



ANNO QUINQUAGESIMO PRIMO

# GEORGI III. REGIS.

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## Cap. 199.

An Act for establishing a Ferry across the River  
*Thames* at *Woolwich* in the County of *Kent*.

[26th June 1811.]

**W**HEREAS the establishing and supporting of a common Ferry for the Passage and Conveyance of Persons, Carriages, and Cattle, and Goods, Wares, and Merchandize, over and across the River *Thames* in the Parish of *Woolwich* in the County of *Kent* to the Parish of *West Ham* in the County of *Essex*, and the making proper Roads and Approaches to and from the same, will form a direct Communication between the Counties of *Kent* and *Essex*, and be of great public Utility: And whereas the several Persons herein-after named have entered into a Subscription to raise a certain Sum of Money towards a Joint Stock or Fund for the above Purpose, and for carrying into execution and completing the same, and the several Works herein-after mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act Dame *Jane Wilson* Widow, Sir *Thomas Wilson* Baronet, the Reverend *Hugh Fraser*, *Thomas Bird*, *Nathaniel Randall*, *William Randall*, *William Limbery*, *Richard Powis*, *William Powis*, *John Cook*, *Sarah Blight*, *Thomas Blight*, *John Long*, *Thomas Mills*, *Joseph Meads Madkins*, *John Marriner Mace*, *Charles Hopkinson*, *Edmund Hopkinson*, *John Stride*, *Jacob James*, and all and every other Person and Persons who shall at any Time hereafter subscribe or contribute to the raising of the Capital herein-after mentioned, and their

[Loc. & Per.]

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Proprietors  
incorporated.  
respective

respective Successors, Executors, Administrators, and Assigns, are and shall be united into a Company for establishing the said Ferry, and for making proper Roads and Approaches to and from the same, as herein-after mentioned, and for maintaining the said Ferry, Roads, and Approaches, and for executing the several other Powers vested in them by this Act, and shall be and they are hereby declared to be One Body Politic and Corporate by the Name of the *Woolwich Ferry Company*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued in all Courts and Places, and 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 for establishing the said Ferry, and making, turning, altering, and performing the several Roads, Ways, and Works hereby authorized to be made, altered, turned, or performed, and for the several Purposes herein mentioned, without incurring any of the Penalties of Mortmain, and also to sell any of the Lands, Tenements, or Hereditaments to be purchased by virtue of this Act.

Ferry to be established.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized and empowered, at their own proper Costs and Charges, by their Agents, Officers, Workmen, and others, to establish, keep, and maintain a Common Ferry, consisting of One or more Boats, or such other Vessels as shall be sufficient and proper for the Passage and Conveyance of Persons, Carriages, Cattle, Goods, Wares, and Merchandize over and across the said River *Thames* from or near a Place called the *Old Ballast* or *Sand Wharf*, in the said Parish of *Woolwich*, to the opposite Shore in the said Parish of *West Ham*, in such a Situation as by the said Company shall be thought most advisable, so as the same shall not be nearer to the West End of the said Wharf than Four hundred Feet, and to turn, widen, and alter the present Highway leading from the *Green Gate* at *Plaistow* in the County of *Essex* to the River *Thames* opposite the said *Sand Wharf*, and also the Highway leading from the Road between *Greenwich* and *Woolwich* to the said *Sand Wharf*.

Company to remove Obstructions.

III. And be it further enacted, That the said Company shall have full Power and Authority, by their Servants, Agents, Workmen, and others, with the Approbation of the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, first had and obtained in Writing for that Purpose, and under the Direction of the Clerk of the Works for the Time being appointed or employed by or under the Authority of the said Mayor, Aldermen, and Commons, to dig, slope, and cut the Banks of the said River at, upon, or near the Landing Places of the said Ferry in such Manner as shall be necessary and proper for the due Management, Use, and greater Convenience thereof, and make Causeways upon and according to the Slope of the Shore or Bank of the River there, and with no Elevation or Rise above the same to occasion any Obstruction to the Tide or Injury to the Navigation of the River, and not exceeding Fifty Feet in Width.

Company may erect Houses and Works.

IV. And be it further enacted, That it shall and may be lawful for the said Company, by their Servants, Agents, or Workmen, to erect and build convenient Dwelling Houses and proper Offices for the Habitation and Use of the Ferrymen or Persons having the Care and Management of the said Ferry,

Ferry, and for the Convenience of Persons using the same, and from Time to Time and at all Times hereafter to do all other Matters and Things necessary and convenient for establishing, maintaining, improving, perfecting, regulating, and managing the said Ferry and Roads, and making the same as useful and advantageous as may be.

V. And be it further enacted, That the said *Woolwich Ferry Company* shall pay to the said Mayor and Commonalty and Citizens of the City of *London* the Sum of Ten Pounds as a Fine and Acknowledgment for the Liberty of digging, sloping, and cutting the Banks of the River of *Thames* in order to form Landing Places as aforesaid for the Use of the said Ferry, and also pay to the said Mayor and Commonalty and Citizens of the said City, their Successors, Collectors, or Assigns, for ever, an annual Rent of or Sum of Five Pounds, after the said Banks shall be used for Causeways as aforesaid; and such annual Sum is hereby charged upon and made payable by and may be recovered from the said *Woolwich Ferry Company* by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Fine to Corporation of London.

VI. And be it further enacted, That the Directors of the said Company, or any Five or more of them, shall and may treat, contract, and agree for the Purchase of any Lands, Grounds, Tenements, or Hereditaments which the said Directors shall think fit and necessary or expedient to be purchased for the establishing and supporting of the said Ferry, and for the repairing and amending, widening, making, and enlarging, any Ways, Roads, or Passages to the same, with the Owners and Occupiers of the said Lands, Grounds, Tenements, and Hereditaments, and other Persons interested in the same, and shall and may, by and out of the Capita of the said Company to be raised for the Purposes of this Act, or out of the Tolls and Duties hereby made payable, or any other Monies to be raised by virtue of this Act, pay all and every such Sum and Sums of Money as shall be contracted, agreed, or assessed to be paid by the said Company for the Purchase thereof.

Company to contract for establishing the Ferry, &c.

VII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend so as to enable the said Company or the Directors thereof, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes aforesaid, any House or other Building which was erected and built on or before the Twenty-fifth Day of *March* One thousand eight hundred and eleven, or any Land or Ground which, on the said Twenty-fifth Day of *March*, was set apart and used as or for a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Occupiers thereof respectively.

Houses, Gardens, &c. not to be injured, except such as are mentioned.

VIII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, Husbands, Committees, or other Trustees and Feoffees whatsoever, for and on behalf of themselves, their Heirs, Successors, Cestuique Trusts, Executors, Administrators, Lunatics, Idiots, and other contingent Trusts, and for any Infants, Femes Covert, or Cestuique Trusts, Tenants in Tail or for Lives, or for any Term or Number of Years, and for all and every

Power to Bodies Politic and others to sell and convey.

every other Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any such Lands, Tenements, or Hereditaments to treat, contract, and agree with the said Company for the Sale of such Lands, Tenements, and Hereditaments, or any Part thereof, or of their Interest therein, for the Purposes aforesaid, and to sell and convey the same to the said Company; and that all Contracts, Agreements, Sales, Deeds, Conveyances, and Assurances which shall be so made shall, without any Fine or Fines, Recovery or Recoveries, be valid to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons claiming and to claim by, from, or under them respectively, any Law, Statute, Usage, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole; and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Form of Conveyance of Lands.

IX. And be it enacted, That all such Contracts, Agreements, Sales, Deeds, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors; and all Conveyances of any Lands, Tenements, or Hereditaments to the said Company shall be made in the Form or to the Effect following:

I *A. B.* of \_\_\_\_\_ in, consideration of the Sum of \_\_\_\_\_ to me paid by the *Woolwich Ferry* Company do hereby grant and release to the said Company all [*here describe 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 made in the Fifty-first Year of the Reign of His present Majesty, intituled [*here insert the Title of this Act*].

