



ANNO TRICESIMO NONO

GEORGI III. REGIS.

Cap. 73.

An Act for making and maintaining a Tunnel or Road under the River *Thames*, from or near to the Town of *Gravesend*, in the County of *Kent*, to or near to *Tilbury Fort*, in the County of *Essex*.

[12th July 1799.]

WHEREAS the making and maintaining of a Tunnel or Road, Preamble.
of a convenient Breadth for the Passage of Cattle and Carriages, under the River *Thames*, from or near to *Gravesend*, in the County of *Kent*, to or near to *Tilbury Fort*, in the County of *Essex*, in such Manner that an uninterrupted Land Communication might be opened between the opposite Shores of the Counties of *Kent* and *Essex*, would be attended not only with great Advantage to those particular Counties, but would also be of great National Advantage as a Military Road or Pass: But the same cannot be effected without the Aid and 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,
[*Loc. & Per.*] 13 R and

and Commons, in this present Parliament assembled, and by the Authority of the same, That the Honourable *John Thomas Townshend*, the Honourable *Robert Petre*, Sir *William Geary* Baronet, *Joseph Alder*, *Robert Anderson*, *John Andrews*, *John Julius Angerstein*, *Armstrong* and *Wyatt*, *Thomas Henry Austen*, *Robert Barrowdell*, *Charles Beckett*, *Thomas Michael Becker*, *Gustavus Belford*, *John Bentley*, *R. Best junior*, *Alexander Black*, *James Black*, *Henry Bonham*, *Booth*, *Kirk Boot*, *Joseph Boulderston*, *John Brickwood junior*, *John Brenchley*, *Alexander Brodie*, *Cameron*, *John Carstairs*, *James Carden*, *R. and G. Clarkson*, *William Coleman*, *F. Coleman*, *Thomas Colyer senior*, *William Colyer*, *Isaac Currie*, *Timothy Curtis*, *Thomas Dalton*, *William Daniel*, *Crauford Davison*, *Henry Darlot*, *James Dawson*, *Wyatt John Dobbs*, *Thomas Dyne*, *Anthony Eglinton*, *Charles B. Ellis*, *Samuel Etheridge*, *William Farley*, *George Forbes*, *George Fryer*, *William Garrow*, *Peter Gedge*, Corporation of *Gravesend* and *Milton*, *George Gilbert*, *Nicholas Gilbee*, *James Gilbee*, *Gabriel Gillett*, *George Glenny*, *Richard Hall Gowers*, *Green junior*, *George Grote*, *Thomas Hall*, *Richard Hardinge*, *Anthony Harman*, *Benjamin Harrison*, *William Harris*, *George Hawks*, *Robert Harris*, *Hanson*, *Thomas Hawens*, *Samuel Hazard*, *Robert Herring*, *John Hibbert*, *William Hilton*, *John How*, *Hulkes*, *Hulkes*, *John Humble*, *George Jefferys*, *John Jefferys*, *Robert Jenner*, *William James Jones*, *Henry Jones*, *James Joynes*, *George Kearsley*, *Charles Kite*, *Richard Lawrence*, *Leith Clerk*, *J. A. Leach*, *John Liptrap*, *William Leighton*, *David Samuel Liptrip*, *John Longdon*, *William Lushington*, *Lewis James Macie*, *James M^r Knight*, *Martin*, *Stone*, and *Foot*, *Samuel Maskall*, *Gilbert Mathison*, *John Mavor*, *Mavor D.D.*, *John Mavor*, *Godfrey Molling*, *W. T. Money*, *John Morgan*, *Moul*, *William Murray*, *T. N. Naish*, *Evan Nepean*, *Richard Nixon*, *Thomas Nixon*, *Francis Norton*, *Hildebrand Herbert Oakes*, *William Patterson*, *Peck and Smally*, *Henry Hinde Pelley*, *William Randall*, *Edward Ravenscroft*, *George Rich*, *John Richard Ripley*, *R. T. Ripley*, *William Robertson*, *G. Rosewell*, *Thomas Rowcroft*, *Lawrence Ruck*, *Flint Stacey*, *Thomas Say*, *Schank*, *Claude Scott*, *Samuel Scott*, *Simmons*, *John Silvester*, *John Simpson*, *T. W. Smith*, *Charles Smith*, *Edward Stracey junior*, *Josias Henry Stracey*, *F. Strickland*, *Richard Stone*, *Joseph Stonard*, *James Taggart*, *Robert Taylor*, *William Test*, *James Thompson*, *James Swallow Thompson*, *John Townsend*, *Wingfield Turner*, *Lieutenant Colonel Twiss*, *Osborne Tylden*, *William Vaughan*, *Richard Valpy D. D.*, *John Walter*, *John Walter junior*, *Richard Walker*, *C. Thomas Warner*, *Edward Warner junior*, *John Parr Welsford*, *Richard Westmacott*, *C. J. White*, *Jane Wilson*, *Henry Wilckens*, *Joseph Woolner*, *Charles Wyatt*, *William Yates*, *Young*, *William Young*, and *John Young*, together with such Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, as they, or the major Part of them present at the First General Assembly to be holden for the Purposes of this Act, shall nominate and appoint, and their several and respective Successors, Executors, Administrators, and Assigns, being Proprietor or Proprietors of any Share or Shares in the Tunnel or Road hereby authorized to be made, shall be, and are hereby united into a Company for the carrying on, making, completing, and maintaining the said Tunnel or Road, passable for Passengers, Cattle, and Carriages, according to the Rules, Orders, and Directions herein mentioned and expressed; and shall, for that Purpose, be One Body Politick and Corporate, by the Name and Style of *The Company of Proprietors of the Tunnel under the River Thames*, and by that Name shall

Proprietors.

Incorporated.

Their Style.

shall have perpetual Succession, and a Common Seal, and by that Name shall and may sue and be sued, and also shall and may have Power and Authority, from and after the passing of this Act, to purchase Lands, Tenements, and Hereditaments, to them and their Successors and Assigns, for the Use of the said Tunnel or Road, and for the several Works hereby authorized to be made, and for the several other Purposes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and also to sell any of the Lands, Tenements, or Hereditaments, purchased for the Purposes aforesaid.

II. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise and contribute, amongst themselves, a competent Sum of Money for making and maintaining the said Tunnel, and all the Aqueducts, Ways, Roads, Engines, and all other Works and Conveniences belonging or requisite thereto, not exceeding in the Whole the Sum of Thirty thousand Pounds, (save and except as herein mentioned), and that the same shall be divided into Shares of One hundred Pounds each; and that the said Shares shall be and are hereby vested in the several Persons so subscribing, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they shall severally raise and contribute; and all Bodies Politick, Corporate, and Collegiate, and all Persons, their several and respective 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 carrying on and completing the said Tunnel, and other the Purposes of the said Subscription, shall be entitled to and receive the entire and nett Distribution of an equal proportionable Part, according to the Money so by them respectively paid, of the Profits and Advantages that shall and may arise and accrue by the Tolls and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of this Act; and every Body Politick, Corporate, and Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same, in Manner herein directed and appointed.

Proprietors to raise Money for making the Tunnel,

III. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politick, Corporate, and Collegiate, and all other Person and Persons, of and in the said Tunnel, or the Joint Stock or Fund of the said Company of Proprietors, shall be and be deemed to be Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Shares to be Personal Estate.

IV. And be it further enacted, That every Body Politick, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall have a Vote in the several Assemblies to be holden as herein appointed for carrying on the said Undertaking, for every such Share, but not exceeding Ten Votes in the Whole, although possessed of more than Ten Shares; which Vote or Votes may be given by them, him, or her, or by their, his, or her Proxies or Proxy, constituted under the Seal of such

Subscribers to have a Vote for every Share.

Body

Body Politick, Corporate, or Collegiate, or the Hand and Seal of such other Person, every such Proxy being a Proprietor in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient, to all Intents and Purposes, as if such Principal had voted in Person; and every Question, Matter, or Thing, which shall be proposed, discussed, or considered in any General or Special Assembly of the said Company of Proprietors, shall be determined by the Majority of Votes and Proxies then present: Provided nevertheless, That no Person shall give or deliver in Proxies for more than Ten Shares; the Appointment of which Proxies may be made according to the Form following:

Form of Appointment of Proxies.

‘ I *A. B.* of _____ one of the Proprietors of the Tunnel under the River *Thames*, Do hereby nominate, constitute, and appoint *C. D.* of _____ to be my Proxy, in my Name and in my Absence to vote, or give my Assent or Dissent to any Business, Matter, or Thing relating to the said Tunnel, that shall be mentioned or proposed at any Assembly of the Company of Proprietors of the said Tunnel, in such Manner as he the said *C. D.* shall think proper, according to his Opinion and Judgement, for the Benefit of the said Tunnel, or any Thing appertaining thereto. In Witness whereof, I have hereunto set my Hand and Seal, the
Day of _____

Proprietors may raise an additional Sum if necessary.

V. And be it further enacted, That in case the Money herein-before authorized to be raised shall be found insufficient for the making, completing, and maintaining of the said Tunnel, and other the Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then and in such Case it shall and may be lawful to and for the said Company of Proprietors to raise and contribute amongst themselves, in Manner and Form aforesaid, and in such Shares and Proportions as to them shall seem meet, or to raise, by the Admission of new Subscribers, any further or other Sum of Money for completing and perfecting the said Undertaking, not exceeding in the Whole the Sum of Twenty thousand Pounds; and every Person, Body Politick, Corporate, or Collegiate, subscribing towards raising such further or other Sum of Money, shall be a Proprietor in the said Undertaking, and shall have a like Vote, by himself, herself, or themselves, or his, her, or their Proxy or Proxies, in respect of every One hundred Pounds of the said additional Sum so to be raised, and shall also be liable to such Forfeitures, and stand interested in all the Profits of the said Tunnel, in proportion to the Sum he, she, or they shall or may subscribe thereunto, as generally and extensively, to all Intents and Purposes, as if such further or other Sum, hereby allowed to be subscribed for and raised, had originally been Part of the said Sum of Thirty thousand Pounds.

Power to raise Money by Mortgage.

