Works, the same shall be forthwith repaired or removed (as the Case may be) by and at the Expence of the respective Owners or Lessees of such Coal, Stone,

Stone, Slate, or other Mines or Minerals aforesaid; and if the same shall not forthwith be done it shall be lawful for the said Company to repair such Damage or to remove such Obstruction, and to recover the Expence attending the same, in case of Refusal or Neglect to pay the same within Fourteen Days after Demand thereof, by Distress and Sale of the Goods and Chattels of such respective Owners or Lessees, or by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Owners of Mines to give Notice to the Company of their Intention to work Mines; and Company may thereupon purchase the same.

LXXV. Provided also, and be it further enacted, That when and so often as the Proprietor or Lessee or Tenant of any Mines of Coal, Stone, Slate, or other Mines and Minerals lying under the said Railway, Dock, and Works, or any of them, or within the Distance of Forty Yards from such Railway, Dock, or Works respectively, shall be desirous of working the same, then and in every such Case such Proprietor, Lessee, or Tenant shall give Notice in Writing to the said Company under his Hand of such Intention at least Twenty-one Days before he shall begin to work such Mines, and upon the Receipt of such Notice it shall be lawful for the said Company to inspect or cause such Mines to be inspected, and to contract and agree with any such Proprietor, Lessee, or Tenant for the Purchase of and to purchase any such Mines, or any Part thereof, the getting and working of which may appear likely to prejudice or damage the said Railway, Dock, or other Works; and in case the said Company, and such Owner, Lessee, or other Person, shall not agree as to the Price to be paid for the said Mines, the same shall be settled by a Jury in manner herein-before directed with respect to the Lands which may be taken for the Purposes of this Act; and in case the said Company shall not previously to the Expiration of such Twenty-one Days declare their Desire to purchase the said Mines, and treat with such Proprietor, Tenant, or Lessee for the same, then and in either of such Cases it shall be lawful for the Owner, Lessee, or Tenant of such Mines and he is hereby authorized to work and get such Part of the said Mines as shall lie under the said Railway, Dock, and other Works, or within the Distance aforesaid, without being liable to the said Company for any Damage that may be done thereby, provided the same be got in the usual and ordinary Manner, doing as little Damage as may be to the said Railway, Dock, and other Works.

Height and Depth of Ledge of Railway in crossing public Roads.

LXXVI. And be it further enacted, That in case the said Railway shall cross any public Highway not being a Turnpike Road on a Level the Ledge or Flanch of such Railway for the Purpose of guiding the Wheels of the Carriages thereon shall not rise above or sink below the Level of such Road more than One Inch.

Regulations as to Railway crossing Footpaths, &c.

LXXVII. And be it further enacted, That the said Railway shall not be made across any Street or Highway, or public Bridle Way or Footpath, on the Level, without the previous Consent in Writing of some Two Justices of the Peace for the County acting for the Division within which the Street, Highway, Bridle Way, or Footpath so to be crossed shall be situate; and where the said Railway shall cross any public Bridle Way or Footpath in any other Manner than on the Level the said Company shall make and maintain convenient Ascents and Descents, as the Case may be, to such Bridle Way or Footpath: Pro-

vided nevertheless, that the said Company and all other Persons and Corporations who may think themselves aggrieved by any Determination, Consent or Refusal of Consent of the said Justices herein shall have Power of Appeal in the same Manner and under the same Provisions and Restrictions as are ordered and directed in Cases of Appeal against stopping up and diverting Highways by an Act passed in the Fifth and Sixth Year of the Reign of His present Majesty, intituled *An Act to consolidate and amend the Laws relating to Highways in that Part of* Great Britain *called* England. 5 & 6 W. 4. c. 50.

Where Railway crosses public Highways on a Level, Company to erect Gates.

LXXVIII. And be it further enacted, That in all Cases wherein the said Railway shall cross any public Highway not being a Turnpike Road on a Level the said Company shall and they are hereby required, under a Penalty of Five Pounds for each Default, erect and at all Times maintain good and sufficient Gates across the said Railway at the Point where it shall cross such public Highway, all which Gates shall be kept constantly shut by some Person to be appointed by the said Company, (and which Person the said Company are hereby required to appoint,) except during the Time when Carriages passing along the said Railway shall have to cross such public Highway, and then the same shall be opened only to let such Carriages pass through; and the Person entrusted with the Care of every such Gate shall cause every such Gate to be shut as soon as such Carriages shall have passed through, under the Penalty of Forty Shillings for every Default therein.

Railway crossing a Turnpike Road to be carried over by a Bridge.

LXXIX. And be it further enacted, That in all Cases where the said Railway shall cross any Turnpike Road such Turnpike Road shall be raised or sunk, by and at the Expence of the said Company, so that the same shall pass over the said Railway, or that the said Railway shall pass over the said Turnpike Road, by means of a Bridge, of such Height and Width and with such an Ascent or Descent as are by this Act in that Behalf provided.

Regulations as to Width and Height of Bridges carrying Railway over public Roads.

LXXX. And be it further enacted, That where any Bridge shall be erected by the said Company for the Purpose of carrying the said Railway over or across any Turnpike Road or other public Highway, the Span of the Arch of such Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch, in the Case of a Turnpike Road of not less than Thirty Feet, and in the Case of a public Highway of not less than Twenty-five Feet, and of a Height from the Surface of such Turnpike Road or public Highway to the Centre of such Arch of not less than Twenty-five Feet, and of a Height from the Surface of any other public Carriage Road to the Centre of such Arch of not less than Twenty Feet, and the Descent under such Bridge in the Case of a Turnpike Road or public Carriage Road shall not exceed One Foot in Thirty Feet, and in the Case of any other Road shall not exceed One Foot in Thirteen Feet.

Regulations as to Width and Ascent of Bridges carrying

LXXXI. And be it further enacted, That where any Bridge shall be erected for carrying any Turnpike Road or public Carriage Road over the said Railway the Road over such Bridge shall be formed and shall at all Times be continued of such Width as to leave a clear

public Roads over Railway.

clear and open Space between the Fences of such Turnpike Road of not less than Thirty Feet, and of such public Carriage Road of not less than Twenty-five Feet; and the Ascent to such Bridge for the Purposes of such Road, in the Case of a Turnpike Road or public Carriage Road shall not be more than One Foot in Thirty Feet, and in the Case of any private Carriage Road not more than One Foot in Thirteen Feet; and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Company to erect Screen on Side of Railway in case of Danger to Passengers on Turnpike Roads.

LXXXII. And be it further enacted, That in case the said intended Railway shall at any Time or Times hereafter from its near Approach to any Turnpike Road occasion Danger to the Travellers on such Road in consequence of Horses being frightened by the Sight of the Engines and Carriages travelling upon the said Railway, it shall be lawful for any Person or Persons to make Complaint thereof to any Two Justices of the Peace acting for the Limit where such Turnpike Road shall be, who shall summon the Clerk or Treasurer for the Time being of the said Company, or One of the Directors thereof, before them, to answer such Complaint; and if it shall appear to such Justices that the said Complaint is reasonable, then the said Company shall, within such Time as shall be ordered by the said Justices in that Behalf, and after Notice of such Order served upon them or their principal Engineer, Clerk, or other Officer within such Time as shall be appointed by the said Justices commence, and within such Time as shall be appointed by the said Justices complete such Works in the Nature of a Screen near to or adjoining the Sides of the said Turnpike Road or of the said intended Railway as shall be directed by the said Justices so as to prevent such Danger to Travellers upon the said Turnpike Road; and in case such Company shall neglect within the Time appointed in that Behalf to commence, or shall not continue to execute such Works until the due Completion thereof, or shall not complete the same within the Time in that Behalf appointed, the said Company shall forfeit and pay for every Day during which the said Company shall not commence or shall not proceed in the Completion of such Works, or during which the said Works shall not be completed after the Time appointed for the Completion thereof, the Sum of Twenty-five Pounds, to be recoverable by the Commissioners or Trustees of the said Turnpike Road from the said Company in such and the same Manner as any other Penalties incurred by the said Company for which no special Provision is made by this Act.

Shafts may be made into Tunnels, if necessary, but not to be sunk in any Highway.

LXXXIII. And be it further enacted, That in case it shall be found requisite to form Shafts, Pits, Eyes, or Openings to or from any Tunnel to be made for the Purposes of this Act, it shall be lawful for the said Company to sink and construct such Shafts, Pits, Eyes, or Openings in such Places as they shall think necessary, but such Shafts, Pits, Eyes, or Openings shall not be sunk or constructed in any public Highway.

For keeping up the Roads whilst the

LXXXIV. And be it further enacted, That in all Cases in which in the Exercise of any of the Powers hereby granted any Part of any

any of the Carriage or Horse Roads, Railways or Tramroads, either public or private, shall be found necessary to be cut through, diverted, raised, sunk, taken, or so much injured as to be impassable for Passengers or Carriages, or the Persons entitled to the Use thereof, the said Company shall at their own Expence, and before any Road shall be so cut through, diverted, raised, sunk, taken, or injured as aforesaid, cause another good and sufficient Road (as the Case may require) to be set out and made instead thereof, as convenient for Passengers and Carriages as the Road to be cut through, diverted, raised, sunk, taken, or injured as aforesaid, or as near thereto as may be; and where the Road cut through, diverted, raised, sunk, taken, or injured shall be a Turnpike Road, the substituted Road, if temporary, shall be set out and made as aforesaid, and the principal Road shall be restored within Six Calendar Months next after the Commencement of the Operation.

Railway is making, and afterwards.

LXXXV. Provided always, and be it further enacted, That if in the Execution of this Act any Turnpike Road shall be cut through, raised, sunk, or injured, and the same shall not be restored within the Period prescribed by this Act, then and in such Case the said Company shall forfeit and pay for every Day beyond the prescribed Period the Sum of Twenty Pounds, to be levied, recovered, and applied in the same Manner as other Penalties are by this Act directed to be recovered, levied, and applied.

Penalty on Company making default in reinstating Turnpike Roads.

LXXXVI. And be it further enacted, That the said Company shall at their own Expence, after any Part of the said Railway shall have been laid out and formed, forthwith make and erect, and from Time to Time maintain, such and so many convenient Gates in or upon or adjoining the said Railway, and such and so many Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages over, under, or by the Side of, or leading to or from the said Railway, of such Dimensions and in such Manner as any Two or more Justices of the Peace acting for the County or Place wherein such proposed Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, or Passages would (if made) be situate, shall from Time to Time judge necessary and appoint (in case there shall be any Dispute about the same) for the Use of the respective Owners and Occupiers of the Lands through which such Railway shall be made, or for the Use and Accommodation of any Street or Streets which are now formed or actually commenced in any Lands through which the said Railway shall be made, or for protecting the said Lands from Trespass, or the Cattle or other Property of the Owners or Occupiers thereof from straying or escaping thereout by reason of such Railway, or other Matter or Thing to be done in pursuance of this Act; and all such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages so to be made as aforesaid shall from Time to Time and at all Times thereafter be maintained in sufficient Repair and Condition by the said Company; and for the Purpose of enabling the said Company to make and erect such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages, and from Time to Time to maintain the same, the said Company, their Agents, Surveyors, and Workmen, are hereby authorized and

Company to erect Gates for the Protection of adjoining Lands.

empowered to enter into and upon all Lands adjoining to the said Railway, and to load and carry away the Materials for making or repairing such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages, in Carts and other Carriages across or along such Lands, in such Manner as to do as little Damage as may be to the same; and in case the said Company shall refuse or neglect to make or erect or to maintain such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as hereinbefore directed, or any of them, for the Space of Ten Days next after the Time to be appointed for those Purposes respectively by such Justices, it shall be lawful for the respective Owners or Occupiers of the said Lands who shall find themselves aggrieved by such Neglect or Refusal to make and erect, or, as the Case may require, to repair and maintain, such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as the said Justices shall have before directed or appointed to be made or erected as aforesaid, so that in making, erecting, repairing, and maintaining such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as aforesaid the said Railway or any of the Works authorized by this Act to be made or constructed by the said Company shall not be obstructed or injured for any longer Space of Time or be used in any other Manner than shall be unavoidably necessary for the doing thereof; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices, shall be repaid to the respective Owners or Occupiers of the said Lands who shall have so made and erected, repaired and maintained such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, by the said Company, within the Space of Five Days next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered to and made from the said Company; and in default of Payment of the said Costs and Charges within the Time aforesaid the said Justices are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company, for the Use of the Party to whom such Costs and Charges shall have been allowed, rendering to the said Company the Overplus (if any), on Demand, after deducting the reasonable Charges of making such Distress and Sale, to be settled by such Justices; and the said Owners or Occupiers, upon Refusal or Neglect by the said Company to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedy against them for the Recovery thereof by Action at Law as in other Cases is by this Act directed: Provided always, that no such Gate, Bridge, Arch, Hollow, Culvert, Fence, Ditch, Drain, or Passage shall be required to be erected or made, or shall be erected or made, over or under the said Railway or any Part thereof, at or in the Place or Manner at or in which the same would if so made prevent or obstruct the working or using of the said Railway.

Owners of Land empowered to erect such

LXXXVII. Provided always, and be it further enacted, That if any of the Owners or Occupiers of any Lands through which the said Railway shall be made shall at any Time apprehend that any of

of the Gates, Bridges, Arches, Hollows, Culverts, Ditches, Fences, Drains, or Passages which the said Justices shall have so directed or appointed to be made or erected by the said Company are insufficient, either in Number or Situation, for the commodious Use and Occupation of the respective Lands through which the said Railway shall pass, it shall be lawful for any such Owner or Occupier, with the Consent of the said Company, upon Request made to them, or in case of their Refusal for the Space of Ten Days next after such Request, then with the Consent of the said Justices, to make and erect, at the Costs and Charges of such Owners or Occupiers, any other Gates, Bridges, Arches, Hollows, Culverts, Ditches, Fences, Drains, or Passages, of the same or the like Construction or Form with those made and erected by the said Company, in, upon, or near, over, under, or by the Side of or leading to or from the said Railway, in such Places as shall be found and adjudged most convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands, and such Gates, Bridges, Arches, Hollows, Culverts, Ditches, Fences, Drains, and Passages shall thenceforth be repaired and maintained by and at the Expence of the respective Owners or Occupiers for the Time being of the respective Lands, the respective Owners or Occupiers of which shall have made or erected the same, so that the Passage to or upon the said Railway be not prevented or obstructed thereby for any longer Space of Time or in any other Manner than shall be unavoidably necessary.

Gates, Bridges, &c. in case of Insufficiency of those erected by the Company.

LXXXVIII. And be it further enacted, That the said Company shall and they are hereby required, at their own Expence, after any Land shall have been taken for the Use of the said Railway, Dock, and other Works, to separate the same and to keep the same constantly separated from the Lands adjoining such Railway, Dock, and other Works, with good and sufficient Posts, Rails, Hedges, Ditches, Mounds, or other Fences, and shall make and maintain all necessary Gates and Stiles in all such Fences to be made as aforesaid (all such Gates being made to open towards such Lands, and not towards the said Railway); and in every such Case the Powers, Provisions, Directions, and Regulations herein-before contained with respect to the Gates and other Works aforesaid shall extend and apply to the making and maintaining of such Fences, and the Gates and Stiles in such Fences, as fully and effectually, to all Intents and Purposes, as if such Powers, Provisions, Directions, and Regulations were here repeated with respect to such Fences, Gates, and Stiles.

Company to fence off Railway, &c. from the adjoining Lands.

LXXXIX. And be it further enacted, That the said Company shall, at their own proper Costs and Charges, fence such Part of the said Railway as shall pass through the Field belonging to the said *Crisp Molineux Montgomerie*, in the said Parish of *Horndon*, and marked No. 17. on the said Map or Plan so deposited with the Clerk of the Peace as herein-before mentioned, with a close Paling of good Oak Timber of the Height of Six Feet above the Surface of the Ground, and such Fence shall be for ever thereafter maintained and repaired by and at the proper Costs and Charges of the said Company, and in case of any Neglect to perform such Repair after Ten Days Notice for that Purpose given to the said Company, then and in every such Case it shall

For fencing off Lands of Crisp Molineux Montgomerie, Esquire.

shall be lawful for the said *Crisp Molineux Montgomerie*, his Heirs and Assigns, to repair and make good such Fence; and all the Costs, Charges, and Expences of such Repair shall be paid, on Demand, by the said Company, or on failure of Payment for Twenty-one Days after such Demand the same may be recovered from the said Company, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Gates opening upon the Railway to be shut when passed through.

XC. And be it further enacted, That all Persons opening any Gate set up at either Side of the said Railway to communicate with the adjoining Land shall and they are hereby respectively required, as soon as they, and the Carriages, Cattle, or other Animals or Things under their Care, shall have passed through the same, to shut and fasten the said Gate, and every Person neglecting so to do shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Company to make sufficient Drains to carry the water off adjoining Lands, and to make and supply Watering Places for Cattle.

XCI. And be it further enacted, That the said Company shall make, and they are hereby required, at their own Expence, to make, such Arches, Tunnels, Culverts, Drains, or other Passages, over, under, or by the Side of the said Railway and the Fences on the Sides thereof respectively, of such Breadth, Depth, and Dimensions as shall be sufficient at all Times to convey the Water as clearly from the Lands adjoining or lying near to the said Railway as before making the said Railway, without obstructing or impounding the same Water to the Prejudice of any of the said Lands, and also to make proper Watering Places for Cattle in all Cases where by means of the said Railway the Cattle of any Person occupying Lands adjacent thereto shall be deprived of as easy Access as before to their ancient Watering Place, and to supply the same at all Times with Water from such Rivers, Brooks, Drains, or Springs of Water as would have supplied the Cattle of such Person if such Railway had not been made, or from any other Source or Feeder which can readily be obtained for that Purpose; and it shall be lawful for the said Company and they are hereby required from Time to Time to make such and so many Watercourses and Drains by the Side of, along, or under the said Railway, or in, through, over, or across any Lands thereto adjoining, of such Dimensions and in such Manner, and with such proper and convenient Bridges over and Tunnels for the same respectively, as any Two or more Justices of the Peace for the County of *Essex* shall from Time to Time judge necessary and appoint, in case there shall be any Dispute about the same, for the Purpose of conveying Water from such Rivers, Brooks, or Springs, or other Sources or Feeders, to the said Watering Places respectively; and all such Arches, Tunnels, Culverts, Watercourses, Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, and kept in good and sufficient Repair by the said Company; and if at any Time after Seven Days Notice in Writing shall be given to the said Company, by or on behalf of any Owner or Occupier of Land adjoining or lying near to the said Railway, that the said Arches, Tunnels, Culverts, Drains, Watercourses, or other Passages, or any of then, are not made, or being made are not cleansed, maintained, and repaired according to the true Intent and Meaning of this Act, the said Company

Company shall not proceed to make or cleanse, maintain and repair, as the Case may be, such Arches, Tunnels, Culverts, Drains, Watercourses, or other Passages, it shall be lawful for any Person to apply for an Order in Writing from any Two or more Justices of the Peace for the said County of *Essex*, from Time to Time, as often as there shall be Occasion, and the said Justices are hereby empowered, at their Discretion, to make and grant such Orders as aforesaid, enabling such Person to make or cleanse and repair such Arches, Tunnels, Culverts, Watercourses, Drains, and other Passages accordingly, and the reasonable Expences thereof, to be ascertained by such Justices, shall be defrayed by the said Company, and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Ten Days after Demand thereof made upon the said Company, such Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as any other Costs and Charges may by virtue of this Act be levied and recovered upon or from the said Company.

Owners of adjoining Lands and other Persons may make Branches to communicate with the Railway.

XCII. And be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands adjoining or lying near to the said Railway, and for all other Persons, to lay down, either upon their own Lands or upon the Lands of any other Persons, with the Consent of such other Persons, any collateral Branches from their respective Lands to communicate with the said Railway; and the said Company shall be bound to make, at the Expence of such Owners and Occupiers and other Persons as aforesaid, Openings in the said Railway for effecting such Communication in such Places only where the said Communication can be made, without Prejudice or Injury to the said Railway; and the said Company shall not be bound to make any such Openings in any Place or Places where they shall have erected, built, made, or set up any Buildings, Steam Engines, Works, Machinery, or Yard, nor in any Place or Places which the said Company shall have appropriated or set apart for any specific Purpose with which such Communication would interfere; and in case any Disagreement or Difference shall arise between any such Owners and Occupiers or other Persons and the said Company, as to the proper Places for making any such Openings in the said Railway for the Purpose of Communication, then the same shall be left to the Decision of any Two or more Justices of the Peace for the County or Place wherein the Place where such Communication shall be proposed to be made shall be situated, whose Determination shall be binding; and such Justices are hereby authorized and empowered to take cognizance of all such References, and to act therein accordingly; and the said Company shall not receive any Rate, Toll, or Sum for the passing of any Goods or other Things along such Branches so to be made by any such Owner, Occupier, or Person as aforesaid.

Owners of adjoining Lands may make Roads, Bridges &c., over, under,

XCIII. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent any Owner of any Lands adjoining to the said Railway from making any Railway, common Road, Watercourse, Bridge, or Culvert to, from, across, over, under, or

or across or into the Railway, subject to the Superintendence of the Company's Engineer.

or into the said Railway hereby authorized to be made by the said Company, and to use such first-mentioned Railway, common Road, Watercourse, Bridge, or Culvert for the Benefit of himself and all other Persons to whom he may from Time to Time give Leave, so that such Railway, common Road, Watercourse, Bridge, and Culvert do no Injury to and do not prevent the free Passage upon the said Railway hereby authorized to be made by the said Company, and so as every such Railway, common Road, Watercourse, Bridge, and Culvert be made and erected, and from Time to Time repaired and renewed, under the Superintendence of the Engineer for the Time being of the said Company, and according to Plans, Sections, and Specifications to be submitted to and approved of by such Engineer previously to the commencing of every such Railway, common Road, Watercourse, Bridge, or Culvert respectively: Provided always, that in case such Engineer shall neglect or refuse to give his Opinion upon such Plan and Specification within the Space of One Calendar Month from the Time of the same being submitted to him, then such Plan and Specification shall be submitted to Two Justices of the Peace for the County of *Essex*, who shall make such Order therein as they shall think proper: Provided nevertheless, that in case any Damage or Obstruction shall be thereby, or by the Want of Repair thereof, done or occur to the said Railway or Works hereby authorized to be made by the said Company, the same shall be forthwith repaired or removed (as the Case may be) by and at the Expence of the respective Owners of the Land for whose Benefit any such other Railway, common Road, Watercousre, Bridge, or Culvert may be made or continued; and if the same shall not be forthwith done it shall be lawful for the said Company to repair such Damage or to remove such Obstruction, and to recover the Expences attending the same, in case of Refusal or Neglect to pay the same within Seven Days after Demand thereof, by Distress and Sale of the Goods and Chattels of such respective Owners, or by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

For preventing Obstruction to the Railway by such Roads, &c.

First and other General Meetings of the Company.

XCIV. And be it further enacted, That the said Company shall meet together at some convenient Place in the City of *London* within Six Calendar Months next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, of which Meeting Fourteen Days Notice at the least shall be given in manner herein-after mentioned, and shall then and there proceed in the Execution of this Act; and from and after such First General Meeting of the said Company there shall be a half-yearly General Meeting of the said Company in the Month of *February* and the Month of *August* in each and every Year, and also such and so many Special General Meetings of the said Company as the Directors of the said Company shall think proper to convene, or as shall be convened in manner herein-after provided, of which said General Meetings and Special General Meetings Fourteen Days public Notice at the least shall be given in the Manner herein-after mentioned; and every such Notice of a Special General Meeting shall specify the Purpose for which such Special General Meeting is called; and such First General Meeting of the said Company, and all other

other General Meetings and Special General Meetings of the said Company may be adjourned from Time to Time as shall be found expedient.

Special General Meetings may be convened.

XCV. And be it further enacted, That a Special General Meeting of the Proprietors of the said Company may be called at any Time by the Directors for the Time being, or any Five of them, if they shall see Occasion; and any Twenty or more Proprietors of the said Company holding in the aggregate Five hundred Shares or upwards in the said Undertaking, upon which all Calls actually previously made shall have been paid and satisfied, may at any Time, by Writing under their Hands left at the Office of the said Company, require the Directors of the said Company to call a Special General Meeting of the Proprietors of the said Company to be held in *London*, so as such Requisition fully express the Object for which such Special General Meeting is required to be called, and the said Directors are thereupon required to call such Meeting accordingly, and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Fourteen Days next after such Requisition given or left as aforesaid, the same may be called by such Twenty or more Proprietors by giving Fourteen Days Notice thereof by Advertisement in Two or more *London* Newspapers and in One or more Newspaper or Newspapers usually circulating within the County of *Essex*, such Notice expressing the Object for which such Special General Meeting is required to be called; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors thereof as shall be present at such Meeting shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified in such Notice; and all Acts and Resolutions of the major Part in Votes of the Proprietors of the said Company met together at any such Special General Meeting shall be as valid and binding, with respect to the Matters specified in such Notice, as if the same had been done or resolved at a General Meeting held at the Time herein-before appointed for holding the same.

As to the Notices required previous to any General or Special General Meeting.

XCVI. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special General Meeting of the Proprietors of the said Company, or of any Adjournment thereof respectively, or of any other Matters, to any of the Proprietors of the said Company, and not herein otherwise provided for, shall be signed by the Secretary of the said Company, and shall be given by Advertisement inserted in Two or more *London* Newspapers and in One or more Newspaper or Newspapers usually circulating in the County of *Essex*, and such Notices, when so publishing and given, shall be deemed and considered the same as personal Notices.

Business at Special and adjourned General Meetings.

XCVII. And be it further enacted, That no Business shall be transacted at any Special General Meeting other than the Business for which it shall have been called, and no Business shall be transacted at any adjourned General or Special General Meeting other than the Business left unfinished at the Meeting from which such Adjournment shall have taken place.

XCVIII. Pro-

General Meetings to consist of not less than Twenty Persons possessed of Five hundred Shares at least.

XCVIII. Provided always, and be it further enacted, That if at any such General Meeting there shall not be Twenty Proprietors present who shall be Holders of at least Five hundred Shares in the aggregate, within Two Hours from the Time appointed for such Meeting, no Choice of Directors shall be made, nor shall any Business be done, but in such Case there shall be another Meeting of the said Company at the same Place and the same Hour at the Expiration of Seven Days then next; and if at such adjourned Meeting such sufficient Number of Proprietors shall not then attend within the Time last aforesaid the Directors for the Time being shall continue to act and have the same Powers as they had and were possessed of until the next General Half-yearly Meeting, or until new Directors shall be appointed.

Who is to preside at Meetings of the Company.

XCIX. And be it further enacted, That at all General and Special General Meetings of the said Company the Chairman of the said Directors, or in his Absence the Deputy Chairman of the said Directors, or in his Absence any Director of the said Company to be chosen at any such Meeting, or in the Absence of all the Directors any Proprietor to be chosen at such Meeting, shall preside as Chairman.

Directions for and Mode of voting at Meetings.

C. And be it further enacted, That at all General and Special General Meetings to be convened by virtue of this Act all Corporations and Persons who shall respectively have duly subscribed for or become the Proprietors of or entitled to Five Shares each or upwards in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall have and be entitled to a Vote or Votes in respect of such Shares respectively according to the Scale herein-after mentioned; (that is to say,) every Proprietor holding Five or more Shares and less than Ten Shares shall be entitled to One Vote, and holding Ten Shares and less than Twenty Shares to Two Votes, and holding Twenty Shares and less than Fifty Shares to Three Votes, and holding Fifty Shares and less than Eighty Shares to Four Votes, and holding Eighty Shares and less than One hundred Shares to Five Votes, and holding One hundred Shares or upwards to Six Votes; provided nevertheless, that no Corporation or Person shall have more than Six Votes in their or his own Right; and such Vote or Votes may be given by such respective Parties, or in their Absence by their respective Proxies constituted under the Seals of such Bodies, or under the Hands of the other Proprietors appointing such Proxies, all such Proxies being Proprietors of Shares in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and every Question, Matter, or Thing which shall be proposed in any General or Special General Meeting of the said Company shall be determined by a Majority of Votes and Proxies then present, and the Determination of such Majority shall bind the Meeting, such Majority to be ascertained by a Show of Hands or by Ballot, or in such other Manner as shall from Time to Time be provided by any Bye Law of the said Company, or subject thereto, and in default thereof by any Regulation of the Directors of the said Company, or subject to any such Bye Law or Regulation, or in default thereof by the Chairman at such Meeting; and at every such Meeting the Chairman

thereof shall and may not only vote as a Principal and Proxy, but in case of an Equality of Votes shall and may also have a further or the dividing or casting Vote; and the Appointment of every such Proxy may be made according to the Form following, or as near thereto as the Quality, Nature, and Number of the Appointer or Appointers of the Proxy thereby constituted, and other Circumstances, will admit; (that is to say,)

Form of Proxy.

'*A.B.* of One of the Proprietors of "The *Thames Haven* Dock and Railway Company," doth hereby appoint *C.D.* of to be the Proxy of the said *A.B.* to vote or give his Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking which shall be proposed at any General or Special General Meeting of the said Company, or at the General Meeting to be held on the Day of in such Manner as the said *C.D.* shall think proper. In witness whereof the said *A.B.* hath hereunto set his Hand [*or* Common Seal] the Day of .'

As to voting when a Share is vested in more than One.

CI. And be it further enacted, That whenever Two or more Proprietors shall be jointly possessed of or entitled to any Share in the said Undertaking, all such Proprietors shall be entitled to give their Votes in respect of such Share so jointly held by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share and whose Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share.

Lunatics and Minors to vote by Committees and Guardians.

CII. And be it further enacted, That in case any Proprietor entitled to vote at any such Meeting as aforesaid shall be a Lunatic or an Idiot, or a Minor under the Age of Twenty-one Years, such Lunatic or Idiot shall or may vote at such Meetings by his Committee or by any of his Committees, and such respective Committees may vote in respect of the Interest of such Lunatic or Idiot either in Person or by Proxy, and such Minor shall and may vote by his Guardian or by any of his Guardians, and such respective Guardians may vote in respect of the Interest of such Minor either in Person or Proxy; provided that every such Committee or Guardian may also vote in right of his own Share as well as in the Character of Committee of any Lunatic or Idiot or of Guardian of any Minor on the same Occasion.

Proprietors in arrear for Calls not to vote.

CIII. Provided also, and be it further enacted, That no Proprietor of any Share on which any Call made shall remain unpaid, shall at any Meeting of the Proprietors of the said Company be allowed to vote, either personally or by Proxy, until the Money payable in respect of such Share pursuant to such Call shall have been fully paid, unless the Time of Payment thereof shall not have expired.

Orders and Proceedings to be entered in a Book,

CIV. And be it further enacted, That the Orders and Proceedings of every Meeting (as well General as Special) of the said Company shall

and may be read in Evidence.

shall be entered in some Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of such Meeting; and such Orders and Proceedings, when so entered and signed, and also the Minutes of Entries herein-after provided to be kept of the Orders and Proceedings of the Directors, when signed as herein-after ordered, shall be deemed original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others, and that without Proof of such Meeting having been duly convened, or of the Persons making or entering such Orders or Proceedings being Proprietors or Directors of the said Company, as the Case may be.

Powers of General and Special Meetings.

CV. And be it further enacted, That it shall be competent to any General or Special General Meeting to call for, inspect, and examine the Accounts of the said Company and of the Directors, and of the Receivers and Collectors of the Rates, Tolls, or other Sums, and of the Officers of the said Company, and also in like Manner to call for, inspect, and examine all Rules, Regulations, Accounts, Books, Vouchers, Memorandums, and Documents relating to the said Company or to the Business thereof, and to call for any Information or Explanation from the Directors, Secretary, and other Officers of the said Company in respect of the said Matters or any of them; and also to give and allow to the Directors for the Time being collectively, or to each or any of them individually, such Remuneration, Salary, or Allowance for his or their Time and Trouble in attending to or conducting the Business of the Company as by such Meeting shall be deemed fit; and also to allow and confirm the Accounts of the Company so as to bind all the Proprietors for the Time being, and all Persons claiming under them, and generally to consider and decide upon any Business, Matter, or Thing relating to the said Company, and the Affairs and Concerns thereof.

General and Special General Meetings may make Bye Laws.

CVI. And be it further enacted, That the said Company shall have full Power and Authority, by the Resolution of any General or Special General Meeting as aforesaid, from Time to Time to make such Bye Laws, Rules, and Orders as to the said Company shall seem right and proper for the good Government of the said Company, and for regulating the Proceedings and reimbursing the Expences of the said Directors, and for regulating all Officers, Servants, Agents, and Workmen to be employed in or about the Affairs or Business of the said Company, and for the well and orderly using of the said Railway, Dock, and other Works, and the conveying of all Goods, Wares, and Merchandize which shall be conveyed or landed upon the said Railway, Piers, Quays, Wharfs, and other Works of the said Company, and for the orderly Behaviour of all Persons who shall be employed in carrying, landing, or conveying any such Goods, Wares, or Merchandize, or in managing or conducting the Waggons or Carts, Ships, Vessels, Boats, and other Craft, and Rafts or Floats of Timber, using such Railway or Dock, and for the Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter and repeal such Bye Laws, Rules, and Orders, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the said

said Company shall seem meet, not exceeding the Sum of Five Pounds for any One Offence, such Fines and Forfeitures to be levied and recovered as any Penalties and Forfeitures may by this Act be levied and recovered; which said Bye Laws, Rules, and Orders, being reduced into Writing under the Common Seal of the said Company, shall be printed and published; and such of the said Bye Laws, Rules, and Orders as shall affect any Person not being a Proprietor of the said Company, so printed and published as aforesaid, or painted on Boards, shall be hung up and fixed and continued on the Front or other conspicuous Part of the several Toll Houses to be erected on the said Railway, and on the Piers, Jetties, or Wharfs of the said Company, and on or at such other Buildings or Places at which any Rates, Tolls, or other Sums shall be received under the Authority of this Act, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated, defaced, or destroyed; and all such Bye Laws, Rules, and Orders, when so published and affixed as aforesaid, shall be binding upon and be observed by all Parties, and shall be sufficient in all Courts of Law or Equity to justify all Persons who shall act under the same; provided that such Bye Laws, Rules, or Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the Provisions in this Act contained; and such Bye Laws, Rules, and Orders shall be subject to Appeal in manner herein-after mentioned.