In witness whereof I have hereunto set my Hand and Seal this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our \_\_\_\_\_ Lord

Which said Conveyances shall be kept by the Clerk to the said Company of Proprietors, who shall from Time to Time deliver attested Copies thereof to any Person or Persons whomsoever requiring the same; and such Clerk shall have and receive Two Shillings and no more for every One hundred Words of 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 or to the Effect 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.

Bodies Politic, &c. refusing to treat, the Value to be settled by a Jury.

X. And be it further enacted, That if any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or any Person or Persons whomsoever, seised, possessed, entitled, or interested in or to any Lands, Tenements, or Hereditaments so to be purchased as aforesaid, shall neglect or refuse to treat or shall not agree with the said Company or the Directors thereof for the Sale of, or taking, using, or damaging any such Lands,

Tenements, \_\_\_\_\_

Tenements, or Hereditaments, or any Part or Parts thereof, or for their Interest therein, or by reason of Absence shall be prevented from treating with the said Company or the Directors thereof, or shall not or cannot produce and make out a clear Title to the Premises required to be purchased of which he, she, or they are or may be in Possession, or to the Interest he, she, or they do or may claim therein, to the Satisfaction of the said Company or the Directors thereof at a Meeting to be by the said Directors appointed for that Purpose, of which Eight Days Notice in Writing, signed by the Clerk for the Time being to the said Company, shall be given and left at the Dwelling House or Place of Abode of the Head Officer of such Corporation as before mentioned, or of the Owner, Trustee, or other Person interested in such Lands, Tenements, and Hereditaments, or at the House of the Tenant or Occupier thereof, then and in every such Case it shall and may be lawful to and for the said Directors to cause Notice in Writing to be signed by the said Clerk to the said Company, to be given or left as aforesaid, of the Sum of Money they are willing to pay for the Purchase of such Lands, Tenements, or Hereditaments, or for the joint or respective Interests of the said Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, or of any such Owner, Trustee, or other Person or Persons in the same, in which Notice a Time and Place shall be appointed for a Meeting with the said Parties, the same Time to be at least Eight Days after the Delivery of such Notice; and in case such Head Officer, Owner, Occupier, Trustee, or other Person as aforesaid shall neglect to attend at such Time and Place, or shall refuse to accept the said Sum for the Purchase or Recompence as aforesaid; or shall not then or afterwards produce or evince a clear Title to the Premises or to the Interest claimed therein to the Satisfaction of the said Directors, or shall refuse to enter into a written Agreement to convey the said Premises to the Satisfaction of the said Directors, then the said Directors, or any Five or more of them, shall cause to be inquired into, ascertained, and assessed, by and upon the Oath of a Jury of Twelve indifferent Men of the County of *Kent* or County of *Essex*, as the Case may be, what Recompence or Satisfaction shall be made to the Owners, Proprietors, Occupiers of or other Persons interested as aforesaid, for or upon account of the taking, using, or damaging such Lands, Tenements, or Hereditaments, or of the respective Interests of the said several Parties therein, for the Purposes of this Act; and in order thereto the said Directors are hereby empowered and required from Time to Time, as Occasion shall be or require, to summon before the said Jury and examine upon Oath, which Oath the said Directors or any Two of them are hereby empowered to administer to any Person whomsoever as Witnesses concerning the Premises, and shall and may order and cause the Jury to view the Premises in question, if there be Occasion, and use all other Ways and Means for the Information of the said Jury in the Premises, as the said Directors shall think fit; and after the said Jury shall have inquired of, ascertained, and assessed such Recompence, the said Directors shall thereupon adjudge and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the Corporations, Owners, Proprietors, Occupiers, Trustees, or other Person or Persons aforesaid, according to such Verdict or Inquisition; and the Judgment, Order, or Determination so had and made shall be final, binding, and conclusive to all Intents and Purposes, as well against the King's Majesty, His Heirs or Successors, as against all Parties and Persons whom-

soever claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors (as well absent as present), Infants, Femes Covert, Idiots, Lunatics, Cestuique Trusts, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whatsoever; and all and every such Owners, Proprietors, and Occupiers, and Persons interested in such Lands, Tenements, or Hereditaments, shall, upon Payment or Tender of the Money so assessed as aforesaid, or upon paying or depositing the same in manner herein-after mentioned, be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, and to the same; and the said Lands, Tenements, or Hereditaments shall vest in the said Company, and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever.

Jury to be  
summoned.

XI. And be it further enacted, That for the summoning and returning such Jury the said Directors, or any Five or more of them, are hereby empowered to issue their Warrant to the Sheriff of the County of *Kent* or the Sheriff of the County of *Essex*, as the Case may be, requiring him to impanel, summon, and return Twenty-four indifferent Persons to appear before the said Directors at such Time and Place as in such Warrant shall be appointed; and the said Sheriff or his Deputy is hereby required to impanel, summon, and return such Number accordingly, and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Directors shall draw or cause to be drawn by Ballot Twelve out of the said Twenty-four, and shall administer an Oath to every Person so drawn upon such Jury, which Oath any One of the said Directors is hereby empowered to administer; and in default of a sufficient Number of Persons so impanelled the said Sheriff or his Deputy shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, who shall be sworn in like Manner, until the Number of Twelve shall be completed, which shall be the Jury for the Purposes aforesaid; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not be permitted to challenge the Array; and the said Company, at the Time and Place aforesaid, shall have full Power from Time to Time to impose any reasonable Fine, or Fines on such Sheriff, his Deputy, Bailiffs, or Agents, making default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, without some reasonable and sufficient Excuse, or shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence, and from Time to Time to recover, levy, and apply such Fines in the same Manner as any other Forfeiture or Penalty is by this Act directed to be recovered, levied, and applied; so that no such Fine shall exceed the Sum of Twenty Pounds upon the Sheriff or his Deputy, or of Ten Pounds upon any other Person, for One Offence.

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XII. And

XII. And be it further enacted, That the said Jury shall not take into their Consideration any (Improvements which the Premises the Value whereof shall be to be so ascertained shall or may receive by the establishing of the said Ferry, or the making or improving any Road, Street, or Passage, or any of the Works hereby authorized to be done and performed, but the Recompence to be made for the same shall be inquired of, ascertained, and assessed by the said Jury according to the Condition in which the said Premises are or may be at the Time of the said Inquiry by or before them, and the said Jury shall be sworn to ascertain and assess such Recompence accordingly.

Value of Lands to be ascertained without reference to Improvements.

XIII. And be it further enacted, That a Memorial of all such Verdicts and Judgments shall be enrolled with the proper Officer for enrolling of Deeds and Conveyances in the High Court of Chancery (who is hereby required to receive and enrol the same) within Six Calendar Months after such Verdict and Judgment shall be made and given; which Memorial shall be in the Form following, or to the like Effect; (that is to say,)

Memorials of Verdicts given by the Jury to be enrolled.

BE it remembered, That, pursuant to a Warrant directed to the Sheriff of the County of Kent, [or Sheriff of the County of Essex, as the Case may be,] dated the Day of in the Year of our Lord under the Hands of or more of the Directors of the Woolwich Ferry Company, appointed to put in execution an Act of Parliament made in the Fifty-first Year of the Reign of His Majesty King George the Third, for establishing a Ferry across the River Thames at Woolwich in the County of Kent, the following Persons, among others, to wit, (A. B. &c.), were returned and summoned by the said Sheriff to assess and ascertain what Recompence shall be made to the Owners of and other Persons interested in (describing the Premises to be taken) for or upon account of the said Premises being taken by the said Company for the Purposes of the said Act; and the said Persons being assembled at and sworn to assess and ascertain according to Evidence then to be produced before them the just and true Value of the said Premises, and what Recompence ought to be made as aforesaid; and after Inquiry had and Evidence given touching the same the said Persons did find that the just and true Value of the said Premises, and the Recompence to be made as aforesaid, was and should be the Sum of Whereupon we whose Names are hereunto subscribed, Directors of the said Company, assembled at the Time and Place before mentioned, do hereby adjudge and determine the said Sum of to be paid to the Person or Persons interested in the said Premises as the Recompence or Satisfaction for his, her, or their several Rights and Interests in the same [or for the same]. Given under our Hands, and sealed with the Common Seal of the said Company, this Day of in the Year of our Lord

Form of Memorial.