VI. Provided always, That in case the said Company of Proprietors shall be desirous of raising the said Sum of Twenty thousand Pounds, or any Part thereof, by Mortgage of the said Undertaking, it shall and may be lawful to and for the said Company of Proprietors, to borrow and take up at Interest all or any Part of the said Sum of Twenty thousand Pounds, on the Credit of the Tolls of the said Tunnel, and to assign the Property of the said Tunnel, and the Tolls arising or to arise to the said Company of Proprietors by virtue of this Act, or any Part thereof, (the
Costs

Costs and Charges of assigning the same to be paid out of such Tolls), as a Security for any Sum or Sums of Money so to be borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance the same; all which said Assignments shall be made under the Common Seal of the said Company of Proprietors, in the Form or to the Effect following; (that is to say),

BY virtue of an Act of Parliament, made in the Thirty-ninth Year of the Reign of King George the Third, intituled, *An Act for making and maintaining a Tunnel or Road under the River Thames, from or near to the Town of Gravesend, in the County of Kent, to or near to Tilbury Fort, in the County of Essex*; We, the Company of Proprietors of the Tunnel under the River Thames, incorporated by and under the said Act, in Consideration of the Sum of _____ to us in Hand paid by *A. B.* of _____ do hereby bargain, sell, and assign, unto the said *A. B.* his Executors, Administrators, and Assigns, the said Tunnel, and all and singular the Tolls arising and payable to us by virtue of the said Act, and all our Estate, Right, Title, and Interest, of, in, and to the same, to hold unto the said *A. B.* his Executors, Administrators, and Assigns, until the said Sum of _____ with Interest for the same after the Rate of _____ *per Centum per Annum*, shall be fully paid and satisfied. Given under our Common Seal, this _____ Day of _____

Form of Mortgage.

And all Persons to whom such Assignments shall be made shall be equally entitled, one with the other, to their Proportion of the said Tolls and Premises, according to their respective Sums in such Assignments mentioned to be advanced, without any Preference by reason of Priority of any such Assignments, or on any other Account; and a Memorial of every such Assignment, containing the Date, Name or Names, Addition or Additions, of the Person or Persons to whom made, the Sum of Money borrowed, and Rate of Interest, shall, within Fourteen Days from the Date of every such Assignment, be entered in One or more Book or Books, to be kept by the Clerk to the said Company of Proprietors, which Book or Books shall and may be perused, at all seasonable Times, by any of the Proprietors or Creditors of the said Tunnel, and any other Persons interested therein, without Fee or Reward; and the Person or Persons to whom any such Assignment shall be made as aforesaid, or who shall be entitled to the Money due thereon, shall and may, from Time to Time, transfer his, her, or their Right or Interest therein to any Person or Persons, by Writing under his, her, or their Hand and Seal, or Hands and Seals, in the Form or to the Effect following:

I *A. B.* of _____ in Consideration of the Sum _____ of _____ paid by *C. D.* of _____ do hereby transfer a certain Mortgage made by the Company of Proprietors of the Tunnel under the River Thames, to _____ bearing Date the _____ Day of _____ for securing the Sum of _____ and all Interest now due and to become due thereon, and all my Right and Property therein, to the said *C. D.* Executors, Administrators, and Assigns. Dated this _____ Day of _____

Form of Transfer.

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And

And every such Transfer shall, within Fourteen Days after the Date thereof, be produced to the Clerk of the said Company of Proprietors, who shall cause a Memorial to be made thereof, in like Manner as of the original Mortgages or Assignments, for which the said Clerk shall be paid the Sum of One Shilling and no more; and every such Entry made of such Transfer shall from thenceforth entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and it shall not from thenceforth be in the Power of any Person or Persons who shall have made any such Assignment, to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; and the Interest of the Money which shall be borrowed or raised by Mortgage as aforesaid, shall be provided for and paid Half-yearly to the several Persons entitled thereto, before any Interest or Dividends due to the said Company of Proprietors, or any of them, shall be paid, made, or divided.

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

Six Months Notice to be given of paying off Money.

VII. Provided always, and be it enacted, That no Sum or Sums of Money so lent and advanced on Mortgage, shall be paid off and discharged, (save and except with the Consent or Consents of the Person or Persons so lending and advancing such Sum or Sums of Money), unless Six Months previous Notice, under the Common Seal of the said Company of Proprietors, shall have been given to the Person or Persons lending and advancing such Sum or Sums of Money, or left at his, her, or their last or usual Place or Places of Abode, of such their Intention to pay off and discharge the same.

Assignees not to vote on Account of having lent Money.

VIII. Provided also, and be it enacted, That no Person to whom any such Assignment shall be made or transferred as aforesaid, shall be capable of acting or voting by virtue of such Assignment, either as Principal or by Proxy, at any Assembly or Meeting of the said Company of Proprietors, for or on Account of his or her having lent or advanced any Money on the Credit of any such Assignment.

First and General Assemblies.

IX And be it further enacted, That the said Company of Proprietors shall assemble on the *Wednesday* Fortnight after the passing of this Act, at the *London Tavern* in *Bishopsgate Street*, in the City of *London*, between the Hours of Eleven and Twelve in the Forenoon, for the Purpose of putting this Act in Execution; and shall afterwards, on the First *Wednesday* in the Month of *May* in each and every Year, assemble at such Place and at such Hour, not being more than Five Miles distant from the said *Tunnel*, or within the City of *London*, as the said Company of Proprietors shall at any Assembly appoint; and in case no Place or Hour shall have been so appointed, then such General Assembly shall be holden where the last General Assembly was holden.

Chairman to be appointed.

X. And be it further enacted, That the said Company of Proprietors, at their respective Assemblies, shall and may appoint a Chairman, and such Chairman shall not only vote as a Proprietor or Proxy, but in case of an Equality of Votes shall have the decisive or casting Vote.

A Committee to be appointed.

XI. And be it further enacted, That the said Company shall, at their said First General Assembly, nominate and appoint by Ballot Twenty

or more Persons, of and out of the Proprietors of the said Company, to be a Committee for the Management of the Concerns of the said Company, until the next General Assembly to be holden on the said First *Wednesday* in the Month of *May*, and the Powers of the said Committee shall then cease and determine; and the said Company of Proprietors, assembled at such General Assembly, shall proceed to the Nomination and Appointment of another Committee, or may appoint the said Committee, or any Member or Members thereof, and so in like Manner at every ensuing General Assembly, and the Powers of such Committee shall continue until the next General Assembly, and shall then cease and determine; but no Person holding any Place, Office, Employment, or Contract, under the said Company, shall be capable of serving upon any Committee during the Time of his Continuance in such Place, Office, or Employment, or holding such Contract: Provided always, That it shall and may be lawful to and for the said Company of Proprietors, at any Special Assembly to be convened in Manner directed, to remove any Member of the said Committee, and to nominate another Person, qualified as aforesaid, in the Room or Stead of every Member of the said Committee who shall die, be so removed, refuse to act, or shall hold any Place, Office, Employment, or Contract under the said Company, or shall cease to be a Proprietor in the said Tunnel; and every Person so nominated by the said Special Assembly, shall have the like Power and Authority as if he had been nominated by the said Annual Assembly.

XII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, at any General Assembly, to order and dispose of the Custody of their common Seal, and the Use and Application thereof, and to make such Rules, Bye Laws, and Orders for the good Government of the said Company and of the said Committee, and of their Servants, Agents, or Workmen, and for the whole, complete, and total Superintendence and Management of the said Tunnel, and of the several Persons who shall pass through the same without or with any Horse, Beast, Cattle, Geese, Turkies, or Carriage, and to impose and inflict such reasonable Fines or Forfeitures upon all Persons who shall offend against any such Rules, Bye Laws, or Orders, as to them shall seem meet, not exceeding the Sum of Five Pounds for any Offence; which said Rules, Bye Laws, and Orders, being reduced into Writing, under the Common Seal of the said Company of Proprietors, shall be binding upon and observed by all Parties using or in any way concerned in the said Tunnel, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that they be not inconsistent with or repugnant to the Laws of this Realm, or to the Provisions and Directions in this Act contained, or to any of them; and all Accounts of Money received, laid out, and disbursed on account of the said Tunnel, by the Treasurers, Receivers, or Collectors of the Tolls, and other Officers by them appointed, or by any other Person or Persons whomsoever, employed by or concerned for or under them in and about the said Tunnel, or the Works thereto belonging, shall be laid before the said General Assembly, to be audited and settled; but no Vote or Votes by Proxy shall be given, or have any Power, in or as to the Audit and Settlement of Accounts; and the said Company of Proprietors shall have Power to adjourn themselves from Time to Time to such Place or Places as shall at such General Assemblies be thought proper and convenient.

Proprietors
may make
Bye Laws.

XIII. Provided

General Assemblies for choosing Committees to consist of 100 Shares.

XIII. Provided always, and be it further enacted, That if at any such General Assembly there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled unto at least One hundred Shares in the said Tunnel, no Choice of any Committee shall be made at that Time; but in such Case there shall be another General Assembly of the said Company of Proprietors at the same Place, upon that Day Fortnight, and so from Time to Time until there shall be such Persons present at such General Assembly having such Number of Shares as aforesaid, and such Choice of such Committee shall then take place, and not before; and of every such adjourned Meeting Ten Days Notice shall be given in Two of the *London* Newspapers; and the Persons then chosen to be of such Committee shall have the same Powers which they would have had, and shall continue in such Office until such Time as they would have done, had they been chosen by any such General Assembly on the Day first appointed for holding the same; and in case of Failure of the assembling of a sufficient Number of Proprietors having such Shares, as Principals or Proxies, at such General Assembly, every Proprietor who shall not attend such Second or adjourned General Assembly, in Person or by Proxy, shall forfeit to the said Company of Proprietors, for every Share which he or she shall possess in the said Tunnel or Undertaking, the Sum of Twenty Shillings, to be deducted out of his or her next succeeding Payment of Interest or Dividends of the Profits of the said Undertaking, as the Case may happen; and in case no Interest or Dividends shall be payable to such Person or Persons making Default as aforesaid, within Three Calendar Months next after the making of such Default, then the Payment of the said Forfeiture of Twenty Shillings may be recovered and enforced by the Ways and Means herein-after appointed for the Recovery of any other of the Penalties or Forfeitures imposed by this Act.

Assembly of Proprietors may be specially convened.

XIV. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act into Execution, a Special Assembly of the said Company of Proprietors is necessary to be holden, it shall and may be lawful to and for any Five or more of the said Proprietors, who may collectively be possessed of or entitled unto Fifty Shares at the least in the said Tunnel, to cause Fourteen Days Notice at least to be given thereof in Two of the *London* Newspapers, or in such other Manner as the said Company of Proprietors shall at any General Assembly direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Assembly, and the Time when and Place where the same shall be holden, which Place shall be within Five Miles of the said Tunnel, or within the City of *London*; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors with respect to the Matters so specified only; and all such Acts of the Proprietors, or of the major Part of them, met together at every such Special Assembly, (provided such major Part shall be possessed of at least Sixty Shares in the said Tunnel, either as Principals or Proxies), shall be as valid, with respect to the Matters specified in such Notice, as if the same had been done at any General Assembly.