Power to consolidate Two Shares into One.

CVII. And be it further enacted, That it shall be lawful for any General or Special General Meeting to alter and vary the Amount of the Shares into which the Capital or Joint Stock of the said Company is hereby declared to be divided, by consolidating Two of such Shares of Fifty Pounds each into One Share of One hundred Pounds: Provided always, that in case of such Consolidation being made or taking place every Proprietor of any One or more such Share or Shares of One hundred Pounds each shall, as regards the Number of Votes to which he shall be entitled, and the several Provisions of this Act in which the holding a certain Number of Shares by One or more Proprietors is made a necessary Qualification for any Purpose, but no further, be deemed to be a Proprietor of Two Shares in the said Undertaking in respect to each and every Share of One hundred Pounds so held by him.

Management to be vested in Twelve Directors:

Their general Duties and Powers.

CVIII. And be it further enacted, That the Business and Concerns of the said Company shall be carried on under the Management of Twelve Directors to be chosen from Time to Time from amongst the Proprietors for the Time being of the said Company qualified by holding Ten Shares or upwards each; and such Directors shall have the General Management, Direction, Superintendence, and Control of the Business and Concerns of the said Company, and the Custody of the Common Seal of the said Company, with Power to use the same on their Behalf, and also the Custody of the Books of Account, and other Books, Deeds, and Papers, and shall have Power to direct the Investment, calling in and laying out, Sale and Disposal, of the Stocks, Effects, Funds, Monies, and Securities of the Company, and all other the Dealings of the Company, and to call and appoint

appoint the Times and Places of holding General and other Meetings of the Proprietors, and to superintend, direct, and control the Correspondence and Mode of keeping the Accounts, and the Ascertainment of Dividends and the Profits on Shares, and to do all other Thing necessary or to be deemed by them proper or expedient for carrying on the Business and Concerns of the Company, and to enforce, perform, and execute all the Powers, Authorities, Privileges, Acts, and Things in relation to the said Company, and to bind the said Company as if the same were done by the whole Corporation, except such as are hereby required to be done at some General or Special Meeting of the said Company; and the Directors for the Time being shall have Power to frame Rules and Regulations, and prescribe the Orders and Directions for carrying on the Business and Concerns of the said Company, and alter and vary the same from Time to Time as they in their Discretion shall think fit; and all such Rules and Regulations shall have the Force of Bye Laws, provided the same be not repugnant to any of the Provisions of this Act, nor to any Bye Law which may have been duly passed at any General or Special Meeting of the Proprietors of the said Company; and no individual Proprietor, not being a Director, (except as herein-after provided,) shall have a Right to any Interference, Management, Direction, or Control in or over the Business and Concerns of the said Company, or the Capital Stock or Effects thereof.

Present Directors.

CIX. And be it further enacted, That *Thomas Haviside*, *James Saumarez Jephson*, *Charles Henry Clay*, *Ernest Vaux*, *Donald M'Lean*, *Richard Heathfield*, *James Esdaile*, *Horace Twiss*, and *Francis Graham Moon* shall be and they are hereby appointed the first or present Directors of the said Company under this Act, and they shall, unless they or any of them shall sooner die, resign, or become disqualified as herein-after mentioned, continue in Office until the first General Meeting of the said Company to be held next after the passing of this Act; and at such last-mentioned Meeting all the said Directors shall go out of Office, and Twelve Directors shall be elected in their Place and Stead, who shall continue in Office until the first half-yearly Meeting of the said Company in the Year One thousand eight hundred and thirty-eight, and at such first half-yearly Meeting in the Year One thousand eight hundred and thirty-eight Three of the Directors who shall have been so elected as aforesaid (to be determined by Ballot amongst themselves) shall go out of Office; and at each first half-yearly General Meeting in the Three following Years Three of the Directors who shall have been so elected as aforesaid (to be determined by Ballot amongst themselves) shall go out of Office, and at each first half-yearly General Meeting in every subsequent Year the Three Directors who shall have been longest in Office since their last Election shall go out of Office, and at every general half-yearly Meeting at which Three Directors are to go out of Office as aforesaid Three new Directors shall be elected.

Directors to go out of Office in rotation.

Directors going out of Office to be re-eligible,

CX. Provided always, and be it further enacted, That (notwithstanding any thing herein-before contained to the contrary) any Director who shall by Ballot or Rotation go out of Office as aforesaid

said may be immediately or at any future Time re-elected by the said Company as a Director of the said Company, and after such Re-election he shall, with reference to the going out in rotation, be considered as a new Director.

No Person holding Office to be a Director.

CXI. Provided always, and be it further enacted, That no Person holding any Office, Place, or Employment, or being concerned or interested in any Contract, under the said Company, shall be capable of being chosen, or being so chosen of continuing a Director of the said Company, nor shall any Director be capable of accepting any Office, Place, or Employment, or of taking or being concerned or interested in any Contract, under the said Company; and in either of the said last-mentioned Cases the Party so offending shall forfeit the Sum of Fifty Pounds during the Time he shall be a Director of the said Company; and if any Director of the said Company shall at any Time subsequent to his Election accept or continue to hold any other Office or Place of Trust or Profit under the said Company, or shall either directly or indirectly be concerned in any Contract with the said Company, or shall participate in any Manner in any Work to be done for the said Company, or shall at any Time cease to be a Proprietor of Ten Shares at least in the said Undertaking, the Office of such Director shall thereupon become vacant, and he shall thenceforth be disqualified from voting or acting at any succeeding Meeting of Directors: Provided nevertheless, that until the Disqualification of any Director shall have been communicated to and recorded by a Court of Directors, every Act and Proceeding to which such disqualified Director shall have been a Party shall be as binding and effectual as if no such Disqualification had taken place: Provided also, that it shall be lawful for any General Meeting to exempt any particular Person or Persons from the Operation of this present Clause, in case they shall deem it advantageous so to do.

For supplying casual Vacancies in Direction.

CXII. And be it further enacted, That when and so often as any Director to be elected by virtue of this Act shall die, or resign, or become disqualified or incompetent to act as a Director, or shall cease to be a Director by any other Means than by going out of Office as aforesaid, it shall be lawful for the remaining Directors to elect some other Proprietor duly qualified as aforesaid to be a Director; and every such Proprietor so elected to fill up any such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be elected would have been entitled to continue in Office had he lived and remained in Office.

Directors may appoint Committees.

CXIII. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to nominate and appoint out of their own Body One or more Committee or Committees, with such Powers and Authorities as the said Directors shall think proper to delegate or entrust to them (save and except nevertheless the making of Calls for Money upon the Proprietors of the said Undertaking); and all Matters and Things which a Court of Directors shall order and direct to be done by such Committee or Committees shall and may by virtue of such Orders be done by

such Committee or Committees; and it shall be lawful for the said Directors, by an Order or Resolution of a Court of Directors for that Purpose, to break up and dissolve any such Committee, and to remove or displace any of the Members thereof, and to appoint others in their Place and Stead, or to appoint from Time to Time One or more other Committee or Committees in manner aforesaid, with such and the like or any other Powers or Authorities when and so often as the said Directors shall think expedient.

For the Indemnity of the Directors.

CXIV. And be it further enacted, That the Directors, their Heirs, Executors, and Administrators, shall be indemnified and saved harmless from and against all Payments made or Liabilities incurred, and all Acts, Deeds, Matters, and Things executed, done, or ordered, and all Sums of Money, Losses, Costs, Charges, and Damages which they shall incur in the Execution of the Powers and Authorities hereby granted to them, and they shall be so indemnified out of the Assets for the Time being of the Company, and if necessary by Calls for that Purpose of the Capital which may remain unpaid, and the Directors for the Time being of the Company shall apply the then existing Funds, Assets, and Capital of the Company for the Purposes of such Indemnity and Reimbursement.

Company may purchase or hire Buildings, &c. for Offices.

CXV. And be it further enacted, That the said Company may and they are hereby authorized (if they shall think fit) to purchase, hire, or take any Buildings or Lands as or for the Purpose of making an Office or Offices, and to build an Office or Offices, and for the Purposes aforesaid to enter into and execute all such Agreements, Deeds, Covenants, and Instruments as may be necessary, and to let or sell such Lands, Buildings, Office or Offices, at their Discretion, and purchase or hire other Land and another Office or Offices, and so from Time to Time as they shall think fit.

Meetings of Directors.

CXVI. And be it further enacted, That the Directors for the Time being of the said Company shall meet together at the Office of the said Company once at least in every Two Calendar Months, and at such other Times as they shall think proper, and at such other Times as they shall be convened as herein-after mentioned; and each of such Meetings shall be styled "A Court of Directors;" but no Meeting of Directors shall be deemed a Court competent to enter and determine upon Business unless at least Five Directors shall be present at the Commencement of the Business, and when a Decision takes place upon the Whole or any Part of the Business; and if on the Day appointed for such Meeting a sufficient Number of Directors to constitute a Court shall not attend then and in every such Case the said Meeting shall be adjourned to the next or some subsequent Day by the Directors then present, but if none be present then by the Secretary of the said Company, or such other Person as shall attend in his Place; and any Director shall be at liberty to call an extraordinary Meeting of Directors, upon such Notice and in such Manner, and to consist of at least such Number (not being less than Five) as shall from Time to Time be provided by the Bye Laws of the Company or the Orders of the Court of Directors; and it is hereby

declared and directed that the first Meeting of the said Court of Directors shall be held within Three Weeks after their Appointment, at the Office of the Company.

Chairman and Deputy Chairman of Directors, to be chosen.

CXVII. And be it further enacted, That at the first Meeting of Directors which shall be held next after the first Appointment of the said Directors under the Provision herein contained, or some Adjournment thereof, and in subsequent Years at the first Meeting of Directors after a new Election of Directors, or at some Adjournment thereof, the Directors present at such Meeting of Directors shall choose out of the Directors of the said Company for the Time being a Chairman and Deputy Chairman of the said Directors: Provided always, that when and so often as the Chairman or Deputy Chairman of the Directors to be chosen by virtue of this Act shall die or resign or become disqualified, or otherwise cease to be a Director, it shall be lawful for the said Directors in like Manner, at the Meeting to be held next after such Vacancy, to choose some other of the said Directors to be their Chairman or Deputy Chairman, and every such Chairman or Deputy Chairman so to be chosen as last aforesaid to fill such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be so elected would have been entitled under the Provisions of this Act to continue in Office if such Vacancy had not happened; and it is hereby declared, that in all Courts of Directors the Votes and Resolutions of the Majority of the Directors present, inclusive of the Chairman or other Director presiding at such Meeting, (and who shall be elected for that Purpose at such Meeting, in case both the Chairman and Deputy Chairman are absent,) shall be binding, and that in case of an Equality of Votes the Chairman or Deputy Chairman or other Director presiding at each respective Meeting shall have a casting Vote besides his own Vote; and the said Directors shall keep a regular Minute and Entry of the Orders and Proceedings at every Meeting of the said Directors, and of every Appointment, Removal, Contract, Bargain, Receipt, and Disbursement made by their Order under the Authority of this Act, which Minutes shall be signed by the Chairman at each respective Meeting, and the said Directors shall (if required) from Time to Time produce such Minutes to the half-yearly General Meetings and to the Special General Meetings of the said Company, and shall in all Things obey their Orders and Directors.

Proceedings at Meetings of Directors.

Directors may make Calls.

CXVIII. And be it further enacted, That the Directors shall have full Power from Time to Time to make such Calls of Money from the several Subscribers to and Proprietors for the Time being of the said Undertaking, not exceeding in the whole, including the Sums already paid in respect of such Share, the Sum of Fifty Pounds for each Share, as they shall from Time to Time find necessary for the Purposes of the said Undertaking, so that no such Call shall exceed the Sum of Five Pounds upon each Share in the said Undertaking, and so that the total Amount of such Calls in any One Year shall not exceed Twenty Pounds upon each Share, and that there shall be an Interval of Three Calendar Months at least between every Two successive

successive Calls, and that such several Sums of Money so to be called for shall be paid into such Bank or Banks, or to such Person or Persons, and at such Time and Place and in such Manner as the said Directors shall from Time to Time order and appoint, of which Time and Place Twenty-one Days Notice at the least shall be previously given by Advertisement under the Hand of the Secretary for the Time being, inserted in Two or more *London* Newspapers, and in One or more Newspaper or Newspapers usually circulating in the said County of *Essex*.

Directors may use the Common Seal; and Contracts entered into by them to be binding.

CXIX. And be it further enacted, That the Court of Directors for the Time being shall have full Power and Authority to use the Common Seal on behalf of the said Company, and all Contracts in Writing relating to the Affairs of the said Company which shall be signed by any Three of the Directors in pursuance of a Resolution of a Court of Directors shall be binding on the said Company and all other Parties thereto, their respective Successors, Heirs, Executors, and Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered, by or against the said Company or any other Parties thereto failing in the Execution thereof.

Directors to direct the Works, regulate the Traffic and Tolls, and appoint Officers and Servants.

CXX. And be it further enacted, That the said Directors shall have full Power and Authority to direct and employ the Works and Workmen, and regulate the Traffic upon the said Railway, and the Amount of the Rates, Tolls, and Sums of Money to be taken and received under the Authority of this Act, and also from Time to Time to appoint and displace the Banker or Bankers, and the Solicitor or Solicitors of the said Company, and all such Managers, Officers, Agents, Clerks, Workmen, and Servants as the said Directors shall think proper, and to allow to them respectively, and also to any Director authorized by any General Meeting to hold any Office, Place, or Employment under the Company as aforesaid, such Salaries, Wages, Gratuities, and Recompences as to the said Directors shall seem proper; and shall have Power to displace any Secretary, Managers, Officers, Agents, Clerks, Workmen, and Servants, either as Occasion shall require or as the said Directors in their Discretion shall think fit, and also from Time to Time, if deemed expedient, to appoint other Persons to fill Vacancies in their Places and Situations respectively occasioned by such Displacement or Removal as aforesaid, or by Death, Resignation, or otherwise: Provided nevertheless, that it shall not be lawful for the said Directors to fix or order what Remuneration shall be allowed to the Directors of the said Company for their Services as Directors.

Security to be taken from Officers receiving Monies.

CXXI. Provided always, and be it further enacted, That the said Directors shall and they are hereby required to take sufficient Security from every Receiver, Collector, and other Officer appointed by the said Directors, having the Custody or Control of any Monies received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

CXXII. And

Treasurer and Clerk not to be the same Person.

CXXII. And be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Company; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every 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, together 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.

Proprietors to pay Subscriptions as called for; and in default of Payment Amount recoverable at Law, with Interest.

CXXIII. And be it further enacted, That the several Parties who have subscribed or who shall hereafter subscribe for or towards the said Undertaking, and every Proprietor of any Share in the said Undertaking, shall pay and they are hereby required to pay the respective Sums of Money by them respectively subscribed for, or such Parts or Proportions thereof as shall from Time to Time be called for by the Directors, by virtue of and pursuant to the Powers and Authorities of this Act, to such Persons and at such Times and Places as the Directors shall from Time to Time in manner hereinbefore mentioned direct and appoint; and if any Proprietor of any such Shares shall refuse or neglect to pay his rateable Proportion of the Money so to be called for at such Time and in such Manner as aforesaid, then and in such Case, and so often as the same shall happen, such Proprietor shall pay Interest for the same after the Rate of Five Pounds *per Centum per Annum* from the Day appointed for Payment thereof up to the Time when the same shall be actually paid; and if any Proprietor of any such Share shall neglect or refuse so to pay such his rateable Proportion, together with Interest (if any) accruing for the same, for the Space of One Calendar Month next after the Day appointed for the Payment thereof as aforesaid, then it shall be lawful for the said Company to sue for and recover the same, with full Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, nor more than One Imparlance, shall be allowed.

Proceedings and Evidence in Actions for Calls.

CXXIV. And be it further enacted, That in any Action to be brought by the said Company against any Proprietor of any Share in the said Undertaking, to recover any Money due and payable to the said Company for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant, being a Proprietor of so many Shares in the said Undertaking, is indebted to the said Company in such Sum of Money as the Calls in arrear shall amount to, for so many Calls of such Sums of Money upon so many Shares belonging to the said Defendant, whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matters; and on the Trial of such Action it shall only be necessary to prove that the Defendant at the Time of making such respective Calls was a Proprietor of such Shares in the Undertaking as such Action is brought in respect of, and that such Calls were in fact made, and that Notice thereof was given as is directed by this Act, without proving the Appointment of the Directors who made such Call or any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, including Interest, computed as aforesaid, in respect of such Calls, unless it shall appear that any such Call exceeded Five Pounds for every Share of Fifty Pounds, or was made within the Space of Three Calendar Months from the last preceding Call, or that Calls amounting to more than Twenty Pounds in the whole had been made in some One Year; and in order to prove that such Defendant was a Proprietor of such Shares in the said Undertaking, as alleged, the Production of the Book in which the Secretary of the said Company is by this Act directed to enter and keep a List of the Names and Additions and Places of Abode of the several Proprietors of Shares in the said Undertaking, with the Number of Shares they are respectively entitled to hold, shall be *primâ facie* Evidence that such Defendant is a Proprietor, and of the Number or Amount of his Shares therein.

Shares may be forfeited on Nonpayment of Calls.

CXXV. And be it further enacted, That if any Subscriber for or Proprietor of any Share in the said Undertaking shall refuse or neglect to pay his rateable Proportion of the Money so to be called for as aforesaid, together with the Interest (if any) accruing for the same, for the Space of One Calendar Month after the Day appointed for the Payment thereof as aforesaid, then and in every such Case the said Directors may and they are hereby authorized to declare the Share belonging to any Person so refusing or neglecting to pay any such Call, together with Interest in manner last aforesaid, to be forfeited, and to direct the same to be sold, subject to the Provisions of this Act, nevertheless without Prejudice to the Right of enforcing the Payment of such Call or Calls: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing under the Hands of Three Directors or of the Secretary of the said Company of such Share having been declared by the Directors forfeited shall have been given or sent by the Post, or left at the last known Place of Abode in *England* of the Proprietor of such Share, or at the Place mentioned and described as his Place of Abode in the Book in which the Secretary of the said Company is by this Act directed to enter and keep

keep a List of the Names and Additions and Places of Abode of the several Proprietors of Shares in the said Undertaking, nor until the Declaration of Forfeiture thereof by the said Directors shall have been confirmed at a half-yearly General Meeting of the said Company, or at a Special General Meeting of the said Company to be called for that Purpose, and to be respectively held after the Expiration of Three Calendar Months at the least from the Day on which such Notice of Forfeiture shall have been given or sent as aforesaid.

Forfeited Shares to be sold.

CXXVI. And be it further enacted, That after such Forfeiture shall have been confirmed by such half-yearly or Special General Meeting, the said Company, by an Order to be made at a General Meeting or Special General Meeting, shall have Power to direct the said Directors to sell and dispose of the Shares so forfeited, or any of them, in manner by this Act directed, and the said Directors may and they are hereby authorized in that Case to sell and dispose of such Shares by public Auction or private Contract, and together or in Lots, or in such other Manner and for such Price as they may think fit; and a Declaration pursuant to the said Act of the Sixth Year of His present Majesty's Reign, made by some credible Person not interested before a Justice of the Peace, or Master or Master Extraordinary in the High Court of Chancery, stating that such Call had been made by the said Directors, and such Notice thereof as aforesaid given, and that such Default as aforesaid had been made in Payment thereof in respect of the Share so sold, and that the same Share had been declared to be forfeited, and that such Declaration had been confirmed in manner aforesaid, shall be sufficient Evidence of the Facts therein stated; and the Purchaser of such Share shall not be bound to see to the Application of his Purchase Money, nor shall his Title to such Share be affected by any Irregularity of Proceeding in reference to such Sale; and any Proprietor shall be enabled to purchase the same.

If Produce of Sale of forfeited Shares be more than sufficient to pay the Arrears of Calls, Interest, and Costs, the Surplus to be paid to the Owners.

CXXVII. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Shares as shall be forfeited by reason of the Nonpayment of any Call, or the Interest thereon, as herein authorized, shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon as aforesaid, and the Expences attending the Sale thereof, or otherwise occasioned by such Forfeiture, the Surplus of such Purchase Money shall be paid, on Demand, to the Party to whom such forfeited Shares shall have belonged: Provided also, that the said Company or the said Directors shall not by virtue of this Act sell or transfer more of the Shares of such Defaulter in Payment of Calls than shall be sufficient, as near as may be at the Time of such Sale, to pay the Arrears due from such Defaulter for or on account of such Call, and the Interest on and Expences attending the same; and from and after the Payment of such Call, and the Interest and Expences aforesaid, any Share vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Party to whom such Share shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as

if

if such Call had been duly paid, but it is hereby expressly declared that this Provision shall not affect the Title of any Purchaser under the Powers herein-before contained.

For ascertaining the Proprietorship of Shares in certain Cases, for the Purpose of recovering Calls.

CXXVIII. And whereas in Cases in which Proprietors of Shares in the said Undertaking shall die, or marry (being Females), or become insolvent or bankrupt, or go out of the Kingdom, or shall transfer their Right and Interest therein to some other Person, and no Register shall have been made of the Transfer thereof with the Secretary of the said Company, as herein provided, it may not be in the Power of the said Company to ascertain who are the Proprietors of such Shares, in order to give them, or their respective Executors, Administrators, Husbands, Successors, or Assigns, Notice of Calls to be made on such Shares, or to maintain any Action, Suit, or other Proceeding against them, or their respective Executors, Administrators, Husbands, Successors, or Assigns for the Recovery of the same; be it therefore further enacted, That in all Cases where the Right of Property in any Share in the said Undertaking shall pass from the Proprietor thereof to any other Person or Corporation by any other legal Means than by a Transfer or Conveyance thereof duly made and executed in the Form and Manner herein-after specified, and such Declaration as is herein-after in that Behalf directed shall have been transmitted to the said Company, then and in any of the said Cases, after Twenty-one Days Notice in Writing shall have been given under the Hands of Three Directors, or of the Secretary of the said Company, to the Person or Corporation stated or claiming in such Declaration to be the then Proprietor of such Share, or left at the last or usual Place of Abode in *England* of such Person, or of the Clerk of such Corporation, (as the Case may require,) to pay his or their Proportion of Money to be called for, and such Person or Corporation shall not have paid such his or their Proportion as aforesaid, it shall be lawful for the said Company, at any General Meeting or Special General Meeting after the Expiration of such Notice, to declare every such Share to be forfeited, and in such Case the same shall become forfeited, and shall and may be sold and disposed of, in such Manner, on such Evidence of Title, and with such Powers, and such Indemnity to Purchasers, as in other Cases of Sales of Shares forfeited for the Nonpayment of Calls thereon; and in case there shall be no such Declaration made as aforesaid, then such Notice as is herein-before directed to be given shall be served upon or left at the last known Place of Abode in *England* of the Executors or Administrators of such Proprietor so dying, or of the Husband of such Female Proprietor so marrying, or of the Assignees or Trustees of such Proprietors so becoming bankrupt or insolvent, or, in the event of the Share having been so disposed of as aforesaid, of the last Proprietor appearing in the Books of the said Company to have been possessed of the same; and in case the last or usual Place of Abode of such Proprietor cannot be ascertained upon Inquiry, or in case the Proprietor of the same shall be out of the Kingdom, such Notice shall be inserted once at least in the *London Gazette*; and in all such Cases, after such Notices, on Default being made, the said Shares shall be forfeited, and shall or may be sold in manner aforesaid; and the like Evidence of

of Title shall be sufficient on any Sale, and the like Indemnity to Purchasers shall exist as in other Cases of Sales for Nonpayment of Calls; provided that in case of Proprietors being Abroad the Shares shall not be forfeited until the Expiration of Six Calendar Months after the Day on which the Notice shall have been given as aforesaid, and inserted in the *London Gazette* as aforesaid.

Power to pay Subscription in advance; and Interest to be paid on the Amount in advance.

CXXIX. And be it further enacted, That it shall be lawful for the several Proprietors for the Time being of the said Undertaking, and they are hereby empowered, whether before or after any Call or Calls shall have been paid in respect of any Shares held by them respectively, to pay in advance, in case the Directors shall think proper to accept the same, which they are hereby authorized to do, to such Person as the said Directors shall appoint, the respective Sums of Money by them respectively subscribed for, or such Part or Proportion thereof as shall be wanting (over and above the Amount, if any, actually paid in respect of such Shares,) to make up the full Sum of Fifty Pounds in respect of each such Share; and the said Company shall and they are hereby required to pay Interest, at such Rate not exceeding the Rate of Four Pounds for every One hundred Pounds by the Year, upon the Principal Monies which shall have been so paid in advance, or for so much thereof as shall from Time to Time exceed the Amount of the Calls which shall have been made upon the Shares in respect of which such Money shall have been paid in advance as aforesaid, as the Subscriber paying such Sum in advance and the Directors for the Time being of the said Company shall agree upon.

Names of Proprietors to be entered in a Book.

CXXX. And be it further enacted, That the said Company shall and they are hereby required from Time to Time to cause the Names of the several Corporations, and the Names and Additions and Places of Abode of the several Persons who shall be from Time to Time respectively entitled to Shares in the said Undertaking, with the Number of Shares which they are respectively entitled to, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Secretary of the said Company, and every Proprietor of the said Undertaking (or in case of a Corporation their Clerk or Agent duly appointed) may at all convenient Times have recourse to and peruse the same *gratis*, and may demand and have Copies thereof or of any Part thereof, paying to the said Company at and after the Rate of Sixpence for every One hundred Words so to be copied.

In the Case of a Share being vested in more than One, the Proprietor whose Name stands first in the Company's Books to be deemed the Owner.

CXXXI. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share in the said Undertaking the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share shall for the Purposes of this Act be deemed the Proprietor of such Share; and all Notices by this Act required to be given to Proprietors of Shares in the said Undertaking shall and may, for and in respect of any such Shares so jointly held, be given to the Person whose Name shall so stand first on the Books of the said Company, or be left at the

the last or usual Place of Abode in *England* of such Person, or at the Place mentioned and described as his Place of Abode in the Book in which the Secretary of the said Company is by this Act directed to enter and keep a List of the Names and Additions and Places of Abode of the several Proprietors of Shares in the said Undertaking, or be inserted in the *London Gazette*, as herein-before mentioned (as the Case may require); and such Notice to such Person shall be deemed sufficient Notice to all Proprietors of such Shares so jointly held, for all the Purposes for which such Notice is intended to be given.

Receipt of One Proprietor of a Share sufficient.

CXXXII. Provided always, and be it further enacted, That the Receipt of the Person or of any One of the Persons in whose Name or Names any Share in the said Undertaking shall stand in the Books of the said Company shall from Time to Time be a sufficient Discharge to the said Company and Directors for any Dividend or other Sum of Money which shall become payable and be paid for or in respect of such Share, notwithstanding any Trusts upon which such Share shall be then settled or assured, and the said Company shall not be bound to see to the Application of the Money mentioned in such Receipt.

Receipt of a Guardian or Parent of a *Minor*, or Committee of a Lunatic, sufficient.

CXXXIII. And be it further enacted, That in all Cases where any Dividend or other Sum of Money shall be payable under the Provisions of this Act to any Proprietor of any Share in the said Undertaking who shall be a Minor under the Age of Twenty-one Years, or Idiot or Lunatic, the Receipt of the Guardian, if any, or if not of the Parent of such Minor, or of the Committee or One of the Committees of such Idiot or Lunatic, shall be a sufficient Discharge to the said Company and Directors for the same.

Shares to be Personal Estate.

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

Shares to be transferrable.

CXXXV. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors, Administrators, and Successors, to sell or otherwise dispose of and to transfer any Share to which they shall be entitled therein, subject to the Rules and Conditions herein provided, and to such Restrictions and Regulations (if any) as the Directors may from Time to Time think necessary to impose; and the Transfer of Shares shall be in Writing, and may be in the following Words or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require; (that is to say,)

Form of Transfer.

'I *A.B.* of in consideration of the Sum of
'paid to me by *C.D.* of do hereby assign and transfer
'to the said *C.D.* Share [*or* Shares], numbered
'of and in the Undertaking called "The *Thames Haven* Dock and
'Railway;" to hold unto the said *C.D.*, his Executors, Administrators,

'and

‘ and Assigns [*or* Successors and Assigns], subject to the same Con-
‘ dition as I held the same immediately before the Execution hereof;
‘ and I the said *C. D.* do hereby agree to accept and take the said Share
‘ [*or* Shares], subject to the same Conditions. As witness our Hands
‘ and Seals the Day of .’

And on every such Sale the Deed of Transfer, being executed by the Seller and Purchaser, shall be produced to the said Company or the Secretary of the said Company, who shall enter in some Book to be kept for that Purpose a Note of such Transfer, and endorse the same on such Deed of Transfer, and the said Company or Secretary is hereby required to make such Entry and Endorsement accordingly; and until such Note shall have been made and entered as before directed such Purchaser shall not be deemed a Proprietor of the Company, and shall have no Part or Share of the Profits of the said Undertaking, nor any Interest in respect of such Share paid to him, nor any Vote in respect thereof.

After a Call, no Share to be transferred until Call is paid.

CXXXVI. And be it further enacted, That no Person or Corporation shall sell or transfer any Share which he or they shall possess in the said Undertaking after any Call shall have been made by the said Directors for any Sum of Money in respect of such Share, unless he or they at the Time of such Sale or Transfer shall have paid the full Sum of Money which shall have been called for in respect of each Share so to be sold or transferred.

For ascertaining Proprietorship of Shares in case of Marriage or Death, or of any Change of Interest otherwise than by Transfer, in order to the Payment of Dividends.

CXXXVII. And whereas by the Death of or by other Events happening to Proprietors, or by the Marriage of Female Proprietors of Shares in the said Undertaking, it may be difficult to ascertain to whom such Shares, or the Dividends arising or becoming due upon such Shares, may belong or ought to be paid; be it therefore enacted, That in all Cases where the Right of Property in any Share in the said Undertaking shall pass from any Proprietor thereof to any other Person or Corporation by any other legal Means than by a Transfer or Conveyance thereof, duly made and executed as herein-before directed, a Declaration, pursuant to the herein-before mentioned Act of the Sixth Year of the Reign of His present Majesty, shall be made by some credible Person before some Master or Master Extraordinary in the High Court of Chancery, or any of His Majesty's Justices of the Peace, stating the Manner in which such Share hath passed to such other Person or Corporation, and such Declaration shall be transmitted to the said Company, who shall thereupon enter the Name of every such new Proprietor in the Register Book or List of Proprietors of the said Company, and the Clerk of the said Company shall be entitled to receive for each such Entry the Sum of Two Shillings and Sixpence and no more; and before such Declaration shall have been transmitted and such Entry made as aforesaid no Person or Corporation to whom any such Share shall have passed as aforesaid shall be entitled to receive any Part of the Profits of the said Undertaking, or to vote or exercise any of the Privileges of a Proprietor in respect of such Share: Provided always, that before any Person who shall claim any Part of the Profits of the said Undertaking in right of Marriage with any Female Proprietor shall be entitled to receive the same, or to vote

or exercise any of the Privileges of a Proprietor in respect of any Share so claimed, a Declaration pursuant to the said Act, containing a Copy of the Register of such Marriage or other Particulars of the Celebration thereof, and identifying the Wife as the Proprietor of such Share, shall be made in manner aforesaid, and shall be transmitted to the said Company, who shall file the same and make an Entry thereof in the Book which shall be kept for the Entry of Transfers or Sales of Shares in the said Undertaking; and before any Person or Corporation who shall claim any of the Profits of the said Undertaking by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same, or to vote or exercise any of the Privileges of a Proprietor in respect of such Share, the said Will, or the Probate thereof, or the Letters of Administration, or an Office Copy of such Will or Letters of Administration, shall be produced and shown to the said Company: Provided always, and it is hereby expressly declared, that the said Company shall not be bound to see to the Execution of any Trust whether expressed or contructive, to which any Share as aforesaid shall be subject or liable.

Directors to cause Accounts to be kept.

CXXXVIII. And be it further enacted, That the said Directors shall cause a Book or Books to be kept by a Book-keeper, who shall be expressly appointed by the said Directors for that Purpose, and who shall enter or cause to be entered in the said Book or Books true and regular Accounts of all Sums of Money received and expended for or on Account of the said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of any of the Proprietors of the said Company, or of any Loan Creditor for any Money to be borrowed under this Act as herein-after mentioned, without Fee or Reward; and the said Proprietors or any Creditor as aforesaid shall and may take Copies of or Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case the said Book-keeper shall refuse to permit or shall not permit the said Proprietors or any such Creditor to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Book-keeper shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Officers to account and deliver up their Papers.

CXXXIX. And be it further enacted, That every Officer and Person who shall be employed by virtue of this Act shall from Time to Time, when thereunto required by the said Company or by the said Directors, make out and deliver to the said Company or to the said Directors, or to such Persons as they shall respectively for that Purpose appoint, a true and perfect Account in Writing under his Hand of all Monies which shall have been by him received by virtue of this Act, and stating how, and to whom, and for what Purpose the same shall have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer and Person shall pay all such Monies as upon the Balance of such Account shall appear to be owing from him to the Treasurer of the said Company, or to such Person as the said Company or Directors shall appoint to receive the

same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up such Vouchers and Receipts relating to the same, or to pay the Balance thereof when required in manner aforesaid, or shall refuse or neglect to deliver up to the said Company or to the said Directors, or to such Person as they respectively shall appoint, within Fifteen Days after being thereunto required by the said Company or by the said Directors as last aforesaid, all Books, Papers, Vouchers, and Writings in his Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Company or by the said Directors, or by any other Person on their Behalf, to any Justice of the Peace for the County or Place in which such Officer or Person shall be or reside, such Justice may and he is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing or not being to be found to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Company or the said Directors might have done; and if upon Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, or by the solemn Affirmation of any Person being a Quaker, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby required, by Warrant under his Hand and Seal, to commit such Officer or Person to some Common Gaol or House of Correction of or for the County or Place in which such Officer or Person shall live or reside, there to remain without Bail or Mainprize until he shall have made out and delivered such Account, and have delivered up the Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he shall have compounded with the said Company or with the said Directors for such Money and Charges, and have paid the Composition Money to the said Company or to the said Directors, (and which Composition the said Company or the said Directors are hereby respectively empowered to make and accept,) or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings to the said Company or to the said Directors: Provided always, that no Person

Mode of enforcing such Payment and Delivery.

who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

Accounts to be made up half-yearly.