And the said Memorial shall be deemed and taken to be a Record to all Intents and Purposes, and the same, or true Copies thereof attested by the said Officer for enrolling, shall be deemed to be effectual Evidence in any Court of Law or Equity whatsoever; and all Persons shall and may have recourse to the same on Payment of One Shilling, and take Copies thereof, paying for every One hundred Words Two Shillings,

Memorials to be Records, and Copies to be Evidence.

Shillings, and so in proportion for any greater or less Number of Words.

By whom  
Costs of Jury,  
&c. shall be  
paid.

XIV. And be it further enacted, That in case any such Jury shall give or deliver a Verdict or Assessment for more Monies as a Recompence for the Right, Interest, or Property of any Person or Persons, Bodies Politic or Corporate, Ecclesiastical or Civil, in any such Lands, Grounds, Buildings, Tenements, or Hereditaments as aforesaid, than what shall have been proposed or offered by the said Company or the Directors thereof as such Recompence before the summoning and returning the said Jury, that then the Costs and Charges of summoning and maintaining the said Jury, and all the Witnesses, Counsel, Assistants, and Agents consequent thereon, shall be borne and paid by the said Company; but if any such Jury shall give and deliver a Verdict or Assessment for no more or for less Money as the Recompence aforesaid than what shall have been proposed or offered by the said Company before the summoning and returning the said Jury, that then the Costs and Charges of summoning and maintaining the said Jury, and all the Witnesses, Counsel, Assistants, and Agents consequent thereon, shall be borne and paid by the Person or Persons, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, having such Right, Interest, or Property, which Costs and Charges shall and may be deducted out of the Money assessed and adjudged in Recompence aforesaid as so much Money advanced to and for the Use of such Person or Persons; and the Payment of the Remainder of such Monies in manner herein-after mentioned shall be deemed and taken to all Intents and Purposes to be a Payment of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Charges shall and may be recovered by the said Company by such Ways and Means as any Penalties or Forfeitures may be recovered by virtue of this Act; and such Costs and Charges shall be ascertained by One Justice of the Peace acting in and for the Counties of *Kent* or *Essex*, not interested in the Matters in question, and he is hereby authorized and required to ascertain the same for the Purposes aforesaid: Provided always, that in all Cases where any Person or Persons shall by reason of Absence have been prevented from treating with the said Company, such Costs and Charges shall be borne and paid by the said Company.

Allowances  
to Jury and  
Sheriff.

XV. Provided always, and be it further enacted, That each and every Juryman who shall be sworn for the Purposes of this Act shall for his Trouble and Expence in the Premises be allowed the Sum of Ten Shillings and Sixpence *per* Day and no more, and the Sheriff for empanneling and returning the said Jury shall be allowed the Sum of One Pound One Shilling, and the further Sum of One Pound One Shilling for attending the said Jury when returned, and his Officer for summoning the said Jury the Sum of One Pound One Shilling and no more upon any Account or Pretence whatsoever, notwithstanding more Assessments than One shall be made.

On Payment  
of Money,  
Lands to vest  
in the Com-  
pany.

XVI. And be it further enacted, That upon Payment or Tender of the Money so agreed for, awarded, or assessed as aforesaid to the Party or Persons respectively entitled to receive the same, or their respective Agents, or on Payment of the same into the Bank of *England* in manner by this Act directed, as the Case may be, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity of the Party or



or Persons respectively for whose Use such Monies were so paid or so disposed of into or out of such Lands, Tenements, and Hereditaments, shall vest in the said Company for the Uses and Purposes of this Act, as fully and effectually as if such Lands, Tenements, and Hereditaments had been conveyed to the said Company by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery of Seisin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Monies, being so paid or so disposed of, shall not only bar all Right, Title, Interest, Claim, and Demand of the Party or Parties, Person or Persons, for whose Use the same were so paid or disposed of, but shall also extend to and be deemed and construed to bar the Dower or Dowers of the Wife or Wives of such Persons respectively, and all Estates Tail in Reversion or Remainder, and the Issue of such Persons respectively, and every Person claiming under them, as fully and effectually as a Fine or Recovery would bar such Right, Title, Interest, Claim, or Demand if levied or suffered by the proper Parties in due Form of Law.

XVII. And be it further enacted, That in case the Sum or Sums of Money so assessed by the said Jury, and ordered and adjudged by the said Company to be paid to the Owners or Occupiers and others for their respective Interests in the Premises aforesaid, shall not be paid, tendered, or deposited as herein directed within Six Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury, and the Order and Adjudication thereon, shall not be binding upon the said Parties, but the same shall be null and void to all Intents and Purposes whatsoever, any thing herein contained to the contrary notwithstanding.

In case of Nonpayment or Tender within Six Months, the Verdict shall not be binding.

XVIII. And it is hereby enacted, That it shall and may be lawful to and for the said Company and their Successors, or their Surveyor, Workmen, or Servants, immediately after Payment or Tender as aforesaid, without further Process, to enter into such Lands, Tenements, or Hereditaments, and convert the same for the Purposes of this Act; and in case any Person or Persons shall refuse to give Possession, then it shall and may be lawful to and for the Directors of the said Company, or any Five or more of them, and they are hereby authorized and required, to issue their Precept or Precepts to the Sheriff of the County of *Kent* or County of *Essex*, as the Case may be, to deliver Possession of the Premises to the said Company, or any Person or Persons by them to be named to take possession thereof on their Behalf, and in such Precept nominated for that Purpose; and the said Sheriff is hereby required to deliver Possession thereof accordingly, and to levy the Costs of the Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid by Distress and Sale of his or their Goods.

Company, after Payment of Monies assessed, to take possession of Premises.

XIX. And whereas, in order to carry into effect the Purposes of this Act, and to avoid Disputes with the Owners of Lands, Grounds, or Hereditaments which may be affected by making the said Ferry and Roads to communicate therewith, and other Works, the said Company of Proprietors may purchase Lands or Hereditaments not necessary to be made use of for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company of Proprietors to sell and dispose of, and by Indenture under their Common Seal absolutely to grant and convey, such Part

Company may resell Lands, &c. which may not be wanted.

or Parts of the Lands or Hereditaments which shall be so purchased by and conveyed to the said Company of Proprietors as aforesaid as shall not be wanted for the Purposes of this Act; and that all such Conveyances and Grants from the said Company of Proprietors shall be valid and effectual, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales, Grant or Grants of such Lands or Premises, or any Parts or Parcels thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Company of Proprietors to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands or Premises shall be sold, or for so much thereof as in such Receipt and Receipts shall be expressed to be received; and such Person or Persons shall not be answerable for any Losses, Misapplication, or Nonapplication of such Purchase Money or any Part thereof: Provided always, that the said Company of Proprietors, before they shall sell and dispose of such Lands and Hereditaments, shall first offer to resell the same to the Person or Persons from whom the same shall have been purchased; and in case such Person or Persons shall not then and thereupon agree or shall refuse to repurchase the same, then and in every such Case, an Affidavit being sworn before a Master or Master Extraordinary in the Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Lands or Hereditaments shall be situated, by some Person or Persons no way interested in the said Lands or Hereditaments, stating that such Offer was made by or on the Behalf of the said Company of Proprietors, and was not then and there agreed upon or was refused by the Person or Persons to whom the same was offered, such Affidavit shall in all Courts whatever be sufficient Evidence and Proof that such Offer was made and was not agreed to or was refused by the Person or Persons to whom it was made, as the Case may be; and in case the Parties cannot agree as to the Value of such Lands or Hereditaments, the same shall be ascertained by a Jury in manner herein mentioned.