General Assembly to elect and appoint Officers;

XV. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, at any General Assembly, and they are hereby authorized and required, from Time to Time, to nominate
and

and appoint, under the Common Seal of the said Company of Proprietors, a Treasurer or Treasurers, and One or more Collector or Collectors of the said Tolls, and also One or more Clerk or Clerks to the said Company of Proprietors, and also to such Committee, and such other Officers as to them shall seem meet, granting to them respectively such Salary, and taking such Security for the due Execution of their respective Offices, as the said Company of Proprietors shall think proper; and such Clerk or Clerks shall, in a proper Book or Books to be provided by the said Company of Proprietors for that Purpose, enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of the said Tunnel, and of the several Persons who shall from Time to Time become Owners and Proprietors of, or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company of Proprietors and Committee respectively; and each of the said Proprietors of the said Tunnel shall and may, at all convenient Times, have Recourse to and peruse and inspect the same, and may demand and have Copies thereof, or of any Part thereof, paying for every One hundred Words so to be copied the Sum of Sixpence, and so in Proportion for any less Number of Words; and if any such Clerk or Clerks to the said Company or Committee shall refuse to permit any Proprietor or Proprietors so interested as aforesaid, to inspect and peruse such Book or Books of Proceedings, at all convenient Times and Seasons, or refuse to make any such Copy or Copies at the Rate or Price aforesaid, he shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds; and in case by reason of any Negligence, Misconduct, or Inability, in any Treasurer, Collector, or Clerk, or other Officer, to execute such Office or Offices, it shall be requisite to displace or remove him or them, then and in every such Case it shall and may be lawful to and for the Proprietors assembled at any such General or Special Assembly as aforesaid, or for the Committee of the said Proprietors, to remove any such Treasurer, Collector, or Clerk; and in case any such Collector, Treasurer, or Clerk, or other Officer, shall die, be removed from, or quit the Service of the said Company of Proprietors, or of the said Committee, then it shall and may be lawful to and for the said Company of Proprietors, at their said General or Special Assemblies, or for the Committee of the said Proprietors, to appoint any other fit Person or Persons to execute such Office or Offices, in the Place of the Person or Persons who shall so die, be removed from, or quit the Service of the said Proprietors, or of the said Committee; but in case any such new Appointment be made by the said Committee, the same shall only continue until the next General or Special Assembly of the said Proprietors, when the Appointment of such Person or Persons, to such respective Office or Offices, shall either be confirmed, or such other fit Person or Persons appointed to succeed to such Office or Offices as the said Proprietors, at such General or Special Assembly, may think proper.

XVI. And be it further enacted, That all such Officers and Persons so to be appointed as aforesaid shall, under their Hands, at such Time and Times, and in such Manner as the said Company of Proprietors, or such Committee, shall direct, deliver to the said Company of Proprietors, or to such Committee, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all

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the

Officers, &c.
to account.

the Monies which shall have been by such Officer or Officers, and Person or Persons, respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Company of Proprietors, or to such Committee, or to such Person or Persons as they respectively shall appoint; and if any such Officer or Person shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Company of Proprietors, or to such Committee, or to such Person or Persons as they respectively shall appoint, within Ten Days after being thereunto required by the said Company of Proprietors, or by such Committee, all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies, as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Company of Proprietors, or to such Committee, or as they respectively shall direct or appoint, then and in either of the Cases aforesaid, the said Company of Proprietors may and are hereby authorized and empowered to bring, or cause to be brought, any Action or Actions against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Company of Proprietors, or by such Committee, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more of the Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons, so neglecting or refusing shall be and reside, such Justices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justices that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found, sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Company of Proprietors, or to such Committee, or as they respectively shall appoint, then, and in any or either of the Cases aforesaid, such Justices shall commit every such Offender to the Common Gaol for the said Counties of *Kent* or *Essex*, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Company of Proprietors, or with the said Committee, and shall have paid

paid such Composition in such Manner as they respectively shall appoint, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company of Proprietors, or to such Committee.

XVII. And be it further enacted, That no Member of the said Committee shall have more than One Vote in any Committee; and at every Meeting a Chairman shall be chosen by and out of the said Committee, who, in case of an Equality of Votes upon any Question which may be agitated in the said Committee, shall have the casting Vote, otherwise such Chairman shall not have or be deemed to have any Vote; and that all the Powers and Authorities hereby vested in, or directed to be exercised by the said Committee, may be done and exercised by the major Part of them present at their respective Meetings, the whole Number present not being less than Five; and every such Committee shall from Time to Time make Reports of their Proceedings to the said General Assemblies, and, if required, to the said Special Assemblies of the Proprietors, and shall obey their Orders and Directions; and the said Committee shall (subject nevertheless at all Times to such Orders and Directions as aforesaid) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Times and Places, as they shall think fit; and, in order to defray the Expences of their Meetings, the said Committee shall from Time to Time receive, out of the Capital Stock of the said Company of Proprietors, such Sum or Sums of Money as shall be directed, adjusted, and settled by the said Company of Proprietors; and the said Committee shall and may contract for and agree for the Purchase of the Lands, Tenements, and Hereditaments, that may be taken or used for the Purposes of the said Tunnel, and the Works thereunto belonging, and shall and may settle, determine, and adjust all Matters, Questions, and Differences, which shall or may arise between the said Company of Proprietors and the several Owners of and Persons interested in any Lands, Tenements, or other Hereditaments, which shall or may be taken, used, damaged, or affected, by the Execution of any of the Powers hereby granted, and shall and may make Agreements, Contracts, and Bargains, with the Workmen, Agents, Undertakers, and other Persons employed or concerned in making and completing the said Tunnel, and all and every Part or Parts thereof; and the said Committee shall (subject nevertheless to the Orders and Directions of such Assemblies as aforesaid) have full Power and Authority to direct and manage all and every the Affairs of the said Company of Proprietors; and the said Committee shall, by themselves, or their Clerk or Clerks aforesaid, keep a full and true Account of all Money disbursed, and Payments made by the said Committee, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on Behalf or in respect of the said Tunnel from any Collector or Collectors of the said Tolls, or other Officer or Officers, or from any other Person or Persons whomsoever, employed in, or having any Concerns, Dealings, or Transactions, with the said Tunnel and Undertaking, or in or with any Part or Parts thereof; and shall regularly, by themselves or their Clerk or Clerks as aforesaid, write, insert, and enter in a Book or Books, to be from Time to Time provided at the Expence of the said Company of Proprietors for that Purpose, Notes, Minutes, or Copies, (as the Case shall require),
of

Powers of the /
Committees.

Committees
to make Calls.

of every such Contract, Bargain, Receipt, and Disbursement, and of all other their Orders and Proceedings; which Book or Books shall be deposited with, and kept locked up under the Care and Direction of the said Committee, (provided always, that every Proprietor, upon every reasonable Desire, shall have free Access thereto, as herein-before mentioned, for his or her Inspection); and the said Committee shall have Power from Time to Time to make such Call or Calls of Money, from the Subscribers to and Proprietors of the said Tunnel, to defray the Expences of, or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Fifteen Pounds for every One hundred Pounds, and so in proportion for any greater or less Share or Interest which any Person or Persons shall or may be possessed of or entitled unto in the said Undertaking; and such Calls shall not be made but at the Distance of Two Calendar Months at least from each other, and Fourteen Days Notice at the least shall be given of all such Calls as aforesaid, by Advertisement in Two of the *London* Newspapers; and every Owner or Owners of any Share or Shares in the said Undertaking, shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid, to such Person or Persons, and at such Time and Place, as the said Committee shall from Time to Time appoint and direct; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part of the said Money so called for as aforesaid, at the Time and Place appointed by such Committee, or within Twenty-one Days next ensuing, he, she, or they, so neglecting or refusing, shall forfeit and pay a Sum not exceeding Five Pounds for every Share; and in case such Person or Persons shall continue to neglect, or refuse to pay his, her, or their rateable Calls as aforesaid, for the Space of Three Calendar Months next after the Time so appointed for Payment thereof, then he, she, or they, so neglecting or refusing, shall forfeit his, her, or their respective Share and Shares in the said Undertaking, and all the Profits and Benefits thereof; all which Shares so forfeited shall be vested in the said Company of Proprietors, in Trust for and for the Benefit of all the Rest of the said Proprietors, in Proportion to their respective Interests in the said Tunnel, or shall, at the Discretion of the said General or Special Assemblies, be publickly sold for the Use of the Rest of the said Proprietors, whose Shares and Interests shall not have been forfeited as aforesaid: Provided nevertheless, That no such Forfeiture of any Share or Shares in the said Tunnel, shall be, or be deemed to be, incurred, save and except personal Notice of such Call or Calls in Writing, signed by the Clerk or Clerks to the said Committee, shall have been given to, or such Notice left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively; and the same Share or Shares shall likewise be declared to be forfeited at the next General or Special Assembly of the Company of Proprietors.

Shares may be
forfeited, but
no Advantage
to be taken of
Forfeiture
without per-
sonal Notice.

On the Death
of Subscribers
before Share
completed,
Executors
may do it.

XVIII. And be it further enacted, That if any Owner or Owners of any Share or Shares in the said Tunnel shall happen to die before such Call or Calls shall have been made for the full Sum to be advanced on any Share or Shares which he, she, or they shall have been possessed of or entitled to, without having made Provision, by Will or otherwise, how or in what Manner such Share or Shares shall be disposed of, and how or by what Means the future Calls in respect thereof shall be paid to the
said

said Company of Proprietors, for the Purpose of the said Tunnel, then and in such Case the Executors or Administrators of any such Owner so dying, or the Trustee or Trustees, Committee or Committees, of any Lunatick or Lunaticks, Guardian or Guardians of any Infant or Infants; or of any other Person or Persons entitled to the Estate and Effects of such deceased Owner, shall be indemnified against all and every such Infant or Infants, and against all and every other Person or Persons whomsoever, for or on Account of his, her, or their having paid any Sum or Sums of Money, when called for as aforesaid, to complete every such Subscription; and if such deceased Owner or Owners shall not have left Assets sufficient, or in case the Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians, shall refuse or neglect to answer such Calls, the said Company of Proprietors shall be, and they are hereby authorized and required to admit any other Person or Persons to be Proprietor or Proprietors of the Share or Shares of such deceased Owner or Owners, on Condition that he, she, or they so admitted, do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Owner or Owners, or to the Trustee or Trustees, Guardian or Guardians, of any Infant or Infants, or to any other Person or Persons who may be entitled to his or her Effects, the full Sum and Sums of Money which shall have been paid by such Owner or Owners, in his, her, or their Lifetime, by virtue of any Call or Calls, or otherwise, upon such Share or Shares, or such other Sum or Sums of Money as the same can be sold for; and in case no Person or Persons shall be found who is or are willing to be admitted on such Condition as aforesaid, then and in such Case such Share or Shares shall be forfeited to, and become vested in the Rest of the said Company of Proprietors, in Trust for and for the equal Benefit of all the Rest of the said Proprietors, in Proportion to their respective Interests in the said Tunnel, and shall be subject to be sold and disposed of in like Manner as other forfeited Shares may be sold and disposed of by virtue of this Act.