CXL. And be it further enacted, That the said Company or the Directors of the said Company shall and they are hereby required to cause a true and particular Account to be kept, and to be made up twice in every Year, (that is to say,) on the Thirtieth Day of *June* and the Thirty-first Day of *December*, of the Money to be received by the said Company and by the Directors of the said Company, or otherwise, for the Use of the said Company, by virtue of this Act, and of the Charges and Expences attending the making or maintaining and carrying on of the said Undertaking, and of all other the Receipts and Expenditure of the said Company and of the said Directors, up to the Period at which such Account shall be made up and balanced; which Account shall be laid before the then next half-yearly General Meeting of the said Company herein-before directed to be held, and which Account shall be produced to any Proprietor who shall require to be allowed to examine or inspect the same at any Time within Seven Days prior to the Day of such half-yearly General Meeting: Provided always, that if the Account so to be laid before any half-yearly General Meeting shall not be considered satisfactory by such Meeting, then and in such Case the said Meeting shall have Power to appoint a Committee of Inspection, to consist of Five or more Proprietors, each of whom shall hold at least Ten Shares in the said Undertaking, who shall examine into such Account and report thereon to a future Meeting of the said Company to be held for that Purpose by Adjournment or otherwise; and for the Purpose of such Examination the said Directors shall, on Demand, at all convenient Times cause to be produced to the said Committee or any Members thereof all Books of Account, Vouchers, and Documents in the Possession or Power of the said Directors relating to the Affairs of the said Company.

Dividends to be declared.

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

Reserved Fund to be set aside

CXLII. And be it further enacted, That, previously to any Dividend being declared out of the net Profits of the said Company, it shall

shall be lawful for the said Directors (unless otherwise directed by a General Meeting of the said Company) to set apart One Tenth Part or any less Part of such net Profits to form a Fund for the Purpose herein-after mentioned, and the remaining Nine Tenths or other greater Parts only of such net Profits shall in that Case be divisible among the Proprietors of the said Company, any thing herein-before contained to the contrary notwithstanding: Provided always, that if at any Time such reserved Fund shall amount to the Sum of One hundred thousand Pounds, then and in such Case the whole of such net Profits shall be divisible among the Proprietors of the said Company: Provided also, that any General or Special General Meeting of the said Company may and they are hereby authorized to order the whole of the net Profits of the said Company to be divided among the said Proprietors.

before Dividends made.

CXLIII. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to lay out and invest in the Names of Four Trustees for and on behalf of the said Company, to be nominated by the said Directors, such One Tenth or other less Part of the said net Profits, as and when the same may be set apart as aforesaid, in such of the Public Funds or Stocks of *Great Britain* as the said Directors shall deem expedient, and from Time to Time to lay out and invest the Dividends and Interest arising from such Funds or Stocks in the same or any other Public Funds or Stocks in order that the same may accumulate at Compound Interest until the Funds so formed shall amount to the said Sum of One hundred thousand Pounds: Provided always, that when such Sum shall, by Accumulation or otherwise, amount to the Sum of One hundred thousand Pounds, the Interest or Dividends thereof shall no longer be invested, but shall be applied for the general Purposes of the said Company: Provided also, that it shall be lawful for any General or Special General Meeting of the said Company to divide and dispose of the Whole or any Part of such reserved or accumulated Fund among the said Proprietors in proportion to their Shares in the said Undertaking, or otherwise for the Benefit and Use of the said Undertaking.

Reserved Fund to be invested in the Public Funds, and accumulated until amounting to 100,000*l.*, or ordered to be divided.

CXLIV. And be it further enacted, That it shall be lawful for the said Directors to resort to the reserved or accumulated Fund so to be formed as aforesaid in order to satisfy any Claims or Demands upon the said Company, instead of making any Calls upon the Proprietors of the said Company for the Payment of any further Sum or Sums in respect of their Shares.

Reserved Fund may be resorted to instead of making Calls upon Proprietors.

CXLV. And be it further enacted, That when and so often as the Fund to be formed as aforesaid shall, by reason of any Vote of any Meeting as aforesaid, or of any such Claim or Demand, or from any other Cause, have been reduced below the Sum of Twenty-five thousand Pounds, the One Tenth or other less Part of the net Profits of the said Company shall again in like Manner be liable to be set apart and invested, and the Interest and Dividends thereof in like Manner again be allowed to accumulate at Compound Interest until such Fund shall again amount to the Sum of Twenty-five thousand

When reserved Fund reduced below 25,000*l.* Part of Profit again to be reserved and to accumulate.

thousand Pounds, and such reserved or accumulated Fund shall then thereafter be liable to be again divided in manner herein-before mentioned.

Directors empowered to vary Securities in which reserved Fund is invested.

CXLVI. And be it further enacted, That it shall be lawful for the said Directors, from Time to Time as they shall think proper, to vary or transpose the Funds or Stocks, or any of them, in which the said Monies or reserved Fund, or any Part thereof, shall from Time to Time be invested, and also to sell and dispose of all or any Part of the said reserved Fund and Stocks, and to convert the same into Money for the Purpose of satisfying any Claims or Demands upon the said Company as herein-before mentioned.

Power to raise an additional Sum of 150,000*l.* by Mortgage.

CXLVII. And be it further enacted, That in case the Money hereby authorized to be raised by Subscription as herein-before mentioned shall be found insufficient for the Purposes of this Act, it shall be lawful for the said Company, by an Order of any General Meeting of the said Company, either before or after the said Sum of Four hundred and fifty thousand Pounds shall have been paid, from Time to Time to borrow and take up at Interest any further or additional Sum, not exceeding One hundred and fifty thousand Pounds, on the Credit of the said Undertaking, as to them shall seem proper; and the said Company, and the Directors of the said Company after an Order made for that Purpose at any General or Special General Meeting of the said Company, are hereby empowered to mortgage, assign, and charge the Property of the said Undertaking, and the Rates, Tolls, or other Sums arising or to arise by virtue of this Act, or any Part thereof, the Costs and Charges of assigning the same to be paid out of such Rates, Tolls, or Sums, (as a Security for any such Money to be borrowed as aforesaid, with Interest,) to or for the Benefit of the Party or to his Trustee who shall advance the same; and a Copy of the Order of any General or Special General Meeting of the said Company, authorizing the borrowing of any such Sum of Money, certified by One Director or the Secretary of the said Company to be a true Copy, shall be sufficient Evidence of the making of such Order for raising such additional Sum of Money, and also of the Money authorized to be raised by Subscription as aforesaid being insufficient for the Purposes of this Act; and all such Mortgages, Assignments, and Charges shall be made under the Common Seal of the said Company, and may be in the Words or to the Effect following, or with such Variation therein as the Circumstances of the Loan may render necessary; (that is to say,)

Form of Mortgage.

‘ *Thames Haven* Dock and Railway Company.

‘ Number .

‘ BY virtue of an Act passed in the Sixth Year of the Reign of ‘ King *William* the Fourth, intituled [*here insert the Title of this* ‘ *Act*], we, “The *Thames Haven* Dock and Railway Company,” ‘ incorporated by and under the said Act, in consideration of the ‘ Sum of to us paid by *A. B.* of ‘ do assign unto the said *A. B.*, his Executors, Administrators, and ‘ Assigns, the said Undertaking, and all and singular the Rates, ‘ Tolls, and Sums of Money arising by virtue of the said Act, and

'all the Estate, Right, Title and Interest of the said Company of, 'in, and to the same, to hold unto the said *A. B.*, his Executors, 'Administrators, and Assigns, until the said Sum of 'together with Interest for the same after the Rate of 'for every One hundred Pounds for a Year, shall be fully paid and 'satisfied. Given under our Common Seal this 'Day of in the Year of our Lord .'

And the respective Parties to whom such Mortgages or Assignments shall be made shall be entitled one with the other to their respective Proportions of the said Rates, Tolls, and Sums and Premises, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of Priority in the Date of any such Order of Meeting, or Priority in Date of any such Mortgage or Assignment, or on any other Account whatsoever; and an Entry or Memorial of every such Mortgage or Assignment, containing the Number and Date thereof, and the Names of the Parties (with their proper Additions) to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon respectively, shall within Fourteen Days next after the Date thereof be entered in some Book to be kept by the Secretary of the said Company, which said Book may be perused at all seasonable Times by any of the Proprietors or Mortgagees of the said Undertaking, or other Persons interested therein, without Fee or Reward; and all Parties to whom any such Mortgages or Assignments shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights or Interests therein to any other Person or Persons; and every Transfer thereof shall be by Deed duly stamped, in which the Consideration for the same shall be truly stated and specified, and may be made in the Words or to the Effect following; (that is to say,)

Form of Transfer of Mortgage

'I *A. B.* of in consideration of the Sum 'of to me paid by *C. D.* of 'do hereby transfer to the said *C. D.*, his Executors, Administrators, 'and Assigns, a certain Mortgage, Number , made by "The '*Thames Haven* Dock and Railway Company" to 'bearing Date the Day of 'for securing the Sum of and Interest, and 'all my Right, Estate, and Interest in and to the Money thereby 'secured, and in and to the Rates, Tolls, Sums of Money, and Pro-'perty thereby assigned. Dated this Day of 'in the Year of our Lord .'

And every such Transfer shall within Fourteen Days next after the Date thereof, if executed in *England*, or otherwise within Fourteen Days next after the Arrival thereof in *England* if executed elsewhere, be produced to the Secretary of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the original Mortgage or Assignment, for which the said Secretary shall be paid such Sum as the said Company shall appoint, not exceeding the Sum of Two Shillings and Sixpence; and after such Entry or Memorial made every such Transfer shall entitle such Assignee, or his Executors, Administrators, and Assigns, to the full Benefit

thereof and Payment thereon, and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the Mortgage so transferred, or any Sum of Money thereon due or thereby secured, or any Part thereof.

Power to increase the Capital Stock by issuing new Shares.

CXLVIII. And be it further enacted, That in case the said Company at any Special Meeting to be called as in this Act is directed, instead of borrowing such further or other Sum as aforesaid by way of Mortgage, or continuing the same on Mortgage, shall think it advisable to raise such further or additional Sum, or any Part thereof, by way of Augmentation of their Capital Stock, or shall deem it expedient to borrow or continue at Interest only a Part of the said further or additional Sum by way of Mortgage, and to raise the Remainder thereof or Part of the Remainder thereof by way of Augmentation of their Capital Stock, then and in either of the said Cases it shall be lawful for the said Company by the issuing of new Shares to augment the Capital Stock of the said Company by any further Sum or Sums of Money, so as the same, together with any Sum of Money that may be borrowed and continuing at Interest by way of Mortgage as aforesaid, shall not exceed such further or additional Sum of One hundred and fifty thousand Pounds hereby authorized to be raised as aforesaid; and all such further and additional Capital Stock, not exceeding such additional or further Sum as aforesaid, as shall be so raised, shall be considered as Part of the general Capital Stock of the said Company, and be under and subject to the same Provisions, Regulations, Directions, and Management, in all respects, and to all Intents and Purposes, as if the same had been Part of the original Capital Stock of the said Company, except as to the Times of making Calls, which Times and the Amount of such Calls respectively shall from Time to Time be appointed by the said Company: Provided always, that all the Regulations, Provisions, and Authorities herein contained in relation to the Calls for the Capital Stock of the said Company, and to the Recovery thereof or of any Arrears thereof, and to the Forfeiture of any Sums advanced by reason of any Neglect or Refusal to comply with such Calls, shall be applicable to the Calls for the said further and additional Sum hereby authorized to be raised or subscribed as aforesaid, or such Part thereof as shall be required to be raised by way of additional Capital Stock as aforesaid, and to the Refusal or Neglect to comply with such last-mentioned Calls.

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

CXLIX. And be it further enacted, That the Interest of the Money which shall be raised by Mortgage, Assignment, or Charge as aforesaid shall be paid half-yearly to the several Parties entitled thereto, and in preference to any Dividends payable by virtue of this Act to the Proprietors of the said Company or any of them; and in case such Interest or any Part thereof shall be unpaid for the Space of Thirty Days next after the same shall have become due and payable as aforesaid, and the same shall not be paid within Ten Days next after Demand thereof in Writing shall have been made to the said Company, or left at the Office of the said Company, it shall be lawful for any Two or more Justices of the Peace for the County of *Essex* (not being interested in the Matter in question), and

and they are hereby required, on Request to them made by or on behalf of any Mortgagee whose Interest shall be so in arrear, by an Order under their Hands to appoint some Person to receive the Whole or such Parts of the said Rates, Tolls, or Sums as are liable to pay such Interest so due and unpaid as aforesaid, and the Money so to be received by such Person is hereby declared to be so much Money received by or to the Use of the Person to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the said Rates, Tolls, or Sums, shall be fully paid and satisfied; and after such Interest and Costs shall have been paid and satisfied the Power or Authority of such Receiver for the Purposes aforesaid shall cease and determine, or otherwise the said Interest so due and unpaid as aforesaid may be sued for and recovered from the said Company, with Costs, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Mortgagee not to be deemed a Proprietor, or entitled to vote as such.

CL. Provided always, and be it further enacted, That no Person to whom any such Mortgage or Assignment shall be made or transferred as aforesaid shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at any Meeting of the said Company, by or on account of his having advanced any Money on such Mortgage or Assignment.

In case Mortgages are paid off, the Company may raise the like Amount again.

CLI. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the Money herein-before authorized to be raised by Mortgage, Assignment, or Charge as aforesaid, and shall afterwards pay off all or any Part of the Principal Sum so raised or borrowed upon Mortgage, Assignment, or Charge as aforesaid, then and in every such Case it shall be lawful for the said Company, immediately or at any Time or Times thereafter, again to raise, in lieu of the Principal Money so paid off by them, such Sum or Sums of Money as they shall from Time to Time have paid off to the Holders of such Mortgages or Assignments or any of them, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any event borrow upon Mortgage, Assignment, or Charge as aforesaid in such Manner or to such Extent as that the Monies which shall be owing at any One Time on Mortgage or Assignment of or as a Charge upon the said Undertaking, together with the Monies (if any) which shall have been raised by way of additional Capital as aforesaid, shall amount in the whole to more than the Sum of One hundred and fifty thousand Pounds over and above the Amount of Calls for the Time being remaining unpaid and still to be called for by the said Company in respect of the said Sum of Four hundred and fifty thousand Pounds so authorized to be raised by Subscription, as first herein-before mentioned.

Company may stipulate Periods for Repayment of Mortgage Money.

CLII. And be it further enacted, That where any Sum of Money shall be borrowed at Interest, pursuant to the Powers in that Behalf contained in this Act, it shall be lawful for the said Company, in case they shall in their Discretion think proper so to do, to fix a Period or Periods for the Repayment of the Principal Sum of Money so to be borrowed, with the Interest thereof, and in such Case the Company

Company shall cause to be inserted in such Mortgage or Assignment the Time or Times which shall be fixed or agreed upon for the Repayment of the Principal Money thereby to be secured; and such Sum of Money, with all Arrears of Interest thereon, shall accordingly be paid at the Time or Times so to be fixed to the Party who shall upon the Expiration of such Period or Periods be the Holder of and entitled to such Mortgage or Assignment, or his Nominee.

As to paying off Mortgages when no Period is stipulated.

CLIII. And be it further enacted, That where no Time shall be fixed for the Repayment of any Sum of Money borrowed under the Authority of this Act the Party entitled to any such Mortgage or Assignment may and he is hereby authorized to demand Payment of the Principal Monies thereby secured, with all Arrears of Interest, at or at any Time after the Expiration of Twelve Calendar Months from the Date of such Mortgage or Assignment, upon giving Six Calendar Months Notice in Writing to the Secretary of the said Company for the Time being: Provided nevertheless, that the said Company may at all Times pay off and discharge all such Mortgages or Assignments in which no Time shall be fixed for the Payment thereof, or any Part of the Money thereby secured, on giving Six Calendar Months Notice in the *London Gazette* and in Two or more *London* Newspapers, and in some One or more Newspaper or Newspapers circulating in the County of *Essex*; and at the Expiration of the said Six Calendar Months all Interest shall cease to be paid on the said Principal Money, unless the said Company shall, on Demand, make default in the Payment of the said Principal Money and Interest then due, in pursuance of such Notice.

For securing Repayment of Principal Money borrowed

CLIV. And be it further enacted, That in case of Nonpayment of any Principal Sum of Money which shall be secured by any such Mortgage or Assignment as aforesaid by virtue of this Act, or of any Part of such Principal Monies, at the Time or Times when the same ought to be paid, and in case the same shall not be paid within Six Calendar Months next after the same shall be so payable as aforesaid, and after Demand thereof in Writing shall have been made to the said Company, it shall be lawful for Two or more Justices of the Peace acting for the County of *Essex* (not being interested in the Matter in question), and they are hereby respectively required, on Request to them made on behalf of any Parties entitled to any such Mortgage or Assignment as aforesaid, and to whom any Principal Sums of Money shall be then due thereon and unpaid, amounting in the Whole to the Sum of Five thousand Pounds or upwards, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Principal Monies so due and unpaid as aforesaid, and the Money so to be received by such Person is hereby declared to be so much Money received by or for the Use of the Persons and Corporations to whom such Principal Money shall be due, and on whose Behalf such Receiver shall have been so appointed, until the same, together with the Costs and Charges of recovering and receiving the Rates, Tolls, or Sums, and all Interest then due thereon, shall be fully satisfied and paid; and after such Principal, Interest, and Costs shall have been paid and satisfied the Power and Authority of such

Receiver for the Purposes aforesaid shall cease and determine; or otherwise the said Principal Money so due and unpaid as aforesaid may be sued for and recovered from the said Company, with Costs, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Rates of Tonnage for Goods conveyed along the Railway.

CLV. And be it further enacted, That it shall be lawful for the said Company to demand, receive, and recover, to and for the Use and Benefit of the said Company, for the Tonnage of all Articles, Matters, and Things which shall be conveyed upon or along the said Railway, any Rates or Tolls not exceeding the following; (that is to say,)

For all Coals, Coke, Culm, Charcoal, Cinders, Building, Pitching, and Paving Stone dressed, Bricks, Tiles, Slates, Clay, Sand, Dung, Compost, and all Sorts of Manure, Lime, Limestone, Chalk, and all undressed Materials for the Repair of public Roads or Highways, any Sum not exceeding Two-pence *per* Ton *per* Mile:

For all Cotton and other Wools, Hides, Grain, Corn, Flour, Dyewoods, Timber, Staves, Deals, Iron and all other Metals (except Specie and Bullion, Quicksilver and Platina), manufactured Goods, Sugar, and all other Wares, Merchandize, Articles, Matters, or Things, (except as before or herein-after mentioned,) any Sum not exceeding Three-pence *per* Ton *per* Mile:

For all Specie, Bullion, Quicksilver, and Platina, One Penny *per* Mile for every One hundred Pounds Value:

For all Silk, Indigo, Cinnamon, and other Spices, Cochineal, Oranges, Lemons, and other Fruit not dried, Eggs, Fish, Poultry, Meat, and all other Articles of a perishable or consumable Nature, any Sum not exceeding Sixpence *per* Ton *per* Mile.

Tolls on Carriages conveying Passengers or Cattle along the Railway.

CLVI. And be it further enacted, That it shall be lawful for the said Company to demand, receive, and recover, to and for the Use and Benefit of the said Company, for and in respect of Passengers, Beasts, Cattle, and Animals conveyed in Carriages upon the said Railway, any Tolls not exceeding the following; (that is to say,)

For every Person conveyed in or upon such Carriage, the Sum of Two-pence *per* Mile:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, the Sum of One Penny Halfpenny *per* Mile:

For every Calf or Pig conveyed in or upon any such Carriage, the Sum of One Halfpenny *per* Mile:

For every Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, the Sum of One Farthing *per* Mile:

For every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, the Sum of Four-pence *per* Mile, and for every such Carriage weighing more than One Ton the Sum of Four-pence *per* Ton *per* Mile, and so in proportion for every Fraction of a Ton, such Fraction to be computed in the Manner herein-after provided.

The Company not to be compelled to receive less than One Shilling per Ton for short Distances.

CLVII. Provided always, and be it further enacted, That in all Cases where any Article, Matter, or Thing shall be carried or conveyed along the said Railway for so short a Distance that the Rate or Toll authorized by this Act to be demanded or received for the Carriage of the same shall not amount to the Sum of One Shilling *per* Ton, the said Company shall be at liberty and they are hereby authorized and empowered to demand and receive any Sum of Money not exceeding One Shilling *per* Ton thereon, provided the Weight shall be One Ton or more, and if less than a Ton it shall still in such Case be deemed to be a Ton, and charged with any Sum not exceeding One Shilling, as if the same were a Ton in Weight; and in all Cases where any Person shall be conveyed on the said Railway for a less Distance than Six Miles the said Company are hereby empowered to demand and receive, in respect of the Rate or Toll for such Person, any Sum not exceeding One Shilling; any thing in this Act contained to the contrary thereof notwithstanding.

Rates for the Dock.

CLVIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors and they are hereby authorized and empowered to demand and take, for every Ship or Vessel which shall enter the said Dock, any Rates and Duties not exceeding the Sum of One Shilling *per* Ton Register Measure, to be paid by the Master or Owner or other Person having the Command thereof on entering the said Dock, and if the same shall continue in the said Dock beyond the Space of Twenty-one Days an additional Sum not exceeding the Sum of One Penny *per* Ton for every Week beyond the said first Twenty-one Days, to be paid by the Master or other Person having the Care thereof before leaving the said Dock; and for every Ship or Vessel which shall be forced into the said Dock by the Enemy, or by receiving Damage at Sea, or by Stress of Weather, any Rates or Duties not exceeding the Sum of Two-pence *per* Ton Register Measure *per* Day, to be computed from the Time she shall have been in the Dock Twenty-four Hours, and to be payable for every Day or Fraction of a Day which she shall remain in the Dock over and above such Twenty-four Hours.

Rates payable on landing or shipping Goods.

CLIX. And be it further enacted, That the said Company shall and may take or receive, for discharging Cargoes when landed by the Company, the several Rates or Sums specified in the Schedule B. hereunto annexed, and also shall and may take or receive, for and upon all Goods, Wares, Merchandize, and Commodities which shall be landed at or shipped from the said Dock and Works or any Part thereof, from the Owners or Consignees of such Goods, Wares, Merchandize, or other Commodities, any reasonable Rates and Duties not exceeding the several Rates and Duties specified in the Schedules C. and D. hereunto annexed, and shall and may also take or receive, from or in respect of all Persons who shall land at or embark from the said Dock or Works or any Part thereof, any Rate not exceeding the Rate specified in the Schedule E. hereunto annexed.

As to Recovery of Rates payable on Ships.

CLX. And be it further enacted, That the said Tonnage and Dock Rates payable to the said Company in respect of any Ship or Vessel, and for which no Time of Payment is herein-before provided,

shall be paid before any such Ship or Vessel shall leave the said Dock; and in case any Owner, Master, or other Person having the Charge or Command of any Ship or Vessel in respect of which any Rates are payable to the said Company shall refuse or neglect to pay the same when payable, then and in every such Case it shall from Time to Time be lawful for any Collector of the said Company to go on board any such Ship or Vessel to demand, collect, and receive such Rate, and on Nonpayment thereof to take and distrain such Ship or Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and the same to detain until such Rate shall be paid and satisfied; and in case of Neglect or Default in Payment of any of the said Rates for the Space of Fourteen Days next after any Distress so made or taken, then and in such Case it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more Sworn Appraisers or other Persons not interested therein, and afterwards to sell the said Distress, and therewith to satisfy himself or themselves, as well for and in respect of the Rates so neglected or refused to be paid, as for and in respect of his or their reasonable Costs and Charges in taking, keeping, appraising, and selling the same, rendering the Overplus (if any) to the Owner or Master or other Person having the Charge or Command of such Ship or Vessel, upon Demand.

In case of evading Payment of Rates.

CLXI. And be it further enacted, That if any Owner, Master, or other Person having the Charge or Command of any Ship or Vessel shall elude or evade the Payment of any Rate payable to the said Company in respect of such Ship or Vessel, such Owner, Master, or other Person shall stand charged with and be liable to the Payment of the same, and the same shall be recovered from such Owner, Master, or other Person in the same Manner as Fines and Penalties imposed by this Act are directed to be levied and recovered, or by Action or Actions at Law.

Certain Craft exempted from Rates.

CLXII. And be it further enacted, That all Lighters and Craft entering into the said Dock to discharge or receive Ballast and Goods to or from on board any Ship or Vessel shall be exempted from any Rate, Dues, or Charge whatsoever.

To ascertain the Tonnage or Admeasurement of Ships.

CLXIII. And be it further enacted, That the Tonnage or Admeasurement of all Ships and Vessels which shall be liable to the Payment of any Tonnage Rates for the Use of the said Dock and Works shall be ascertained according to the certified Tonnage in the Ship's Register, and the Master or other Person having the Command of each and every such Ship or Vessel is hereby required to produce such Certificate of Registry at the Time of Payment of the said Rates to the Person who shall be duly authorized to collect and receive such Rates; and in case of any Dispute in or about the same then and in such Case the Tonnage of such Ship or Vessel shall be ascertained in the Manner and according to the Directions of any Act for the Time being in force for the registering of *British* Vessels.

Power to measure &c. Ships and Vessels.

CLXIV. And be it further enacted, That if the Collector of any Tonnage Rates due to the said Company, or such other Person as the

the said Directors shall duly appoint in that Behalf, and the Master or other Person having the Charge or Command of any Ship or other Vessel, shall disagree respecting the Tonnage of such Ship or other Vessel, then and in every such Case it shall be lawful for the said Collector or such other Person appointed as aforesaid from Time to Time, and at all convenient and reasonable Times, to stop, detain, enter into, measure, and gauge the same; and in case the same shall upon such measuring or gauging appear to be of greater Tonnage then shall be then set forth and contained in the Account which shall have been given thereof by such Master or other Person, then and in every such Case the Master or Person giving in such Account shall pay the Costs and Charges of such measuring and gauging; but if any such Ship or other Vessel shall be found to be of the same or of less Tonnage than the same shall by such Account appear to be, then and in every such Case the said Collector or other Person as aforesaid shall pay the Costs and Charges of such measuring or gauging, and shall also pay such further Damage as shall appear to any Two Justices of the Peace acting for the said County of *Essex*, on the Oath of any credible Witness, to have arisen from such Detention; and in default of immediate Payment thereof by such Collector or other Person as aforesaid the same shall and may be recovered in any of His Majesty's Courts of Record by Action of Debt; and if the Master, Commander, or other Officer of any Ship or Vessel, or any other Person whosoever, shall obstruct any Person so employed from measuring or gauging any Ship or Vessel in pursuance of this Act, every such Master, Commander, or other Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For Recovery of Rates payable on Goods.

CLXV. And be it further enacted, That the Rates and Dues payable in respect of such Goods, Wares, and Merchandize as aforesaid shall be payable upon the same being landed in or shipped from the said Dock and Works; and in case Default shall be made in Payment of such Rates and Dues or any Part thereof, upon Demand, it shall be lawful for any Collector of the said Company, first paying the Duties (if any) due in respect of such Goods, to retain and sell or cause to be sold all or any Part of such Goods, Wares, and Merchandize, and out of the Monies thence arising to retain and pay the Rates and Dues which shall be payable to the said Company in respect of such Goods, Wares, and Merchandize, and all Charges and Expences of such Distress, rendering the Overplus (if any) of the Monies arising by such Sale, and such of the said Goods, Wares, and Merchandize as shall remain unsold, to the Person or Persons entitled thereunto, on Demand; or the said Company, in case such Rates and Dues shall amount to or exceed the Sum of Ten Pounds, shall and may either levy and recover the same by any of the Ways and Means aforesaid, or shall and may prosecute any Action or Actions at Law for the Payment and Recovery thereof.

Company empowered to levy Rates for Wharfs, &c.

CLXVI. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized and empowered to levy, for the Use and Occupation of any Wharfs, Yards, Messuages, Warehouses, and other Buildings and Conveniences of the said Company,

pany, such Dues, Rents, or Sums of Money as may from Time to Time be agreed upon between the Persons using or occupying the same and the said Company.

Wharfingers not to give undue Preference.

CLXVII. And be it further enacted, That if any Wharfinger or other Servant belonging to the said Company of Proprietors shall give an undue Preference or show any Partiality to any Waggon or other Carriage in passing up or down the said Railway, or in loading or unloading any Goods or other Things at any of the Wharfs, Warehouses, Weighbeams, Cranes, or other Machines belonging to the said Company, every Person so offending shall or Conviction forfeit and pay for every such Offence any Sum not exceding Forty Shillings.

Goods not to be removed till Wharfage is paid.

CLXVIII. Provided always, and be it further enacted, That in no Case shall any Person whosoever remove or take away any Goods, Wares, Merchandize, or other Things for which any Money for Wharfage or Warehouse-room shall have become due as aforesaid, from any Wharf, Quay, or Warehouse, without the Consent of the Owner of such Wharf, Quay, or Warehouse, or the Person chiefly entrusted with the Care thereof, without Payment of such Rate or Sum for Wharfage and Warehouse-room as shall be due for the same under the Provisions of this Act.

Removal of Ballast.

CLXIX. And whereas it is necessary that Provision should be made for the Removal of Ballast from and out of Ships and other Vessels entering the said Dock; be it therefore enacted, That it shall be lawful for the said Company and they are hereby authorized to remove and take away the Ballast of any such Ship or Vessel; and inasmuch as such Removal would be attended with great Expence, it shall be lawful for the said Company to demand and take from the Owner or Master of every such Ship or Vessel a Sum not exceeding Two Shillings for every Ton Weight of such Ballast.

Directors empowered to make Rules and Regulations.

CLXX. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to make, ordain, and establish such Orders, Rules, and Regulations for the good Government of the said Directors, and of the Clerk, Treasurer, Superintendent, Collectors, Engineers, Surveyors, Workmen, Watchmen, Lightermen, and Labourers, and other Persons appointed or employed under or by virtue of this Act, and for the better regulating, governing, and managing the several Works, Matters, Accounts, and Things by this Act authorized to be made and done, as well whilst the same are doing as after the same shall be finished and completed, and in respect of the Admission of Ships, Vessels, Lighters, or Craft into, and of the Removal thereof out of the said Dock, and of the unshipping, landing and relanding, shipping, lading, loading, and discharging, carrying and conveying, laying and depositing, and warehousing and removing of Goods, Merchandize, and Things upon, to, in, or from the said Quays, Wharfs, Warehouses, and Premises, and also in respect of the Hours during which the Gates and Entrances of the said Dock and Premises shall be open, and and in respect of the Persons who shall be permitted to be so employed in or about the Dock, Quays, Wharfs, Warehouses,

Warehouses, and Premises of the said Company, and as to the lighting or using of Candles, Fires, and Lamps within the said Dock or Premises of the said Company, and for the better regulating of Porters, Carmen, and others carrying or conveying Goods, Wares, or Merchandize, or using or driving Horses, Trucks, Carts, Sledges, or other Carriages to or from the said Quays, Wharfs, and Warehouses, and of all Masters of Vessels, Pilots, Lightermen, and others within the said Dock and Premises, and for preventing Damage being done to Shipping, Lighters, and Craft, or to any Goods, Merchandize, or Things within the Premises of the said Company, and also to repeal, annul, amend, add to, or alter such Rules, Orders, and Regulations as to them the said Directors shall seem meet, and to affix and appoint reasonable Penalties, not exceeding Five Pounds for any One Offence, for the Nonobservance, Nonperformance, or other Breach of all or any of such Rules, Orders, and Regulations, or any Part of them, and also to make and from Time to Time to alter or repeal such other Rules, Orders, and Regulations as shall be expedient for the Execution of this Act, provided that such Rules, Orders, and Regulations shall not be contrary to the Statutes or Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*.

Such Rules to be subjcet to the Control of Company.

CLXXI. And be it further enacted, That the Rules, Orders, and Regulations so to be made by the said Directors shall and are hereby declared to be subject to the Inspection and Control of the said Company, and it shall be lawful for the said Company, from Time to Time and at all Times when they shall think proper, at any Meeting of the Proprietors, whether ordinary or special, if they shall see fit, to revoke, annul, amend, or alter any of the said Rules, Orders, and Regulations, or to make other Rules, Orders, and Regulations in lieu thereof; and such Rules, Orders, and Regulations made by the said Company shall be printed, and may be altered or repealed, and others made in their Stead, by the said Company, but not by the said Directors; and all such Rules, Orders, and Regulations as shall be made by the said Directors or the said Company shall be printed and published, and Copies thereof given to Persons having Occasion for and requiring the same, and Copies thereof painted on Boards shall be affixed on some conspicuous Place or Places within the said Dock.

Directors to appoint a Dock Master.

CLXXII. And be it further enacted, That it shall be lawful for the said Directors, or any Five or more of them, from Time to Time as Occasion shall require, to appoint a proper Person or Persons to be a Dock Master or Dock Masters, and from Time to Time to remove, suspend, or dismiss him or them; and such Dock Master or Dock Masters shall have full Power and Authority to direct and control the mooring, unmooring, moving, or removing of all Ships, Vessels, Lighters, and Craft coming into, going out of, lying, or being in the said Dock, or any of them, as to the Time or Times and Manner of their Entrance into, lying in, or going out of the same, and their Position, loading, and discharging therein, or Times of opening or shutting the several Gates thereof; and in case the Owner, Master, or Pilot, Servant, or other Person having the Care of any Ship or Lighter, Craft or other Vessel, shall refuse

or neglect to obey any such Order, or Direction after Notice to him or them given, or if any Ship, Lighter, Craft, or other Vessel shall be left without any Person on board, it shall be lawful for the said Dock Master or Dock Masters, and his or their Assistants, to moor, unmoor, move, or remove such Ship, Lighter, Craft, or other Vessel; and the Charges and Expences thereof respectively shall be paid, together with the Sum of Five Pounds for each Offence, by the Master or Owner of such Ship, Lighter, Craft, or other Vessel, and may be recovered by the said Company of the Owner of such Ship, Lighter, Craft, or Vessel, in case of Nonpayment thereof on Demand, by such Ways and Means as Penalties are by this Act directed to be recovered.