The Words  
"grant, bargain, and  
sell" to operate as Covenants for  
Titles.

XX. And be it further enacted, That in all Grants and Conveyances to be made by the said Company of Proprietors under or by virtue of the several Powers and Authorities to them hereby given the Words "grant, bargain, and sell" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or other Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Company of Proprietors, for themselves and their Successors, that the said Company of Proprietors, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant or Conveyance seised of the Hereditaments and Premises thereby granted, demised, conveyed, and sold of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof against the said Company of Proprietors, their Successors and Assigns, and all claiming under them; and all such Purchasers shall be indemnified and saved harmless by the said Company of Proprietors and their Successors.

Application  
of Money if  
equal to 2007.

XXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, damaged, or used by virtue of the Powers of this Act for the Purposes thereof,

thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Company, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments in the Purchase or Redemption of the Land Tax, or in Discharge of any Debt or Debts, or of such other Incumbrance, or of Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, or Three Pounds *per Centum* Reduced Bank Annuities, until the same shall be ordered by the said Court to be sold for the Purposes aforesaid; and in the meantime the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

XXII. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General

Application  
of Money if  
less than  
200*l.* and  
equal to 20*l.*

Application  
of Money if  
less than  
200*l.* and  
equal to 20*l.*

General

General of the High Court of Chancery, to be placed to his Account as aforesaid in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by any Five or more of the Directors of the said Company (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed.

Application of Money if less than 20<sup>l</sup>.

XXIII. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Directors, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Money allowed for Lands & purchased how to be charged and tendered.

XXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Directors, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Directors, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of England who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

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

Where any Question shall arise touching the Title, the Person in Possession shall be deemed entitled thereto.

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

The Court of Chancery to order Expences to be paid by the Trustees.

XXVII. And be it further enacted, That the First Meeting of the said Company shall be holden at the House known by the Name or Sign of the *King's Arms Tavern*, situate in the Parish of *Woolwich* aforesaid, on the *Tuesday* Seven-night next after the Day on which this Act shall have received the Royal Assent, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon, and afterwards shall annually on the First *Tuesday* in *June*, or within Twenty-eight Days thereafter, assemble at such Place, not being more than Six Miles distant from the said Ferry, as the Directors of the said Company for the Time being shall at any Meeting appoint, and in case no Place or Hour shall have been appointed, then at such Place and Hour whereat the last General Meeting was holden; and the said Proprietors or the major Part of them appearing at any such Meeting may adjourn the same as they shall think fit, and may hold any other Meetings at the same or any other Place from Time to Time as often as they shall think proper; and that Five Members or Proprietors of the said Company, each holding Two or more Shares, being present, shall constitute and be considered a Meeting of the said Company to every Intent and Purpose whatsoever.

First and other Meetings to be holden.

Extraordinary Meetings may be held.

XXVIII. And be it further enacted, That if any Five or more of the said Company, being severally Proprietors of Two Shares or upwards in the said Company, shall think it expedient to hold a General Meeting of the said Company, and shall request the same by Notice in Writing under their respective Hands, delivered to the Clerk of the said Company for the Time being, specifying in every such Notice the Business intended to be proposed at such Meeting, then the said Clerk shall within Ten Days after the Delivery of such Notice call such Meeting, to be held at such Time and Place as he shall judge expedient, and for that Purpose shall summon each of the said Proprietors by Notice in Writing to be delivered at their respective Places of Abode or other Place to be by them for that Purpose appointed, of which the said Proprietors may have given Notice to the said Clerk in such Manner as the said Company shall have for that Purpose ordered and directed, so that such respective Places be within the Space of Six Miles from the said Ferry; and all Proceedings at such Meeting with respect to the Matters specified in such Notice only shall be as valid and effectual to all Intents and Purposes whatsoever as if the same had been done at any Meeting to be held in the Manner herein-before appointed.

Questions to be decided by the Majority of Votes of Directors.

XXIX. And be it further enacted, That the Proprietors present at every Meeting shall in the first place choose and elect from among themselves a Chairman, and that all Motions and Questions to be made and put at such Meetings shall be decided by a Majority of the Proprietors present; and if the Numbers on each Side shall happen to be equal, the Chairman of the Meeting shall in every such Case give the casting Vote although he may have voted before.

Regulation of Votes.

XXX. And be it further enacted, That every Person who shall be the Proprietor of One Share and less than Five Shares shall have One Vote at every Meeting of the said Company, and the Proprietor of Five Shares and less than Ten Shares shall have Two Votes, and the Proprietor of Ten Shares or upwards, and less than Fifteen Shares, shall have Three Votes, and the Proprietor of Fifteen Shares or upwards, and less than Twenty Shares, shall have Four Votes, and the Proprietor of Twenty Shares of the said Stock Five Votes and no more, at every Meeting to be held by the said Company.

Votes to be given in Person.

XXXI. And be it enacted, That such Vote and Votes shall be given by every Proprietor in Person.

Appointment of Directors, Auditors, and Treasurer.

XXXII. And be it further enacted, That the said Company shall, at their First or some subsequent Meeting within Two Calendar Months after the passing of this Act, and annually afterwards on the First Tuesday in June, or within Twenty-eight Days then after in every Year, nominate and appoint by Ballot, of and out of the Proprietors of the said Company who shall be respectively possessed of at least Two Shares of the Capital of the said Company, Ten or more Persons to be Directors and Managers of the said Company, and Two or more Persons to be Auditors of the Accounts of the said Company, and One or more to be Treasurer of the said Company for One Year; and the Powers of the said Directors, Auditors, and Treasurers shall continue for One Year or until others shall be chosen, and shall then cease and determine; and the

Proprietors assembled at the General Meeting to be annually held on the First Tuesday in June, or within Twenty-eight Days then after, shall proceed to the Nomination of other Directors, Auditors, and Treasurer; or may re-appoint the same Persons or any of them to be Directors, Auditors, and Treasurer for the Year ensuing, or until others shall be chosen: Provided always, that no Person holding any Place, Office, Employment, or Contract under the said Company shall be capable of being a Director, Auditor, or Treasurer of the said Company; and provided also, that it shall and may be lawful to and for the said Company at any Meeting, ordinary or extraordinary, to remove any Director, Auditor, or Treasurer, and to nominate and appoint another Person qualified as aforesaid in the Room or Stead of any and every Director, Auditor, or Treasurer so removed, or who shall die, refuse to act, or cease to hold or possess such Shares herein-before required to be possessed by him to qualify him for being Director, Auditor, or Treasurer, or of any and every Director, Auditor, or Treasurer who shall hold any Place, Office, Employment, or Contract under the said Company; and every Person so nominated and appointed by the said Meeting shall have the like Power and Authority as if he had been nominated by the said Annual General Meeting.

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XXXIII. Provided always, That if at any such General Meeting there shall not be Ten Persons present who shall be possessed of or entitled to Twenty Shares in the said Undertaking, no Choice of any Directors, Auditors, or Treasurer shall be made at that Time, but then and in such Case there shall be another General Meeting of the said Company of Proprietors holden at the same Place upon that Day Three Weeks; and so from Time to Time until there shall be such Persons present, either as Principals or Proxies, at such General Meeting, having such Number of Shares as aforesaid; and such Choice of such Directors, Auditors, or Treasurer shall then take place and not before; and the Persons then chosen to be Directors, Auditors, and Treasurer shall have the same Power and Authorities as 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 Meeting on the first Day appointed for holding the same.