XIX. And be it further enacted, That it shall and may be lawful to and for the several Proprietors of the said Tunnel, his, her, or their respective Executors or Administrators, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Conveyance of which Shares shall be in the Form or to the Effect following:

Shares may be sold.

‘ I *A. B.* of _____ in Consideration of _____ paid
 ‘ to me by *C. D.* of _____ do hereby bargain, sell, assign, conveyance of
 ‘ and transfer to the said *C. D.* the Sum of _____ Capital Stock Shares.
 ‘ of and in the Tunnel under the River *Thames*, being Part [or, the
 ‘ Whole, *as the Case may be*] of my Share in the said Tunnel, to hold
 ‘ to the said *C. D.* Executors, Administrators, and Assigns, sub-
 ‘ ject to the same Rules, Orders, and Restrictions, and on the same
 ‘ Conditions, that I held the same immediately before the Execution
 ‘ hereof: And I the said *C. D.* do hereby agree to take and accept the
 ‘ said Capital Stock or Share of _____ subject to the same
 ‘ Rules, Orders, Restrictions, and Conditions. As Witness our Hands
 ‘ and Seals, the _____ Day of _____

[*Loc. & Per.*]

13 U

And

And on every such Sale, the said Deed of Conveyance (being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk or Clerks to the said Company of Proprietors shall have entered, in a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer and Sale, for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than One Shilling shall be paid; and the said Clerk or Clerks is and are hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Tunnel, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote in respect thereof as a Proprietor or Proprietors of the said Tunnel.

After a Call
no Share to be
fold until such
Call shall be
paid.

XX. And be it further enacted, That after any Call of such Money shall have been made by such Committee as aforesaid, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Tunnel, on Pain of forfeiting his, her, or their respective Share or Shares therein to the said Company of Proprietors, in Trust for the Benefit of all the said Proprietors, unless he, she, or they, at the Time of such Sale or Transfer, shall have paid and discharged to the Treasurer of the said Company of Proprietors, the whole and entire Sum of Money which shall have been called for upon each Share so sold or transferred; such Forfeiture nevertheless to be notified and declared at a General or Special Assembly, in Manner before directed.

Regulations as
to the Acqui-
sition of
Shares;

by Marriage;

XXI. And whereas much Inconvenience may arise by the frequent Change of the Right and Title to the Shares of and in the said Tunnel, by the Marriage and Death of Proprietors, and it may be difficult in such Cases to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid, and do belong; be it therefore further enacted, That before any Person or Persons, who shall claim any Part or Share of the Profits of the said Tunnel, in Right of Marriage, shall be entitled to receive the same, an Affidavit, containing a Copy of the Register of such Marriage, or the Effect of such Register, shall be made and sworn to by some credible Person, before One of the Judges at *Westminster*, or a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace for the said Counties of *Kent* or *Essex*; and the said Judges, Master or Masters Extraordinary in Chancery, and Justices of the Peace, are hereby authorized and empowered to swear any such Person to such Affidavit, and such Affidavit shall be transmitted to the Clerk or Clerks to the said Company of Proprietors for the Time being, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk or Clerks for the Entry of Transfers, and Sales of Shares, in the said Tunnel; and that before any Person or Persons, who shall claim any Part or Share of the Profits of the said Tunnel by virtue of any Bequest or Will, or in a Course of Administration, shall be entitled to receive the same, the said Will, or the Probate Copy thereof, shall be produced and shewn to the said Clerk, or an Affidavit, containing a Copy of so much of such Will as shall relate to the Share or Shares of the Testator, or of the Letters of Administration

by Will, or
in Course of
Administra-
tion.

Administration in case the Proprietor shall have died Intestate, shall be made and sworn to by an Executor or Executors of such Will, or by an Administrator or Administrators of the Estate and Effects, (as the Case may happen to be), before One of the Judges at *Westminster*, a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace for the said Counties of *Kent* or *Essex*, and shall also be transmitted to the said Clerk or Clerks, who shall file and enter the same in Manner herein-before mentioned.

XXII. And be it further enacted, That the said Company of Proprietors shall, and they are hereby required to cause the Names and proper Additions of the several Persons who shall be entitled to the Shares in the said Undertaking, with the Number of the Shares, or the Amount of all the Subscriptions which they are respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk to the said Company of Proprietors, and after such Entry, to cause their Common Seal to be affixed thereto; and shall also cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber upon Demand, specifying the Share or Shares to which he or she is entitled in the said Undertaking, every such Proprietor paying to the Clerk One Shilling and no more, for every such Certificate or Instrument; and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

Names of Proprietors to be entered, and Certificates of their Shares delivered to them.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered to make and maintain a Tunnel or Road under the River *Thames*, from any Point between One hundred Yards West of a Messuage in the Occupation of *Jeremiah Howard*, in the Parish of *Northfleet*, and One Quarter of a Mile Eastward of the *New Tavern Bridge*, in the Parish of *Milton*, next *Gravesend*, in the County of *Kent*, and between the opposite Points on the Shore of the County of *Essex*; and for the Purpose aforesaid, the said Company of Proprietors, their Deputies, Agents, Officers, and Workmen, are hereby authorized and empowered to enter into and upon the Lands and Grounds of any Person or Persons, Bodies Politick, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same, or any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary and proper for making the said intended Tunnel, and all such other Works, Matters, and Conveniences; as they shall think proper and necessary for making, preserving, improving, completing, maintaining, and using the same; and also to bore, dig, cut, trench, fough, get, remove, take, and carry away, lay, make use of, dispose of, and sell, for their own Use and Benefit, any Earth, Clay, Chalk, Stone, Soil, Rubbish, Trees, Roots of Trees, Gravel, Sand, or any other Matters or Things, which may be dug or got in making the said intended Tunnel, or other Works, in, out of, or upon the Lands or Grounds of any Person or Persons adjoining or lying convenient thereto, and which may be necessary, requisite, or proper,

Powers for making the Tunnel.

for making, carrying on, continuing, maintaining, or repairing the said intended Tunnel, or other Works, or which may hinder, prevent, or obstruct the making, using, or completing, extending and maintaining the same respectively; and also to make, build, erect, and set up, in or upon the said Tunnel, or other Works hereby authorized to be made, or any of them, or upon the Lands adjoining or near the same respectively, such and so many Tunnels, Aqueducts, Water Stanks, Dams, Drains, Quays, Houses, Warehouses, Toll Houses, Watch Houses, Landing Places, Weighing Beams, Cranes, Fire Engines, or other Machines, and other Works, Ways, Roads, and Conveniences, as and where the said Company of Proprietors shall think requisite or convenient for the Purposes of, or Approaches to, the said Tunnel, and other Works, or any Part thereof; and also from Time to Time to alter, repair, and amend, or discontinue the same; they the said Company of Proprietors, their several Deputies, Agents, Officers, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making Satisfaction, in Manner herein mentioned, to the Owners and Proprietors of and other Persons interested in any Lands, Tenements, or other Hereditaments, which shall be by them so taken, used, or prejudiced, for all Damages to be by them sustained in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company of Proprietors, and their Deputies, Agents, Officers, and Workmen, and all other Persons whomsoever, for what they, or any of them shall do by virtue of the Powers hereby granted, subject to such Provisoes and Restrictions as are herein mentioned.

Contracts to
be advertised.

XXIV. Provided always, and be it enacted, That before any Contract or Contracts shall be entered into by the said Company of Proprietors, or by their Committee, for making the said Tunnel, or for any other the Purposes of this Act, Fourteen Days Notice at the least of such Contract or Contracts, (before the same shall be entered into), shall be given in Two of the *London* Newspapers, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, such Proposals to be offered to the said Company, or to their said Committee, at a certain Time and Place in such Notice to be mentioned.

Houses, Gar-
dens, &c. not
to be injured,
except such
as are men-
tioned.

XXV. Provided always, and be it enacted, That nothing herein contained shall authorize and empower the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Tunnel, or any other of the Purposes aforesaid, any House or other Building which was erected and built on or before the Twenty-fourth Day of *June* One thousand seven hundred and ninety-nine, or any Land or Ground which on the said Twenty-fourth Day of *June* was set apart and used as or for a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to a House, without the Consent of the Owners and Occupiers thereof: Provided also, That nothing herein contained shall extend, or be construed to extend, so as to enable the said Company of Proprietors to enter into or upon the Lands and Grounds of *John Calcraft* Esquire, or into or upon the Lands and Grounds of the late *George Errington* Esquire, without the Consent of the Owner or Owners thereof.

XXVI. And

XXVI. And be it further enacted, That after any Lands, Grounds, Tenements, or Hereditaments, shall be set out and ascertained for making the said Tunnel, or any Part or Parts thereof, and for providing and constructing the Toll Houses, Watch Houses, Engines, Walks, Ways, Roads, and other Works and Conveniencies herein mentioned, or any of them, it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Husbans, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower, or other Interest therein, and for every other Person or Persons whomsoever, who is, are, or shall be seised; possessed of, or interested in any Lands, Grounds, Tenements, or Hereditaments, which shall be so set out and ascertained for the Purposes aforesaid, or in any Ferry or Ferries, to contract for, sell, and convey the same unto the said Company of Proprietors; and all Bodies Politick, Corporate, or Collegiate, and all other Persons whomsoever, so conveying as aforesaid, are hereby indemnified for what they shall respectively do in relation to any such Sale which he, she, or they, or any of them, shall make by virtue and in pursuance of this Act; and all such Contracts, Agreements, Sales, and Assurances, shall be made at the Expence of the said Company of Proprietors; and such of them as shall be made of any Lands, Tenements, or other Hereditaments, to the said Company of Proprietors, shall be made according to the following Form; (*videlicet*),

Bodies Politick empowered to sell and convey Lands.

Contracts and Sales to be made at the Expence of the Company.