Penalty for obstructing the mooring, &c. of Vessels.

CLXXIII. And be it further enacted, That in case any Master, Commander, Mate, Pilot, or other Person having the Command of any Ship, Lighter, Craft, or Vessel, or the Owner or Agent thereof, or any other Person whosoever, shall obstruct or hinder the mooring, unmooring, moving, or removing of any Ship, Lighter, Craft, or other Vessel, such Person or Persons shall for such Offence forfeit respectively any Sum not exceeding Five Pounds, to be recovered by such Ways and Means as Penalties are by this Act directed to be recovered.

For regulating the mooring of Vessels off the Entrance of the Dock.

CLXXIV. And be it further enacted, That when the said intended Dock is so far completed as to admit Ships, Vessels, or Craft to enter therein, no Ship, Lighter, Barge, Craft, Boat, or other Vessel shall lie within One hundred Yards of the Entrances of the said Dock, that at all Times the Entrances may be kept clear without Obstruction, and over such Space the Dock Master or Dock Masters shall have Control, so far as relates to the placing or transporting, removing or stopping of Ships, Barges, Lighters, Craft, Boats, and other Vessels, any Law, Statute, or Usage to the contrary notwithstanding; provided that nothing herein contained shall extend to prevent any Ship or Vessel, Lighter or Craft, from lying in the River *Thames* alongside of any Wharf or Wharfs within the said Distance of One hundred Yards, for the Purpose of loading or discharging, so nevertheless as not to impede or obstruct the Entrance into or Departure from the said Dock.

For keeping Entrances clear.

CLXXV. And for better making and preserving a free and clear Passage and Entrance from the River *Thames* into and out of the said Dock, for all Ships, Vessels, Lighters, Barges, Craft, and Boats of every Description, be it further enacted, That if any Master or other Person having the Charge or Command of any Ship, Lighter, Barge, Craft, Boat, or Vessel of any Description whatever shall place or permit or suffer the same to remain in the River *Thames* within One hundred Yards of any Entrance to the said Dock, except as aforesaid, and shall not immediately on being thereunto required by the said Dock Master or Dock Masters remove such Ship, Lighter, Barge, Craft, Boat, or other Vessel, every such Master or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and also any Sum not exceeding Twenty Shillings for every Hour that such Obstruction

struction shall remain after such Notice; and in case the Master or other Person having the Command of such Ship, Lighter, Barge, Craft, Boat, or other Vessel shall not remove such Ship, Lighter, Barge, Craft, Boat, or other Vessel immediately upon being required so to do, it shall be lawful for the said Dock Master or Dock Masters, and his and their Assistant, to remove the same.

For regulating the mooring of Vessels at the Buoys of the said Company.

CLXXVI. And be it further enacted, That from and after the said Dock shall be so far completed as to admit Ships, Vessels, Lighters, or Craft to enter therein, no Ship, Vessel, Lighter, or Craft shall lay at any Buoy, or make fast to any Dolphin, Mooring Post, or Mooring Craft of the said *Thames Haven* Dock and Railway Company in the River *Thames*, save only such as is or are intended to go into, or within Six Hours last past shall have come out of, the said Dock, except with the special Permission of the Dock Master; and every Master, Pilot, and other Person having the Charge or Command of any Ship, Vessel, or Craft lying or moored or having made fast at any such Buoy, Dolphin, or Mooring Craft, shall remove therefrom such Ship, Vessel, Lighter, or Craft under his or their Command within Six Hours after being required so to do by the said Dock Master or his Assistant, under a Penalty not exceeding Twenty Shillings for every Hour any such Ship, Vessel, Lighter, or Craft shall remain at any of the said Buoys, Dolphins, or Mooring Craft after such Requisition as aforesaid.

Penalty on cutting Ropes, &c.

Not to extend to the Dock Master.

CLXXVII. And be it further enacted, That in case any Person whosoever shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Ship, Vessel, Boat, or other Craft lying in any Part of the said Dock be moored or or fastened, such Person shall for every such Offence forfeit and pay the Sum of Five Pounds: Provided always, that nothing herein contained shall hinder or restrain the Dock Master to be appointed in pursuance of this Act, or his Assistants, from exercising in a due and reasonable Manner any of the Powers or Authorities hereby vested in them.

Against boiling Pitch, &c., or keeping Gunpowder on board Ships above the Quantity of Fourteen Pounds.

CLXXVIII. And be it further enacted, That no Pitch, Tar, Resin, Turpentine, Oil, or other combustible Thing shall at any Time hereafter be boiled or heated on board any Ship or Vessel in the said Dock, nor in any Boat within Three hundred Yards of any Quays, Warehouses, or other Places to be erected pursuant to this Act; nor shall any Gunpowder exceeding the Quantity of Fourteen Pounds be suffered to be or remain on board any Ship, Vessel, Boat, or other Craft for any longer Time than Twenty-four Hours after the Arrival of such Ship or Vessel in the said Dock, upon pain that every Master, Commander, or Owner of every Ship, Vessel, Boat, or other Craft shall forfeit for every Offence the Sum of Fifty Pounds.

Gunpowder may be landed without Leave of the Dock

CLXXIX. Provided nevertheless, and it is hereby enacted and declared, That in case any Ship or Vessel in which any Gunpowder above the Quantity of Fourteen Pounds shall happen to be shall arrive on a *Sunday* or any Custom House Holiday, it shall be lawful for

for the Master or Commander of any such Ship or Vessel to land the same without a Sufferance or Leave from the said Dock Master or his Assistant for so doing, provided the same be done in the Presence of a Tide Surveyor or other Officer of the Customs.

Master on a Sunday or any Custom House Holiday.

CLXXX. And be it further enacted, That if any Person shall at any Time hereafter in any way obstruct, or be aiding or abetting any other Person in obstructing, in the Execution of his Duty or Employment, any Constable, Watchman, or Person thereto appointed by or having Instructions in Writing in that Behalf from the said Directors, or from the Dock Master of the said Company, or the Superintendent of the said Dock, from or in going on board or entering in or upon or being in or upon any Ship, Lighter, Boat, Craft, or other Vessel, for the Purpose of searching for any Combustible as aforesaid being or expected to be therein contrary to any Provision of this Act, or contrary to any Order, Rule, or Regulation made by virtue of this Act, or for the Purpose of discovering any Theft or Embezzlement committed or suspected to have been committed in or about such Ship, Lighter, Boat, or Craft or other Vessel, or for the Purpose of quelling any Riot or Disturbance therein, or for any other Purpose authorized by this Act, or by any such Order, Rule, or Regulation as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For preventing Obstructions in going on board Ships, &c., in the Dock.

CLXXXI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any of His Majesty's Ships of War, or any Ship, Transport, or Vessel employed in or upon His Majesty's Service, in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging, or of any Ordnance, Barrack, or Commissariat Stores, or to any Vessel in the Service or Employ of the Ordnance, Customs, or Excise, or of His Majesty's Postmaster General.

Exempting Vessels in His Majesty's Service.

CLXXXII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to provide locomotive Engines or other Power for the drawing or propelling of any Goods, Articles, Matters, or Things, Persons, Cattle, or Animals, upon or along the said Railway or any Part thereof, and to demand, receive, and recover such Sum and Sums of Money for the Use thereof as the said Company or the said Directors may from Time to Time fix or require, in addition to the several other Rates, Tolls, or Sums herein authorized to be charged and received.

Company empowered to provide and charge for locomotive Engines.

CLXXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to prevent the said Company from making any Agreement with any Person for the Hire or Use of any locomotive Engine or of any Carriage, and to charge for the same such reasonable Sum as may be agreed on between the said Company and such Person, any thing herein contained to the contrary thereof notwithstanding.

Act not to prevent the Company from hiring locomotive Engines.

Regulating the Charge for short Distances.

CLXXXIV. Provided always, and be it further enacted, That in all Cases where any of the above-mentioned Articles, Matters, Persons, or Things shall be conveyed on the said Railway for a less Distance than Six Miles, the said Company are hereby empowered to demand and receive the before-mentioned Rates or Tolls, as the Case may be, for Six Miles, exclusive of a reasonable Charge for the Expence of loading and unloading the same where the loading or unloading thereof shall be done by the said Company, and which Charge the said Company are hereby authorized to make.

Regulations as to fractional Parts of a Ton or of a Mile.

CLXXXV. And be it further enacted, That in all Cases in which there shall be a Fraction of a Ton a Proportion of the said Rates or Tolls may be demanded and taken for such Fraction according to the Number of Quarters of a Ton contained in such Fraction, and when there shall be a Fraction of a Quarter of a Ton such Fraction shall be deemed as a whole Quarter of a Ton; and in all Cases in which there shall be a Fraction of a Mile in the Distance which any Carriage shall pass upon the said Railway beyond Six Miles, or any greater Number of Miles, the Rate of Tonnage or Toll which shall be demanded and taken shall be after the Rate of the Number of Quarters of a Mile which such Carriage shall have passed, and when there shall be a Fraction of a Quarter of a Mile such Fraction shall be deemed as a whole Quarter of a Mile; and in order to ascertain and calculate with greater Precision and Facility the Distance for which such Rates or Tolls shall be demanded and taken upon the said Railway the said Company shall cause the same Railway to be measured, and Stones or other conspicuous Marks, with proper Inscriptions thereon, to be set up and maintained along the whole Line thereof, at the Distance of One Quarter of a Mile from each other.

Company may fix the Price of Parcels under Five hundred Pounds Weight.

CLXXXVI. And be it further enacted, That it shall be lawful for the said Company from Time to Time to make such Orders for ascertaining and fixing the Price or Sum to be charged or taken by the said Company in respect of small Parcels (not exceeding Five hundred Pounds Weight) to be carried upon the said Railway, and from Time to Time to repeal or vary the same, as to them shall seem proper: Provided always, that the Provision herein-before contained as to Parcels shall not extend to Goods, Articles, Matters, and Things sent in large aggregate Quantities, although made up of separate and distinct Parcels, but only to single and undivided Parcels.

Company empowered to carry Goods and Passengers, and to charge for the same.

CLXXXVII. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized to carry and convey upon the said Railway all such Goods, Articles, Matters, and Things, and all such Cattle and other Animals, as shall be offered to them for that Purpose, and all such Persons as shall apply to be carried and conveyed along the said Railway or any Part thereof, and to demand, receive, and recover, to and for the Use and Benefit of the said Company, for such Carriage and Conveyance as aforesaid of all Goods, Articles, Matters, and Things, Cattle, Animals, and Persons, carried and conveyed upon the same, in addition to the several Rates and Tolls herein-before authorized to be charged and

received, such Sum of Money as the said Company or the said Directors may from Time to Time fix and require.

Power to reduce and again to raise the Rates, Tolls, &c.

CLXXXVIII. And be it further enacted, That it shall be lawful for the said Company, from Time to Time and so often as they shall think fit, to reduce all or any of the Rates, Tolls, or Sums by this Act authorized to be taken, and afterwards from Time to Time again to raise the same or any of them, so that the same respectively shall not at any Time exceed the Amount by this Act authorized.

Rates and Tolls not to be reduced partially.

CLXXXIX. Provided always, and be it further enacted, That the aforesaid Rates, Tolls, and Sums to be taken by virtue of this Act shall at all Times be charged equally and after the same Rate *per* Ton *per* Mile throughout the whole of the said Railway, in respect of the same Description of Articles, Matters, or Things, and that no Reduction or Advance in the said Rates, Tolls, and Sums shall either directly or indirectly be made partially or in favour of or against any particular Person or Company, or be confined to any particular Part of the said Railway, but every such Reduction or Advance of Rates, Tolls, and Sums upon any particular Kind or Description of Articles, Matters, or Things shall extend to and take place throughout the Whole and every Part of the said Railway, upon and in respect of the same Description of Articles, Matters, and Things so reduced or advanced, and shall extend to all Persons whomsoever using the same, or carrying the same Description of Articles, Matters, and Things thereon; any thing to the contrary thereof in anywise notwithstanding.

Communications with the Eastern Counties Railway to be made under the Direction of their Engineers.

CXC. And whereas it is intended that the said Railway hereby authorized to be made shall communicate with the intended Eastern Counties Railway at *Romford* aforesaid; be it therefore enacted, That all Communications between the said Railway hereby authorized to be made and the intended Eastern Counties Railway as may be necessary or convenient for effecting such Communication shall be made under the Direction and Superintendence of the Engineer for the Time being of the Eastern Counties Railway Company.

Company empowered to contract with other Railway Companies.

CXCI. And whereas it would tend much to the Convenience of the Public if Railway Companies were empowered to enter into mutual Arrangements, so as to avoid the Necessity of a Change of Carriages and other Delays arising from a Diversity of Interest; be it therefore enacted, That notwithstanding any thing in this Act contained it shall be lawful for the said Company hereby incorporated, and they are hereby empowered, from Time to Time, to make and enter into any Contract or Agreement with the said Eastern Counties Railway Company, and also with any other Railway Company, and which Contract or Agreement all other Railway Companies are hereby empowered to make and enter into, either for the Division or Apportionment of Tolls or Rates, or for the Passage over or along the Railway by this Act authorized to be made of any Engines or Carriages of or belonging to any other Railway Company or other Person, or which shall pass over or along any other Line of Railway, or for the Passage over or along any other

other Line of Railway of any Engines or Carriages which shall belong to the said Company hereby incorporated, or which shall pass over or along their Line of Railway, upon the Payment of such Tolls or Rates, and under such Conditions and Restrictions, as may be mutually agreed upon, and also to make and enter into any other Contract with any other Railway Company that may be deemed advisable; and any such Contract may contain such Covenants, Clauses, Provisoes, Conditions, and Agreements as the contracting Parties may respectively think advisable and mutually agree upon: Provided always, that no such Contract shall in any Manner alter, affect, increase, or diminish any of the Rates, Tolls, or Sums which the respective Companies Parties to such Contracts shall for the Time being be respectively authorized and entitled to have, demand, recover, or receive of or from any Person or any other Company, but that all other Persons and Companies shall notwithstanding any such Contract be entitled to the Use and Benefit of any of the said Railways, upon the same Terms and Conditions, and upon Payment of the same Rates, Tolls, and Sums, as they would have been in case no such Contract had been entered into; nor shall any such Contract give any Preference or Advantage to any Company or Person Party thereto over any other Company or Person, but all such Companies and Persons so contracting shall notwithstanding such Contract pay the same Amount of Tolls or Rates as shall from Time to Time be charged to other Companies or Persons not being Parties to such Contracts; and no Person or Party using the said Railway shall pay or be liable to pay any greater Amount of Toll or Rate for in respect of any Carriage, Passenger, Goods, Articles, Matters, or Things carried or conveyed upon or along or using the said Railway than any of such Railway Companies.

A List of Tolls to be exhibited on Boards affixed in conspicuous Places.

CXCII. Provided always, and be it further enacted, That the said Company shall cause to be painted on Boards, and to be affixed, continued, and renewed so often as the same shall be obliterated or defaced, at or near the Entrance to the said Dock, and also upon every Toll House or Building at which any of the Tolls, Rates, or Sums by this Act authorized shall be collected or received, in some conspicuous Place, in White Letters on a Black Ground, each of such Letters to be at least One Inch in Length and of a Breadth in proportion, an Account or List of the several Rates, Tolls, and Sums which the said Company or the said Directors shall from Time to appoint to be taken and received, and which shall be payable by virtue of this Act; and in case any Collector of the Rates, Tolls, or Sums aforesaid shall, after and while such Account or List shall be affixed as aforesaid, demand or take more than the Amount therein specified, such Collector or other Person as aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty on taking more than the just Toll.

Tolls only payable whilst such Boards remain.

CXCIII. Provided also, and be it further enacted, That it shall not be lawful for the said Company to demand or take any Rates, Tolls, or Sums for or in respect of any Article, Matter, or Thing, or any Carriage, Passenger, Horse, Beast, or Cattle, except during such Time as the Board on which such Rates, Tolls, or Sums shall be so painted

painted as aforesaid shall remain affixed at or near the Entrance to the said Dock, and also affixed to such Toll House or Building as aforesaid, and for and during such Time only as the Stones or other conspicuous Marks, with proper Inscriptions thereon, by this Act directed to be set up for ascertaining the Distances for which such Rates or Tolls shall be taken, shall remain set up; provided that in any Proceedings for or relating to the Recovery of any Rates or Tolls by this Act allowed the original affixing of such Boards and setting up of such Stones, or Evidence of the Continuance and Existence of such Boards or Stones at some subsequent Period, shall be *primâ facie* Evidence of the continued Existence of such Boards or Stones, unless it shall be made to appear that such Boards and Stones are or have been subsequently pulled down, destroyed, or defaced.

Penalty on Persons defacing or destroying such Boards.

CXCIV. And be it further enacted, That if any Person shall wilfully pull down, deface, or destroy any Board whereon any such Rates, Tolls, or Sums, or any Bye Laws, Rules, or Orders of the said Company, shall have been painted, according to the Directions of this Act, or any Stone or Mark set up to denote Distances upon the said Railway, or shall concur or aid therein, he shall on Conviction forfeit and pay a Sum not exceeding Ten Pounds for every such Offence.

Packages containing Goods of a dangerous Quality to be marked.

CXCV. And for the better preventing of Accidents or Injury which might arise on or in the said Railway, Dock, and Works from the unsafe and improper Carriage and depositing of certain Goods and Merchandize upon the same, be it further enacted, That every Person who shall send or cause to be sent by the said Railway, or to the said Dock or Premises any Aquafortis, Oil of Vitriol, Gunpowder, or other Goods of a dangerous Quality, shall distinctly mark or state the Nature of such Goods on the Outside of the Package containing the same, or shall otherwise give Notice in Writing to the Book-keeper or other Servant of the said Company with whom the same shall be left at the Time of so sending the said Goods or causing the same to be sent, on pain of forfeiting for every Default herein the Sum of Ten Pounds: Provided always, that the said Company shall not be compelled or compellable to carry upon the said Railway any Gunpowder or other Goods which in the Judgment of the said Company shall be of a dangerous Character; and it shall be lawful also for the said Company to restrain any other Persons from carrying thereon Gunpowder or such other Goods as aforesaid.

Limit of Weights allowed to be carried on Railway.

CXCVI. And be it further enacted, That no Carriage shall carry at any one Time upon the said Railway, including the Weight of such Carriage, more than Four Tons, except in any one single Piece of Timber, Block of Stone, Boiler, Cylinder, Bob, or single Piece of Machinery, or other single Article, which shall nevertheless not exceed the Weight of Eight Tons, including the Weight of the Carriage, and for the Tonnage of which the said Company are hereby authorized to demand, receive, and recover such Rates as they may from Time to Time direct or appoint, not exceeding Four-pence *per*

Ton *per* Mile; and no Piece of Timber, Stone, Machinery, or other Article exceeding the Weight of Eight Tons, including the Weight of the said Carriage, shall be carried upon any Part of the said Railway without the special Licence of the said Company or their Agents, and for the Tonnage of which the said Company are hereby authorized to demand, recover, and receive such Sum as they may deem proper.

Weight of certain Matters ascertained.

CXCVII. And for better ascertaining the Weight of Goods and other Things to be charged with the Payment of such Rates or Tolls as aforesaid, be it further enacted, That (except as to Stone and Timber) One hundred and twelve Pounds shall be deemed One Hundred Weight, and Twenty such Hundred Weights shall be deemed One Ton; and as respects Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Beech, and Ash, and Fifty Cubic Feet of all other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity; any Usage to the contrary notwithstanding.

Account of the Lading of Carriages to be given.

CXCVIII. And be it further enacted, That the respective Owners or Persons having the Care of Carriages passing upon the said Railway shall give an exact and true Account in Writing signed by them to the Collectors of the Rates, Tolls, or Sums, at the Places where they shall attend for that Purpose, of the Quantity of Goods and other Things as aforesaid which shall be in the Carriages so belonging to them or under their Care, and from whence such Carriages are brought, and where the same are intended to be unloaded or left; and if the Goods or other Things contained in any such Carriage shall be liable to the Payment of different Rates, Tolls, or Sums, then such Owners or other Persons shall specify the respective Quantities liable to each or any of the said Rates, Tolls, or Sums; and in case any such Owner or other Person as aforesaid shall neglect or refuse to give and deliver such Account or to produce his Bill of Lading to any Collector demanding the same, or shall give a false Account, or shall deliver any Part of his Lading or Goods at any other Place than is mentioned in such Account, with an Intent to avoid the Payment of any of the said Rates, Tolls, or Sums, and shall be thereof convicted before any Justice of the Peace acting for the said County of *Essex*, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Forty Shillings for every Ton of Goods, and for every Parcel not exceeding Five Hundred Weight, and so in proportion for any Quantity of Goods less than a Ton, or any Parcel less than Five Hundred Weight, (as the Case may be,) which shall be in such Carriage of which such Account shall be so refused or neglected to be given, or concerning which such Bill of Lading shall not be produced as aforesaid, or of which a false Account shall have been given, or which shall be fraudulently delivered out as aforesaid, (as the Case shall happen to be,) over and above the Rate, Toll, or Sum to which such Articles or Things may be liable.

If any Difference arise concerning

CXCIX. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates, Tolls, or Sums, or any

any other Officer or Servant of the said Company, and any Owner of or Person having the Charge of any Carriage passing upon the said Railway or any Part thereof, or of any Goods, Articles, or other Things in or on such Carriage, respecting the Goods, Articles, or other Things in or on such Carriage, or the Rates, Tolls, or Sums due in respect thereof, it shall be lawful for such Collector or other Officer as aforesaid to detain such Carriage, and to examine, weigh, measure, and gauge, or cause to be examined, weighed, measured, and gauged, such Carriage, and all such Goods, Articles, and other Things as shall be therein or thereon; and in case the same shall upon such examining, weighing, measuring, and gauging appear to be of greater Weight or Quantity or of different Quality than shall be stated in the Account given thereof as aforesaid, then the Person giving in such Account shall pay, or the Owner of such Carriage, and respective Owners of such Goods, Articles, and other Things, shall, at the Option of the said Company, pay the Costs and Charges of such examining, weighing, measuring, and gauging; all which Costs and Charges, upon Neglect or Refusal of Payment thereof on Demand, shall and may be recovered and levied by and in such Way and Manner as the said Rates, Tolls, and Sums are in this Act authorized to be recovered and levied; but if such Goods, Articles, or other Things shall appear to be of the same Quantity and Quality, or of less Weight or Quantity, than shall be stated in such Account, then the said Company shall pay the Costs and Charges of such examining, weighing, measuring, or gauging, and shall also pay to such Owner of or other Person having the Charge of such Carriage, and to the respective Owners of such Goods, Articles, or other Things, such Damages as shall appear to any Justice of the Peace for the said County of *Essex*, on the Oath or (in case of a Quaker) Affirmation of any credible Witness to have arisen from or by such Detention; but in case it shall at any Time be made to appear to such Justice, upon the Complaint of the said Company, and upon the like Oath or Affirmation, that such Detention, and examining, weighing, measuring, or gauging, was without reasonable Ground or Belief, or that it was vexatious on the Part of such Collector or other Officer as aforesaid, then such Collector or other Officer as aforesaid shall himself pay the Costs and Expences of such examining, weighing, measuring, or gauging, and shall also pay to such Owner or Person, or to the respective Owners of such Goods, Articles, and other Things as aforesaid, such Damage as shall appear to such Justice to have arisen from such Detention, and in default of immediate Payment thereof by the said Company, or by such Collector or other Officer as aforesaid, (as the Case may be,) the same may be recovered by Distress and Sale of the Goods and Chattels of the said Company or of the said Collector or other Officer as aforesaid, (as the Case may be,) by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on Demand, after deducting the Costs of such Distress and Sale, to the said Company, or to the said Collector or other Officer as aforesaid, as the Case may require.

Weight of Lading, Collector may weigh or measure the Carriage.

CC. And be it further enacted, That the Rates, Tolls, and other Sums by this Act authorized to be taken for the Tonnage of all Articles, Matters, and Things which shall be conveyed upon or along the

How Tolls are to be recovered in default of Payment.

the said Railway shall be paid to such Persons, at such Places upon and near the said Railway, and in such Manner and under such Regulations as the said Company or as the said Directors shall, by Notice to be annexed to the Account or List of Rates, Tolls, or Sums, direct and appoint; and in case of Refusal or Neglect, on Demand, to pay such Rates, Tolls, or Sums as may have accrued due, unto the respective Persons appointed to receive the same as aforesaid or any Part thereof, the said Company may, in case such Rates, Tolls, or Sums shall amount to or exceed the Sum of Ten Pounds, sue for and recover the same by Action of Debt or upon the Case in any of His Majesty's Courts of Record, or the Person to whom such Rates, Tolls, or Sums ought to have been paid may and is hereby empowered, whether such Rates, Tolls, or Sums shall amount to the Sum of Ten Pounds, or not, to seize the Goods, Articles, and Things for or in respect whereof such Rates, Tolls, or Sums ought to be or to have been paid, or any Part thereof, and the Carriage laden therewith, and also any Goods, Articles, or Things, and Carriages, the Property of or belonging to the same Person or Persons to whom the Goods, Articles, Things, or Carriages so made liable to Seizure shall belong, and detain the same until Payment of all such Rates, Tolls, or Sums shall be made, together with the reasonable Charges for such Seizure and Detention; and if such Goods, Articles, and Things shall not be redeemed within Five Days next after the taking thereof, the same shall be appraised and sold, and such Rates, Tolls, and Charges satisfied thereout, as the Law directs in Cases of Distress for Rent: Provided always, that in case such Rates, Tolls, or Sums so due as aforesaid shall not amount to the Sum of Ten Pounds it shall not be lawful for the said Company to sue for the same by Action of Debt or on the Case, but the same shall and may be recovered by Distress and Sale or otherwise as is herein-before mentioned.

Amount of Tolls and Charges of Distress how to be settled in case of Dispute.

CCI. And be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates, Tolls, or Sums due to the said Company, or concerning the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Collector or Person distraining to detain such Distress, or, as the Case may require, the Proceeds of the Sale thereof, until the Amount of the Rates, Tolls, or Sums due, or (as the Case may require) the Amount of the Charges of seizing, distraining, keeping, or selling such Distress, shall be ascertained by some Justice of the Peace acting for the said County of *Essex*, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath or Affirmation of the Parties or other Witnesses, and determine the Amount of the Rates, Tolls, or Sums due, or, as the Case may be, of the said Charge, and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the said Parties to the other of them as he shall think reasonable; and in case of Nonpayment thereof, on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same, by Warrant under the Hand and Seal of such Justice.

CCII. And

Company empowered to lease or farm the Tolls.

CCII. And be it further enacted, That it shall be lawful for the said Company, by Writing under their Common Seal, from Time to Time to let to farm the Rates, Tolls, and Sums hereby made payable, or any Part thereof, upon or in the Whole or any Part or Parts of the said Railway or Dock, to any Corporation or Person, for any Term which they shall think proper not exceeding Seven Years from the Commencement of any such Lease, and to commence in Possession upon or within Three Calendar Months next after granting the same; and every such Lease shall be valid and effectual; and the respective Lessees thereof, and also such Persons as such Lessee shall appoint to collect and receive the Rates, Tolls, or Sums so let, shall during the Continuance of any such Lease be deemed Collectors of the Rates, Tolls, or Sums so let, but for the proper Use of the Lessees thereof, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the said Company; provided that public Notice of the Intention to let the said Rates, Tolls, and Sums, or the Part thereof intended to be let, shall be given by the said Company by Advertisement to be inserted in One or more Newspaper or Newspapers usually circulated within the County of *Essex* at least Thirty Days prior to any Meeting of the said Company or the said Directors at which it may be intended or proposed that the said Rates, Tolls, and Sums, or any Part thereof, shall be let as aforesaid.

Power of Re-entry on Lessee, and of removing Collectors, &c.

CCIII. And be it further enacted, That in case any of the Rates, Tolls, or Sums granted by this Act shall be demised or let to any Person in any Manner whatsoever, and the Lessee thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or any of them, or in case all or any Part of any Rent agreed to be paid by any such Lessee shall be in arrear or unpaid for the Space of Ten Days next after any of the Days on which the same ought to be paid pursuant to the Lease, Agreement, or Contract for demising or letting the same Rates, Tolls, or Sums, the same being demanded in manner herein-before mentioned on the said Tenth or any subsequent Day, or in case any temporary or other Collector of any of the said Rates, Tolls, or Sums shall be discharged from his Office by virtue of this Act, or shall die, abscond, or absent himself, and any such Collector who shall be so discharged, or the Wife, Widow, or any of the Children or Family or any Representative of any such Collector who shall die, abscond, or absent himself or be discharged, or any other Person, being in Possession thereof, shall refuse to deliver up or shall not deliver up Possession of any Office, Toll House, Weighing Machine, or other Buildings, with the Appurtenances thereto respectively belonging, to be erected or provided under the Powers of this Act, for or within the Space of Five Days after Demand made thereof in Writing given or left at such Toll House, Office, Weighing Machine, or Building, or at any of such Toll Houses, Offices, Weighing Machines, or Buildings which shall be or have been in the Possession or Occupation of such Collector or other Person, (such Demand in Writing to be signed by any Three or more of the said Directors, although not assembled at a Meeting, or by the Secretary for the

Time being of the said Company,) or in case any such Lease, Agreement, or Contract shall in any Manner become void or voidable, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the County or Place where the said Premises so demised, or any Part thereof, shall be situate, upon Application by the said Directors or any Three of them, or by the Secretary for the Time being of the said Company, by Warrant under the Hands and Seals of such Justices to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any such Toll Houses, Offices, Weighing Machines, or other Buildings, with the Appurtenances thereto belonging, and to remove and put such Lessee or other Person who shall be found therein, together with his Goods, from and out of the same and the Possession thereof, and from the Collection of such Rates, Tolls, and Sums, and to put the said Company or their Agent, or their new Lessee or Collector, into the Possession thereof; and thereupon it shall be lawful for the said Company to vacate and determine the Lease, Contract, or Agreement, if any, which was previously subsisting, and the same shall accordingly be void to all Intents and Purposes, save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part; and it shall be lawful for the said Company in any such Case, either during such Proceedings or on the Termination thereof, subject to the Restrictions aforesaid, again to demise or let the said Rates, Tolls, and Sums to any other Person, or cause them to be collected, in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

For regulating Conduct of Collectors.

CCIV. And be it further enacted, That every Collector of the Rates, Tolls, or Sums by this Act granted shall place, and he is hereby required to place, his Christian and Surname, painted on a Board in legible Characters, in the Front or on some conspicuous Part of the Toll House or Building where he shall be on Duty, immediately on his coming on Duty, each of the Letters of such Name to be at least Two Inches in Length and of a Breadth in proportion, and painted either in White or Gold Letters on a Black Ground or in Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Rates, Tolls, or Sums shall not place such Board as aforesaid, and keep the same there during the Time he shall be on Duty as aforesaid, or shall demand or take a less or greater Rate, Toll, or Sum from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof, or shall demand or take a Rate, Toll, or Sum from any Person who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or shall not permit any Person to read or shall in anywise hinder any Person from reading the Inscriptions on the Board to be affixed and placed as aforesaid, or shall refuse to tell his Christian Name or Surname to any Person who shall demand the same, and who shall have paid the legal Rates, Tolls, or Sums, or shall in answer to such Demand give a false Name or Names, or

upon

upon the legal Rate, Toll, or Sum being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any Carriage or any Person from passing upon the said Railway, or shall make use of any scurrilous or abusive Language to any Officer or Servant of the said Company, or to any Passenger upon the said Railway, then and in every such Case such Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Railway to be free on Payment of Rates, &c.

CCV. And be it further enacted, That all Persons shall have free Liberty to pass along and upon and to use the said Railway, with Carriages properly constructed as by this Act directed, upon Payment only of such Rates, Tolls, and Sums as shall be demanded by the said Company, not exceeding the respective Rates, Tolls, and Sums by this Act authorized, and subject to the Rules and Regulations which shall from Time to Time be made by the said Company or by the said Directors by virtue of the Powers herein granted.

Carriages not to be used unless constructed as directed by the Company.

CCVI. And be it further enacted, That no Carriage for the Conveyance of Goods, Passengers, or Cattle shall be permitted to pass along the said Railway unless the same shall be constructed agreeably to the Orders and Regulations of the Company, which Orders and Regulations shall be affixed upon some conspicuous Part of every Toll House or other Building at which the Rates, Tolls, and Sums by this Act granted in respect of the said Railway shall be received, except in crossing the same as herein authorized for the Occupation of the respective Lands through which such Railway shall pass, or in passing any public or private Carriage Road which may cross the said Railway; and if any Person shall travel upon any Part of the said Railway with any Carriage not constructed in the Manner herein-before directed, he shall forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds for every Day during which or any Part of which he shall so travel with such Carriage.

Engines used on the Railway to be approved by the Company.