Questions to  
General  
Meetings for  
choosing  
Directors to  
consist of 20  
Shares.

XXXIV. And be it further enacted, That the said Proprietors, or the major Part of them at any Meeting assembled, shall or may order and dispose of the Custody of the Common Seal of the said Company and the Application thereof, and also make, ordain, and constitute such and so many Bye Laws, Rules, and Ordinances as to them shall seem meet and convenient for the better Government of the said Company, and the Officers, Servants, Workmen, and Persons to be employed by the said Company, and for the whole complete and total Superintendence and Management of the said Undertaking and the Affairs thereof, and to alter, change, revoke, repeal, or make void the same from Time to Time and as often as the said Proprietors or the major Part of them assembled as aforesaid shall judge necessary and convenient, and to impose and inflict such reasonable Fines and Forfeitures upon all or any Person or Persons offending against the same, not exceeding the Sum of Five Pounds for any One Offence, as to the said Proprietors or the major Part of them shall seem meet, such Fines or Forfeitures to be levied and recovered by such Ways or Means as Fines or Forfeitures are by this Act directed to be levied

Resolutions  
of Votes

The Com-  
pany may  
make Bye  
Laws.

of Directors  
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be  
chosen

levied and recovered ; which Bye Laws, Rules, and Ordinances, being reduced into Writing under the Common Seal of the said Company of Proprietors, shall be printed, and a Copy thereof affixed on the Toll House of the said Ferry, and shall be binding upon and observed by all Persons whomsoever, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that such Bye Laws, Rules, and Ordinances be not contrary or repugnant to the Provisions and Directions in this Act contained, or to the Laws of that Part of the United Kingdom called *England*.

Regulations  
respecting  
Meetings of  
Directors.

XXXV. And be it enacted, That the said Directors shall choose from among themselves a Chairman and Deputy Chairman ; and in case it shall happen that at any Meeting of the said Directors the Chairman and Deputy Chairman so chosen shall not attend, then the Directors present shall appoint a Chairman for the Occasion ; and all Questions to be made at any Meeting of the Directors shall be decided by a Majority of the Directors present, and if the Numbers on each Side shall happen to be equal, the Chairman of the Meeting shall in every such Case have the decisive or casting Vote, although he may have voted before ; and that all the Powers and Authorities hereby vested in or directed to be exercised by the said Directors may be exercised by the major Part of them present at their respective Meetings, the whole Number present being not less than Five, and the said Directors shall 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 several Meetings the said Directors shall from Time to Time receive out of the Capital Stock of the said Company such Sum or Sums of Money as shall be directed and determined by the said Company.

Power of  
Directors.

XXXVI. And be it further enacted, That the said Directors shall and may contract and agree for the Purchase of any Lands, Tenements, or Hereditaments taken or used for the Purposes of the said Ferry, or of any other the Purposes of this Act, and shall and may settle, determine, and adjust all Matters, Questions, and Differences which shall or may arise between the said Company and the several Owners and Persons interested in any Lands, Tenements, or 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, and Persons employed or concerned in establishing, making, and completing the said Ferry, and of all and every Part and Parts thereof, and of the several Roads and other Works to be made or erected by virtue of this Act ; and the said Directors shall choose or appoint One or more Clerk or Clerks, Collector or Collectors, Receiver or Receivers, Solicitor or Solicitors, Surveyor or Surveyors, and such other Officer or Officers, Servant or Servants of the said Company, as they shall think proper, and from Time to Time remove them or any of them, and appoint others, as they shall find necessary or convenient, and may also appoint and direct Payment of such Salary and Allowances to such Officers and Servants, and to all other Persons employed by the said Company, as they shall think reasonable ; and shall and may take such Security for the due Execution of the respective Offices aforesaid by such Person or Persons thereto appointed as they shall think proper ; and the said  
Directors



Directors shall, subject nevertheless to the Orders and Directions of such Meetings as aforesaid, have full Power and Authority to direct and manage all and every the Affairs of the said Company; and the said Directors shall, by themselves or by their Clerk or Clerks, keep a full and true Account of all Money disbursed and Payments made by the said Directors 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 Undertaking from any Officer or Officers, or from any Person or Persons whomsoever, 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 every such Contract, Bargain, Receipt, and Disbursements, and of all other their Orders and Proceedings, to which Book or Books every Proprietor, upon every reasonable Request, shall have free Access for his or her Information.

XXXVII. And be it further enacted, That all Officers and Persons so to be appointed shall, under their Hands, at such Time and Times and in such Manner as the Directors of the said Company shall direct, deliver to the said Directors, or such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Effects, Matters, and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officer or Officers and Person or Persons respectively received and paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and pay all such Monies as shall remain in their respective Hands to the said Directors, or to such Person or Persons as they shall appoint; and all the said Officers and Persons so accounting as aforesaid shall upon Oath (which Oath the said Directors, or any Two or more of them, are hereby empowered and required to administer,) verify their said Accounts; and if any such Officer or Person, Officers or Persons, shall not make and render or shall refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Directors, or to such Person or Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Directors or any Two of them by Notice in Writing, signed by the Clerk to the said Company, given to or left at the usual or last Place of Abode of any such Officer or Person, all Effects, Books, Papers, Deeds, Writings, and Things 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 his or their respective Hands to the said Directors, or as they shall direct or appoint, then and in either of the Cases aforesaid the said Directors may and are hereby authorized and empowered to bring or cause to be brought any Action or Actions in the Name of such Company, in any of His Majesty's Courts of Record at *Westminster*, against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies, Effects, Books, Papers, Deeds, Writings, and Things that shall be in the Hands of such Officer or Officers, Person or Persons respectively, with Costs of Suit; or if Complaint shall be made by the said Directors or any One of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as

Officers to  
account.

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aforesaid,

aforesaid, to any One or more 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 Justice or Justices may and is and are hereby authorized and required, by a Warrant or Warrants under his or their Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them, and upon his or their appearing or not being to be found after the issuing of such Warrant or Warrants, Oath being made thereof, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice or 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 Justice or Justices may and is and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under his or 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 offending, in the Premises 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 Charges of distraining and selling the same, or in case it shall appear to such Justice or Justices by the Confession of the Party so offending, or by the Testimony of any credible Witness upon Oath, that any Books, Deeds, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Officer or Officers, Person or Persons, and he or they shall refuse to deliver the same as aforesaid, then and in either of the said Cases such Justice or Justices shall commit every such Offender to the Common Gaol of the County or Place where such Offender shall be and reside, 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, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Directors are hereby empowered to make), and until he or they shall deliver up such Effects, Books, Deeds, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company or to the Directors thereof: Provided always, that no such Officer or Person shall be detained or kept in Prison by virtue of this Act for Want of sufficient Distress only for a longer Space of Time than Six Calendar Months.

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XXXVIII. And be it further enacted, That it shall be lawful for the Members or Proprietors of the said Company to raise and contribute among themselves, in such Proportions as to them shall seem meet and convenient, any Sum of Money towards raising a Capital or Joint Stock for establishing and supporting the said Ferry and other Works, and for the Purposes aforesaid, not exceeding the Sum of Twelve thousand Pounds; and that the same be divided into One hundred and twenty Shares at a Price or Sum of One hundred Pounds per Share; and that no Person shall subscribe for or become a Proprietor of less than One Share.

Power to increase Capital.