I *A. B.* of _____ in Consideration of the Sum _____
of _____ to me paid, [*or*, in Consideration _____
of the Annual Rent of _____ to me to be
hereafter yielded and paid, by Yearly *or* Half-yearly Payments, *as may*
be agreed upon], by the Company of Proprietors of the Tunnel under
the River *Thames*, do hereby grant and release to the said Company,
all [*describing the Premises to be conveyed*], and all my Right, Title,
and Interest to and in the same, and every Part thereof, to hold to the
said Company and their Successors for ever, by virtue and according
to the true Intent and Meaning of an Act of Parliament, made in the
Thirty-ninth Year of the Reign of King *George* the Third, intituled,
An Act for making and maintaining a Tunnel or Road under the River
Thames, from or near to the Town of Gravesend, in the County of Kent,
to or near to Tilbury Fort, in the County of Essex. In Witness whereof
I have hereunto set my Hand and Seal this _____ Day of
_____ in the Year of our Lord

Form of Conveyance to the Company.

Which said Conveyances shall be kept by the Clerk or Clerks to the said Company of Proprietors, who shall, from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons requiring the same, and shall have and receive Sixpence for every One hundred Words of each such attested Copy, and so in Proportion for any less Number of Words; and every such Conveyance to be made by virtue of this Act, in the Form and Manner aforesaid, shall be valid and effectual,

to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom, to the contrary thereof in anywise notwithstanding.

Satisfaction to
be made.

Yearly Rents
charged on the
Rates.

XXVII. Provided always, and be it enacted, That all and every Body or Bodies Politick, Corporate, or Collegiate, Trustees, or other Persons, herein-before capacitated to sell or convey Lands, Tenements, and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands, Tenements, or other Hereditaments, through, in, or upon which any of the Roads or other Works hereby authorized, are intended to be made, may accept and receive Satisfaction for the Value of such Lands, Grounds, Tenements, and Hereditaments, and for the Damages to be sustained by making and completing the said Works herein-before directed, either in Gross Sums or by Annual Rents, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Committee, or as the same shall be ascertained and settled in such Manner by a Jury as is herein directed; and all such yearly Rents or Sums as shall be agreed on between the Committee of the said Company of Proprietors, and the said Parties interested in such Lands, Grounds, Tenements, or other Hereditaments, or as shall be so ascertained and settled by such Jury, shall be charged on the Tolls arising by virtue of this Act, and shall be paid by the said Company of Proprietors, either Yearly or Half-yearly, as the same shall be agreed to 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 and may be lawful to and for any Two or more of His Majesty's Justices of the Peace for the Counties of *Kent* or *Essex*, as the Case may be, and they are hereby required, by an Order under their Hands, to appoint One or more Person or Persons to receive the Tolls hereby granted and made payable, and to pay the same to such Person or Persons to whom such annual Rents or Sums shall be due and unpaid as aforesaid, the said Justices taking such Security from every such Person for the due and faithful Execution of his Office, as they shall judge proper and sufficient; and every such Person so appointed shall be deemed a Collector of the said Tolls, and shall have the same Power and Authority for collecting the same, and shall receive and retain thereout such reasonable Satisfaction for his Trouble therein, as the said Justices shall determine, in like Manner as if he had been appointed a Collector of the said Tolls by the said Company of Proprietors, until such annual Rents or Sums, with all Costs and Damages occasioned by the Nonpayment thereof, shall be fully satisfied and paid; or it shall and may be lawful to and for such Bodies Politick, Corporate, or Collegiate, Trustees, or other Person or Persons to whom such annual Rents or Sums shall be due and owing as aforesaid, to sue for and recover the same, with Costs of Suit, by Action of Debt, in any of His Majesty's Courts of Record; or otherwise to seize and distrain the Goods or Effects of the said Company of Proprietors, which shall be found within the said Tunnel, or in or upon the Toll Houses, Warehouses, or other Works thereto belonging, (Information of such Distress being immediately given to the said Company of Proprietors by Notice in Writing delivered to some of their Clerks or Collectors of the Tolls, or affixed to some of their Toll Houses or Toll Gates), and to detain the same until Payment of such annual Rents or Sums then due and owing, together with the reasonable Charges attending

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 Goods or Effects so distrained shall and may be sold or disposed of in such Manner as the Law directs in case of a Distress for Rent.

XXVIII. Provided always, and be it enacted, That if any such Body Politick, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons so interested or entitled as aforesaid, cannot agree with the said Committee respecting the Purchase of, or the annual Rent for, any Lands, Tenements, or Hereditaments, or the Satisfaction to be made for any Damages that may from Time to Time be sustained by him, her, or them, by the making and maintaining of the said Tunnel, or of any Part or Parts thereof, or of any of the Works thereunto belonging, and shall give Notice in Writing to the Clerk of the said Company of Proprietors, or of their Committee, requiring a Jury to be summoned for the Purpose of determining such Purchase, annual Rent, or Satisfaction; or if any such Body Politick, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons shall, upon Notice in Writing given by the Clerk of the said Company of Proprietors, or of the said Committee, to the principal Officer of any such Body Politick, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments to be made use of for the Purposes of this Act, neglect or refuse to treat, or shall not agree with the said Company of Proprietors, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Non-age, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement or Agreements, as shall be necessary for the Purposes aforesaid, or shall not produce and fully disclose the State of the Title to the Premises which they are or shall be in Possession of, and to the Interest which they claim therein, then and in every such Case the said Committee, or any Three or more of them, shall (within Twenty Days after the Receipt of such Notice by the Clerk to the said Company of Proprietors, or of the said Committee, in case Security in Manner herein required shall be given, or after the Expiration of Twenty Days after the Delivery of such Notice by the said Clerk, as the Case may be) and they are hereby empowered and required to issue a Warrant, under their Hands and Seals, directed to the Sheriff of the County in which the Matter in Question shall arise; and in case any such Sheriff or his Under Sheriff shall be One of the Company of Proprietors, or enjoy any Office of Profit or Trust under them, or shall be otherwise interested in the Matter in Question, then to any One of the Coroners of such County who shall not be so interested as aforesaid; and in case all the said Coroners of such County shall be so interested, then to the last Person who filled the Office of Sheriff of such County then in being, and who shall not be interested as aforesaid, commanding such Sheriff, Coroner, or other Person, to impanel, summon, and return a Jury, and the said Sheriff, Coroner, or other Person is hereby required accordingly to impanel, summon, and return a Jury of Twelve sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in His Majesty's Courts at *Westminster*, to appear before the said Committee

If Parties are dissatisfied, Value to be ascertained by a Jury.

at such Time and Place as in such Warrant shall be appointed, such Time not being less than Fourteen nor more than Twenty Days after such Warrant shall be served upon the said Sheriff, Coroner, or other Person; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, the said Sheriff, Coroner, or other Person, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and every such Jury and Jurymen shall be liable and subject to the same Regulations, and to the same Pains and Penalties for Default, as if he and they had been returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Committee are hereby empowered and required, by a Summons or Notice to be signed by any Two or more of the said Committee, either previous to or at the Time of any such Meeting or Meetings, to summon and call before them all and every Person or Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in Question, and to hear and examine such Witness or Witnesses upon Oath; and the said Committee may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matter or Matters in Question; which Jury, upon their Oaths, (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, any One of the said Committee is hereby empowered to administer), shall enquire of, assess, and ascertain, the Sum of Money or annual Rent to be paid for the Purchase of such Lands, Tenements, or other Hereditaments, or the Recompence to be made for the Damages that shall or may be sustained as aforesaid, and shall assess separate Damages for the same; and the said Committee shall give Judgement for such Purchase Monies, Rent, or Recompence, so to be assessed by such Jury; which said Verdict, and the Judgement thereupon pronounced as aforesaid, shall be signed by the said Committee, and shall be binding and conclusive, to all Intents and Purposes, against all Bodies Politick, Corporate, or Collegiate, and all other Persons, and shall not be removed by *Certiorari*, or other Process, into any of His Majesty's Courts of Record at *Westminster*, or any other Court; any Law or Statute to the contrary thereof notwithstanding.

Fine upon
Sheriffs, &c.
making De-
fault.

XXIX. And be it further enacted, That if the Sheriff, or other Person so directed to summon and return a Jury as aforesaid, or his Deputy or Agent, shall make Default in the Premises, he shall for every such Offence forfeit the Sum of Twenty Pounds, to be recovered by Action of Debt or on the Case, by the said Company of Proprietors, or such Bodies Politick, Corporate, or Collegiate, or other Person or Persons interested in the Matter in Question; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act, or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be sworn or examined, or to give Evidence, every Person so offending, having no reasonable Excuse, upon Proof thereof made before any of His Majesty's Justices of the Peace for the County in which the
Matter

Matter in Question shall arise, upon the Oath of any One or more credible Witness or Witnesses, shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds, to be levied, by virtue of any Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus, after such Penalty, and the Charges of such Distress and Sale, shall be deducted; and every such Penalty which shall be paid by or recovered from any Person who shall have been summoned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice to be injured by the Default of such Person.

XXX. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money, or for a greater annual Rent, as a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of any Bodies Politick, Corporate, or Collegiate, or of any Person or Persons whomsoever, or as a Compensation for any Damages done or to be done to such Lands, Tenements, or other Hereditaments, or other Property, than had been previously offered by or on Behalf of the said Company of Proprietors; or where any Verdict shall be found for any Damages, where the Dispute is for Damages only, and where no Compensation had been previously offered or tendered in respect thereof by and on Behalf of the said Company of Proprietors; or where, by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at Hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensations from, the said Company of Proprietors as herein-before mentioned; then, and in all such Cases, all the Expences of summoning such Jury, and taking such Verdict, shall be settled by some Justice of the Peace for the said Counties of *Kent* or *Essex*, as the Case may be, not interested in the Matter in Question, (who is hereby required to examine into and settle the same), and shall be defrayed by the said Company of Proprietors; but if any Verdict shall be given for the same Sum or Rent that had been previously offered by or on Behalf of the said Company of Proprietors; or for a less Sum than had been so previously offered; or in case no Damages shall be given by the Verdict, where the Dispute is for Damages only; or in case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compensations from the said Company of Proprietors, by any Bodies Politick, Corporate, or Collegiate; or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act, or otherwise, legally capacitated to treat and convey, or receive such Compensations as aforesaid, then and in all such Cases, (except where by reason of Absence or otherwise, any Person shall have been prevented from treating and agreeing as aforesaid), the Costs and Expences of summoning such Jury, and taking such Verdict, shall be settled in like Manner by such Justice, and be borne and paid by the Body or Bodies Politick, Corporate, or Collegiate, or other Person or Persons with whom the said Company of Proprietors shall have such Concerns, Controversies, or Disputes; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed, and adjudged as so much Money advanced to and for the Use of such Body or Bodies Politick, Corporate, or Collegiate, or other Person

Expences of
Witnesses and
Jury, by whom
to be paid.

or Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged.