CCVII. And whereas, for the greater Security of Passengers and other Persons travelling upon and using the said Railway, it is expedient that the locomotive and other Engines to be from Time to Time used in drawing or propelling Carriages upon or along the said Railway should be under the Control of the said Company; be it therefore enacted, That no locomotive or other Engine or other Description of moving Power shall at any Time be brought upon or used on the said Railway unless the same shall first have been approved by the Directors for the Time being of the said Company; and it shall be lawful for the said Directors and they are hereby required, within Fourteen Days after Notice given to them by any Person desirous of bringing any such Engine on the said Railway, to cause their Engineer or other Agent to inspect and examine such Engine, and to report thereon to the said Directors, who shall within Seven Days after such Report, in case such Engine shall be fit and proper to be used on the said Railway, give a Certificate to the Party requiring the same of their Approval of every such Engine; and it shall be lawful for the said Directors from

from Time to Time, upon any Engine used upon the said Railway being out of Repair or unfit to be used upon the said Railway, to order the same to be taken off or to forbid the same to be used upon the said Railway; and in case any Person shall bring or use upon the said Railway any locomotive or other Engine without having first obtained such Certificate of Approval as aforesaid, or in case after Notice given by the said Company to remove from or not to use upon the said Railway any such insufficient Engine as aforesaid the Person to whom such Engine shall belong shall not forthwith remove the same, or shall use any such Engine upon the said Railway without having first repaired the same to the Satisfaction of the said Company, and obtained such Certificate of Approval as aforesaid, every such Person shall forfeit and pay any Sum not exceeding Twenty Pounds for every such Offence, and the said Company are hereby authorized to remove any such Engine from the said Railway.

Engines to consume their own Smoke.

CCVIII. And be it further enacted, That every stationary or locomotive or other Engine to be erected, built, or used upon the said Railway shall be constructed upon the Principle of consuming its own Smoke, under a Penalty of Five Pounds for every Offence, to be recovered in a summary Way by the Order and Adjudication of One or more Justice or Justices of the Peace, on Complaint to him or them for that Purpose made, in the same Manner as other Penalties and Forfeitures for the Recovery whereof no special Directions are given are by this Act directed to be recovered; one Moiety of which Sum of Five Pounds, as often as the same shall be recovered, shall be paid to the Informer, and the other Moiety to the Vestry Clerk or other proper Officer of the Parish or Place where such Offence shall be committed, for the Benefit of the Poor of such Parish or Place.

Owners to put their Names and Addresses, and the Numbers, Weights, and Gauges of their Carriages, on the Outside.

CCIX. And be it further enacted, That the respective Owners of Carriages passing upon the said Railway or any Part thereof shall cause their Names and Places of Abode, and the Numbers, Weights, and Gauges of their respective Carriages, to be entered with the Secretary or other Officer of the said Company appointed for that Purpose, and shall also cause such Names, Places of Abode, Numbers, Weights, and Gauges to be painted and continued in large White or Gilt or Capital Letters and Figures on a Black Ground, or Black Capital Letters and Figures on a White Ground, Two Inches at least in Height, and of proportionate Breadth, on some conspicuous Part of the Outside of every such Carriage, so as to be always open to View, and shall permit every such Carriage to be weighed, measured, and gauged at the Expence of the said Company, whenever it shall be required by them or by any Person appointed by them for that Purpose; and every Owner of or other Person having the Care of any Carriage, or who shall conduct the same upon the said Railway without having such Carriage previously weighed, measured, and gauged, and the Weight, Measure, and Gauge thereof, with the Number thereof, and also the Name and Place of Abode of the Owner thereof, entered with the Secretary or other Officer of the said Company appointed for that Purpose, or without having such

Name, Place of Abode, Number, Weight, and Gauge marked upon each such Carriage as herein-before directed, or who shall alter, erase, deface, or hide such Name, Place of Abode, Number, Weight, or Gauge, or any of them, or any Part thereof, or shall fix thereon any false Name, Place of Abode, Number, Weight, or Gauge, or shall refuse to permit or shall not permit any Carriage to be weighed, measured, or gauged, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Owners of Carriages and Vessels answerable for Damage done by their Servants.

CCX. And be it further enacted, That the respective Owners of Carriages passing upon the said Railway, and the Master and Owner or other Person having the Rule, Command, or Government, Care, or Charge of every Ship, Boat, Vessel, or other Craft, and of every Raft or Float of Timber or other Article or Thing using the said Dock, shall be and they are hereby respectively made answerable for any Trespass, and liable to pay for any Damage, Spoil, or Mischief, which may be done by their Carriages, Ships, Boats, Vessels, or other Craft, or Raft or Float of Timber, or other Thing, or any of the Servants, Seamen, Sailors, Boatmen, or other Persons belonging to or employed by them on or in the said Railway, Dock, Pier, Wharfs, or other Works made or executed by virtue of this Act; and every such Owner, Master, or other Person as aforesaid shall for every such Trespass, Damage, Spoil, or Mischief, upon Conviction of any such Servant, Seaman, Sailor, Boatman, or other Person before some Justice of the Peace, either by the Confession of the Party offending, or upon the Oath or (being a Quaker) Affirmation of some credible Witness, pay to the said Company or to the Person injured the Damages to be ascertained by such Justice, so that the same do not exceed the Sum of Twenty Pounds, and also shall over and above such Damage forfeit and pay to the Informer any Sum not exceeding Five Pounds, and all Costs, Charges, and Expences attending such Conviction; all which Damages, Penalties, Costs, Charges, and Expences shall be levied by Distress and Sale of the Goods and Chattels of the Owner of such Carriage, and of the Master, Owner, or other Person having the Rule, Command, or Government, Care, or Charge of every such Ship, Vessel, Boat, or other Craft, and of every Raft or Float of Timber or other Article or Thing doing such Damage as aforesaid, by Warrant under the Hand and Seal of such Justice; and the Surplus (if any) of the Proceeds of such Sale, after Deduction of such Penalty, Damage, Costs, Charges, and Expences, together with the Costs and Charges of such Distress and Sale, shall be returned, upon Demand, to the Owner, Master, or such other Person as shall be entitled thereto; but if the Value or Amount of such Trespass, Damage, or Mischief shall exceed the Sum of Twenty Pounds, such Owner, Master, or other Person as aforesaid, his Executors or Administrators, may be sued and prosecuted for the same in any of His Majesty's Courts of Record, and if a Verdict or Judgment shall be given against him or them, either on Proof made or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damages sustained as aforesaid, with full Costs of Suit.

Owners may recover over from their Servants any Money paid for Penalties or Damage occasioned by their Negligence.

CCXI. Provided always, and be it further enacted, That in case any Owner of any such Carriage, or Master, Owner, or other Person having the Rule, Command, or Government, Care or Charge of every Ship, Boat, or Vessel, or other Craft, and of every Raft or Float of Timber, or other Article or Thing, shall be compelled to pay any Penalty or to make any Satisfaction for any Damage by reason of any wilful Act, Neglect, or Default of any of his Servants, Seamen, Sailors, Boatmen, or other Persons, every such Servant shall be liable to pay such Penalty or Satisfaction for Damage, or both, as the Case may be, with the Costs attending the same, to such Owner, Master, or other Person as aforesaid, and in case of Nonpayment thereof on Demand, on Oath or (in case of a Quaker) Affirmation made of such Owner, Master, or other Person as aforesaid of the Payment by him by such Penalty and Satisfaction, or either of them, as the Case may be, and that the same hath not been repaid to him by such Servant, Seaman, Sailor, Boatman, or other Person, although demanded, (such Oath or Affirmation being made before some Justice of the Peace for the County or Place in which such Penalty or Damage was incurred,) such Penalty and Satisfaction, or either of them, as the Case may be, and the Costs aforesaid, shall be levied by Warrant under the Hand and Seal of such Justice by Distress and Sale of the Goods and Chattels of such Servant, Seaman, Sailor, Boatman, or other Person, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, or either of them, as the Case may be, and Costs and Charges as aforesaid, when recovered, shall be paid to such Owner, Master, or other Person as aforesaid, in discharge of such Penalty and Satisfaction, or either of them, and the Costs so by him paid for the wilful Neglect or Default of such Servant, Seaman, Sailor, Boatman, or other Person as aforesaid; and in case no sufficient Distress can be had such Justice shall and he is hereby required to commit such Servant, Seaman, Sailor, Boatman, or other Person to some Common Gaol or House of Correction for the said County or Place, there to remain without Bail or Mainprize for any Term not exceeding Six Calendar Months.

Company may regulate Passage on Railway.

CCXII. And be it further enacted, That it shall be lawful for the said Company from Time to Time to make such Orders and Regulations as they shall think proper for regulating the travelling upon and Use of the said Railway, and for or relating to Travellers and Carriages passing upon the said Railway, and for or relating to the Mode and Means by which and the Speed at which such Carriages shall from Time to Time be moved or propelled, and the Times of their Departure and Arrival, and the loading or unloading thereof respectively, and the Weights which they shall respectively carry, and the Delivery of Goods and other Articles, Matters, and Things which shall be conveyed in or upon such Carriages, and also for preventing the smoking of Tobacco or Cigars and the Commission of other Nuisances in or upon the said Coaches or other Carriages, or in any of the Company's Stations, and generally for regulating the passing upon, using, and working the said Railway or other Works by this Act authorized, or in anywise relating thereto respectively; and

and all such Orders and Regulations, when published and affixed in the same Manner as Bye Laws, Rules, and Orders are by this Act directed to be published and affixed, shall be binding upon and conformed to by the said Company, and by all Owners of and Persons having the Care or Conduct of such Carriages, and by all Persons using and working the said Railway or other Works, upon pain of forfeiting a Sum not exceeding Ten Pounds for every Breach or Default: Provided always, that in every Case of Infraction or Non-observance of any such Rules or Regulations which shall be attended, with Danger to the Public, or which will obstruct or hinder the said Company in the due and lawful Use and working of the said Railway, it shall be lawful for the said Company and their Agents summarily to interfere to obviate such Danger or to remove or prevent such Obstruction or Hindrance, either by removing from the said Railway any Engine or Carriage which shall be used or worked thereon in contravention of any such Rules or Regulations, or otherwise as the Necessity of the Case may require.

Company to provide Lamps.

CCXIII. And be it further enacted, That it shall be lawful for the said Company to erect or cause to be erected such and so many Lamps, to be affixed upon the said Railway, Dock, and Works, and the Approaches thereto, for the lighting thereof with Gas or Oil or otherwise, as the said Company shall think proper, and to contract with any Person or Company of Proprietors for the lighting thereof, or otherwise to make and manufacture Gas for that Purpose, and to erect and maintain out of the Funds of the said Company Gasometers and all necessary Machinery and Apparatus for that Purpose, and to light the same accordingly, and to lay down Pipes and do all other Acts which may be necessary for that Purpose.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

CCXIV. And be it further enacted, That all the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round the said Railway, Dock, and Works shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway will allow thereof at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Case the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Parts of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the said Company or other Company, Contractors, or Persons supplying Gas, shall in no Case join Two or more Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials; and shall also make and keep all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings

Openings therein respectively Air-tight, and in every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon Pain of forfeiting for every Offence the Sum of Five Pounds.

To prevent Escape of Gas and Contamination &c. of Water.

CCXV. And be it further enacted, That whenever the Water in any Water Pipe shall be contaminated or affected by any Gas supplied by the said Company, or any other Company, Contractors, or Persons contracting to light or lighting with Gas the said Railway, Dock, and Works, or any Part thereof, the said Company, or other Company, Contractors, or Persons, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is by this Act directed to be sued for and recovered; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, that then and in every such Case the said Company, or other Company, Contractors, or Persons supplying the same, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer or other Officer for the Time being of the Company, or by the Person or Persons to whom such Water Pipe shall belong, to be left at the usual Office or Place of transacting Business of the said Company, or other Company, Contractors, or Persons, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting such Water; and in case the said Company, or other Company, Contractors, or Persons, shall not within Twenty-four Hours next after each and every Notice so left as aforesaid effectually stop and prevent Gas from escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then and in every such Case the said Company, or other Company, Contractors, or Persons, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the Company, or to the Person or Persons to whom the Pipe containing such Water shall belong, over and above the before-mentioned Penalty not exceeding Twenty Pounds, to be recovered as aforesaid, the Sum of Five Pounds for each and every Day during which the Water of the said Company or Persons shall be and remain contaminated, tainted, or affected by the Gas of the said Company, or other Company, Contractors, or Persons, and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness by and in the Name of the Treasurer or other Officer of the Company, or by and in the Name of One or more of the said Company, or of the Persons to whom the Pipe shall belong, at the Option of the Parties prosecuting such Information, against the said Company, or other Company, Contractors, or Persons, before any Justice of the Peace for the said County of *Essex*, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Treasurer of the said Company, or of the said other Company, Contractors, or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice,

which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer, or to One of the Proprietors for the Time being of the Company, or to the Persons to whom the Water Pipes shall belong.

For ascertaining if the Water be contaminated.

CCXVI. And whereas it may be or become a Question upon such Complaint as aforesaid whether the Water be contaminated or affected by the Gas of the said Company, or other Company, Contractors, or Persons; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Company or Persons to whom the Pipe containing the Water shall belong to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Company, or other Company, Contractors, or Persons, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Company, or other Company, Contractors, or Persons, and if it shall appear that the said Water has been contaminated by the Escape of Gas of the said Company, or other Company, Contractors, or Persons, the Costs and Expences of the said digging, Search, and Examination, and Repair of the Pavement, Road, or Place which shall be taken up or disturbed shall be borne and paid by the said Company, or other Company, Contractors, or Persons; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Main Pipes, or Conduits of the said Company, or other Company, Contractors, or Persons respectively, then and in such Case the Company or Persons causing such Search to be made shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Company, or other Company, Contractors, or Persons respectively, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Company, or other Company, Contractors, or Persons, in and by such Search and Examination, and also to the Pavement, Road, or Place so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

For preventing the Escape of Gas.

CCXVII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up in pursuance of this Act, the said Company, or any other Company or Persons contracting to light or lighting with Gas the said Railway, Dock, or Works shall, immediately after Notice given to them or him, by Parol or in Writing, of any such Escape of Gas, from any Inhabitant or other Person whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company or any other Company or Person so contracting to light or lighting with Gas shall not within Twenty-four Hours next after such Notice given effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the

said Company, or the Company or Person as aforesaid, shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way on the Oath or Affirmation of some credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace for the said County of *Essex*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Company, or of the Goods and Chattels of such Company or Person so contracting to light or lighting as aforesaid.

Penalty for conveying Washings into any Sewer, Stream, &c.

CCXVIII. And be it further enacted, That if the said Company, or any other Company or Person whosoever, so contracting to light or lighting with Gas the said Railway, Dock, or Works by virtue of this Act, shall at any Time drain or carry, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other Waste Liquids, Substances, or Things whatsoever which shall arise or be made in Prosecution of any Gas Works into the River *Thames*, or into any River, Brook, or Running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Company, or any such Company or Person as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together 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, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed, and such Penalty shall be paid to the Person who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not be sued for or recovered, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid into the said River *Thames*, or into any River, Brook, or Running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person whomsoever to the said Company or the said Directors, or any of them, or to the Company or Person as aforesaid, and the said Company or Person shall not within Twenty-four Hours after such Notice given stop and prevent all and every

such Washings, Waste Liquids, noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company, or the Company or Person so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Penalty on Persons obstructing the free Passage on the Railway or Use of the Dock.

CCXIX. And be it further enacted, That if any Person shall throw or place, or wilfully scatter or drop, any Ballast, Gravel, Stone, Rubbish, or other Matter or Thing upon any Part of the said Railway, or into the said Dock, or on the Piers, Jetties, Wharfs, Quays, or other Works, or shall extinguish any Light or Lamp set up by the said Company on or near the said Railway, Dock, Piers, Jetties, Wharfs, Quays, or other Works, for the Purpose of lighting the same, unless by the Authority of the said Company, or shall wilfully obstruct or prevent any Person in the lawful Execution of this Act, or shall do any Act, Matter, or Thing to obstruct the free Passage of the said Railway or Use of the said Dock, Piers, Jetties, Wharfs, Quays, or other Works, or any Part thereof respectively, he shall forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds for every such Offence.

Penalty on injuring the Railway or Dock.

CCXX. And be it further enacted, That if any Person shall wilfully, and to the Detriment of the said Undertaking or of the said Company, injure, break, throw down, destroy, steal, or take up or away any Part of the said Railway, Dock, Piers, Jetties, Wharfs, Quays, or any Bridge, Bank, Capstan, Harbour Rope, Buoy, Engines, or other Machines, Erections, or Buildings, or other Works erected or made by virtue of this Act, or any Part of the Materials of any such Works, so that the Use of the said Railway, Dock, Piers, Jetties, Wharfs, Quays, or other Works shall be liable to be obstructed, impeded, or otherwise interrupted, every Person, being lawfully convicted of any such Offence, shall be subject and liable to the like Pains and Penalties to which Persons shall be liable in Cases of Larceny.

Penalty for obstructing by overloading, &c

CCXXI. And be it further enacted, That if the Loading of any Carriage using the said Railway shall be suffered to extend more than Two Feet over and beyond the Flanch or Lip of each or any Wheel of such Carriage, or if any Carriage, or any Goods, Article, Matter, or Thing, shall be placed or suffered to remain on any Part of the said

said Railway, or of the Piers, Jetties, Wharfs, Quays, or other Works, so as to obstruct the Passage or working thereof, or if any Ship, Vessel, Boat, or other Craft, Raft or Float of Timber, or other Article or Thing using the said Dock, shall be placed or suffered to remain in any Part of the said Dock so as to obstruct the Passage of any other Ship, Vessel, Boat, or other Craft, Raft or Float of Timber, or other Article or Thing, and the Person having the Care of such Carriage, Goods, Article, Matter, or Thing, Ship, Vessel, Boat, or other Craft, Raft or Float of Timber, shall not immediately upon Request made remove the same, then and in every such Case, and without Prejudice to any other Provision in this Act contained, or to any other legal Remedy for proceeding, such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds for every Hour during which such Obstruction shall continue after the making of such Request, and so in proportion for any less Period than an Hour; and it shall be lawful for any Agent or Officer of the said Company to cause any such Carriage, Goods, Articles, Matters, or Things, Ship, Vessel, Boat, or other Craft, Raft or Float of Timber, to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing, terminating, or removing such Obstruction, and to detain such Carriages, Goods, Articles, Matters, and Things, or any Part thereof, or such Ship, Vessel, Boat, or other Craft, Raft or Float of Timber, until the Expences occasioned by such unloading or Removal and Detention shall be paid; and the said Company shall not, nor shall any Agent or Officer of the said Company, be liable or accountable for any Damage or Loss occasioned by any such unloading, Removal, or Detention, or for any Delay occasioned thereby, or in any other way relating thereto, save for wilful Damage done to any Carriage, Goods, Articles, Matters, or Things, Ship, Vessel, Boat, or other Craft, Raft or Float of Timber, so unloaded, removed, or detained, nor shall they or he be liable for the safe Custody of any such Carriage, or Goods, Articles, Matters, or Things, Ship, Vessel, Boat, or other Craft, Raft or Float of Timber, which shall be so detained, unless the same shall be wrongfully detained by the said Company or by the said Agent or Officer, and then only for so long a Time as the same shall be so wrongfully detained.

Railway not to be used as a Passage for Horses or other Cattle.

CCXXII. And be it further enacted, That if any Person, save and except the said Company, and their Agents and Servants, and other Persons authorized by them, and by them authorized for the Purposes only of the said Undertaking, shall ride, lead, or drive, or cause to be ridden, led, or driven, or shall aid or assist in riding, leading, or driving, upon the said Railway or any Part thereof, without the Licence and Consent of the said Company, any Horse, Mule, or Ass, or any Cow or other Neat Cattle, Sheep, Swine, or other Beast or Animal, (except only in directly crossing the same at Places to be appointed for that Purpose, or for the necessary Occupation, as herein-after mentioned, of the respective Lands through which the said Railway shall pass,) every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds for every such Offence.

CCXXIII. And

Railway not to be used by Persons on Foot.

CCXXIII. And whereas it might be attended with great Danger to the Public if the said Railway were used by Persons on Foot; be it therefore enacted, That if any Person shall travel or pass on Foot upon the said Railway without the Licence and Consent of the said Company, except for the Purpose of attending any Carriage under his Care, and except the respective Owners or Occupiers of Lands through which the said Railway shall pass, and their respective Servants and Workmen, in passing across or over the same, as hereinafter mentioned, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Owners and Occupiers of adjoining Lands to pass across the Railway without Payment of Tolls.

CCXXIV. Provided always, and be it further enacted, That it shall be lawful for the respective Owners and Occupiers of Lands through which the said Railway shall be made, and their respective Servants and Workmen, (except in Cases where the Company shall at their own Expence have made proper and convenient Communications from the Land on the one Side of the said Railway to the Land on the other Side thereof, according to the respective Provisions of this Act,) at all Times to pass and repass, and to ride, lead, or drive any Horse, Mule, or Ass, Cow or other Cattle, Sheep, Swine, or other Beast, directly over and across such Part of the said Railway as shall be made in or upon their respective Lands, for the Purpose of occupying the said Lands, (not damaging or obstructing such Railway or the Passage thereof,) without Payment of any Rate or Toll for the same, provided they shall not pass across or upon any other Part of the said Railway.

Right of such Owners and Occupiers to cross the Railway to cease when proper Communications made.

CCXXV. Provided also, and be it further enacted, That so soon as the said Company shall have built, formed, and constructed proper Bridges, Archways, Culverts, or Passages over or under the said Railway, and communicating between the Lands of the Owner or Owners respectively on one Side of the said Railway and the Lands of the same Owner or respective Owners on the other Side of the said Railway, together with lateral Paths or Roads along each Side of the said Railway, from each of such Bridges, Archways, Culverts, or Passages to the others or other of them, within the respective contiguous Lands of each such Owner, the Right of every such Owner from or between and along whose Lands such Bridges, Archways, Culverts, or Passages, and Paths or Roads, shall have been made, and also of the Occupier and Occupiers of such Lands, and the Servants and Workmen of every such Owner and Occupier, to pass over the said Railway, and to ride, lead, or drive any Horse, Mule, or Ass, Cow or any other Neat Cattle, Sheep, Swine, or any other Beast, across the said Railway, pursuant to the Power hereinbefore contained, shall altogether cease, determine, and be at an end.

Difference arising as to the Number and Sufficiency of such Communications how to be determined.

CCXXVI. Provided also, and be it further enacted, That if at any Time any Difference shall arise between the said Company and any such Owner as to the Number and Sufficiency of any such Bridges, Archways, Culverts, or Passages, Paths or Roads, it shall be lawful for Two or more Justices of the Peace for the County of *Essex*, on the Complaint of any such Owner, and after hearing the said Parties and

and their respective Witnesses, to determine the Matter of the said Difference, and to award and direct the Number of Bridges, Archways, Culverts, or Passages, and the Length, Width, and Dimensions of the Paths and Roads which the said Company ought to make for the Purposes aforesaid; and all such Bridges, Archways, Culverts, and Passages shall from Time to Time be supported, maintained, and kept in good and sufficient Repair, by the said Company; and if at any Time after Ten Days Notice in Writing shall have been given by or on behalf of any such Owner to the said Company that the said Bridges, Archways, Culverts, and Passages connected or running through the Lands of such Owner as aforesaid are not maintained and repaired according to the true Intent and Meaning of this Act, the said Company shall not proceed to maintain and repair such Bridges, Archways, Culverts, and Passages, it shall be lawful for such Owner, or any Person acting on his Behalf, to apply for an Order in Writing from any Two or more of such Justices of the Peace, from Time to Time, as often as there shall be Occasion, and the said Justices are hereby authorized and empowered, at their Discretion, to make and grant such Orders as aforesaid, enabling such Persons to repair such Bridges, Archways, Culverts, and Passages accordingly, and the reasonable Expences thereof (to be ascertained by such Justices) shall be defrayed by the said Company; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Twenty Days after Demand thereof made upon the said Company, or upon their Secretary, such Expence shall or may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as any other Costs and Charges may by virtue of this Act be levied and recovered from the said Company; and it shall be lawful for the said Company to purchase and take Lands for the Purpose of making such Communications and lateral Roads, in like Manner as in Cases of Land taken and used for other Purposes of this Act.

Justices may appoint Persons named by the Company to be Special Constables.

CCXXVII. And be it further enacted, That it shall be lawful for any Two or more Justices of the Peace for the County of *Essex* from Time to Time to appoint such Persons as shall be nominated to them by any Three of the Directors of the said Company for that Purpose to be Special Constables within and for the said Railway, Dock, and other Works, and every or any Part thereof, and every Person so appointed shall make a Declaration before any of the Justices of the Peace for the said County duly to execute the Office of a Constable for the said Premises; and every Person so appointed, and making such Declaration as aforesaid, shall have Power to act as a Constable for the Preservation of the Peace, and for the Security of Persons and Property against Felonies and other unlawful Acts committed within the Limits of the said Premises, and shall have, use, exercise, and enjoy all such Powers, Authorities, Protections, and Privileges for the apprehending of Offenders, as well by Night as by Day, and for doing all Acts, Matters, and Things for the Prevention, Discovery, and Prosecution of Felonies and other Offences, and for the Preservation of the Peace, as Constables duly appointed now have by the Laws and Statutes of this Kingdom; and it shall be lawful for the said Justices, or any Three or more Directors

Directors of the said Company, to dismiss or remove any such Constable from his Office of Constable, and upon every such Dismissal or Removal all Powers, Authorities, Protections, and Privileges by virtue of such Appointment as aforesaid vested in any Person so dismissed or removed shall wholly cease.

For securing Offenders whose Names and Places of Abode are unknown.

CCXXVIII. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Place of Abode shall be unknown to such Officer or Agent, who shall commit any Offence against this Act, and to convey him before some Justice of the Peace for the County or Place within which such Offence shall be committed, without any other Warrant or Authority than this Act, and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Damages and Charges, in case of Dispute, to be settled by Two Justices; and recovered by Distress in default of Payment.

CCXXIX. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or any Dispute respecting the same, shall be ascertained and determined by Two or more Justices of the Peace for the County or Place wherein such Damages or Charges shall be incurred; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Forfeitures or Penalties.

Money ordered by any Justice to be paid by the Company for Compensation how to be recovered.

CCXXX. And be it further enacted, That when and so often as any Money shall by any Justice of the Peace be ordered to be paid in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage or Injury, of any Nature or Kind soever, done or committed by the said Company, or by any Person acting by or under their Authority, and such Money shall not be paid by the said Company to the Parties entitled to receive the same within Five Days after Demand in Writing shall have been made upon the said Company, in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Company, under a Warrant to be issued for that Purpose by such Justice (which Warrant any such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Money); and in case any Overplus shall remain after Payment of such Money,

and

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.

Recovery and Application of Penalties.

CCXXXI. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Rule, or Order to be made in pursuance thereof, (the Manner of levying and recovering whereof is not otherwise herein particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way, by the Order and Adjudication of some Two or more Justices of the Peace for the County or Place in which the Offence shall be committed, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs of any such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be so distrained; all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid, one Moiety to the Informer, and the other Moiety to the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case such last-mentioned Moiety shall be paid to the Overseers of the Poor of the Parish, Township, or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish, Township, or Place; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security, to the Satisfaction of such Justices, for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress, (such Time not being more than Three Days from the taking of such Security,) and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but in such Case it shall be lawful for such Justices and they are hereby required, by Warrant under their Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or

until such Penalty or Forfeiture shall be sooner paid or satisfied, together with all the Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall be otherwise discharged by due Course of Law.

Justices may proceed by Summons for the Recovery of Penalties.

CCXXXII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons, without Information in Writing or in Print, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing or in Print had been exhibited.

General Power to Justices to administer Oaths.

CCXXXIII. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or (in case of a Quaker) to receive the Affirmation of any Person before he shall be examined by or before such Justice.

For compelling Witnesses to attend before the Justices.

CCXXXIV. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for the Loss of Time, Costs, and Expences, without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or in case of a Quaker on solemn Affirmation) to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Authenticated Bye Laws to be Evidence.

CCXXXV. And be it further enacted, That in all Cases of Prosecution for Offences against the Bye Laws, Rules, or Orders of the said Company the Production of a written or printed Paper, purporting to be the Bye Laws, Rules, or Orders of the said Company, and authenticated by having the Common Seal of the said Company affixed thereto, shall be Evidence of the Existence of such Bye Laws, Rules, or Orders; and it shall be sufficient to prove that a printed Paper or painted Board containing a Copy of such of the Bye Laws, Rules, or Orders as shall inflict or impose the Fine or Penalty sought to be recovered (not being against a

Proprietor of the Company) hath been affixed and published in manner by this Act directed, and in case of its being afterwards displaced and damaged hath been replaced as soon as conveniently might be, unless Proof should be adduced by the Defendant that such printed Paper or painted Board does not contain a Copy of such of those Bye Laws, Rules, or Orders as aforesaid, or hath not been duly affixed and generally continued in manner by this Act directed.

Forms of Information and Conviction:

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

Information.

'} BE it remembered, That on the Day
' to wit. } of *A.B.* of informeth me
' *C.D.*, One of His Majesty's Justices of the Peace for the County
' of [*as the Case may be*], that *E.F.* of
' [*here describe the Offence, and the Time and Place when and where*
' *committed,*] contrary to an Act passed in the Sixth Year of the
' Reign of King *William* the Fourth, intituled [*here insert the Title*
' *of this Act*], which hath imposed a Forfeiture of for
' the said Offence. Taken the Day of
' before me. *C.D.*'

Conviction.

'} BE it remembered, That on the Day
' to wit. } of in the Year of our Lord
' *E.F.* is convicted before me *C.D.*, One of His Majesty's Justices of
' the Peace for the County of [*here describe the Offence,*
' *and the Time and Place when and where committed,*] contrary to an
' Act passed in the Sixth Year of the Reign of King *William* the
' Fourth, intituled [*here insert the Title of this Act*]. Given under
' my Hand and Seal the Day and Year first above written.'

Distress not unlawful for Want of Form.

CCXXXVII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity shall and may recover full Satisfaction for the special Damage by an Action upon the Case.

Persons aggrieved may appeal to the Quarter Sessions.

CCXXXVIII. And be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Bye Law, Rule, or Order of the said Company or of the said Directors, or by any Order or Judgment made or given in pursuance thereof, and also the said Company and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination

mination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County or Place where the alleged Cause of Appeal shall arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Company, (as the Case may be,) and forthwith after such Notice entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned, in such Penalty as to such Justice shall seem right, to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County or Place; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Rule, Order, or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

Proceedings not to be quashed for Want of Form, or removed into the Superior Courts.

CCXXXIX. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Indictments how to be preferred.

CCXL. And be it further enacted, That in all Indictments, Informations, or legal Proceedings whatsoever to be preferred, instituted, or carried on against any Person or Persons, for feloniously taking, stealing, or embezzling, or for destroying, damaging, or injuring, removing or carrying away, any Goods, Chattels, or Property of or belonging to the said Company, or any Goods, Chattels, or Property in their Custody or Possession, or in the Custody or Possession of any Officer or Servant of the said Company, or Officer of the Customs or Excise for or on behalf of the said Company, or for or on behalf of any other Person or Corporation having deposited such Goods, Chattels, or Property in the Care or Custody of the said Company, or of their Officers or Servants, or on or in the Railway, Dock, Wharfs, Warehouses, or Premises belonging to the said Company, and in all other Indictments or legal Proceedings whatsoever of or concerning such Goods, Chattels, or Property respectively it shall be sufficient to describe and refer to such Goods, Chattels, or Property as the Goods, Chattels, and Property of the said *Thames Haven* Dock and Railway Dock and Company; and in case the same shall have been so as aforesaid feloniously taken, stolen, or embezzled, or removed or

carried

carried away, to allege that the same were so feloniously taken, stolen, embezzled, or removed or carried away, as the Case may be, from the said Company; and it shall be sufficient on the Trial or Hearing of any such Indictment, Information, or other legal Proceeding to prove that at the Time when such Goods, Chattels, and Property respectively were so feloniously stolen, taken, or embezzled, or so damaged, destroyed, or injured, or removed or carried away, or when other the Matter or Thing complained of in such Indictment, Information, or other legal Proceeding took place, such Goods, Chattels, and Property were in or on the said Railway, Dock, Wharfs, Warehouses, Vaults, Works, or Premises belonging to the said Company, or in the Custody of any Officer or Servant of the said Company, or Officer of Customs or Excise for and on behalf of the said Company, or for and on behalf of some Person or Corporation having deposited the same with the said Company, without any other Proof of Property.

Power to the Company to grant Releases to Witnesses.

CCXLI. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, against or by or on behalf of the said Company, and in all Arbitrations, References, and other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the Directors of the said Company, for or on behalf of the said Company, to make, sign, seal, execute, and deliver such general or other Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall or may be produced as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Company, so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Seal of the said Company.

Limitation of Actions.

CCXLII. And be it further enacted, That no Action, Suit, or Information, nor any other Proceeding, of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Powers or Authorities, or any of the Orders made, given, or directed in, by, or under this Act, unless Ten Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, Information, or other Proceeding to the intended Defendant, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Six Calendar Months next after the Act committed, or in case there shall be a Continuation of Damage then within Three Calendar Months after the doing or committing of such Damage shall have ceased,

ceased, nor unless such Action, Suit, Information, or Proceeding shall be laid and brought in the County or Place within which the Matter in dispute or Cause of Action shall have arisen; and the Defendant in such Action, Suit, Information, or Proceeding may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Acts were done or were omitted to be done (as the Case may be) in pursuance or by the Authority of this Act; and if they shall appear to have been so done, or to have been so omitted to be done, or that such Action, Suit, Information, or Proceeding shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, Information, or other Proceeding after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff therein, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall have Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases.

Plaintiff not to recover after Tender of sufficient Amends.

CCXLIII. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, if Tender of sufficient Amends shall have been made, by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

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

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

Declaring what shall be good Service of Notice by theCompany.

CCXLV. And be it further enacted, That in all Cases in which it may be necessary for the said Company to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Corporation or any Person whomsoever, under the Provisions or Directions contained in this Act, the same shall be in Writing or in Print, or partly in Writing and partly in

Print, and be signed by the Secretary for the Time being of the said Company, without being required to be under the Common Seal of the said Company, and may be personally delivered to such Person, or left or sent by the Post to his last or most usual Place of Abode in *England*, or be delivered to some Member of such Corporation, or be left at his last or usual Place of Abode, or to some Clerk or other Officer of such Corporation, or be left at the Office of such Clerk or Officer, or at his last or usual Place of Abode, which shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation, (as the Case may be,) except in Cases where any other Mode of Service is by this Act particularly directed.