XXXIX. Provided always, and be it enacted, That in case the said Sum of Twelve thousand Pounds shall be found insufficient for establishing and supporting the said Ferry, and other the Works and Purposes hereby authorized to be done and performed, but not otherwise, it shall be lawful for the said Company from Time to Time to raise and contribute

tribute among themselves, in manner and form aforesaid, and in such Shares and Proportions as to them shall seem meet, or by the Admission of new Proprietors or Subscribers, any further or other Sum of Money which may be necessary from Time to Time for establishing and supporting the said Ferry, and other the Works and Purposes aforesaid, not exceeding the Sum of Six thousand Pounds; and every Subscriber towards raising such further or other Sum of Money shall be liable to such Forfeitures, and stand interested in the Profits of the said Ferry and other the Works aforesaid, proportionably to the Sum that he, she, or they shall subscribe thereunto, and be considered a Proprietor of the said Company as generally and extensively to all Intents and Purposes as if such further or other Sum had been Part of the Sum originally subscribed.

**XL.** And be it further enacted, That the said Shares into which the said Capital or Subscription Money shall be divided shall be and the same are hereby vested in the several Persons subscribing the same, and their several and respective Executors, Administrators, and Assigns, proportionably to the Sum each of them shall subscribe and pay thereunto; and every such Share shall be deemed Personal Estate, and the same or any Part thereof shall be transferrable or assignable by the Proprietor or Holder thereof, his Executors, Administrators, and Assigns, from Time to Time as Occasion may require; and all and every Person or Persons, his, her, or their respective Executors, Administrators, or Assigns, who hath or have already subscribed or who shall hereafter subscribe any Sum of Money towards raising the Capital or Joint Stock for establishing and supporting the said Ferry, and other the Works and Purposes aforesaid, shall be entitled to receive, after the said Ferry shall be completed, a Distribution, proportionate to the Sum so subscribed, of and in the Profits and Advantages therefrom, and shall be deemed and considered a Proprietor of the said Company, and shall bear and pay a proportionate Sum of Money towards carrying on the said Undertaking in manner herein-after enacted, directed, and appointed.

Shares vested in the Proprietors, and Dividends made accordingly.

**XLI.** And be it further enacted, That every Transfer or Assignment of any Share or Shares in the said Company shall be in the Form or to the Effect following, and signed by the Proprietor, or his, her, or their Attorney lawfully authorized, in the Presence of One credible Witness, who shall subscribe his Name and Place of Abode thereto; that is to say,

Form of Transfer of Shares.

I **A. B.** of \_\_\_\_\_ in consideration of \_\_\_\_\_ paid to me by **C. D.** of \_\_\_\_\_ do hereby bargain, sell, assign, and transfer to the said **C. D.** the Sum of \_\_\_\_\_ in the Capital Stock of and in the *Woolwich Ferry* Company, being the Share No. \_\_\_\_\_ or Shares No. \_\_\_\_\_ belonging to me, to hold to the said **C. D.** \_\_\_\_\_ Executors, Administrators, and Assigns, subject to the same Orders, Rules, Conditions, and Restrictions under which I hold the same; and I the said **C. D.** do hereby agree to take and accept the said Sum of \_\_\_\_\_ of and in the said Capital Stock of the said Company, subject to the Rules, Orders, Conditions, and Restrictions aforesaid. As witness \_\_\_\_\_ Hand the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year \_\_\_\_\_ Signed in the Presence of \_\_\_\_\_

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And every such Transferee or Transferees, Assignee or Assignees, may transfer the same Sum or any Part thereof again, and so toties quoties; and every Transfer or Assignment shall, within Six Days after the Date thereof, be produced and left with the Clerk or Clerks to the said Company, who shall within Seven Days then next cause a Transcript or Copy thereof, or an Entry or Memorial containing the Date, Names of the Parties, and Shares therein transferred, to be made or entered in the said Book or Books to be kept for the Purpose of entering such Transfers; and after such Entry made, but not till then, every such Person to whom such Transfer or Assignment shall be made, his, her, and their Executors, Administrators, and Assigns, shall be considered a Proprietor of the said Company, and be entitled to all Benefit and Advantage to arise from the Sum thereby transferred or assigned; and for the Entry of every such Transfer or Assignment the said Clerk or Clerks shall be paid by the Party to whom such Transfer or Assignment shall be made the Sum of Five Shillings and no more.

No Assignee  
to vote till  
after Entry  
of Transfer.

XLII. Provided always, and be it enacted, That no Person shall be entitled to vote in any Question relating to the Affairs of the said Company unless such Assignment or Transfer, and the Entry thereof, shall have been made Thirty Days at the least prior to the Determination of such Question; and that One full Share, or a Sum equal to One full Share, in the Capital Stock of the said Company, be thereby assigned or transferred.

Only One  
Assignee  
entitled to  
vote.

XLIII. And be it further enacted, That in case any Assignment or Transfer of any Share or Shares in the said Undertaking shall be made to more than One Person, or any Share or Shares shall by Operation of Law become vested in more than One Person, then the Person first named in such Assignment or Transfer, or in the Entry of the Book for registering the vesting of such Share, shall only be the Person entitled to vote in the Affairs of the said Company.

Entries of  
Marriage, &c.  
to be made  
by the Clerk  
to the Com-  
pany.

XLIV. And be it further enacted, That before any Person or Persons claiming any Share in the said Company in right of Marriage, or by virtue of any Bequest or Will, or in any Course of Administration, shall be entitled to receive the Profits arising therefrom, or to vote in respect thereof, or to exercise any Benefit or Advantage resulting therefrom, an Entry of a Copy of the Register of such Marriage, proved by an Affidavit verifying such Copy; and that the Party therein named is a Proprietor of the said Company, to be made by any One or more Person or Persons, and sworn before any of His Majesty's Justices of the Peace, who is hereby authorized and empowered to administer such Affidavit, and an Entry of the Probate of such Will or of Letters of Administration, as the Case shall require, shall respectively be made by the Clerk or Clerks to the said Company in a Book to be for that Purpose provided, for which Entry the said Clerk or Clerks shall be entitled to receive Five Shillings and no more.

Mode of Sub-  
scription.

XLV. And be it further enacted, That the Name and Addition of every Person subscribing towards the raising of the Capital of the said Company, with the Number of Shares or the Amount of the Money such Person shall subscribe, shall be fairly and distinctly entered in a Book to be kept by

by the Clerk to the said Company, and every Person shall write his Name to the Entry of his or her respective Subscription in order to ascertain the Accuracy thereof, and every Share shall be numbered in numerical Order, for the easy Transfer thereof, as Occasion may require, and a Certificate or Instrument with the Common Seal of the said Company affixed thereto shall be delivered to every such Person upon Demand, specifying the Share to which he or she is entitled in the said Capital, and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Person to the Share therein specified, but the Want thereof shall not hinder or prevent the Owner of such Share from selling or disposing thereof; and in case any such Certificate or Instrument shall become defaced, or rendered unfit for use, or shall be destroyed or lost, and so proved to be to the Satisfaction of the Directors of the Company, a new Certificate or Instrument may be made out, and the Common Seal of the Company affixed thereto, on Payment to the Clerk of the Company of Five Shillings for his Trouble therein.

XLVI. And be it enacted, That the said Directors shall have Power from Time to Time to make such Call or Calls for Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expenses of or to carry on the same, as they from Time to Time shall find wanting or necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds for every One hundred Pounds at any One Time, and so in proportion for every Share 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 Months at the least from each other; and every Owner and Owners of any Share or Shares in the said Undertaking shall pay his, her, or their rateable Proportion of the Monies to be called for as aforesaid to such Person or Persons and at such Time and Place as the said Directors 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 Capital of the said Company so called for as aforesaid at the Time and Place appointed by such Directors, or within Thirty Days next ensuing, he, she, or they so neglecting or refusing shall forfeit and pay the Sum of Twenty Shillings for every Share which he, she, or they shall possess in the said Undertaking; and in case any Person or Persons shall neglect or refuse to pay his, her, or their rateable Calls as aforesaid for the Space of Six Calendar Months next after the Time so appointed for Payment thereof, then and in every such Case he, she, or they shall be sued for Recovery of the said Call or Calls, or otherwise, at the Option of the said Company, shall forfeit his, her, or their respective Share and Shares in the said Undertaking, and all the Benefit and Profits thereof; all which Shares so forfeited shall be vested in the said Company in Trust for and for the Benefit of all the rest of the said Proprietors in proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of the said General or Special Meetings, be publicly 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 Penalty or Forfeiture of any Share or Shares in the said Undertaking shall be or be deemed to be incurred save and except Notice of such Call or Calls in Writing, signed by the Clerk or Clerks of the said Company, shall have been given to or left at the Place or Places or at the usual

Calls of Money from Proprietors to be made by Directors

51 G

[Loc. & Per.]