Persons requesting Juries to enter into Bonds to prosecute.

XXXI. And be it further enacted, That all and every Body or Bodies Politick, Corporate, or Collegiate, and Person or Persons, requesting a Jury to be summoned, shall (before such Warrant shall be issued for that Purpose) enter into a Bond, with Two sufficient Sureties, to the Clerk or Treasurer to the said Company of Proprietors, in a Penalty of One hundred Pounds, with Condition to bear and pay the Costs and Expences of summoning such Jury, and taking such Verdict, in case the same shall be given for no greater or for a less Sum or Rent than had been offered by or on Behalf of the said Company of Proprietors, before the summoning and returning the said Jury or Juries, for the Purchase of, or as a Recompence for, any Lands, Tenements, or Hereditaments, or as a Compensation for any Damages; or in case no Verdict shall be found for Damages, where the whole Dispute was whether any Damage was or was not done as aforesaid.

Notice of Injury to be given to Proprietors.

XXXII. And be it further enacted, That the said Committee shall not, nor shall any of them, be obliged or allowed, by virtue of this Act, to receive or take Notice of any Complaint or Complaints, to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, by virtue or in consequence of this Act, unless Application shall have been made in relation thereto by or on Behalf of such Person or Persons, to the said Company of Proprietors, or their Committee, or to their Treasurer or Clerk, within the Space of Six Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

What Satisfaction to be made for Tythes.

XXXIII. And be it further enacted, That full Recompence, Satisfaction, and Compensation, shall be made by the said Company of Proprietors, for all the Tythes, both Great and Small, of the Lands which shall or may be taken or made use of by the said Company for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled, or who would have been entitled to such Tythes, in case such Lands had not been so taken or made use of, according to their respective Interests therein; such Tythes to be estimated at the average Value of Five Years, commencing at *Michaelmas Day* One thousand seven hundred and ninety-three, such average Value to be ascertained (in case of any Difference concerning the same) in like Manner as the Value of any Lands, Tenements, or other Hereditaments is herein-before directed to be ascertained: Provided always, That the Recompence and Satisfaction to be given, by virtue of this Act, for all Glebe Lands and Tythes belonging to Spiritual Persons, shall be made to such Persons by an annual Rent.

Verdict to Value of Lands and Damages to be ascertained separately.

XXXIV. And be it further enacted, That the said Juries shall, in all their Verdicts, distinguish the Value set upon the Lands, Tenements, and other Hereditaments, and the Money assessed or adjudged for such Damages, as any Person or Persons shall sustain in consequence of the Execution

Execution of any of the Powers of this Act, separately and apart from each other.

XXXV. And be it further enacted, That each and every Verdict so given shall be transmitted to, and be kept by, the Clerk of the Peace, or other Persons having the Custody of the Records of the Quarter Sessions for the said County where such Verdict shall be given, and shall be deemed to be Records of such Quarter Sessions, 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 for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in Proportion for any greater or less Number of Words.

Verdicts to be recorded.

XXXVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money, or Security being given under the Common Seal of the said Company of Proprietors, for the due Payment of any such annual Rent as shall have been contracted or agreed for between the Parties, or assessed by such Juries, in Manner aforesaid, for the Purchase of any such Lands, Tenements, or other Hereditaments, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages as herein mentioned, to the Proprietor or Proprietors of such Lands, Tenements, or other Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money, Rent, or Compensation respectively, at any Time after the same shall have been so agreed for, determined, or assessed; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, then on leaving or depositing the Money in the Hands of the Treasurer to the said Company of Proprietors for the Use of such Person or Persons so interested or entitled as aforesaid; and in all or any of the said Cases, as often as the same shall happen, it shall and may be lawful to and for the said Company of Proprietors, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively, (or before such Payment or Tender by Leave of the Owners and Occupiers thereof), and then and thereupon such Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in, and become the sole Property of the said Company of Proprietors, to and for the Purposes of this Act, forever; and such Tender, Payment, or Deposit, shall not only bar all Right, Title, Claim, Interest, and Demand, of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to, and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder, of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, That before such Payment, Security, Tender, or Deposit as aforesaid, it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut the Lands or Grounds, or to take down, remove, or otherwise affect any Tenement or other Hereditament of the Person or Persons entitled to such Payment or Security, for the Purpose of making the

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

the said Tunnel, without the Leave and Consent of such Person or Persons respectively:

Purchase Money belonging to Corporations, &c. to be laid out to the same Uses.

XXXVII. And be it further enacted, That all Sums of Money to be paid to any Bodies Politick, Corporate, or Collegiate, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, or Persons acting as Guardians, Committees, or Trustees, for or on Behalf of any Infants, Lunaticks, Idiots, Femmes Covert, or other Cestuique Trusts, or to any Person or Persons whose Lands or Estates are limited in strict or other Settlement, for the Purchase of, or the Damage to be done to any Lands, Tenements, or Hereditaments, by virtue of the Powers herein contained, shall, in case the same shall exceed the Sum of Twenty Pounds and be less than One hundred Pounds, be laid out, as soon as conveniently may be, by such Bodies Politick, Corporate, or Collegiate, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons aforesaid, in the Purchase of Lands, Tenements, and Hereditaments, either in Fee Simple or such other Tenure as the Owner or Owners of the Premises, which may have been appropriated or made use of for the Purposes of this Act, had therein at the Time the same shall be so appropriated or made use of; and which said Lands, Tenements, and Hereditaments so to be purchased, shall be conveyed to or to the Use of such Bodies Politick, Corporate, or Collegiate, or to or for such other Person or Persons, and for such Estates, and to, for, upon, and subject to such Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands and Grounds, Tenements or Hereditaments, for or in respect whereof such Money shall be paid as aforesaid, were limited, settled, and assured, at the Time when such Money was so agreed for, ascertained, or assessed respectively as aforesaid, or for such and so many of such Uses as shall be then existing and capable of taking Effect; and that such Conveyances and Settlements shall be made at the Expence of the said Company of Proprietors; and in the mean Time and until such Purchase or Purchases shall be made, the said Money shall be placed out, by such Bodies Politick, Corporate, or Collegiate, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons as aforesaid, in some of the Publick Funds, or on Government or Real Securities, producing an annual Interest, in the Names of Two or more Persons; to be nominated by the Parties interested therein, and to be approved of by the said Committee; and the Interest arising or to be produced from any such Funds and Securities, and also the annual Rent for such Lands, Tenements, and Hereditaments, where a Rent shall be fixed upon as aforesaid, shall be paid to such Person or Persons respectively as would have been entitled, for the Time being, to the Rents and Profits of such Lands and other Premises so to be purchased, in case the same had been purchased and settled pursuant to the Tenor and true Meaning of this Act.

For re-investing Purchase Monies.

XXXVIII. Provided always, and be it enacted, That in case any Money or Recompence to be paid for any Messuages, Buildings, Lands, or Hereditaments, which shall be purchased, taken, or used for the Purposes of this Act, to any Corporation, Feme Covert, Infant, Lunatick, or Person under any other Disability or Incapacity as aforesaid, shall be equal to or exceed the Sum of One hundred Pounds, such Money or

Recompence

Recompence shall with all convenient Speed be invested in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled upon and subject to the like Uses, Trusts, and Limitations, as the said Messuages, Lands, Tenements, or Hereditaments, belonging to such Corporation or other Person as aforesaid, so to be purchased, taken, or used, were settled, limited, or assured; and in the mean Time, and until such Purchase can be made, such Money shall be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the said Company of Proprietors, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twenty-fourth of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills; and the Interest arising from the Money laid out in such Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out, in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills, or Exchequer Bills; all which said Navy and Victualling Bills, and Exchequer Bills, shall be deposited in the Bank, in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the said Committee to the said Company of Proprietors, and until the same shall, upon a Petition setting forth such Approbation, (to be preferred to the Court of Chancery in a summary Way, by the Person or Persons who would be entitled to the Rents and Profits of any of the Lands, Tenements, or Hereditaments, to be purchased therewith, if the same were purchased and settled), be ordered to be sold by the said Accountant General, for the completing such Purchase, in such Manner as the said Court shall think just and direct; and it shall and may be lawful for the said Court to make such Order or Orders, in a summary Way, touching the Payment or Application of the Monies so to be paid into the Bank, and touching such Navy, Victualling, or Exchequer Bills, and the Interest thereof, in pursuance of the Directions of this Act, as the said Court shall think fit.

XXXIX. And be it further enacted, That if any Person or Persons shall sustain any Damage in his, her, or their Lands, Tenements, or other Hereditaments, by reason of the Execution of any of the Powers given by this Act, and through or by Means not herein provided for, then and in every such Case such Damages shall be so settled by the said Committee, or by a Jury as aforesaid; and the same may be recovered, levied, and applied in Manner herein directed with regard to other Damages.

Damages not provided for to be settled:

XL. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, to erect or cause to be erected a Turnpike or Toll House at each End of the said Tunnel, and from Time to Time and at all Times hereafter, to ask, demand, take, and recover, to and for their own proper Use and Behoof, the several Tolls herein-after mentioned, before any Passage shall be allowed into the same; (that is to say),

[*Loc. & Per.*]

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For

- Tolls.
- For every Wheel on every Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricule, or Chair, the Sum of Two Shillings and Sixpence :
 - For every Wheel on every Waggon, Wain, or Cart, the Sum of One Shilling :
 - For every Horse, Mare, Gelding, or Mule, the Sum of One Shilling :
 - For every Ass, the Sum of Three-pence :
 - For every Drove of Cows, Oxen, or Neat Cattle, the Sum of Fifteen Shillings *per* Score ; and so in Proportion for any greater or less Number :
 - For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Three Shillings and Four-pence *per* Score ; and so in Proportion for any greater or less Number :
 - For Geese or Turkeys, the Sum of Two-pence Halfpenny *per* Score ; and so in Proportion for any greater or less Number :
 - For every Foot Passenger, the Sum of Two-pence.

Tolls not to be taken at both Gates.

XLI. Provided always, and be it enacted, That no Toll or Tolls shall be demanded or taken from any Person or Persons, for or in respect of himself, herself, or themselves, coming out of the said Tunnel, or for or in respect of any Horse, Beast, Cattle, Geese, Turkeys, or Carriage, coming out of the said Tunnel, upon the Production of a Ticket or Tickets, shewing that such Toll or Tolls have been paid on entering the said Tunnel ; which Ticket or Tickets all and every Toll Gatherer and Toll Gatherers shall, and he and they is and are hereby required to give on the Payment of such Toll or Tolls : Provided also, That no Toll shall be demanded or taken for any Horse, Mare, Gelding, Mule, Ass, or other Beast, drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricule, Chair, Waggon, Wain, or Cart, or for any One Person driving or attending any Cart, or for any Two Persons driving or attending any Waggon.