Directors not personally answerable for Acts legally done as Directors.

CCXLVI. And be it further enacted, That no Director of the said Company to be appointed under the Authority of this Act shall by reason or means or on account of his being Party to, or making, signing, or executing, in his Capacity of Director of the Company, pursuant to this Act, any Contract or other Instrument for or on behalf of the said Company, or otherwise lawfully executing any of the Powers and Authorities given to the said Directors by this Act, be subject or liable to be sued, prosecuted, or impleaded, either individually or collectively, by any Person whomsoever, in any Court of Law or Equity or elsewhere, and that the Bodies, Goods, Chattels, Lands, or Tenements of the said Directors or any of them, shall not, by reason, on account, or in consequence of any such Contract or other Instrument so entered into, or made, signed, or executed by them or any of them as aforesaid, or any other lawful Act which shall be done by them or any of them in the Execution of any of the Powers and Authorities given to them or any of them by this Act, be liable to be arrested, seized, detained, or taken in execution, but that in every such Case any Person making any Claim or Demand upon the said Company or upon any Directors thereof, under or by virtue of any Contract or Instrument or other lawful Act, may sue and implead the said Company in like Manner as if such Contract, Instrument, or other Act had been entered into and executed and done under the Common Seal of the said Company.

How Debts may be proved in Cases of Bankruptcy.

CCXLVII. And be it further enacted, That in case any Fiat in Bankruptcy shall be awarded against any Person who shall be indebted to the said Company, or against whom the said Company shall have any Claim or Demand, it shall be lawful for any Person who shall from Time to Time in that Behalf be appointed by Writing under the Hands of any Three or more of the Directors of the said Company for the Time being, to appear, and he is hereby authorized to appear and act on behalf of the said Company in respect of any such Claim, Debt, or Demand, before the Commissioners under any such Fiat in Bankruptcy, either personally or by his Affidavit to be sworn and exhibited in the usual Manner, in order to prove and establish any such Debt, Claim, or Demand under such Fiat; and such Person so to be appointed shall in all such Cases be admitted and allowed to make Proof or tender a Claim under any such Commission on behalf of the said Company in respect of such Debt, Claim, or Demand, and shall have such and the same Powers and Privileges,

Privileges, as to voting in the Choice of Assignees and signing Certificates, and otherwise, in respect of any Debt admitted to be proved on behalf of the said Company, as any other Person being a Creditor of such Bankrupt in his own Right would have in respect of the Debt proved by him under such Fiat.

Provision for Deficiencies in the Land Tax.

CCXLVIII. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments of Land Tax in the several Parishes through or in which the several Works hereby authorized may pass or be situate; be it therefore enacted, That the said Company shall, from and after they shall become seised and possessed by virtue of this Act of any Lands charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of Land Tax,) be subject and liable from Time to Time to pay or make good, to or in aid of the said several Parishes, Townships, or Places, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes, Townships, or Places, by reason or means of taking or using for the Purposes of this Act any Lands liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act, and the said Company are hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments for such Parishes, Townships, or Places respectively.

If Land not contracted for within Two Years the Power of purchasing to cease.

CCXLIX. And be it further enacted, That unless the said Company shall within the Space of Two Years, to be computed from the passing of this Act, agree for or cause to be valued, and pay or cause to be paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take or use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purpose of making and improving the said Railway, Dock, or other Works hereby authorized, (save and except the aforesaid Two hundred Acres of Land which the said Company are by this Act authorized to purchase in addition to the Lands hereby authorized to be taken or used for making the said Railway or other Works,) then and from thenceforth the Powers which are hereby granted to them for taking or using such Lands shall cease and be utterly void, save and except with the Consent of the Owners and Occupiers thereof respectively.

The Company empowered to purchase Interests in Lands the Purchase whereof may have been omitted by Mistake.

CCL. Provided always, and be it further enacted, That if at any Time after the said Company shall have entered into any Lands which shall be permanently required for the Purposes of this Act any Person or Corporation shall appear to be entitled to any Estate, Right, or Interest in, to, or affecting such Land, which Estate, Right, or Interest the said Company shall have failed or omitted duly to purchase, or to pay Satisfaction or Compensation for, by reason of the said Company not having had express Notice of the Existence thereof, or by reason of any other Accident or Mistake, and such Mistake.

Estate,

Estate, Right, or Interest shall not have been vested in or barred or extinguished for the Benefit of the said Company by virtue of any of the Provisions herein-before contained, then, notwithstanding such Estate, Right, or Interest, and whether the after-mentioned Period of Seven Years shall then have expired or not, the said Company shall remain in the undisturbed Possession of such Lands for the Purposes of this Act, but the said Company shall with all convenient Speed purchase or pay Compensation, or Satisfaction for such Estate, Right, or Interest, and such Purchase Money, Compensation, or Satisfaction to be paid for the same shall be agreed on or awarded and paid, and such Estate, Right, or Interest shall be vested in or barred or extinguished for the Benefit of the said Company, in like Manner as according to the Provisions herein-before contained the same respectively would have been agreed on or awarded and paid, and vested, barred, or extinguished, in case the said Company had purchased or paid Compensation or Satisfaction for such Estate, Right, or Interest, before their Entry upon such Lands, or as near thereto as Circumstances will admit.

If Railway not completed in Seven Years, the Powers to cease, except as to such Part (if any) as shall be completed.

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

If Railway is abandoned, the Land to vest to Owners of adjoining Lands.

CCLII. And be it further enacted, That if the said Railway or any Part thereof shall at any Time hereafter be abandoned or given up by the said Company, or after the same shall have been completed shall for the Space of Three Years cease to be used and employed as a Railway, then and in such Case the Lands so taken by the said Company for the Purposes of this Act, or otherwise the Part or Parts thereof over which the said Railway or any Part or Portion of such Railway which shall be so abandoned or given up by the said Company shall pass, shall vest in the Owners for the Time being of the Land adjoining that which shall be so abandoned or given up, in manner following; (that is to say,) One Moiety thereof in the Owners of the Land on the one Side, and the Remainder thereof in the Owners of the Land on the other Side thereof.

Costs of obtaining the Act how to be paid.

CCLIII. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and incident thereto, shall be paid by the said Directors out of any Monies applicable for the

the Purposes of this Act, in preference to all other Payments whatsoever.

Duties payable to the Corporation of London on Coals to be paid on Coals brought by the Railway nearer London than Horndon-on-the-Hill. 1 & 2 W. 4. c. 76.

CCLIV. And whereas the Mayor and Commonalty and Citizens of the City of *London* are entitled to certain Duties on Coals, Culm, and Cinders imported into the Port of *London* or brought by the Grand Junction or *Paddington* Canals nearer to *London* than the Stone or Post at or near the North-east Point in *Grove Park* in the County of *Hertford*, or brought down the River *Thames* nearer to *London* than the City's Stone placed on the West Side of *Staines Bridge* in the County of *Middlesex*: And whereas by an Act passed in the First and Second Year of the Reign of His present Majesty, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of* London *and* Westminster, *and in certain Parts of the Counties of* Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, *and* Berkshire, it was enacted that during the Term of Seven Years, to be computed from the Thirty-first Day of *December* then next, in lieu of all other Rates and Duties payable to the Mayor and Commonalty and Citizens of the City of *London*, the Sums of One Shilling and One Penny *per* Ton on all Coals, Culm, and Cinders brought nearer to *London* on the said Grand Junction and *Paddington* Canals and River *Thames* than the Places aforesaid should be paid to such Person or Persons, and at such Place or Places, in such Manner, and under such Regulations as the Mayor, Aldermen, and Commons in the City of *London*, in Common Council assembled, should from Time to Time direct or appoint, with such Powers for the Recovery thereof as are therein mentioned or referred to: And whereas the said Duties would be evaded if Coals, Culm, and Cinders could be brought to or near *London* by means of the said Railway without Payment thereof; be it therefore enacted, That the like Duty *per* Ton as shall for the Time being be payable to such Person or Persons as the said Mayor, Aldermen, and Commons, in Common Council assembled, shall direct or appoint, on Coals, Culm, and Cinders brought by the Grand Junction and *Paddington* Canals nearer to *London* than the said Stone or Post in *Grove Park* aforesaid, or brought down the River *Thames* nearer to *London* than the said City Stone on the West Side of *Staines Bridge*, shall be paid in like Manner on all Coals, Culm, and Cinders brought by the Railway hereby authorized to be made nearer to *London* than a Stone to be placed where the said Railway crosses the Road from *Orsett* to *Horndon on the Hill* in the Parish of *Horndon on the Hill* in the County of *Essex*, or in case any Deviation is made in the Line of the said Railway as near thereto as Circumstances will admit, and the same Duty shall be payable to such Person or Persons, at such Place or Places, in such Manner, and under such Regulations, as the said Mayor, Aldermen, and Commons, in Common Council assembled, shall from Time to Time direct or appoint, with the same Powers and Authorities for giving Receipts for and enforcing or recovering Payment of the same as are given by the said herein-before recited Act of Parliament in respect of the like Duty on Coals, Culm, and Cinders brought by the said Canals nearer to *London* than the said Stone or Post in *Grove Park* aforesaid, or brought down the River *Thames* nearer to *London*

London than the said City Stone on the West Side of *Staines Bridge*:

Allowing a certain Quantity of Coals to be consumed for the Purposes of the Railway without Payment of Duty.

Provided always, that nothing herein contained shall extend to prevent the said Railway Company, their Workmen and Agents, or other Persons using the said Railway, pursuant to the Powers contained in this Act, from bringing by the said Railway to any Point of the said Railway nearer to *London* than the said Stone in the said Parish of *Horndon on the Hill*, or near thereunto, all such Quantities of Coal and Coke from Time to Time as shall be required to be used, and shall be *bonâ fide* used, for the Purposes of the Engines of the said Company, not exceeding Five hundred Tons in any One Year, without any Duty being payable in respect of such Coals or Coke: Provided always nevertheless, that if any Coals or Coke brought nearer to *London* than the said last-mentioned Stone without the Duty being paid in respect thereof, according to the Provisions herein-before contained, shall be used otherwise than for the Purposes of the Engines of the said Company, or more than Five hundred Tons of such Coals or Coke shall be so brought in any One Year without the Duty being paid in respect thereof as aforesaid, the said Company shall in either of such Cases, for every Ton of such Coals or Coke so brought and otherwise used, or for every Ton of such Coals or Coke exceeding Five hundred Tons in any One Year, (as the Case may be,) forfeit and pay to the said Mayor and Commonalty and Citizens the Sum of One hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*.

Saving the Rights of the Corporation of London.

CCLV. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Privileges, Franchises, Jurisdictions, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, and their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, did or might lawfully claim, use, or exercise, nor authorize or empower the said Company to embank, encroach upon, or interfere with any Part of the Soil or Bed of the said River *Thames* or the Shore thereof, except so far as is herein-before mentioned.

For Protection of Works of Commissioners of Sewers.

CCLVI. Provided always, and be it further enacted, That in case the said Company, in the Execution of any of the Powers of this Act, shall cross, cut through, stop up, alter, or divert the Course of or in any Manner interfere with any of the Walls, Banks, Erections, Sewers, Ditches, Drains, Defences, Protections, or other Works within the Jurisdiction of the Commissioners of Sewers for the Levels within the Parishes of *Fobbing*, *Corringham*, *Stanford-le-Hope*, *Muckinge*, *Laindon*, *Dunton*, and *Little Warley*, in the said County of *Essex*, or in the Borders or Confines of the same, the said Company shall and they are hereby required, at their own Expence, thereupon to erect and make, and at all Times thereafter to repair and maintain, all such Walls, Banks, Erections, Sewers, Ditches, Drains, Defences, Pro-

Protections, and other Works as shall be requisite and necessary for keeping the Current of the Waters and the Banks containing the same, and defending and draining the Lands within the Levels aforesaid, as effectually as they now are; and provided also that the said Company shall and they are hereby required at all Times hereafter to maintain and repair the Walls within the Levels aforesaid, at the several Points where the same shall be crossed by the said Railway: Provided that nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Levels within the Parishes of *Fobbing*, *Corringham*, *Stanford-le-Hope*, *Muckinge*, *Laindon*, *Dunton*, and *Little Warley*, in the said County of *Essex*, or in the Borders or Confines of the same, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Saving Rights of Lord of Manor, &c., of Havering-atte-Bower.

CCLVII. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice or derogate from the Rights, Privileges, Franchises, Jurisdiction, or Authority of the Tenants and Inhabitants of the Manor or Lordship of *Havering-atte-Bower* in the County of *Essex*, and their Successors, or the Lord of the said Manor or Lordship for the Time being, or prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Tenants or Inhabitants, or Lord of the Demesne or Lordship for the Time being, did or might lawfully claim, use, or exercise.

Lights not to be exhibited or altered nor Buoys placed without the Sanction of the Trinity House of Deptford Strond.

CCLVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company to exhibit or alter any Light or place or lay down any Buoy for the Guidance of Ships and other Vessels navigating into or from the said Dock, without having from Time to Time first obtained the Sanction in Writing of the Corporation of *Trinity House* of *Deptford Strond* as to the Description and Power of any such Light, and the Mode of exhibiting the same, and the Description and Situation of any such Buoy.

Saving the Rights of the Trinity House of Deptford Strond.

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

This Act to be subject to the Provisions of any General Railroad Act to be passed within a Year.

CCLX. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed, deemed, or taken to extend, to exempt the Railroad to be formed under or by virtue of the Powers in and by this Act contained and given, or any Branch thereof, from the Provisions of any General Act or General Acts for the Regulation of Railroads which may be passed before the Expiration of One Year from the passing of this Act, if Parliament be sitting at the Expiration of such Period of One Year, or (if Parliament shall not then be sitting) before the End of the then next Session of Parliament.

CCLXI. And

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

The

The SCHEDULES to which the foregoing Act refers.

SCHEDULE A.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
		Liberty of Havering-atte-Bower.		
		Parish of Romford.		
8.	Samuel Pedley	William Miles	Henry Orrel	Cottage and Garden.
9.	John Nalls	J. M. Caruthers	William Young	Cottage and Garden.
13.	Octavius Mashiter	-	William Harvey	Cottage and Garden.
17.	William Henry Tolbutt	-	James Sturge	Cottage and Garden.
		Parish of Hornchurch.		
32.	Charles Cove	-	William Freeman and Thomas German.	Two Gardens and Cottages.
47.	Thomas Mashiter	-	Thomas Mashiter	Paddock.
		Parish of North Ockendon.		
6.	Champion Edward Branfill and Benjamin Branfill.	-	Lady Elizabeth Russell.	Stubber's Park.
17.	Richard Benyon de Beauvoir	William Eve	Thomas Palmer	Cottage and Garden.
18.	Richard Benyon de Beauvoir	William Eve	Edward Day	Cottage and Garden.
32.	Richard Benyon de Beauvoir	-	William Snowdon	Wood.
24.	Richard Benyon de Beauvoir	William Snowdon	James Tyler	Cottage and Garden.
28.	Richard Benyon de Beauvoir	William Snowdon	William Smith	Cottage and Garden.
		Parish of South Ockendon.		
8.	John Henry Stuart	-	William Sayward	Farmhouse, Yard, and Premises.
12.	John Henry Stuart	-	John Henry Stuart	Wood.
31.	Stephen Collier and William Stephens, Trustees of the late John Cliff.	-	Thomas Bennett Sturgeon.	Barn, Yard, and Premises.
		Parish of Orsett.		
15.	Captain Bonham	-	Thomas Ashford	Barn, Yard, and Premises.
11.	Captain Bonham	Thomas Ashford	William Star	Cottage and Garden.
37 and 38.	Jane Baker	-	Jane Baker	Orsett Hall, Garden, Shrubbery, and Paddock.
		Parish of Horndon-on-the-Hill.		
13.	Dean and Chapter of Saint Paul's.	-	Zachariah Piggott	Farm-yard and Premises.
		Parish of Muckinge.		
4.	Charles Beauchamp Cooper	-	Ann Hanson	House and Garden.

SCHEDULE B.

RATES for discharging Cargoes when landed by the Company.

	£	s.	d.
Cargoes consisting either in the whole or in part of Hogsheads or Tierces of Sugar from the West Indies, including Ship Cooperage - - - - per Register Ton	–	1	9
Cargoes consisting of Sugar in Chests of 5 Cwt. and upwards, including Ship Cooperage - - per Register Ton	–	1	3
Cargoes consisting of Sugar in Bags, Mats, or Chests under 5 Cwt., or other Goods (not being Oil direct from the Fisheries, Tallow, Hemp, Ashes, Corn, Wood, Goods, Pitch, Tar, Hay, or Straw,) contained in Casks, Bales, Serons, Chests, Cases, Bags, Baskets, Mats, Bundles, or similar Packages, also Spelter or Metal in Pigs, Bars, Rods, Plates, &c. - per Register Ton	–	–	9
Cargoes consisting of Mahogany or other large Wood in Logs, per Register Ton	–	1	9
Blue Gum Wood or large Timber, additional for every Load delivered - - - - - -	–	–	6
Cargoes consisting of Hemp only, or Merchandize in Bulk, per Register Ton	–	1	–
Tallow only - - - - per ditto -	–	–	6
Mixed Cargoes of Hemp, Tallow, and Ashes — per Ton of Hemp	–	1	3
Mixed Cargoes of Hemp, Tallow, and Ashes — per Ton of Tallow	–	–	6
Mixed Cargoes of Hemp, Tallow, and Ashes — per Ton of Ashes	–	–	6
Mixed Cargoes, the Part which is in Bulk - - per Ton	–	1	–

No Charge made for Excess beyond the Register Tonnage.

Note.—Vessels which discharge the Whole or the greater Part of their Cargoes into Lighters will be subject to such Rates as shall be agreed upon between the Ship Owners and the Company.

SCHEDULE C.

RATES to be charged on Merchandize imported and landed at Thames Haven Dock.

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Alkali, (Scotch)	Ton	–	4	6
Alkanet Root	Cwt.	–	–	6
Almonds in large Casks or Serons	Ton	–	4	6
in Boxes or Barrels	Cwt.	–	–	6
Shell	Cwt.	–	–	9
Aloes in Gourds	Ton	–	8	–
in Chests or Casks	Ton	–	6	–
Alum	Ton	–	3	6
Alva Marina —				
in press-packed Bales	Ton	–	3	–
in Bags not press-packed	Ton	–	5	–
Amber, rough	Ton	–	5	–
Amber and Beads	Package	–	1	6
Ambergris, in Boxes or Kegs	Package	–	1	6
Amethysts or Agates	Case or Package	–	1	6
Anchovies	Cwt.	–	–	9
Angelica Root	Ton	–	5	–
Aniseed	Ton	–	5	–
Star	Ton	–	7	6
Annotto	Ton	–	7	–
in Mats, small Chests, or Baskets	Cwt.	–	1	7½
Antimony	Ton	–	5	–
Ore	Ton	–	3	6
If loose, filling and weighing, 2*s.* per Ton.				
Apples — Hogshead		–	1	6
Apples — Tierce		–	1	–
Apples — Box, Basket, or Barrel		–	–	6
Arangoes — Chest		–	1	6
Arangoes — Box		–	1	6
Argol	Ton	–	5	–
Arrow Root	Ton	–	7	6
Arsenic	Ton	–	5	–
Assafœtida	Cwt.	–	–	6
Ashes	Ton	–	3	–
Asphaltum	Ton	–	5	–
Asses or Mules	each	–	3	–
Bacon — Hogshead		–	2	–
Bacon — Bale		–	–	6
Bacon — Side		–	–	2¼
Middles, 3 Cwt.	Tierce	–	–	8¼
Ditto 1 to 2 Cwt.	Cask	–	–	6
Baggage —				
Presents, Parcels or Papers, Samples, and other small Articles	Package	–	–	6
Cases, Trunks, Boxes, Bundles of Bedding and Wearing Apparel	Package	– 1 – to – 1 6		
Middle-sized Ditto and Chests	Package	–	2	–
Larger Packages in proportion.				

Description of Goods.		Landing Rate. £ s. d.
Bags, empty	per Score	– – 4
Balsam —		
in Jars, Bottles, or Canisters in Cases	Cwt.	– 1 1½
Barrels	Cwt.	– – 6
A separate Charge to be made for Cooper's Attendance at Landing and Delivery.		
—— Canada	Package	– 1 6
Bamboo. *See* Canes.		
Barilla, loose	Ton	– 3 6
in Serons, Casks, Chests, Mats, or Bags	Ton	– 3 3
Filling and weighing, 2*s.* per Ton.		
Bark, Jesuits or Peruvian	Cwt.	– 1 –
Elutheria or Cascarilla	Cwt.	– – 9
Oak or Tanners —		
in Bags or loose	Ton	– 5 –
in Cases about 1½ Cwt.	Cwt.	– – 6
in Casks	Ton	– 3 –
Filling and weighing, 2*s.* per Ton.		
Baskets	Bale	– 3 –
	Three Quarters Bale	– 2 3
	Half Bale	– 1 6
	large Bundle	– 1 –
	small Bundle	– – 6
Beads, Jet, or other Kinds not otherwise described	Package	– 1 6
Beans, in Bags	Bag	– – 6
Castor	Cwt.	– 3 –
Beef and Pork	Tierce	– – 8¼
	Barrel	– – 5¼
	Tub, Kit, or ½ Barrel	– – 3¾
Beer, Spruce	Barrel	– – 9
	Firkin	– – 3
	Keg	– – 1½
Bees-wax. *See* Wax.		
Benjamin. *See* Gum.		
Berries, Juniper	Ton	– 8 –
Yellow or Bay	Ton	– 5 –
Betel Nuts	Ton	– 5 –
Biscuits	Cwt.	– – 3
Black Lead	Ton	– 3 9
Blankets	per Bale	– 1 –
Block Tin. *See* Tin.		
Bones	1,000	3 –
in Bags*	Bag	– – 6
in Casks	Ton	– 3 –
Books	Cwt.	– 1 –
Boots and Shoes	Hhd.	– 1 6
	Case or Tierce	– 1 –
Boracic Acid	Ton	– 5 –
Borax, rough or refined	Ton	– 5 –
Bottles, Glass, empty	Gross	– 3 –
Brandied Fruit	Case containing 3 Dozen Bottles	– – 9
	Ditto containing 2 Dozen Ditto	– – 6
Brass	Ton	– 5 –
Brimstone, loose	Ton	– 3 6
in Casks, Cases, or Baskets	Ton	– 3 3
Filling and weighing, 2*s.* per Ton.		

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Bristles	Ton	–	7	–
Bronze	Case	–	1	6
	Box	–	1	–
Bugles	Ton	–	5	–
Bullion	Cask or Case	–	1	6
	small Package	–	1	–
	Package not exceeding £5 Value	–	–	6
Burr Stones	each	–	–	1½
Butter, Foreign —				
Friesland or Holstein	¼ Cask	–	–	3
	⅛ Cask	–	–	3
Emden or Holland	Firkin	–	–	3
Irish	Score Firkins	–	3	–
Re-weighing (if required):	s. d.			
Foreign — Cask	0 1			
Foreign — Firkin	0 0¾			
Irish — Firkin	0 1			
Cables, Chain	Ton	–	5	–
Hempen	Ton	–	10	–
Coir	Ton	–	12	6
Calf Skins. *See* Skins.				
Calicoes	Bale	–	1	3
Cambric	Package	–	2	6
Camel's Hair	Cwt.	–	–	10½
Camphor	Cwt.	–	–	6
Canella Alba	Cwt.	–	–	6
Canes —				
Common Rattan	1,000	–	1	6
Split Rattans	Cwt.	–	–	6
Ground	1,000	–	3	–
Reed, 25 in a Bundle	100 Bds.	–	6	3
60 —	100 Do.	–	12	6
Bamboo, Jumbo, Wanghees	1,000	–	5	–
Malacca	1,000	–	5	–
Cantharides	Cwt.	–	1	–
Caoutchouc. *See* India Rubber.				
Capers	Cwt.	–	–	3
Cards, Playing	Case	–	1	6
Small	Do.	–	1	–
Cardamoms	Cwt.	–	–	6
Carpets —				
70 Square Yards and upwards	Bale	–	2	–
under 70 Square Yards	Ballot	–	1	4½
Caraway Seed	Ton	–	5	–
Cashew Nuts	Cwt.	–	–	6
Casks, landed empty, or Cask Cases, if not delivered within 6 Days,—				
Butt, Pipe, or Puncheon		–	–	8
Smaller Cask or Case		–	–	4
If taken away within 6 Days, Half the above Charge.				
Wine or Spirits, small Ullages	each	–	1	–
Cassia Lignea	Cwt.	–	–	6
Cassia Buds	Cwt.	–	–	6

Description of Goods.		Landing Rate.
	per	£ s. d.
Cassia Fistula	Cwt.	— — 6
Castor Beans	Cwt.	— — 3
Castor Oil. *See* Oil.		
Castorum	Keg or small Box	— 1 —
Catlings	Case or Chest	— 1 —
Caviare	Package	— — 6
Chairs, containing 12	Case	— 1 6
— 6	Case	— 1 —
single	each	— — 3
Chaises or Carriages —		
with 4 Wheels	each	— 10 6
with 2 Wheels	each	— 7 6
Chalk	Ton	— 3 4
French	Ton	— 5 —
Charcoal, Animal	Ton	— 3 6
Chassum	Bale	— 1 6
Cheese, Foreign	Ton	— 4 —
in Tubs or Cases	Cwt.	— — 6
Chekang	Cwt.	— 1 —
Chestnuts	Bushel	— — 2¼
Chicoree —		
under 1 Cwt. 2 Qrs.	Case or Cask	— — 6
1 Cwt. 2 Qrs. and under 3 Cwt.	Ditto	— — 9
3 Cwt. and under 5 Cwt.	Ditto	— 1 —
5 Cwt. and above	Ditto	— 1 6
Chillies	Cwt.	— — 6
China Root	Cwt.	— — 6
Chinaware	- Case	— 1 6
	small Case	— 1 —
	- Box	— 1 —
Chiranga Root	Cwt.	— 1 —
Chirayita	Cwt.	— — 8¼
Chocolate	Box	— — 9
Cigars —	including examining or sampling:	
500 lbs. to 660 lbs.	Chests (One Side)	— 8 —
	Boxes (both Sides)	— 10 —
400 and not less than 300 —	(One Side)	— 4 —
	(both Sides)	— 5 —
under 300 and above 200 —	(One Side)	— 2 9
	(both Sides)	— 3 9
not exceeding 200 and above 100 —	(One Side)	— 2 3
	(both Sides)	— 3 —
Cinnabar	Cwt.	— 2 4¼
Cinnamon	Cwt.	— 1 8¼
Citron in Salt	- Pipe	— 1 6
	Hogshead	— 1 —
(Cooper's Attendance in addition.)		
Preserved. *See* Succades.		
Clay Figures	- Case	— 1 6
	middling Case	— 1 —
	- small Case	— — 9
Clocks, wooden	Chest	— 2 —
French, containing 2	Case	— 2 6
Ditto 1	Case	— 1 6

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Cloth, Woollen - -	- - Case or large Bale	–	2	–
	ordinary Ditto from 8 to 12 Pieces	–	1	6
	- small Ditto under 8 Ditto	–	1	–
Cloves - - - - - -	Cwt.	–	–	8¼
Clover and Lucern Seed —				
in Bags - - - - - -	Ton	–	3	9
in Casks - - - - - -	Ton	–	4	6
Coaches. *See* Chaises or Carriages.				
Coals, landed or transhipped - - - -	Ton	–	2	–
Cobalt - - - - - -	Ton	–	5	–
Cochineal - - - - -	Cwt.	–	–	9
Cocoa Nuts - - - - -	100	–	1	6
Cocoa - - - - - -	Cwt.	–	–	6
Cocque de Perle - - - - -	Chest	–	1	–
Coculus Indicus - - - - - -	Cwt.	–	–	6
Cod Fish. *See* Fish.				
Codilla of Hemp or Flax - - - -	Ton	–	6	–
If sold from Landing Scale —				
to Importer - - - - -	Ton	–	5	–
to Buyer - - - - -	Ton	–	1	–
Coffee —				
Foreign, in Bags - - - - -	Cwt.	–	–	6
other than Foreign - - - -	Cwt.	–	–	6
Coir, unwrought, press-packed - - - -	Ton	–	3	–
Rope under 6 In. Girth - - - -	Ton	–	6	3
Yarn - - - - - -	Ton	–	5	–
Cables. *See* Cables.				
Coloquintida - - - - - -	Cwt.	–	–	10½
Colours, Painters —				
9 Cwt. and above - - - - -	Cask	–	2	6
6 Cwt. and under 9 Cwt. - - - -	Cask	–	2	–
3 - - - - - 6 — - - - - -	Cask	–	1	6
1 - - - - - 3 — - - - - -	Cask	–	1	–
under 1 Cwt. - - - - - -	Cask	–	–	6
Colombo Root - - - - - -	Cwt.	–	–	6
Copper —				
Ore, Nails - - - - - - -	Ton	–	5	–
Wharfage and Shipping Copper Slabs (when piled on the Quay), 3*s.* 4*d.* per Ton.				
Copperas - - - - - -	Ton	–	5	–
Coquilla Nuts - - - - - -	1,000	–	1	3
Coral —				
Fragments - - - - - -	Cwt.	–	–	7½
Beads - - - - - -	Case or Chest	–	1	6
	- - Box	–	1	–
Cordage, Hempen —				
under 6 Inches - - - -	Ton	–	5	–
old. *See* Rags *and* Old Rope *and* Junk.				
Cordials. *See* Wines and Spirits.				
Coriander Seed - - - - - -	Ton	–	5	–
Cork - - - - - - -	Ton	–	6	–
Corks, manufactured - - - - -	Cwt.	–	2	–
Cornelians and Beads - - - -	Chest or Box	–	1	6

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Corn; viz.—				
Wheat, Barley, Peas, Horse or Pigeon Beans, Tares, Rye, Linseed, and other heavy Grain	Quarter	–	–	9
Oats and light Grain	Quarter	–	–	8
Corn and Grain delivered overside, worked out by the Company, 3*d.* per Quarter.				
Corpse	each	–	15	–
Cortex Winteranus	Cwt.	–	–	6
Cotton Goods — Bale	Bale	–	1	6
Cotton Goods — Box or Case	Box or Case	–	1	–
Cotton Goods — Trunk	Trunk	–	–	9
Cotton Wool —				
press-packed (as East India)	Cwt.	–	–	3
not press-packed	Cwt.	–	–	4⅓
Cotton Yarn or Thread	Cwt.	–	–	5¼
Cowhage	Cwt.	–	–	6
Cowries	Ton	–	5	–
Cows	each	–	10	–
Cranberries — Hhd.	Hhd.	–	1	–
Cranberries — Barrel	Barrel	–	–	9
Cranberries — Keg	Keg	–	–	6
Cream of Tartar	Ton	–	5	–
Crystal Beads	Package	–	1	6
Rough	Ton	–	5	–
Cubebs	Cwt.	–	–	6
Cubic Nitre. *See* Saltpetre.				
Cummin Seed	Cwt.	–	–	6
Curiosities. *See* Presents.				
Currants —				
23 Cwt. and upwards	Butt	–	4	6
15 and under 23 Cwt.	Butt	–	3	–
9 - - - 15 —	Pipe	–	2	3
5 - - - 9 —	Carotel	–	1	6
2 Cwt. 2 Qrs. and under 5	Barrel	–	–	9
under 2 Cwt. 2 Qrs.	½ Barrel	–	–	6
Dates —				
3 Cwt. and upwards	Cask or Case	–	1	6
2 Cwt. and under 3 Cwt.	Cask or Case	–	1	–
1 Cwt. and under 2 Cwt.	Cask or Case	–	–	9
under 1 Cwt.	Cask or Case	–	–	6
Deer	each	–	5	–
Dragon's Blood	Cwt.	–	–	6
Dripstones	each	–	–	9
Drugs, not otherwise enumerated	Cwt.	–	–	9
Dye Flower	Ton	–	5	–
Earth, Fullers	Ton	–	3	9
Eau de Cologne —				
450 Bottles and above	Case	–	1	6
200 and under 450 Bottles	Case	–	1	–
under 200 Bottles	Case	–	–	6
Eggs	Box	–	–	6
Elephants Teeth. *See* Ivory.				
Emery Stone. *See* Stone.				