51 G

Place

Place or Places of Abodes of the Owner or Owners of such Share or Shares respectively; and the same Penalty or Penalties, Share or Shares, shall likewise be declared to be incurred or forfeited at the next General or Special Meeting of the said Company after such Notice given.

Executors to pay Calls.

XLVII. And be it further enacted, That the Executors or Administrators of any Owner or Owners of any Share or Shares in the said Undertaking, who shall 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, and also the Trustee or Trustees, Committee or Committees of any Lunatic or Lunatics, Guardian or Guardians of any Infant or Infants, who shall or may become entitled to any Share or Shares in the said Undertaking, shall be indemnified against all and every Person and Persons whomsoever for or on account of his, her, or their having paid any Sum or Sums of Money called for as aforesaid to complete every such Subscription; and in case such deceased Owner or Owners shall not have left Assets sufficient, or the Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians, shall refuse or neglect to answer such several Calls, it shall and may be lawful to and for the Directors of the said Company to admit any other Person or Persons to be a 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, Committee or Committees of any Lunatic or Lunatics, or to the Guardian or Guardians of any Infant or Infants, or to any other Person or Persons who may be entitled to his, her, or their Effects, the full Sum and Sums of Money which shall have been paid by such Owner or Owners 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; in case no Person or Persons shall be found who is or are willing to be admitted on such Conditions as aforesaid for the Space of Three Months, to be computed from the Death of such Owner or Owners, or from the Time such Lunatic or Lunatics, Infant or Infants, shall become entitled to any Share or Shares in the said Undertaking, then and in such Case such Share or Shares shall be forfeited to and become vested in the rest of the Proprietors of the said Company for their proper Use and Benefit, in proportion to their respective Interests in the said Undertaking, 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.

indemnified

Money called for to be paid before any Shares are sold.

XLVIII. And be it further enacted, That after any Call of such Money shall have been made as aforesaid no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, on pain of forfeiting his, her, or their respective Shares therein to the said Company, 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 the whole and entire Sum of Money which shall have been called for on each Share so sold or transferred, such Forfeiture nevertheless to be notified and declared in such Manner as Forfeitures of Shares in other Cases are herein directed to be notified and declared.

XLIX. And

**XLIX.** And be it enacted, That in any Action which may be brought against the Subscriber or Subscribers to or Owner or Owners of any Share in the said Capital, to recover any Sum or Sums of Money due by reason of any Call or Calls, or by reason of Forfeiture for Non-payment thereof in due Time, it shall be sufficient for the said Company to declare or allege that the Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares in the Capital Stock of the said Company, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount unto upon such or so many Share or Shares belonging to the Defendant or Defendants, as the Case may happen to be, and that he or they made default of Payment in due Time, whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants, at the Time of making such Call or Calls, was or were a Proprietor or Proprietors of the Share or Shares in respect of which such Call or Calls were made by the Production of the Entry of such Subscription, or of the Entry of the Assignment or Transfer aforesaid, and that such Call or Calls were made or resolved upon without proving any other Matter, and the said Company shall thereupon be entitled to recover what shall appear due, together with the Amount of every Forfeiture in respect to the Sum so due.

Mode of Proceedings in Actions for Recovery of Calls.

of the same as called for

**L.** And be it further enacted, That the respective Persons who have subscribed or who shall hereafter subscribe or advance any Money for or towards establishing and supporting the said Ferry, Roads, and other Works to be established, supported, or made by virtue of this Act, 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 Directors of the said Company 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 Directors; 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 are hereby empowered to sue for and recover the same in any Court of Law or Equity.

Subscribers compelled to pay their Subscriptions.

**LII.** And be it further enacted, That after having raised the full Capital of Twelve thousand Pounds, it shall be lawful for the said Company from Time to Time to borrow and take up at Interest such Sum or Sums of Money as they may find necessary, either by way of Mortgage on the Credit of the said Ferry and the Tolls thereof, and other the Estate and Revenues of the said Company, or by granting Annuities to be payable out of the said Tolls and other the Estate and Revenues of the said Company on any of them, during the natural Life or Lives of the Purchaser or Purchasers thereof, or of such Person or Persons as shall be nominated by and on the Behalf of such Purchaser or Purchasers, which Annuity shall be granted and made payable either with or without Benefit of Survivorship, and in such Manner as the said Company shall think proper, and shall not be subject to Enrolment, or to the Rules and Regulations in any Act of Parliament passed for enrolling Memorials of Annuities in the High Court of Chancery or elsewhere; and the said Company are hereby fully authorized and empowered under their Common Seal to grant or assign over the said

Power to borrow Money on Mortgage or Annuities.

shall be void if not paid

by A. XLIX

Ferry,

Ferry, and the Tolls thereof, and other the Lands, Tenements, Hereditaments, and Revenues of the said Company, or any Part or Parts thereof, as a Security for any Sum or Sums of Money so to be borrowed, with Interest for the same, or for the due and regular Payment of the said Annuity or Annuities so to be granted, as to them shall seem meet.

Form of Mortgage.

LII. And be it further enacted, That every such Grant or Assignment so to be given as a Security for any such Sum or Sums of Money so to be borrowed by way of Mortgage shall and may be made in the Words following, or in any other Words to the like Effect; that is to say,

BY virtue of an Act made and passed in the Fifty-first Year of the Reign of His Majesty King George the Third, intituled [here set forth the Title of this Act], we, the Woolwich Ferry Company, incorporated by and under the said Act, in consideration of the Sum of \_\_\_\_\_ to us lent and advanced by A. B. of \_\_\_\_\_ do grant and convey unto the said A. B., his [or her] Executors, Administrators, and Assigns, the said Ferry and the Toll House or Toll Houses thereunto belonging, and all and singular the Tolls arising by virtue of the said Act, and all our Right, Title, and Interest of, in, and to the same [and if any other Property of the said Company shall be mortgaged then insert], and also of and in all, &c. [describing the Property], to hold unto the said A. B., his [or her] Executors, Administrators, and Assigns, subject to and until the Payment to him, her, or them of the said Sum of \_\_\_\_\_ together with Interest for the same after the Rate of \_\_\_\_\_ per Centum per Annum. Given under our Common Seal this \_\_\_\_\_ Day of \_\_\_\_\_ in the \_\_\_\_\_ Year of our Lord

Vertical text on the left margin, possibly bleed-through or a separate column of text.

Mortgagees entitled to Security without Preference.

And all and every Person and Persons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, to whom such Grant or Conveyance shall be made, shall be equally entitled to the respective Proportions of the said Tolls and Revenues of the said Company according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment thereof, with the Interest, without any Preference by reason of Priority of any Grant or Conveyance, or on any other Account whatsoever.

Form of the Grant of Annuity.