To enforce Payment of Tolls.

XLII. And be it further enacted, That it shall and may be lawful to and for the said Toll Gatherer or Toll Gatherers to stop and prevent the Passage of any Person or Persons neglecting or refusing to pay the said Tolls, or any of them, or of the Horse, Beast, Cattle, Geese, Turkeys, Carriage, or other Thing, for or in respect whereof the said Tolls ought to be paid ; or it shall and may be lawful to and for the said Toll Gatherer or Toll Gatherers to seize and detain the Goods and Chattels of such Person or Persons, or such Horse, Beast, Cattle, Geese, Turkeys, Carriage, or other Thing ; and in case the said Tolls shall not be fully paid and satisfied, together with all reasonable Costs and Charges of making, detaining, and keeping such Distress, within the Space of Five Days, the said Toll Gatherer or Toll Gatherers shall and may sell the same, rendering the Overplus, (if any), after deducting such Costs and Charges of making, detaining, keeping, and selling such Distress, to the Owner or Owners thereof.

No Toll to be taken for Troops and Military Stores.

XLIII. And whereas the Conveyance of His Majesty's Troops and Military Stores, by Boats, Barges, and other Vessels, from the opposite Shores of the Counties of *Kent* and *Essex*, across the River *Thames*, is attended with a great Expence : And whereas it has appeared to the Lords Commissioners of His Majesty's Treasury, that the making of the said Tunnel would be attended with a great national Advantage for the Purpose

Purpose of conveying Troops and Military Stores through the same, by which the Expence of providing Boats, Barges, and other Vessels, will be avoided, and the Troops and Stores be more expeditiously conveyed; be it therefore enacted, That no Toll shall be demanded or taken for or in respect of any Officer or Soldier upon March or upon Duty, or for or in respect of any Horse belonging to any Officer or Soldier upon March or upon Duty, or for or in respect of any Horse, Cattle, or Carriage, employed in carrying or conveying the Arms or Baggage of any such Officer or Soldier, or in carrying or conveying any sick, wounded, or disabled Officer or Soldier, or in carrying or conveying any Cannon, Ordnance, or Military Stores, or for or in respect of any Horse, Mare, or Gelding, furnished by or for any Persons in any Corps or Troop of Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons be dressed in the Uniform of their respective Corps or Troops, or for or in respect of any such Volunteer, or for or in respect of any Person or Persons, or Carriage or Carriages, of what Description soever, or Horse or Horses, employed in conveying the Mail or Packet, which shall be made up under the Authority or Direction of His Majesty's Postmaster General, or his Deputy or Deputies, in Consideration of which said several Exemptions the Lords Commissioners of His Majesty's Treasury shall pay; or cause to be paid, to the said Company of Proprietors, in each and every Year, the clear Sum of One thousand Pounds, the same to be paid by Four equal Quarterly Payments, the First of such Quarterly Payments to be computed from the Day on which the said Tunnel shall be rendered passable for Horses, Cattle, and Carriages; and if any Person shall claim and take the Benefit of any of the Exemptions from Toll aforesaid not being entitled to the same, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

For the Exemption from Toll 1,000 £ to be paid to the Proprietors.

XLIV. Provided always, That if the said respective Quarterly Payments shall not be paid or tendered to the said Company of Proprietors, within Thirty Days after the said Payments respectively shall grow due, (Notice of such respective Payments being due and owing, being given to the Lords Commissioners of His Majesty's Treasury, signed by the Clerk to the said Company of Proprietors, Fifteen Days at the least before the Expiration of the said Thirty Days), the said several Exemptions from Toll shall cease and determine, and it shall and may be lawful to and for the said Company of Proprietors to demand and take for the Passage of such Officers, Soldiers, Volunteers, Persons, Horses, Cattle, and Carriages, through the said Tunnel, the like Tolls as the said Company of Proprietors are hereby enabled to demand and take for the Passage of any other Persons, Horses, Cattle, or Carriages, through the said Tunnel; any Thing in this Act, or any other Act or Acts to the contrary thereof notwithstanding.

If the 1,000 £ is not paid to the Proprietors they may take Tolls.

XLV. Provided also, That when and as often as the said Tunnel shall be rendered impassable for Horses, Cattle, or Carriages, the said Company of Proprietors shall, and they are hereby required, at their own Expence, (such regular Quarterly Payments being made to them as aforesaid), to procure and provide proper Boats, Barges, or Vessels, within Two hundred Yards of the said Tunnel, or at the present Ferries, for the Conveyance of such Officers, Soldiers, Volunteers, Persons, Horses,

Proprietors to furnish Boats for Government, whilst the Tunnel is repairing.

Horses, Cattle, and Carriages, free and discharged from all Tolls and Charges whatsoever, across the said River *Thames*.

Tolls may be altered.

XLVI. And be it further enacted, That it shall and may be lawful to and for the said Company, at their said General Assembly, or at any Special Assembly to be appointed for the Purpose, to lower or reduce all or any of the said Tolls, and again to raise the same to such Sum or Sums as they shall think proper, not exceeding the Sums before mentioned, as often as it shall be deemed necessary for the Interests of the Undertaking.

Lamps to be affixed against Walls, &c.

Penalty on wilfully damaging Lamps, &c.

XLVII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, to erect or cause to be erected such and so many Lamps to be affixed within the said Tunnel for the lighting thereof, as the said Company of Proprietors shall think proper and convenient; and if any Person or Persons shall wilfully take away, break, throw down, or damage any Lamp that shall be set up for the Purpose of lighting the said Tunnel, or any Part thereof, or wilfully extinguish the Light or Lights within the same, or throw down or damage the Irons or other Furniture thereof, it shall and may be lawful to and for any Justice or Justices of the Peace for the County or Place where the Offence shall be committed, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, at the Time and Place as in such Warrant shall be specified; or to and for any Person or Persons whatsoever, who shall see such Offence committed, to seize, as also for any other Person or Persons to assist in seizing, the Offender or Offenders, and by Authority of this Act to convey and deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before such Justice or Justices of the Peace, and such Justice or Justices shall examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information or Evidence touching such Offence, (which Oath the said Justice or Justices is and are hereby authorized and required to administer), and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their Confession, or upon such Information or Evidence as aforesaid, he, she, or they so convicted shall forfeit and pay any Sum not exceeding Twenty Shillings for each Lamp or Lamp Iron so broken, thrown down, and damaged, or for every Light so extinguished as aforesaid, and moreover shall make full Satisfaction to the said Company of Proprietors, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not on Conviction pay such Forfeiture, and make such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the Common Gaol or House of Correction for the County or Place where the Offence shall be committed, there to be kept to Hard Labour for any Space of Time not exceeding One Calendar Month, nor less than Fourteen Days; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

On Non-payment Offender to be committed.

Persons accidentally damaging

XLVIII. And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall carelessly or accidentally break, throw down,

down, or damage any such Lamp or Lamps, or the Irons or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall and may be lawful to and for any Justice of the Peace in and for the County or Place where the Offence shall be committed, upon Complaint to him made by any One or more credible Witness or Witnesses, to summon before him the Party or Parties who shall be complained of for doing such Damages as aforesaid; and upon hearing the Allegations and Proofs on both Sides, or Non-appearance of the Party or Parties complained of, to award such Sum or Sums of Money, by way of Satisfaction to the said Company of Proprietors for such Damages, as such Justice shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums of Money so awarded, within Five Days after Demand, to cause the same to be levied and applied as Fines, Penalties, and Forfeitures are by this Act herein directed to be levied and applied.

Lamps, &c.
to make Satisfaction.

On Non-payment may be levied.

XLIX. And be it further enacted, That all Persons whatsoever shall have free Liberty to pass through the said Tunnel, and to lead or drive through the same any Horse, Cattle, or other Beast and Carriage, Geese and Turkeys, upon Payment of such Tolls as shall be demanded by the said Company of Proprietors, not exceeding the respective Sums herein mentioned, and subject to the Rules and Regulations which shall be from Time to Time made by the said Company of Proprietors, by virtue of the Powers herein granted; provided that no Person or Persons shall, with or without any Horse, Cattle, or other Beast or Carriage, Geese or Turkeys, without the Consent of the said Company of Proprietors, or their Committee, pass through the said Tunnel at any other Times than between the Hours of Seven in the Morning and Five in the Evening, during the Months of *November, December, January, and February*, between the Hours of Five in the Morning and Eight in the Evening, during the Months of *March, April, September, and October*, and between the Hours of Four in the Morning and Nine in the Evening, during the Months of *May, June, July, and August*, in every Year; and the said Company of Proprietors shall, and they are hereby required to keep the said Tunnel well and sufficiently lighted up for and during the Hours required in the said Months as aforesaid, (save and except for and during such Time or Times as the said Tunnel, or any Part thereof or any of the Works thereunto belonging shall be repairing, or the Passage through the same shall be by any Accident impeded or prevented), and in Default thereof the said Company of Proprietors shall forfeit and pay for every Offence the Sum of Twenty Pounds, to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, by Action of Debt, or on the Case, Bill, Plaint, or Information, wherein no Essoin, Protection, Wager of Law, or any more than One Imparance shall be allowed.

Passage to be free from Payment of Tolls, under certain Restrictions.

L. And whereas His Majesty, in Right of His Crown and Dignity, is entitled to a certain ancient and accustomed Ferry over the said River *Thames*: And whereas the Emoluments and Profits of the said Ferry will be considerably diminished, if not totally taken away by the making of the said Tunnel near to the said Ferry; be it therefore enacted, That the said Company of Proprietors shall, and they are hereby required to pay or cause to be paid unto His Majesty, His Heirs and Successors, a

Satisfaction to the King for his Ferry.

[Loc. & Per.]

14 A

Rent

Rent of Eighty Pounds in each and every Year, by Two equal Half-yearly Payments, as a Recompence and Satisfaction for the said Ferry, Houses and Buildings thereunto belonging; such Rent to commence on the Day that the said Company of Proprietors shall take or receive any Toll for or in respect of any Person, Horse, Beast, Cattle, Carriage, or other Thing passing through the said Tunnel; such Rent to be recovered by such Ways and Means, and under such Directions, as any annual Rent, as a Satisfaction for Damages, by virtue of this Act, may be recovered from the said Company of Proprietors.

Satisfaction to the Corporation of Gravesend for their Ferry.