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Essences, 1 Cwt. and above	Case	–	2	–
under 1 Cwt.	Case	–	1	6
Extract from Oak Bark	Cwt.	–	–	3
Rhatania or Jesuits Bark	Cwt.	–	–	9
Fans	Case or Box	–	1	–
Feathers —				
Bed	Cwt.	–	–	$10\frac{1}{2}$
Ostrich	Package	–	1	6
Vulture, above 2 Cwt.	Bale	–	2	6
not exceeding 2 Cwt.	Bale or Cask	–	1	6
	small Bag, not above 56 lbs.	–	–	6
Figs —				
3 Qrs. to $1\frac{1}{4}$ Cwt.	Chest	–	–	3
about 56 lbs.	$\frac{1}{2}$ Chest	–	–	3
$\frac{1}{4}$ Chest or Drums, about 28 lbs.	Score	–	2	6
$\frac{1}{2}$, $\frac{1}{4}$, or $\frac{1}{8}$ Drums, or Tapnets	Score	–	1	6
Fish	Ton	–	10	–
Cod, dried	Ton	–	4	6
Herrings or Mackerel	Tierce	–	1	–
	Barrel	–	–	6
Stock or Sturgeon	1,000	–	6	–
not otherwise described	Tierce	–	1	–
	Barrel	–	–	6
	Box	–	–	3
Roes	Barrel	–	–	9
Salmon	Tierce	–	–	6
	Kit	–	–	$1\frac{1}{2}$
Flax	Ton	–	5	–
If sold from Landing Scale —				
to Importer	Ton	–	3	6
to Buyer	Ton	–	1	6
Flour	Ton	–	4	9
Weighing on Delivery (if required):				
	s. d.			
Barrel or Chest	0 1			
$\frac{1}{2}$ Barrel or $\frac{1}{2}$ Chest	0 $0\frac{3}{4}$			
Flowers, Artificial	Case	–	1	–
	Box	–	–	9
Forest Seeds, Nuts, and Acorns	Barrel	–	–	9
Frankincense	Cwt.	–	–	$8\frac{1}{4}$
Fruit. *See the different Species of Fruit.*				
Furniture	very large Package	–	4	6
	ordinary Package	–	3	–
	middling Package	–	2	–
	intermediate Package	–	1	–
	small Package	–	0	6
Furs. *See* Skins.				
Galangal	Cwt.	–	–	6
Galbanum	Cwt.	–	–	6
Galls	Cwt.	–	–	$3\frac{3}{4}$
Gamboge	Cwt.	–	–	6
Gentian Root	Cwt.	–	–	3
Ginger	Cwt.	–	–	6

Description of Goods.		Landing Rate.
	per	£ s. d.
Ginseng Root	Cwt.	– – 6
Glass	Cask or Chest	– 1 6
	Case or Box	– 1 –
Utensils, 2½ Cwt. and upwards	Cask or Case	– 2 –
1 Cwt. and under 2½ Cwt.	Do. Do.	– 1 6
under 1 Cwt.	Do. Do.	– 1 –
Glue	Ton	– 5 –
Goat's Hair or Beard. *See* Wool.		
Grain. *See* Acorn.		
Granilla	Cwt.	– – 9
Grapes	Box	– – 6
	Jar	– – 3
Grass, Brazilian	Cwt.	– – 4½
Grease	Ton	– 5 –
Greaves	Ton	– 4 6
Guinea Grains	Cwt.	– – 6
Gum (not otherwise described) —		
loose or in Hogsheads	Ton	– 5 –
in Serons or Bags	Ton	– 4 6
in Casks or Chests from Africa	Ton	– 4 6
in Cases, Barrels, or Chests	Cwt.	– – 6
Cake. *See* Lac Lake.		
Lac. *See* Lac Dye.		
Mastic. *See* Mastic.		
Spice. *See* Seed Lac.		
Guns	Ton	– 3 6
If discharged from Vessel into Craft or Craft into Vessel, 3*s.* 6*d.* per Ton.		
Hair —		
Horse, Ox, or Cow	Cwt.	– – 6
Human	Cwt.	– 1 –
Pigs	Cwt.	– – 4½
Hams	Hhd.	– 2 –
	Tierce	– 1 6
	Barrel or Basket	– – 6
	Case	– – 9
	small Case	– – 6
	loose, 100	– 6 3
And further, see Provisions.		
Hartall	Ton	– 5 –
Hats —		
Leghorn	10 Doz.	– – 6
Chip	Tub of 80 Doz.	– 1 6
Beaver or Silk	large Case	– 1 6
	middling Case	– 1 –
	small Case	– – 6
Linings	small Case	– 1 –
Hemp	Ton	– 4 6
If sold from Landing Scale —		
to Importer	Ton	– 3 6
to Buyer	Ton	– 1 –
press-packed	Ton	– 4 –
Hellebore Root	Cwt.	– – 6
Herrings. *See* Fish.		

Description of Goods.		Landing Rate.
	per	£ s. d.
Hides —		
Horse	Bale or Chest	– 2 8¼
loose	each	– – –¾
from Hambro', dry	100	– 7 6
	Bundles of 2 Hides	– – 3
Horse, Ox, Cow, or Buffalo, wet-salted	each	– – 1½
Ox, Cow, or Buffalo, with short Horns	each	– – 2
other Hides (not enumerated) —		
dry or dry-salted, averaging more than 22 lbs.	each	– – 1½
Do. averaging 12 lbs. and not exceeding 22 lbs.	100	– 9 –
Do. 7 lbs. and under 12 lbs.	100	– 6 3
Do. under 7 lbs.	100	– 4 2
in Bales - under 4 Cwt.	Bale	– 1 3
4 Cwt. and under 6	Bale	– 1 7
6 Cwt. and under 10	Bale	– 3 –
10 — and upwards	Bale	– 4 –
Losh	Bale or Chest	– 2 –
Hide Cuttings —		
in Bales	Ton	– 3 6
loose	Ton	– 5 –
Hones	Cwt.	– – 3
Honey	Cwt.	– – 6
Hoofs	Cwt.	– – 6
Hops	Cwt.	– – 4½
Horns and Horn Tips or Plates —		
Ox, Cow, or Buffalo,		
loose	Cwt.*	– – 10½
in Packages	Cwt.	– – 6
* Including counting at landing.		
Hart, Stag, or Deer	100 Pair	– 3 –
in Bales, under 2 Cwt.	Bale	– 1 –
2 Cwt. and above	Bale	– 1 6
from East Indies	Cwt.*	– – 10½
* Including counting at landing.		
Horses	each	– 12 6
Jalap	Cwt.	– – 10½
Iceland Moss. *See* Moss.		
Indigo —		
not East India	Cwt.	– – 9
East India in Chests	Chest	– 3 –
Manilla or other Sorts, no Portion of the Mark or Parcel of which requires raising Shipping Charge, 1*s.* per Chest.	Chest	– 14 8
India Rubber —		
7 Cwt. and upwards	Case or Cask	– 3 –
5 Cwt. and under 7 Cwt.	Ditto	– 2 6
3 Cwt. and under 5 —	Ditto	– 2 –
2 Cwt. and under 3 Cwt.	Case, Barrel, or Bag	– 1 6
1 Cwt. and under 2 Cwt.	—	– 1 –
under 1 Cwt.	—	– – 6
about 2 Cwt.	Basket	– 1 –
loose	Cwt.	– 1 –
Inkle	Cwt.	– 1 –
Ipecacuanha	Cwt.	– – 10½

Description of Goods.		Landing Rate.
	per	£ s. d.
Iron —		
in Bars, Rods, or Pigs	Ton	– 3 4
If landed for Transit, and not weighed	Ton	– 2 6
Weighing per Ton, 10*d.*		
When shipped from Landing Scale, including Delivery	Ton	– 4 2
Ore	Ton	– 3 –
Old	Ton	– 3 4
Steam Engines, Boilers, Cylinders, and other heavy Machinery	Ton	– 7 6
Ditto, discharged from Vessels and deposited in Craft, or from Craft into Vessels, without landing	Ton	– 6 –
Isinglass	Cwt.	– – 10½
Ivory	Cwt.	– – 15½
Jumbo Canes	1,000	– 5 –
Junk or old Rope	Ton	– 3 6
Jute, press-packed	Ton	– 4 –
Kelp	Ton	– 3 6
Filling and weighing, 2*s.* per Ton on Delivery.		
Knives	Package	– 1 6
Lac Dye and Lac Lake	per Chest	– 1 –
Lace	Case or Box	– 2 6
Lacquered Ware	Chest	– 1 6
	Box	– 1 –
Lard	Bladder	– – –¾
Lavender Flowers	Cwt.	– – 6
Lead	Ton	– 2 6
Old and Ore	Ton	– 3 –
Black	Ton	– 3 9
White	Ton	– 5 –
Leather —		
Foreign (tanned)	Bale	– 1 6
	demi Bale	– 1 –
	loose, Ton	– 5 –
Irish (tanned) —		
under 1 Cwt.	Bale	– – 9
1 Cwt. & under 2	Ditto	– 1 –
2 Cwt. & under 4	Ditto	– 1 6
	small or middling Crate	– 2 –
	large Crate	– 2 6
Leeches	Package	– 1 6
Lime	Ton	– 3 4
Limes	Barrel	– – 8¼
Lime Juice	100 Gallons	– 2 1
Laying up to gauge, and Cooper's Attendance at Landing and Delivery, form a separate Charge.		
Linen —		
Sample Box when not accompanied by original Package	each	– – 6
German	Bale	– 2 3
	Half Bale	– 1 3
	Quarter Bale	– – 8¼
German —	Roll	– – 1½
loose or in Bags	Chest	– 2 6
	Half Chest	– 1 3
	Quarter Chest	– – 8¼

Description of Goods.		Landing Rate.		
			£	s. d.
Linen — *cont.*	per			
Russia	Bale		–	1 $2\frac{1}{4}$
Boarded	Bale or $\frac{1}{2}$ Bale containing 10 Pieces		–	– 9
	Quarter Bale		–	– $7\frac{1}{2}$
Crash	Bale		–	1 $2\frac{1}{4}$
	Half Bale		–	– 9
	Quarter Bale		–	– $7\frac{1}{2}$
Sail Cloth	Bolt or Roll		–	– $1\frac{1}{2}$
in Mats containing 2 Pieces	each		–	– 3
Irish	Case or Bale		–	1 6
	Box or Bundle		–	– 9
Linen Yarn. *See* Yarn.				
Linseed. *See* Corn.				
Linseed Cakes	Ton		–	3 6
Liquorice	Ton		–	6 3
Root, loose	Ton		–	10 –
in Bales	Ton		–	10 –
Macaroni. *See* Vermicelli.				
Mace	Cwt.		–	1 –
Madder	Ton		–	3 $4\frac{1}{2}$
Roots	Cwt.		–	– $4\frac{1}{2}$
Maiden Hair	Bale		–	1 –
Manganese Ore	Ton		–	3 6
Filling and weighing on Delivery, 2*s.* per Ton.				
Manna	Cwt.		–	– $10\frac{1}{2}$
Marbles	Ton		–	5 –
Marble —				
Baths	each		–	6 –
Mortar	Ton		–	5 –
rough in Cases	Cwt.		–	– 6
Sculptured Works of Art and Slabs, according to Size and Value.				
Blocks —				
4 Tons and under	Ton		–	6 –
above 4 Tons and not exceeding 10 Tons	Ton		–	10 –
above 10 Tons	Ton		–	20 –
Mastic, Gum	Cwt.		–	– 6
Matchets	Bale		–	– 6
Mats —				
Bass	100		–	1 $8\frac{1}{4}$
Indian	Chest		–	1 –
Ditto	Box		–	– 9
Mats or Bags from Corn Vessels	Bundle of 10		–	– 2
Delivery by Land, $\frac{1}{2}$*d.*				
Ditto by Water, 1*d.*				
Melons	Basket		–	– 8
Meal, including Delivery	Ton		–	4 9
Weighing for Delivery, 1*d.* per Sack or Barrel.				
Melting Pots	Cask		–	4 –
Minerals (Specimens)	Case		–	1 –
Mohair Yarn	Cwt.		–	– $7\frac{1}{2}$
Molasses	Cwt.		–	– 3
Money. *See* Bullion.				
Moss, Rock or Iceland	Ton		–	7 6

Description of Goods.		Landing Rate.		
			£	s. d.
Mother o'Pearl Shells	per Ton		–	7 6
Ware	Chests		–	1 6
Ditto	Box		–	1 –
Mules	each		–	3 –
Munjeet, in Bales	Cwt.		–	– 6
in Bundles	Cwt.		–	– 9
Musk, in Chests	Chest		–	1 6
Boxes	Box		–	1 –
Muslins	Bale		–	1 3
Myrabolans	Cwt.		–	– 4½
Myrrh	Cwt.		–	– 6
Musical Instruments	Case		–	3 –
	Box		–	1 6
Nails	Cwt.		–	– 3
Nanari	Cwt.		–	1 –
Nankeen	Chest		–	1 3
Natron	Ton		–	3 6
Filling and weighing, 2*s.* per Ton on Delivery.				
Nickel	Ton		–	7 6
Nutmegs	Cwt.		–	– 6
Nuts —				
Pistachio	Cwt.		–	– 6
other European	Bushel		–	– 2¼
	Bag		–	– 4½
	Barrel		–	– 4½
Castania	Bushel		–	– 2¼
Palm	Cwt.		–	– 4½
Nux Vomica	Cwt.		–	– 4½
Oakum	Ton		–	5 –
Oatmeal. *See* Meal.				
Ochre	Ton		–	3 9
Oil —				
Bay	Cask		–	1 –
Castor	Cwt.		–	– 6
Chemical, 1 Cwt. and above	Package		–	2 –
under 1 Cwt.	Package		–	1 6
Rhodium	Ditto		–	1 6
Olive, large Jars	Cwt.		–	– 6
common Jars	Cwt.		–	– 8¼
Half Jars	Cwt.		–	– 8¼
Case containing 30 Quart Bottles	Case		–	1 –
Sallad	½ Chest of 30 Flasks		–	– 6
Palm or Cocoa Nut				
in Casks not above 30 Cwt.	Ton		–	3 9
Casks above 30 Cwt.	Do.		–	4 6
Seed	Tun		–	6 –
Cake	Ton		–	3 6
Old Rope. *See* Junk.				
Olives —				
about 12 Galls.	½ Barrel		–	– 4
6 Galls.	¼ Ditto		–	– 3
2½ Galls.	Keg		–	– 2¼
about 5 Qts. small Keg	Score		–	1 6

Description of Goods.		Landing Rate.		
			£	s. d.
Olives — *cont.*	per			
3 Pint Jars	Score		–	– 9
in large Packages	Gall.		–	– –¼
Olibanum. *See* Gum.				
Onions	Bushel		–	– 6
Opium	Cwt.		–	– 10½
Oranges and Lemons	Chest		–	– 7½
	Box		–	– 5¼
	Case		–	1 –
Buds	Cwt.		–	– 4½
Peel	Cwt.		–	– 6
Trees	large Packages		–	2 6
	small Ditto		–	1 6
Flowers in Pickle, about 10 Gallons	Casks		–	– 6
Flower Water	Case		–	1 6
Orchella Weed	Cwt.		–	– 5¼
Extract of	Cwt.		–	– 6
Orpiment	Ton		–	5 –
Orrice Root	Cwt.		–	– 3
Orsidew	Package		–	1 6
Ostrich Feathers	Package		–	1 6
Otto of Roses	Package		–	2 6
	middling Package		–	1 6
	small Package		–	1 –
Oxen	each		–	10 –
Paddy, in Bulk	Quarter		–	– 10
in Bags	Cwt.		–	– 2¼
Paper	Cwt.		–	– 6
Hanging	Case		–	1 6
Rice, under 14 lbs.	Case or Box		–	– 3
Pearl Barley	Barrel		–	– 6
	Bag or Keg		–	– 3
Peas	Tierce or Barrel		–	– 9
	Bag		–	– 4½
Pellitory Root	Cwt.		–	– 6
Pepper, unsifted	Cwt.		–	– 3
Long or Cayenne	Cwt.		–	– 6
Pianofortes	each		–	4 6
Piccabia	Cwt.		–	– 6
Pickles	Dozen Bottles		–	– 2¼
in Barrels	Gallon		–	– –½
large Bottles or Jars —				
under 2 Gallons	Gallon		–	– 1½
2 Gallons and under 5	Gall.		–	– 1
5 — and upwards	Gall.		–	– –¾
Pictures	Bale or Case		–	4 6
	middling Bale or Case		–	3 –
	small Bale or Case		–	1 6
Extra-sized Bales or Cases to be charged according to Dimensions and Contents.				
Piece Goods (not otherwise rated)	Bale		–	1 3
Pill-boxes	large Vats		–	4 6
	small Do.		–	3 –
Pimento	Cwt.		–	– 6
Pink Root	Cwt.		–	– 6

Description of Goods.		Landing Rate.		
	per	£	*s.*	*d.*
Pipe Bowls (Earthenware)	Case	–	1	–
Pitch (Burgundy)	Cwt.	–	–	6
Plaster of Paris	Ton	–	3	–
Plums (Portugal) in Boxes	Dozen	–	–	9
(French). *See* Prunes.				
Pomegranate Peel	Cwt.	–	–	6
Porcelaine	Case	–	1	6
	small Case or Box	–	1	–
Pork (Middles) 3 Cwt.	Tierce	–	–	8¼
Ditto 1 to 2 Cwt.	Cask	–	–	6
And see Beef and Pork, *and also* Provisions.				
Potatoes	Ton	–	3	6
Potash. *See* Ashes.				
Preserves. *See* Succades.				
Presents. *See* Baggage.				
Prints, Engravings	large Case	–	1	6
	middling Case	–	1	–
	small Case	–	–	6
Prunes or French Plums—				
above 7 Cwt.	Hhd. or Punch.	–	1	6
5 Cwt., not exceeding 7 Cwt.	Barrel	–	1	–
above 2 Cwt., not exceeding 5 Cwt.	½ Barrel	–	–	9
2 and under	¼ Barrel	–	–	6
about 1 Cwt.	Chest	–	–	4½
56 lbs.	½ Chest	–	–	3
28 lbs.	¼ Chest	–	–	1½
about 1 Cwt., containing Boxes or Cartoons	Case	–	–	6
Prussiate of Potash	Ton	–	4	6
Pumice Stone (loose)	Ton	–	7	6
	in Cask	–	5	–
Puree	Chest	–	–	6
Pyrolignate of Lead	Ton	–	5	–
Quicksilver, in Bottles	Bottle	–	–	3
	small Case	–	–	6
Quills	Vat	–	4	6
	small Vat	–	3	–
	Case	–	2	–
	Hhd. or Barrel	–	1	6
	Bale	–	–	6
Quinine, Sulphate of	Case	–	–	9
Radix Contrayervæ	Cwt.	–	–	9
Radix Senekæ	Cwt.	–	–	10½
Rags	Ton	–	3	–
If sold from Landing Scale—				
to the Importer		–	2	–
to the Buyer		–	1	–
Cwt. Cwt.				
Raisins 12 @ 20	Butt	–	3	–
9 @ 12	Pipe	–	2	3
5 @ 9	Carotel	–	1	6
2½ @ 4½	Barrel	–	–	9
1½ @ 2½	½ Barrel	–	–	6
under 1½	¼ Barrel	–	–	3

Description of Goods.		Landing Rate.		
			£	s.	d.
Raisins—*cont.*					
Denia and Valencia	Boxes	per Score	–	2	6
	½ and ¼ Do.	Do.	–	1	6
	Frails or Baskets	Do.	–	1	8
	½ and ¼ Frails or Baskets	Do.	–	1	–
Malaga	Boxes	Do.	–	2	–
	½ and ¼ Boxes	Do.	–	1	6
Smyrna	Drums	Do.	–	2	6
	½ and ¼ Do.	Do.	–	1	6
	Cases, 1 Cwt.	Do.	–	5	–
	56 lbs.	Do.	–	2	6
	28 lbs.	Do.	–	1	6
Cape	under 3 Cwt.	Cask	–	–	9
	3 to 5 —	Cask	–	1	6
	Boxes about 60 lbs.	Score	–	3	–
Rape Cake		Ton	–	3	6
Rhatania Root		Cwt.	–	–	10½
Extract		Do.	–	–	9
Rhubarb		Do.	–	–	10½
Rice		Do.	–	–	2¼
Roots—					
Flower	large Case		–	1	6
	small Do.		–	1	–
Sassafras		Cwt.	–	–	9
Winters		Cwt.	–	–	9
Rosin		Ton	–	2	6
Rugs	Bale		–	1	6
	½ Bale		–	1	–
	small Case		–	–	6
Rushes		Load	–	1	6
for polishing		Bundle	–	–	1½
Rye, Ergot of		Cwt.	–	–	6
Sac Saturni		Cwt.	–	–	3
Safflower		Ton	–	5	–
Saffron		Cwt.	–	2	–
Sago		Cwt.	–	–	6
Sal Ammoniac		Ton	–	5	–
Salmon. *See* Fish.					
Salop		Package	–	1	6
Saltpetre		Ton	–	5	–
Samples which by Law are exempted from Duty, free.					
Saphora		Package	–	–	6
Sarsaparilla		Cwt.	–	1	6
Sassafras (*see* Wood, Bark, *or* Root)		Cwt.	–	–	9
Scaleboards		100 Bundles	–	3	–
Scammony		Cwt.	–	3	–
Sea Grass. *See* Alva Marina.					
Seeds, Agricultural, (or not otherwise rated) —					
in Bags		Ton	–	3	9
in Casks		Ton	–	4	6
Seed Lac		Cwt.	–	–	9
Senna		Cwt.	–	–	6
Shawls, small Box or Bale		each	–	2	–
large Do. Do.		each	–	3	–
Shaya Root (press-packed)		Ton	–	4	–

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Shell Lac	Cwt.	–	–	9
Shot	Ton	–	3	–
Shurf	Ton	–	5	–
Silk—				
Raw or Thrown				
(not East India or China)	Cwt.	–	1	–
East India and China — Bale of 150 lbs. upwards Gross		–	1	6
East India and China — 104 and under 150		–	1	–
East India and China — under 104		–	–	9
Manufactured				
1 Cwt. and upwards	Bale or Case	–	1	6
under 1 Cwt.	small Bale or Case	–	1	–
Waste				
4 Cwt. and upwards	Bale	–	2	6
2 Cwt. and under 4 Cwt.	Bale	–	2	–
1 Cwt. and under 2 Cwt.	Bale	–	–	9
Silk Ribbons	Case	–	2	–
Silk-worm Gut	Case	–	1	–
Skins—				
Beaver — Pipe		–	2	–
Beaver — Pun.		–	1	6
Calf or Kip				
4 Cwt. and upw.	Bale	–	1	6
2 Cwt. and under 4 Cwt.	Bale	–	1	–
under 2 Cwt.	Bale	–	–	9
Calf (loose), wet salted	Doz.	–	–	4½
dry or dry salted	Doz.	–	–	4
Weighing or loading, 1*d.* per Doz.				
Kip (loose), wet salted	Doz.	–	–	9
dry or dry salted	Doz.	–	–	6
Mogadore (loose), dry salted	Doz.	–	–	3
Russian, about 100 Skins	Bundle	–	–	9
Cat or Fitch	Cask or Case	–	1	6
Chinchilla	Bale, Cask, or Case	–	1	6
Deer or Elk — Pun., Hhd., or Bale		–	1	6
Deer or Elk — Case		–	1	–
Deer or Elk — Pack or Bundle		–	–	9
Deer or Elk — loose, 120		–	3	–
Dog Fish	Bale	–	–	9
Furs — large Bale, Case, or Cask		–	1	6
Furs — middling Ditto		–	1	–
Furs — small Ditto		–	–	9
Goat				
Mogadore or Turkey—				
above 100 Skins	Bale	–	1	6
above 60 Do. & 100 Do.	Bale	–	–	9
above 30 Do. & 60 Do.	Bale	–	–	6
of 30 Do. & under	Bale	–	–	3
loose	Doz.	–	–	2
Trieste, about 8 Cwt.	Bale	–	2	–
Hambro', 100 Skins and under	Bale	–	1	–
above 100	Bale	–	1	6
East India, containing about 400	Bale	–	2	–

Description of Goods.		Landing Rate.		
Skins—*cont.*	per	£	s.	d.
Hare or Coney				
about 1,000 Skins	Bale	–	2	–
500 Skins, not exceeding 1,000	Bale	–	1	6
under 500 Skins	Bale	–	1	–
	large Cask	–	2	–
	middling Cask	–	1	6
	small Cask	–	1	–
Kangaroo	Doz.	–	–	$\frac{1}{2}$
Kid or Lamb	Hhd., Pun., or Bale	–	1	6
	Tierce	–	1	–
	Barrel	–	–	6
	large Bundle	–	1	–
	ordinary Bundle	–	–	9
	small Bundle	–	–	6
	loose Dozen	–	–	1
Leopard, Lion, or Tiger	each	–	–	$1\frac{1}{2}$
Nutria	Hhd.	–	1	6
	Barrel	–	1	–
about 150 Dozen Skins	Bale	–	1	6
about 100 Doz. Skins	Bale	–	1	–
50 Ditto	Bale	–	–	9
Opossum, about 50 Skins	Bundle	–	–	6
Otter, about 100 Skins	Bale or Box	–	1	–
Seal	Pipe	–	2	–
	Puncheon or Hogshead	–	1	6
	Barrel	–	1	–
	loose, 120	–	1	6
South Sea	Wigs, 120	–	1	9
	middling, 120	–	1	9
	small Pups, 120	–	1	6
Greenland or Newfoundland	loose, 120	–	1	6
Quebec or Hudson's Bay	Case, Bale, or Puncheon	–	1	6
	large Bundle	–	1	–
	ordinary Do.	–	–	9
	small Bundle or Keg	–	–	6
Sheep or Goat				
Cape—				
100 Skins	Bale	–	2	–
75 Do.	Bale	–	1	6
50 Do.	Bale	–	1	–
25 Do.	Bale	–	–	6
loose, dry or dry salted	Doz.	–	–	3
loose, wet salted	Doz.	–	–	$4\frac{1}{2}$
India, loose	120	–	1	–
containing 400 Skins	large Bale	–	2	–
Sheep, Hambro'	Bale	–	1	6
Squirrel, about 2,000 Skins	Bale	–	1	6
— Tails, about 100,000	Bale	–	2	–
Swan, 150 Skins	Bale	–	1	6
100, or under	Bale	–	1	–
Vicunia, loose	120	–	1	6
Slates, in Frames and Pencils, 1 to 2 Cwt.	Case	–	1	6
Slate Pencils	Ton	–	3	$4\frac{1}{2}$
Smalts	Ton	–	5	–
Snake Root	Cwt.	–	–	$10\frac{1}{2}$

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Soap	Cwt.	–	–	6
Soda	Ton	–	3	–
Soy	Chest	–	1	–
in Casks	Gallon	–	–	1
Spectacles	Case	–	1	–
Spelter	Ton	–	3	–
Wharfage and Shipping, when piled on Quay, Ton, 2*s*.				
Spetcher. *See* Hide Cuttings.				
Spirits. *See* Wines and Spirits.				
Sponge	Cwt.	–	–	9
Squills	Ton	–	5	–
dried, about 4 Cwt.	Case	–	1	6
2 Cwt.	Case	–	1	–
in Bags	Cwt.	–	–	6
Starch	Ton	–	5	–
Stavesacre	Cwt.	–	–	6
Steel	Ton	–	4	6
Stick Lac	Cwt.	–	–	9
Sticks, Walking	1,000	–	5	–
Stone	Ton	–	4	–
Stone —				
Burr	each	–	–	1½
Emery	Ton	–	3	6
Filling and weighing on Delivery, Ton, 2*s*.				
Lithographic	Ton	–	5	–
Pumice, in Casks	Ton	–	5	–
loose	Ton	–	7	6
Turkey, or Hones	Cwt.	–	–	3
Straw, manufactured —				
under 1 Cwt.	Case	–	–	8
Do. at 1 Cwt. and under 2 Cwt.	Case	–	1	–
2 Cwt. and under 3 Cwt.	Case	–	1	6
3 – and under 4 –	Case	–	1	9
4 – and upwards	Case	–	2	–
Straw, unmanufactured —				
1 Cwt. and under 2 Cwt.	Case	–	1	–
2 – and under 3 –	Case	–	1	6
3 – and upwards	Case	–	2	–
Succades —				
under 28 lbs.	Package	–	–	3
28 lbs. and under 1 Cwt.	Do.	–	–	6
1 Cwt. and upwards	Do.	–	–	6
Sugar —				
in Casks	Cwt.	–	–	3
Chests, 5 Cwt. or above, or in Baskets	Cwt.	–	–	3
Chests, Mats, or Bags, under 5 Cwt.	Cwt.	–	–	3
— Candy	Cwt.	–	–	4½
Sulphate of Potash	Ton	–	3	–
Sulphate of Zinc	Ton	–	5	–
Sumach	Ton	–	3	9
Sunn, press-packed	Ton	–	4	–
Sweepwashers Dirt	Package	–	1	6
loose	Ton	–	4	6
Filling and weighing on Delivery, Ton, 2*s*.				

Description of Goods.		Landing Rate.
		£ s. d.
* Tallow —	per	
in Casks	Ton	– 3 6
If sold from Landing Scale —		
to the Importer	Ton	– 2 4
to the Buyer	Ton	– 1 2
in Skins	Ton	– 3 9
American and Mediterranean, or Cape, in Packages or Blocks under 5 Cwt.	Ton	– 5 –
Note—Three working Days from the last Day of weighing at the Landing Scale will be allowed to clear Tallow from the Quays; no Rent will be charged for that Period if so cleared; when not so cleared Rent will be charged from the Vessel's breaking Bulk.		
Tapes	Bale	– 1 6
Tapioca	Cwt.	– – 8¼
Tea, per Chest — 200 lbs. and upwards	gross	– 1 6
130 and under 200	-	– 1 3
80 - 130	-	– 1 –
60 - 80	-	– – 10½
40 - 60	-	– – 9
30 - 40	-	– – 7½
small Box — 20 - 30	-	– – 6
under 20	-	– – 3
Terra Japonica	Ton	– 5 –
Sienna or Verde	Ton	– 5 –
Umbra or Pozzolano	Ton	– 3 6
Pozzolano, weighing on Board, Ton, 1*s.*		
Thread	Bale	– 1 6
Tin	Ton	– 4 –
Weighing on board for Transhipment, Ton, 2*s.* 8*d.*		
Ore	Do.	– 5 –
Tincal	Do.	– 5 –
Tobacco —		
sampling, coopering, and making merchantable at the Landing Scale	100 lbs. net	– – 6
on Delivery for Exportation, including coopering	100 lbs. net	– – 2¼
resampling	per Hhd.	– 2 –
if resampled	—	– – 3
Tongues —		
3 Cwt.	Tierce	– – 8¼
1 Cwt. and under 2 Cwt.	Cask	– – 6
loose	Dozen	– – 3
about 2 Dozen	Bale	– – 6
Rein Deer, 12 Dozen	Case	– 1 6
6 Do.	Do.	– 1 –
2 Do.	Do.	– – 6
Tonquin Beans —		
under 1 Cwt.	Chest	– 1 6
in Casks	Cwt.	– 1 –
Tortoise Shell	Cwt.	– 1 –
Toys — large Case or Vat		– 4 6
middling Case or Vat		– 3 –
small Case or Vat		– 2 –
Tow, in Bales	Cwt.	– – 4½
Turmeric	Cwt.	– – 3

Description of Goods.		Landing Rate.		
	per	£	s.	d.
Turpentine	Ton	–	2	6
Delivery by Land or Water, Ton, 1s. 8d.				
Scio	Cwt.	–	–	6
Twine	Cwt.	–	–	4½
Valerian	Bale	–	1	6
Valonia	Ton	–	4	6
Filling and weighing on Delivery, Ton, 2s.				
Vanelloes	Case or Canister	–	1	6
Verdigris	Ton	–	5	–
Vermicelli —				
Case, under 1 Cwt.	Cwt.	–	1	–
1 and under 2 Cwt.	Cwt.	–	1	–
2 Cwt. and upwards	Cwt.	–	–	6
Vermillion	Cwt.	–	2	4½
Vinegar	100 Gallons	–	2	1
Cooper's Attendance in addition.				
Vulture Feathers —				
above 2 Cwt.	Bale or Cask	–	2	6
not exceeding 2 Cwt.	Do. Do.	–	1	6
	small Bag, not above 56 lbs.	–	–	6
Walnuts	Bushel	–	–	2¼
Wanghees	1,000	–	5	–
Water, Mineral —				
in Baskets or Cases	Doz. Bottles	–	–	3
in Bulk	Doz. Do.	–	–	2¼
Wax —				
Bees	Ton	–	5	–
Sealing	Cwt.	–	–	9
Myrtle	Cwt.	–	1	–
Weld	Ton	–	7	6
Whalebone	Ton	–	7	6
Whalefins, Newfoundland	Ton	–	7	6
Whetstones	Cwt.	–	–	3
Whisk Brooms	100 Bundles	–	3	–
	loose, 1,000	–	3	–
	Bale	–	1	10½
	Half Bale	–	1	–
	Quarter Bale	–	–	9
	One Eighth of a Bale	–	–	6
manufactured	100	–	1	6
Wire —				
Iron	Cwt.	–	–	4½
plated or gilt	Cwt.	–	–	8¼
Woad	Ton	–	7	6
Wood —				
Barwood, Boxwood, Brazil, large, Camwood, Cocus, Ebony, Fustic	Ton	–	4	6

Description of Goods.		Landing Rate.
		£ s. d.
Wood—*cont.*	per	
Lignum Vitæ - Logwood - - Nicaragua, large - Quassia - - Sanders Wood -	Ton	– 4 6
Brazil, small, or Braziletto	Ton	– 5 6
Fustic, young	Ton	– 5 6
Nicaragua, small	Ton	– 5 6
Sapan	Ton	– 5 6
Sassafras	Ton	– 5 6
Sandall	Ton	– 5 6
Mahogany, Cedar, Jacaranda, Birds Eye Maple, Rose, Satin, Tulip, Zebra, &c. and other Woods charged with Duty or sold, at	Ton	– 5 –
Rummaging Mahogany Timber and other measured Woods, Ton, 1*s.*		
Delivering into decked Vessels, additional, Ton, 6*d.*		
Staves—		
North America—		
Puncheon and Hogsh., 1 Inch & under	1,200	– 18 –
Barrel and Heading	1,200	– 12 –
From Quebec—		
Pipe - 3 to 4 Inches thick	Do.	– 80 –
Do. - 2 to 2½ Do.	Do.	– 55 –
Do. - 1 to 1½ Do.	Do.	– 35 –
Hogshead - 3 to 4 Do.	Do.	– 70 –
Do. - 2 to 2½ Do.	Do.	– 45 –
Do. - 1 to 1½ Do.	Do.	– 30 –
Barrel & Heading 3 to 4 Do.	Do.	– 50 –
Do. - 2 to 2½ Do.	Do.	– 40 –
Do. - 1 to 1½ Do.	Do.	– 30 –
From Hambro' and Baltic—		
Pipe	Do.	– 40 –
Hogshead	Do.	– 35 –
Barrel	Do.	– 30 –
Heading	Do.	– 37 6
Thin Pipe - 1 to 1½ Inches thick	Do.	– 25 –
Hogshead - Do.	Do.	– 22 –
Barrel and Heading Do.	Do.	– 16 –
Teak from the East Indies—		
Long Pipe	1,200	– 30 –
Pipe	Do.	– 27 –
Hogshead	Do.	– 25 –
Barrel and Heading	Do.	– 20 –
Billet Staves, Oak or Ash—		
exceeding 3½ Inches, not exceeding 4 Feet long	1,200	– 48 –
1½ to 3½ Inches, not exceeding 4 Feet long	Do.	– 35 –
under 1½ Inches, not exceeding 4 Feet long	Do.	– 22 –
Headings and Stave Ends—		
not exceeding 20 Inches long	Do.	– 12 –
Fir Staves	Do.	– 15 –

Description of Goods.		Landing Rate.
Wood—*cont.*		£ s. d.
Deals—	per Standard Hundred of 120	
Russia and Prussia Deals and Deal Ends, 1½ Inch thick, and 12 Feet long - - -	Do.	- 12 -
Swedish Deals from Ports on the Baltic—		
2½ and 3 Inches thick, 14 F. long - -	Do.	- 20 -
1½ and 2 Do. Do. 14 Do. - -	Do.	- 16 8
Quebec, Norway, and Swedish Deals, from Ports on the North Sea—		
2½ & 3 Inches thick, 10 & 12 Ft. long -	Do.	- 16 -
to 14 Do. - -	Do.	- 19 -
to 16 Do. - -	Do.	- 22 -
to 18 Do. - -	Do.	- 25 -
to 20 Do. - -	Do.	- 28 -
Battens from all Ports—		
2½ & 3 Inches thick, 10 & 12 Ft. long - -	Do.	- 12 -
to 14 Do. - -	Do.	- 14 3
to 16 Do. - -	Do.	- 16 6
to 18 Do. - -	Do.	- 18 9
to 20 Do. - -	Do.	- 21 -
2½ and 3 Inch Half Deals - - -	Do.	- 9 -
Deal Ends - - - - -	Do.	- 7 -
Batten Ends - - - - -	Do.	- 5 -
Paling Boards - - - -	Do.	- 6 -
Deck Deals—		
3 Inches thick, 30 to 40 Ft. long - -	each	- 1 -
2½ Do. 30 to 40 Do. - -	Do.	- - 10
2 Do. 30 to 40 Do. - -	Do.	- - 8
3 Do. 20 to 30 Do. - -	Do.	- - 9
2½ Do. 20 to 30 Do. - -	Do.	- - 7½
2 Do. 20 to 30 Do. - -	Do.	- - 6
Dunnage Boards - - - -	each	- 12 6
Norway Timber and Bulks - - -	℔ Load	- 6 -
Spars under 6 & above 4 Inches - -	℔ 120	- 40 -
Rickers—		
under 4 Inches, and 24 Feet long and upwards -	Do.	- 25 -
under 24 Feet long - - - -	Do.	- 12 -
Handspikes - - - - -	Do.	- 6 -
Uffers—		
under 24 Feet long - - - -	Do.	- 25 -
from 24 to 32 Do. - - - -	Do.	- 40 -
32 Ft. long & upwards - - -	Do.	- 66 -
Sparholtz and 10 Ells to add 1*s.* 3*d.* to the Rates on Uffers.		
Oars—		
under 24 Feet long - - - -	Do.	- 12 6
from 24 to 32 Do. - - - -	Do.	- 20 -
32 Feet long, and upwards - - -	Do.	- 30 -
Boat-knees, and under 5 Inches sq. - -	Do.	- 4 -
Lance-wood Spars - - - -	Do.	- 30 -
Gunstocks - - - - -	Do.	- 6 -
Lathwood—		
under 5 Ft. long - - -	℔ Fathom	- 9 -
from 5 to 8 Do. - - - -	Do.	- 12 -

Description of Goods.		Landing Rate.		
		£	*s.*	*d.*
Wood — *cont.*	per			
Fir Staves	Fathom	–	15	–
Treenails —				
large, above 2 Ft. long	₩ 1,200	–	12	–
small, under 2 Ft. long	Do.	–	8	–
Wainscot Logs, 7 Feet long	each	–	–	9
14 Do.	Do.	–	2	–
Clapboards, 3 Feet long	Do.	–	–	3
6 Do.	Do.	–	–	6
Oak and other Timber charged with Duty or sold by the Load —				
Square	₩ Load of 50 Feet	–	6	6
Round	₩ Load of 40 Feet			
Under Cover	–	–	7	–
Deal Planks and Boards	₩ Load	–	7	–
Fire-wood	Fathom	–	7	–
Spokes, American	1,200	–	10	–
Teak-wood, Planks of	Load	–	7	–
Under Cover	–	–	7	6
		s.	*d.*	
Turning to measure for Sale at landing Oak and other Timber	Load –	1	0	
Sorting Staves for Freight	1,200 –	7	0	
Marking Lots on Timber piled in Tiers	Lot –	0	4	
N.B.—The Charge for unpiling or unhousing, Wharfage, and shipping, to be Three Fourths of the Landing Rate.				
Reweighing or repiling, One Fourth of the Landing Rate.				
Delivering into decked Vessels, 6*d.* ₩ Ton extra.				
Wool —				
Sheep or Lamb —				
German	Cwt.	–	–	4½
Australian	Cwt.	–	–	4½
Spanish	Cwt.	–	–	4½
Vigonia	Cwt.	–	–	4½
not otherwise enumerated	Cwt.	–	–	4½
Coney or Goats	Cwt.	–	–	6
Hair or Beards	Cwt.	–	–	10½
Yarn —				
in Vats, not above 20 Cwt.	Ton	–	5	–
above 20 Cwt.	Ton	–	5	3
in Bales	Cwt.	–	–	4½
Zaffres	Ton	–	5	–

RATES on Wines and Spirits (Rum excepted).

	In unsizeable Casks, per Tun, 210 Gallons.	Per Pipe, Butt, or Puncheon.	Per Hogshead.	Per Third Cask.	Per Quarter Cask.	Per Half Quarter Cask.	Rhenish Wines.		
							Per Dble Aum.	Single Aum.	Half Aum.
	s. *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
Landing and Delivery Rate, including Cooper's Attendance at landing -	7 –	3 6	2 1	1 9	1 4	1 –	2 6	1 6	1 2
If shipped, additional -	1 4	– 8	– 5	– 5	– 4	– 3	– 6	– 4	– 3

Wines or Spirits in Cases.

	Containing 6 Dozen		Containing 3 Dozen	
	Quarts.	Pints.	Quarts.	Pints.
	s. *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
Landing and Delivery Rate - -	1 6	– 9	– 9	– 6

Cases containing Quantities not specified above will be chargeable in the like Proportion.

RATES on Rum.

Landing and Delivery Rate, per 100 Gallons - 3*s.* 6*d.*

SCHE-

SCHEDULE D.

RATES to be charged on Merchandize sent for Shipment direct from the Quays.

Description of Goods for Shipment.		Wharfage and Shipping.		
	per	£	s.	d.
Acids, Nitric and Muriatic. *See* Vitriol.				
Almonds —				
in Serons	Ton	–	3	4
in Boxes or Barrels	Cwt.	–	–	4
Shell	Cwt.	–	–	6
Alum	Ton	–	2	6
Anchors and Grapnels	Ton	–	3	4
Anchovies	Case containing Eight Barrels	–	–	8
	double Barrel	–	–	2
	Keg or single Barrel	–	–	1
Anniseed	Chest	–	–	9
	Half Ditto	–	–	6
Annatto	small Basket	–	–	4
Anvils	each	–	–	6
Asses	each	–	3	–
Axle Trees	each	–	–	6 to – 1 6
Bacon, about 3 Cwt.	Case	–	–	6
	Bale	–	–	6
	Side	–	–	2
Baggage	Package	–	–	6 to – 2 –
Bagging, loose	Piece	–	–	2
Bark	Chest	–	1	–
	Half Chest or Seron	–	–	8
Barley	Tierce	–	1	–
	small Cask	–	–	8
	Sack	–	–	6
	Jug or Barrel	–	–	2 to – – 4
Barrows	each	–	–	2
Baskets, empty	each	–	–	1 to – – 2
Bedsteads, according to Size	each	–	–	6 to – 1 6
Beef and Pork	Tierce	–	–	6
	Barrel	–	–	4
Beer —				
in Bulk	Butt	–	1	4
	Puncheon	–	1	4
	Hogshead	–	–	8
	Barrel	–	–	6
	Kilderkin	–	–	4

Description of Goods for Shipment.		Wharfage and Shipping.
	per	£ s. d.
Beer — *cont.*		
bottled in Casks - - - -	*Dozen	— — 1
in Cases or Hampers - - -	*Dozen	— — 2
* Two Dozen Pints taken as equal to One Dozen Quarts.		
Bees-wax —		
in Casks - - - - -	Ton	— 3 4
in Bales, 5 and under 6 Cwt. - - -	Bale	— 1 4
3 — 5 — - - -	Bale	— 1 —
2 — 3 — - - -	Bale	— — 9
under 2 Cwt. - - -	Box or Bale	— — 6
Bellows, Smiths - - - -	Pair	— — 8 to — 2 6
Billiard Tables - - - - -	each	— 2 6 to — 5 —
Blacking —		
20 Cwt. and upwards - - - -	Cask	— 3 —
15 and under 20 Cwt. - - - -	Cask	— 2 6
10 — 15 — - - - -	Cask	— 1 6
7 — 10 — - - -	Cask	— 1 2
5 — 7 — - - - -	Cask	— 1 —
under 5 — - - - - -	Cask	— — 8
	Barrel	— — 6
	Firkin	— — 4
Block Tin. *See* Tin.		
Bottles, Glass, empty - - -	small Basket or Box	— — 1 to — — 2
from 15 to 20 Dozen - - - -	Crate	— — 8
21 to 29 — - - - -	Crate	— 1 —
30 to 44 — - - - -	Crate	— 1 4
45 to 50 — - - - -	Crate	— 2 —
Bran - - - - - -	Sack	— — 2
Brandy. *See* Spirits.		
Bread - - - - - -	Bag	— — 4
Bricks, common - - - - -	1,200	— 7 6
if shipped by Crew - - - -	1,200	— 2 6
Brooms —		
Birch - - - - -	Bundle, 2 Doz.	— — 2
	Bundle, 1 Doz.	— — 1
Hair or House - - - -	Bundle	— — 2
Bull or Bullock - - - -	each	— 8 6
Bullion - - - - -	large Package	— 1 —
	small Ditto	— — 8
Buoys - - - - -	Ton	— 5 —
Butter - - - - -	Quarter Cask	— — 4
	Tub or Firkin	— — 2
Cables —		
Rope - - - - - -	Ton	— 3 4
Iron - - - - - -	Ton	— 3 4
Calf - - - - - -	each	— 2 6
Camphor - - - - -	Tub or Chest	— — 8
Candles —		
not exceeding 56 lbs. nett - - -	small Box	— — 2

Description of Goods for Shipment.		Wharfage and Shipping.
		£ s. d.
Candles — *cont.*	per	
57 lbs. and not exceeding 112 lbs. nett	Box	— — 4
above 112 lbs. — 2 Cwt. nett	Chest	— — 6
2 Cwt. — 3 Cwt. nett	Chest	— — 8
3 Cwt. — 5 Cwt. nett	Chest	— 1 —
Canes, common Rattan	1,000	— 1 —
Cannons	Ton	— 3 4
Canvas	Bolt	— — 1
Carts	each	— 2 — to — 5 —
Cart Wheels	Pair	— — 4 to — 1 —
Casks, empty	Sugar Hhd.	— — 6
	Butt or Puncheon	— — 4
	Hhd.	— — 2
	Barrel	— — 1
Cassia	Chest	— — 8
	Half Chest	— — 4
Cement	Barrel	— — 6
	Half Barrel	— — 4
Chaff Cutters	each	— 1 6 to — 2 6
Chain Cables	Ton	— 3 4
Chairs	each	— — 2
	Bundles of Two	— — 4
Other Bundles in proportion.		
Chaises	Four-wheeled	— 6 —
	Two-wheeled	— 5 —
Chalk	Ton	— 3 4
in Casks	Hhd.	— 1 6
	Pun.	— 1 2
	small Cask	— — 4 to — — 8
Chariots	each	— 8 6
Cheese —		
Hamper, Box, or Basket	1 Cwt. and not exceeding 2 Cwt.	— — 4
Hamper, Box, or Basket	under 1 Cwt.	— — 2
Loose	1 Cwt.	— — 3
Ditto, Dutch	Cwt.	— — 4
Cinnamon	Package 3 or 4 Bolts	— 1 6
	Case or Chest	— 1 4
	Half Chest	— — 8
	Double Bale	— 1 —
	Single Bale	— — 8
Clocks in Cases	each	— 1 — to — 2 —
Cloves	2 Cwt. Bag	— — 8
	small Bag	— — 4
	5 to 6 Cwt. Cask	— 2 —
Coaches, private	each	— 10 —
Stage	each	— 15 —

Description of Goods for Shipment.		Wharfage and Shipping. per	£	s.	d.
Coals		Ton	–	2	–
Coffee —					
5 Cwt. and upwards		Bale	–	1	–
3½ Cwt. and under 5 Cwt.		Bale	–	–	8
under 3½ Cwt.	small	Bale	–	–	6
		Bag	–	–	4
Coffee Fans		each	–	3	–
			to		
			–	5	–
Engines or Shellers		each	–	2	6
			to		
			–	5	–
Colours, in Casks		Ton	–	3	4
Copper	Case, 9 and under 10	Cwt.	–	2	6
	Case, 7 — 9	Cwt.	–	2	–
	Case, 5 — 7	Cwt.	–	1	4
	under 5	Cwt.	–	1	–
Bundle of Bolts	2	Cwt.	–	–	8
loose in Sheets		Ton	–	4	–
in Casks		Ton	–	3	4
Bottoms	2 Cwt.		–	–	8
	1 Cwt.		–	–	4
in Cakes		Ton	–	3	4
Copper Clarifyers, 10 Cwt.		each	–	5	–
Coppers, about 14 Cwt.		each	–	5	–
Cordage		Ton	–	3	4
Cork		Ton	–	4	–
Corks		Cask or Bag	–	–	2
			to		
			–	–	8
Corn in Sacks		each	–	–	6
Cotton Wool —					
American		Bale	–	1	–
East India		Bale	–	–	8
		Half Bale	–	–	4
Egyptian —					
press-packed		Cwt.	–	–	2
not press-packed		Cwt.	–	–	3
Twist, under 2 Cwt. 2 Qrs.		Bale	–	–	8
Cotton Presses —					
Wooden		each	–	10	–
Iron		each	–	20	–
Cows		each	–	8	6
Cowries		Ton	–	3	4
Currants		Butt	–	2	–
		Pipe	–	1	6
		Carotel	–	1	–
Cyder		Pipe	–	1	6
		Hogshead	–	–	9
Dampers, Iron		each	–	–	4
			to		
			–	–	8
Dogs		each	–	–	6
Dollars. *See* Bullion.					
Drips and Pots		1,000	–	10	–

Description of Goods for Shipment.		Wharfage and Shipping. £ s. d.
Drugs, not enumerated	per Chest, 2½ to 5 Cwt.	– 1 –
	Chest, under 2½ Cwt.	– – 8
Earthenware	Crate	– – 6 to – 1 4
Elephants Teeth. *See* Ivory.		
Engines, Fire	each	– 5 – to – 10 –
Garden	each	– 2 6
Felt, 1½ Cwt. and under	Box	– – 4
above 2½ Cwt. and not exceeding 2½ Cwt.	Box	– – 6
	Bale	– – 8 to – 1 –
Fire-arms	large Chest	– 1 4
	Chest or Case	– – 8 to – 1 –
Fish	Barrel or Box	– – 3 to – – 4
Herrings	Barrel	– – 4
loose	Ton	– 4 6
fresh	Ton	– 10 –
Flax	Ton	– 3 –
Flints, Gun	Keg	– – 2
Flour	Barrel	– – 2
Fuller's Earth	Ton	– 2 6
Furniture in Packages, according to Size.		
Ginger	Ton	– 5 –
Glass	Butt or Hhd.	– 1 6
	Pipe or Puncheon	– 1 2
	Tierce	– 1 –
	Crate or ¼ Crate	– – 8
	Box or ½ Box	– 4 –
	small Cask	– – 4 to – – 8
Plate	large Case	– 2 –
	middle Case	– 1 4
	small Case	– – 8
Goats	each	– – 9
Grates and Stoves	each	– – 6 to – 1 –
Grindstones	every 6 Inch. Diameter	– – 2
Gritts	Firkin	– – 2
Gudgeon. *See* Mill Gudgeon.		
Gum	Chest	– 1 –
	Seron	– – 6
Guns. *See* Fire-arms *and* Cannons.		
Gypsum	Hhd.	– 1 6
	Puncheon	– 1 2

Description of Goods for Shipment.		Wharfage and Shipping.		
	per	£	s.	d.
Hams —				
containing Four	Bale	–	–	3
loose	each	–	–	–¾
in Casks	Cask	–	– to	6
		–	1	6
Hardware — Cask, 15 and under 17 Cwt.		–	2	6
12 — 15	Do.	–	2	–
9 — 12	Do.	–	1	6
8 — 9	Do.	–	1	4
5 — 8	Do.	–	1	–
Harps	each	–	2	6
Harpsichords	each	–	5	–
Harrows	Pair	–	2	–
Hats	Case	–	– to	6
		–	1	–
Hatboxes	each	–	–	1
Hay — Load of 36 Trusses		–	4	–
Bale of 3 Ditto		–	–	4
Truss		–	–	2
Hemp	Ton	–	3	–
Screws	each	–	–	4
Herrings. *See* Fish.				
Hides —				
Ox and Cow	100	–	6	–
East India, 5 lb. to 7 lb.	100	–	2	–
10 lb. to 12 lb.	each	–	–	–½
Hollands. *See* Spirits.				
Hoops —				
Wood	Bundle	–	–	1
Truss	Bundle	–	–	2
Iron. *See* Iron.				
Hops	Bag	–	–	8
	Pocket	–	–	6
Horns, Tips and Plates	Hhd.	–	1	4
in Bags	Cwt.	–	–	4
Ox, Cow, or Buffalo —				
loose, including counting	Cwt.	–	–	7
without counting	Cwt.	–	–	6
Horses	each	–	10	–
Cobb or Pony	each	–	5	6
India Rubber	Barrel	–	–	6
Indigo — Chest		–	–	8
Half Chest, Box, or Seron		–	–	6
Iron —				
Sheet —				
56 lbs. and under	Bundle	–	–	1
above 56 lbs. and not exceeding 1 Cwt.	Bundle	–	–	2
above 1 Cwt. and not exceeding 2 Cwt.	Bundle	–	–	3
above 2 Cwt. and not exceeding 3 Cwt.	Bundle	–	–	4
larger Bundles in addition	Cwt.	–	–	1
Wire	Ton	–	5	–
Iron Bars and unmanufactured Iron	Ton	–	2	3

Description of Goods for Shipment.		Wharfage and Shipping. £ s. d.
Iron — *cont.*	per	
Heavy manufactured Machinery, Millwork, &c. in Pieces, 1 Ton and above, and not otherwise rated -	Ton	– 6 –
Do. Pieces under 1 Ton - - - -	Ton	– 5 –
Hurdles - - - - - -	each	– – 1
Pots - - - - - - -	100	– 4 –
Tire - - - - - - -	Bundle	– – 2 to – – 4
Hoops, 56 lbs. - - - -	Bundle	– – 1
84 lbs. - - - - -	Bundle	– – 1½
112 lbs. - - - -	Bundle	– – 2
above 1 Cwt. and not exceeding 2 Cwt. -	Bundle	– – 3
Scrap —		
loose - - - - - -	Ton	– 4 –
in Bags - - - - -	Ton	– 3 –
Weighing, 1*s.* 6*d.* Ton.		
Shot - - - - - -	Ton	– 3 4
Ivory - - - - - - -	Cwt.	– – 7
Knives, Malay - - - - -	small Cask	– – 8
Lac Dye - - - - - Chest of about 3 Cwt.		– 1 –
Lac Dye - - - - - Chest of about 1½ Cwt.		– – 8
Lace - - - - - - - -	Package	– – 9 to – 1 6
Laths - - - - - - -	Bundle	– – 1
Lead —		
in Pigs - - - - - -	Ton	– 2 –
Black - - - - -	Cask about 40 lbs.	– – 2
Shot or Bars - - - - Cask, 7 to 10 Cwt. -		– 1 –
Shot or Bars - - - - — 5 and under 7 Do.		– – 8
Shot or Bars - - - - — 3 and under 5 Do.		– – 6
Shot or Bars - - - - — under 3 Cwt. -		– – 4
Sheet - - - - - Roll, 7 Cwt. -		– 1 6
Sheet - - - - - Ditto, 6 Do. -		– 1 4
Sheet - - - - - Ditto, 4 to 5 Do.		– 1 –
loose, in small Pieces - - - - -	Ton	– 4 –
in large Do. - - - - - -	Ton	– 3 –
in Casks - - - - - -	Ton	– 2 –
Weighing, loose, 1*s.* 6*d.* per Ton. in Casks, 1*s.* per Ton.		
Lime, in bulk - - - - - - -	- -	– 4 6
	- Hhd.	– 1 6
	Puncheon	– 1 2
	small Cask	– – 4 to – – 8
Logwood - - - - - -	Ton	– 2 3
Mace - - - - - - -	small Cask	– – 8
Mangles - - - - - -	each	– 5 –
Manure - - - - - -	Ton	– 2 6
Melting Pots - - - - - -	Ton	– 5 –

Description of Goods for Shipment.		Wharfage and Shipping.
	per	£ s. d.
Mill Cases	each	– 1 – to – 2 –
Gudgeons	each	– 1 –
Stones	about 1 Ton each	– 4 –
Mill Stones, about 5 Tons each, taking out of Ship and putting into Lighter, or from Lighter into Ships, 4*s.* per Ton.		
Mineral Brown in Turpentine, Barrels of about 3 Cwt.	Barrel	– – 6
Molasses	Puncheon	– 1 2
Mooring Chains	Ton	– 4 –
Mother o'Pearl Shells	Ton	– 5 –
Mules	each	– 3 –
Musk	Box	– – 8
Mustard	Keg	– – 4
not exceeding 28 lbs.	Keg	– – 2
Nails	Ton	– 5 –
Nankeens	Case or Chest	– – 6
Negro Clothing	Puncheon	– 1 –
Nutmegs	small Cask	– – 8
Oakum	Ton	– 3 4
Oats	Sack	– – 6
Oil Cake	Hogshead	– 1 6
	Puncheon	– 1 2
loose	Ton	– 3 6
Oil	Tun	– 3 6
	Chest	– – 8
	Half Chest	– – 4
in Jugs	11 to 12 Gallons	– – 8
	8 to 10 Ditto	– – 6
	3 to 7 Ditto	– – 4
	under 3 Ditto	– – 2
Ore Spar	Ton	– 3 6
Organs	each	– 2 – to – 5 –
Osnaburgs, loose	Piece	– – 1
Ox Bows or Yokes	Bundle, 1 Dozen	– – 3
Oxen	each	– 8 6
Paint, in small Kegs	Ton	– 8 –
Casks containing Kegs	Ton	– 3 4
	¼ Cask	– – 1
Paper	Bale	– – 8
	small Ditto	– – 6
Pearl Barley	Barrel or Keg of 1 Cwt.	– – 4
Peas	Tierce	– – 6
	Barrel	– – 4
	Bag	– – 3
Pepper	Bag	– – 4 to – – 6

Description of Goods for Shipment.		Wharfage and Shipping.		
	per	£	s.	d.
Perry	Butt	–	1	6
Pianafortes —				
Grand	each	–	5	–
Cabinet	each	–	3	6
Square	each	–	2	6
Pickles — large Package		–	1	–
Pickles — middling Ditto		–	–	6
Pickles — small Ditto		–	–	3
Pigs	each	–	–	6
Pipe-clay —				
loose	Ton	–	3	4
in Casks — Hhd.		–	1	6
in Casks — Puncheon		–	1	2
in Casks — small Cask		–	–	4 to – – 8
Pitch	Barrel	–	–	4
Plants — large Package		–	1	6
Plants — middling —		–	1	–
Plants — small —		–	–	8
Ploughs	each	–	1	–
Pork — Tierce		–	–	6
Pork — Barrel		–	–	4
Potatoes	Ton	–	3	–
Quicksilver	Iron Bottle	–	–	2
Rags	Ton	–	2	–
Rice	Ton	–	2	6
Rigging	Cwt.	–	–	4
Rocking Horses	each	–	–	6 to – 1 –
Rosin	Barrel	–	–	4
Safflower, 2½ Cwt. and upwards	Bale	–	1	–
Safflower, under 2½ Cwt.	Bale	–	–	8
Sago	Cwt.	–	–	4
Sail-cloth	Bolt	–	–	1
Salt — Hhd.		–	2	–
Salt — Tierce or Puncheon		–	1	6
Salt — small Tierce		–	1	–
loose	Ton	–	2	–
Basket	Hhd.	–	1	6
Saltpetre —				
rough	Ton	–	3	–
refined — Cask above 1 Cwt. and under 2 Cwt.		–	–	4
refined — Barrel, 1 Cwt.		–	–	3
Sand — Hhd.		–	1	6
Sand — Puncheon		–	1	2
Sand — small Cask		–	–	4 to – – 8
Saws	Bundle	–	–	6
Seed	Bale	–	–	8

Description of Goods for Shipment.		Wharfage and Shipping.		
	per	£	s.	d.
Seed Lac	Ton	–	5	–
Segar Boxes, small	Score	–	–	3
Sheep	each	–	–	6
Shell Lac	Ton	–	5	–
Shells, Bomb	Ton	–	3	4
Shot, Iron	Ton	–	3	4
Skins —				
18 Cwt. and not exceeding 20 Cwt.	Cask	–	3	–
15 Cwt. and under 18 Cwt.	Cask	–	2	6
10 Cwt. and under 15 Cwt.	Cask	–	2	–
6 Cwt. and under 10 Cwt.	Hhd.	–	1	6
under 6 Cwt.	Tierce	–	1	–
Goat —				
Mogadore	Bale	–	–	6
	Half Bale	–	–	4
Nutria —				
5 Cwt. and upwards	Bale	–	1	–
under 5 Cwt.	Bale	–	–	8
Slates	Hhd.	–	2	–
	Puncheon	–	1	6
Soap —				
above 3 Cwt. and not exceeding 5 Cwt. net	Chest	–	1	–
above 2 Cwt. and not exceeding 3 Cwt. net	Chest	–	–	8
above 1 Cwt. and not exceeding 2 Cwt. net	Chest	–	–	6
57 lbs. and not exceeding 1 Cwt. net	Box	–	–	4
56 lbs. net, and under	small Box	–	–	2
Sofas	each	–	1	– to – 1 6
Spades and Shovels	Bundle, 2 Dozen	–	–	8
	Ditto, 1 Dozen	–	–	4
Spelter	Ton	–	2	–
Spirits	Pipe, Butt, or Puncheon	–	2	–
	Hhd.	–	1	–
Sprats, Bundles about 3 lbs.	100 Bundles	–	3	–
Starch	Box, 1 Cwt.	–	–	6
	Ditto, under 1 Cwt.	–	–	4
Staves —				
Cask or Barrel	Pack	–	–	1
Wine Hogshead	Pack	–	–	2
Pipe or Puncheon	Pack	–	–	4
Ditto, old	Pack	–	–	3
Sugar Hogshead	Pack	–	–	4
Ditto, old	Pack	–	–	3
Vat or Leager	Pack	–	– 9 to – 1	–
Steel —				
Bars	Ton	–	3	4
Bundles	Cwt.	–	–	4
Still Head, Worm, and Boilers	Ton	–	6	–
Stills about 1 Ton	each	–	10	–
Stone	Ton	–	4	–
Stones, Fire or Flag	Ton	–	3	4
Flat Paving, ordinary Size	each	–	–	2

Description of Goods for Shipment.		Wharfage and Shipping. £	s.	d.
Stoves and Grates	per each	–	– to 1	6 –
in Crates, under 1 Ton	per Ton	–	3	–
1 Ditto and above	per Ton	–	4	–
Straw	per Truss	–	–	1
Sugar —				
above 4 Cwt.	per Mat, Bag, or Basket	–	–	8
above 2 Cwt. and not exceeding 4 Cwt.	per Mat, Bag, or Basket	–	–	6
2 Cwt. and under	per Bag or Mat	–	–	4
in Boxes or Chests	per Ton	–	3	4
Bastards —				
14 Cwt. and upwards	per Cask	–	2	–
12 Cwt. and under 14 Cwt.	per Cask	–	1	6
8 Cwt. and under 12 Cwt.	per —	–	1	–
under 8	per Tierce	–	–	9
not exceeding $2\frac{1}{2}$	per Barrel	–	–	5
Refined —				
18 Cwt. and under 24 Cwt.	per Cask	–	2	6
14 Cwt. and under 18 Cwt.	per Cask	–	2	–
12 Cwt. and under 14 Cwt.	per Cask	–	1	6
	per Hhd.	–	1	2
loose	per Ton	–	3	–
	per Puncheon	–	1	–
	per Tierce	–	–	8
	per Barrel	–	–	6
Tallow	per Ton	–	2	6
Tar	per Barrel	–	–	4
Tea	per Chest	–	1	–
	per $\frac{1}{2}$ Chest	–	–	8
	per $\frac{1}{4}$ Chest	–	–	6
	per small Box	–	–	4
Tiles, Welsh, about 1 Foot Square	per 100	–	2	–
Tin	per Box	–	–	4
	per Block	–	–	2
	per Barrel	–	–	6
Tombstones	each	–	5	–
Tripe	per Keg	–	–	2
Turmeric	per Bag	–	– to	$-\frac{1}{2}$
		–	–	2
Turpentine	per Carboy	–	– to	6
		–	1	–
Varnish	per Barrel	–	–	6
Vermilion	per Package	–	2	–
Vinegar	per Puncheon	–	1	4
	per Hhd.	–	–	8
	per Barrel or $\frac{1}{2}$ Hhd.	–	–	6
Vitriol or Acids	in Carboys, Gallon	–	–	4
	per middling Case	–	3	–
	per small Case	–	2	–

Description of Goods for Shipment.		Wharfage and Shipping. £ s. d.
Waggons	per each	– 7 6 to – 10 –
Wax. *See* Bees Wax.		
Whalebone		– 5 –
Wheels	Pair	– – 4 to – 1 –
Wheelbarrows	each	– – 2
Wine—		
bottled in Casks	Dozen*	– – 1
Cases	Dozen	– – 2
* Two Dozen Pints taken as equal to 1 Dozen Quarts.		
Wines and Spirits	Pipe, Butt, or Puncheon	– 2 –
	Hhd.	– 1 –
Wire—		
Iron	Ton	– 5 –
Brass or Copper	Ton	– 5 –
Wood —		
large	Ton	– 2 3
small	Ton	– 3 8
When not cleared the same Day sent down, Piling to be charged.		
Wood Hoops. *See* Hoops.		
Wool—		
Spanish, 2½ Cwt.	Bag	– – 9
2 Do.	Ditto	– – 8
1 Do.	Ditto	– – 5
German Do., 6 Cwt. and upwards	-	– 1 4
Do., 4 to 6 Do.	-	– 1 –
Do., under 4 Do.	-	– – 8
English, under 3½ Cwt.	-	– – 9
3½ Cwt. to 5 Cwt.	-	– 1 –
Yeast	Butt or Puncheon	– 1 –
	Hhd.	– – 6

RATES upon Goods not previously enumerated, regulated by the Package.

Description of Goods and Packages.		Wharfage and Shipping. £ s. d.
Packages containing Goods not herein-before enumerated.		
Bags, small	each	– – 4
Bales—		
16 and upwards	Do.	– 4 –
14 and under 16	Do.	– 3 –
12 and under 14	Do.	– 2 6

Description of Goods and Packages.		Wharfage and Shipping.		
		£	s.	d.
Bales — *cont.*				
8 and under 12	each	–	2	–
7 and under 8	Do.	–	1	6
5 and under 7	Do.	–	1	4
middling Size	Do.	–	1	–
small	Do.	–	–	8
East India Goods —				
double	Do.	–	1	4
single	Do.	–	–	8
½ Bale	Do.	–	–	6
Barrels	Do.	–	–	6
Baskets —				
large	Do.	–	–	6
middling	Do.	–	–	4
small	Do.	–	–	2
Bottles or Jars —				
11 to 12 Gallons	Do.	–	–	8
7 to 10 Do.	Do.	–	–	6
4 to 7 Do.	Do.	–	–	4
1 to 3 Do.	Do.	–	–	2
Boxes	Do.	–	–	2 to – – 8
Bundles —				
large	Do.	–	1	–
middling	Do.	–	–	9
small	Do.	–	–	6
Butts	Do.	–	1	6
Cases —				
12 Cwt. and upwards	Do.	–	3	–
9 and under 12 Cwt.	Do.	–	2	6
7 - 9 —	Do.	–	2	–
6 - 7 —	Do.	–	1	6
5 - 6 —	Do.	–	1	4
middling Size	Do.	–	1	–
small	Do.	–	–	2 to – – 8
Casks —				
Butt	Do.	–	1	6
Hogshead	Do.	–	1	2
Pipe or Puncheon or Wine Hhd.	Do.	–	1	4
Tierce	Do.	–	–	8 to – 1 –
small	Do.	–	–	4 to – – 6
Chests —				
large	Do.	–	1	4
midding	Do.	–	1	–
small	Do.	–	–	8
Hogsheads, not exceeding 8 or 9 Cwt.	each	–		2
Jars. *See* Bottles.				

Description of Goods and Packages.		Wharfage and Shipping. £ s. d.
Kegs	each	– – 2 to – – 4
Packs, Vats, &c.	each	– – 9 to – 1 –
Portmanteaus, ordinary Size	each	– – 6
Other Sizes in proportion.		
Trunks	each	– – 6
Trusses	each	– – 6 to – 1 –

N.B.—Goods not included in the foregoing Schedules to be charged in proportion to the Rates therein specified, according to Size and Weight.

SCHEDULE E.

	£ s. d.
For every Passenger who shall land from any Vessel or Boat in or upon the Quay or Quays, Wharf or Wharfs, or other Works to be built and erected under the Powers of the said Act or any Part thereof, or embark therefrom	– – 2

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