LI. And whereas the Corporation of *Gravesend* and *Milton*, in the said County of *Kent*, are, in Right of their Estates, seised of or entitled to a certain ancient and accustomed Ferry over the said River *Thames*, now let at the Rent of Thirty Pounds *per Annum*: And whereas the Emoluments and Profits of the said Ferry will be considerably diminished, if not wholly taken away, by the making of the said Tunnel near to the said Ferry; be it therefore enacted, That the said Company of Proprietors shall, and they are hereby required to pay, or cause to be paid, unto the said Corporation of *Gravesend* and *Milton*, a like Rent of Thirty Pounds in each and every Year, by Two equal Half-yearly Payments, as a Recompence and Satisfaction for the said Ferry, such Rent to commence on the Day that the said Company of Proprietors shall take or receive any Toll for or in respect of any Passenger, Horse, Beast, Cattle, Carriage, or other Thing, passing through the said Tunnel; such Rent to be recovered by such Ways and Means, and under such Directions, as any annual Rent as a Satisfaction for Damages, by virtue of this Act, may be recovered from the said Company of Proprietors; or it shall and may be lawful to and for the said Company of Proprietors, or their Committee, to contract and agree with the said Corporation of *Gravesend* and *Milton*, for the absolute Purchase of the said Ferry, reckoning the Value thereof at Thirty Pounds *per Annum*; and in case the said Corporation cannot agree with the said Company of Proprietors, or shall refuse or neglect to treat for the absolute Sale of the said Ferry, the Money to be paid for the Purchase thereof shall and may be settled by a Jury, to be summoned in Manner herein directed, and the Decision of such Jury shall be final and conclusive; and the Sum or Sums of Money so agreed on, or so directed to be given by the said Jury for the absolute Purchase of such Ferry, shall be invested and laid out in like Manner as any Money or Recompence to be paid for any Messuages, Buildings, Lands, or Hereditaments, which shall be purchased, taken, or used, for the Purposes of this Act, to any Corporation, is herein directed to be laid out: Provided always, That in case the said Company of Proprietors, or their Committee, shall prefer making the absolute Purchase of, instead of paying an annual Rent for, the said Ferry, it shall not be lawful to or for the said Company to take or receive any of the Tolls aforesaid, until such Purchase Money so agreed on, or so directed by such Jury to be given by the said Company of Proprietors to the said Corporation of *Gravesend* and *Milton*, shall be invested or laid out in Manner herein directed.

Ferries vested in the Company.

LII. And be it further enacted, That on the Day that the said Company of Proprietors shall have completed the said Tunnel, and shall have caused the same to be opened, and shall have taken or received any Toll

Toll for or in respect of any Person, Horse, Beast, Cattle, Carriage, or other Thing, for passing through the said Tunnel, the said respective Ferries, and all the Rates, Tolls, Duties, and Profits, arising from or payable for the same, and all the Privileges thereunto belonging, together with the said Houses and Buildings, shall be, and is and are hereby declared for ever thereafter to be vested in the said Company of Proprietors, absolutely freed and discharged from any Right, Title, Claim, Interest, or Demand of His Majesty, His Heirs and Successors, or of the said Corporation of *Gravesend* and *Milton*, or their Successors, or any Person or Persons claiming from or through him or them, or in his or their Right; and, on such Day it shall and may be lawful to and for the said Company of Proprietors to cause the Use of such Ferries to cease and be discontinued; any Law, Statute, or Usage, to the contrary thereof in anywise notwithstanding.

LIII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to make use of and employ the said Ferries, or either of them, when so vested in them, and to collect and receive, or cause to be collected and received, the Tolls of the said Ferries, with the like Powers and Remedies for compelling Payment thereof, as herein provided with regard to the Tolls to be paid for passing through the said Tunnel; when and so often as they shall judge necessary to use and employ such Ferries, or either of them.

Company to use the Ferries when the Tunnel is repairing.

LIV. And be it further enacted, That if any Person or Persons shall wilfully or maliciously blow up, pull down, or otherwise damage or destroy the said Tunnel, or any Part thereof, or any Engine thereunto belonging, or other Works, or shall wilfully or maliciously remove or take away any of the Materials or Works thereunto belonging, without the Authority of the said Company of Proprietors, or their Committee, or in anywise cause or procure the same to be done, every such Person so offending shall, upon being lawfully convicted thereof, be adjudged guilty of Felony, and shall be subject to the like Pains and Penalties as in Cases of Petit Larceny.

Penalty on damaging the Works.

LV. And be it further enacted, That all Acts and Offences done or committed within the said Tunnel, or within any Part or Parts thereof, situate, lying, and being under the said River *Thames*, shall be deemed to have been done and committed within either of the said Counties of *Kent* or *Essex*, and shall be enquired of, examined into, and cognizable by the several Justices of the said Counties respectively; and all Actions, Bills, Suits, Informations, and Indictments, may be brought, laid, tried, and prosecuted, in either of the said Counties of *Kent* or *Essex*.

In what County the Tunnel to be deemed.

LVI. And be it further enacted, That the said Tunnel, or any Part of the Works thereto belonging, shall not be rated or assessed to the Payment of any Parochial Rate or Tax whatsoever, at any other or higher Rate or Value than the said respective Ferries stood rated for the Year One thousand seven hundred and ninety-eight.

How the Tunnel shall be rated.

LVII. And be it further enacted, That the said Tunnel, or any of the Works whatsoever to be made, or Land to be purchased or made use of by virtue of this Act, shall not be subject to the Controul, Direction, Survey,

Tunnel not to be under the Commissioners of Sewers.

Survey, or Order of any Commission of Sewers, or to any Law or Statute relating to Sewers whatsoever; or to the Controul, Direction, Survey, or Order of the Mayor and Commonalty and Citizens of the City of *London*, or the Lord Mayor of the said City for the Time being, as Conservator of the River *Thames* and Waters of the *Medway*, or to the Controul, Direction, Survey, or Order of the Master, Wardens, and Assistants of the *Trinity House* of *Deptford Strond*, in the County of *Kent*.

LVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or derogate from the Rights, Interests, Privileges, Franchises, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or 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 making this Act, the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being as Conservator of the River of *Thames* and Waters of *Medway*, did or might lawfully claim, use, or exercise, (save and except so far as relates to the making and maintaining of the said Tunnel), nor to authorize or empower the said Company of Proprietors, their Workmen or Servants, or any of them, to embank, encroach upon, or interfere, with any Part of the Soil or Bed of the River, or the Banks or Shores thereof, without the Licence and Consent of the said Mayor and Commonalty and Citizens, first had and obtained in Writing for that Purpose, nor to prevent the Execution of the Laws for the better Protection or Preservation of the Fishery in the said River *Thames*, upon or over such Parts of the Ground as shall be purchased for the Purposes of this Act, lying contiguous to the Banks or Shores of the said River; any Thing herein contained to the contrary in anywise notwithstanding.

Subscribers
compelled to
pay their Sub-
scriptions.

LIX. And be it further enacted, That the respective Persons who have subscribed, or who shall hereafter subscribe or advance any Money for and towards making and maintaining the said Tunnel, and the other Works hereby authorized to be made, shall, and are hereby required to pay the Sum or Sums by them respectively subscribed, (or such Parts and Proportions thereof as shall from Time to Time be called for by the said Committee of the said Company of Proprietors, by virtue of the Powers and Directions of this Act), at such Times and Places, and in such Manner, as shall be directed by the said Committee; and in case any of such Subscribers shall neglect or refuse to pay the same at the Time and Place, and in Manner so required for that Purpose, the said Company of Proprietors are hereby empowered to sue for and recover the same in any Court of Law or Equity.

Fines and
Forfeitures.

LX. And be it further enacted, That all Fines, Penalties, and Forfeitures, inflicted by this Act, or which shall be inflicted by any Rule, Order, or Bye Law, to be made in pursuance thereof, (the levying and Recovery whereof is or are not particularly herein-before directed), shall, in case of Nonpayment thereof, on Conviction of the Offenders respectively, on the Oath of any credible Witness or Witnesses, or by the Confession of the Party or Parties offending, be levied by Distress and Sale
of

of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County or Place wherein the Offence shall be committed, or the Offender shall be or reside; and every such Justice is hereby authorized and required to examine Witnesses on Oath, and hear and determine the same; and all such Fines, Forfeitures, and Penalties, (the Application whereof is not herein-before particularly directed), shall be paid into the Hands of the Treasurer to the said Company of Proprietors, and shall be applied and disposed of for the Use of the said Company; and the Overplus of the Money raised by such Distress and Sale, after deducting the Fines, Penalties, or Forfeitures, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained; and for Want of sufficient Distress, and in case the Fine, Penalty, or Forfeiture, shall not be forthwith paid, it shall be lawful for such Justice, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

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

Persons aggrieved by Irregularity in Distress to recover only the Special Damages.

LXII. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the following Form; (*videlicet*),

BE it remembered, That on the _____ Day of _____ in the Year of our Lord _____ A. B. is convicted before me C. D. One of His Majesty's Justices of the Peace for the County of _____ [*specifying the Offence, and the Time and Place when and where committed, as the Case may be*], contrary to an Act of Parliament, passed in the Thirty-ninth Year of the Reign of King George the Third, intituled, [*here set forth the Title of the Act*]. Given under my Hand and Seal the Day and Year first above mentioned.

in Form of Conviction.

LXIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company of Proprietors, or by any Order, Judgement, or De-
[*Loc. & Per.*] 14 B. termination

Persons aggrieved may appeal to the Quarter Sessions.

termination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, then and in such Case he, she, or they, may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter Sessions to be holden in and for the County in which the Cause of Appeal shall arise, (first giving Fourteen Days Notice of such Appeal to the Person or Persons appealed against, and of the Nature thereof, and within Ten Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order and Award of the said Court thereon), and the said Justices shall, upon due Proof of such Notice and Recognizance having been given and entered into, either hear and determine the said Appeal at such General Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be holden for such County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and may also order and award such further Satisfaction to be made to the Party injured, as they shall judge reasonable; but 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.

Proceedings
not to be
quashed for
Want of
Form, nor
removed by
Certiorari.

Limitation of
Actions.

LXIV. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons, Bodies Politick or Corporate, for any Thing done in pursuance of this Act, every such Action or Suit shall be brought or commenced within Six Calendar Months next after the Fact committed; or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and shall be laid and brought in the County where the Matter in Dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and 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 same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall be brought after the Time so limited for bringing the same, or in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases by Law.

Treble Costs.

LXV. And be it further enacted, That this Act shall be allowed in all Publick Act. Courts whatsoever as a Publick Act; and all Judges, Justices, and other Persons, are hereby required to take Notice of it as such, without specially pleading the same.

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