LIII. And be it further enacted, That every Grant of any such Annuity to be made as herein-before mentioned shall and may be made in the Words or to the Effect following; that is to say,

BY virtue of an Act made and passed in the Fifty-first Year of the Reign of His Majesty King George the Third, intituled [here set forth the Title of this Act], we, the Woolwich Ferry Company, incorporated by and under the said Act, in consideration of the Sum of \_\_\_\_\_ to us paid by A. B. of \_\_\_\_\_ do grant unto the said A. B. \_\_\_\_\_ Executors, Administrators, and Assigns, out of the Tolls and Duties of the said Ferry and other the Revenues of the said Company, One Annuity or yearly Sum of \_\_\_\_\_ to be paid and payable to the said A. B. \_\_\_\_\_ Executors, Administrators, or Assigns, for and during the natural Life or Lives (if on more than One Life), and the Life of the Survivor

Bottom section of the text, possibly a signature or date line.



Survivor of them (as the Case may be), and a proportionate Part of the said Annuity up to the Day of the Decease of the said ... of them (as the Case may be). Given under our Common Seal this Day of ... in the Year of our Lord

And every such Grant shall entitle the Purchaser or Purchasers of every such Annuity to the Payment thereof, and to all Benefit and Advantage thereto accruing, according to the Purport, true Intent, and Meaning of this Act.

LIV. And be it enacted, That a Transcript or Copy of every such Grant or Conveyance, or an Entry or Memorial thereof, containing the Dates, Names of the Parties, and Sums of Money paid, shall be made in a Book or Books to be kept for that Purpose by the Clerk or Clerks of the said Company, which Book or Books shall and may be perused at all seasonable Times by any of the Proprietors or Creditors of the said Undertaking, without Fee or Reward.

Entries of Mortgages and Annuities to be made in the Company's Books.

LIV. And be it further enacted, That all and every Person and Persons, Body or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, to whom any such Grant or Conveyance shall be made as aforesaid, may from Time to Time, personally or by Attorney thereunto duly authorized, transfer such Grant or Conveyance to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole whatsoever, by Indorsement thereon; which Transfer shall be made in the Words or to the Effect following, and signed in the Presence of One credible Witness, who shall subscribe his Name and Place of Abode thereto; that is to say,

Mortgages and Annuities transferable by Indorsement.

I [or We] do hereby transfer the within Security, and all my [or our] Right, Title, and Interest in and to the same, and all Benefit and Advantage to arise therefrom, unto ... Executors, Administrators, and Assigns. Witness my Hand [or our Hands] this Day of ... in the Year of our Lord ... Signed in the Presence of

as before

And every Transferree or Transferrees, Assignee or Assignees, may transfer the same Annuity or Mortgage again, and so toties quoties, and every Transfer shall within Thirty Days after the Date thereof be produced and left with the said Clerk or Clerks, who shall within Seven Days then next cause a Transcript or Copy thereof, or an Entry or Memorial containing the Date, Names of the Parties, and Sums therein transferred, to be made or entered in the said Book or Books to be kept for entering the original Grant or Conveyance, or in some other Book or Books to be kept for the Entries of such Transfers; and after such Entry made, but not till then, every Person or Persons to whom such Transfer shall be made, his, her, or their Executors, Administrators, and Assigns, shall be entitled to the Benefit of such Grant or Conveyance, and the future Payments thereon, and to all Benefit and Advantage therefrom arising; and for the Entry of every such Transfer the said Clerk or Clerks shall be paid by the Party to whom such Transfer shall be made the Sum of Five Shillings and no more.

Entries of Transfers to be made in Company's Books.

Interest and Annuities to be paid half-yearly.

LVI. And be it further enacted, That the Interest of the Money which shall be so borrowed on Mortgage as aforesaid, and the several Annuities so to be granted as aforesaid, shall, from the Time the respective Principal Money so to be lent or paid shall have been advanced, be paid half-yearly to the several Parties entitled thereto in preference to any Dividends or Distribution to the Proprietors of the said Company or any of them, or otherwise be duly provided for and set apart before such Dividend or Distribution shall be made or declared.

Passengers to pay the following Tolls

LVII. And be it further enacted, That the said Company shall and may and they are hereby authorized and empowered to demand, receive, and take, or cause to be demanded, received, and taken, before any Person, Horse, or other Animal hereafter specified, or any Carriage, Goods, or Merchandize, shall be permitted to pass or be conveyed over the said River in any Boat or Vessel of or belonging to the said Ferry, the several and respective Sums following; that is to say,

- For every Foot Passenger, the Sum of Two-pence :
  - For every Horse or Mule, whether ridden or unriden, and not drawing, the Sum of One Shilling :
  - For every Horse or Mule laden, and not drawing, the Sum of One Shilling and Sixpence :
  - For every Ass, the Sum of Sixpence :
  - For every Two Wheel Chaise, or other Carriage of the like Nature, drawn by One Horse or Mule, and for the Horse or Mule, the Sum of Five Shillings :
  - For every other Horse or Mule drawing such Carriage, the Sum of Sixpence :
  - For every Coach, Chariot, or other Carriage of the like Nature, drawn by Two Horses or Mules, and for the said Horses or Mules, the Sum of Ten Shillings, and if drawn by Three Horses, the Sum of Ten Shillings and Sixpence :
  - For every Hearse, Coach, Chariot, or other Carriage of the like Nature, drawn by Four Horses or Mules, and for the said Horses or Mules, the Sum of Eleven Shillings; and for every other Horse drawing such Carriage, the Sum of Sixpence :
  - For every Cart drawn by One Horse or Mule, or by Two Horses or Mules, and for the Beast or Beasts, the Sum of Five Shillings; and for every other Horse or Mule drawing such Cart, the Sum of Sixpence :
  - For every Wain or Waggon drawn by Three or Four Horses or Mules, and for the Beasts, the Sum of Ten Shillings :
  - For every Bull, Ox, or Cow, the Sum of One Shilling :
  - For every Calf, the Sum of Four-pence :
  - For every Hog, the Sum of Two-pence :
  - For every Sheep, the Sum of One Penny Halfpenny :
  - For every Hogshead of Beer or other Liquor, the Sum of Sixpence :
  - For every Ton of Goods, Wares, Coals, Stones, Lime, or any Kind of Merchandize, the Sum of Sixpence :
  - For every Bag of Corn or Grain, the Sum of Three-pence :
- And for every Person, Animal, or other Thing, except Carriages and Horses drawing the same, in respect whereof any Toll is hereby made payable, who or which shall pass or be conveyed over on a Sunday, Double the Sum herein-before specified or expressed.

And

to each of the several Parties entitled thereto in preference to any Dividends or Distribution to the Proprietors of the said Company or any of them, or otherwise be duly provided for and set apart before such Dividend or Distribution shall be made or declared.

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stioT lioatnT

securoH lioT

pass

And which said respective Tolls shall be and are hereby vested in the said Company for the Purposes of this Act, and it shall be lawful for the respective Collectors, Toll Gatherers, or Gate Keepers to be appointed by the said Company or the Directors thereof, or by their Lessee or Lessees, to demand, collect, and receive the Tolls hereby granted and made payable, and also to levy the same by Distress of the Horse, Beast, or other Cattle, or the Saddles, Harness, or Accoutrements thereof, or of the Carriage of any Person liable to pay the same, who shall, after Demand thereof made, neglect or refuse to pay such Tolls as aforesaid, or to deny or hinder any Passage over the said Ferry until Payment thereof, and in case of such Distress to detain and keep the Cattle or other Things as aforesaid so distrained until such Tolls, with the reasonable Charges of such Distress, and the detaining and keeping the same shall be paid; and in default of Payment it shall be lawful for the Person or Persons so distraining, after the Space of Five Days from the making of such Distress, to sell the Cattle or other Things so distrained, returning the Overplus (if any be), upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid.

How to be collected.

LVIII. Provided always, and be it enacted, That if any Dispute shall happen about the Quantity of the Tolls due, or the Charges of distraining, keeping, and selling any Distress, it shall and may be lawful to and for the Collector or Person distraining to detain the Distress, or the Money arising from the Sale thereof, until the Quantity of the Tolls, or the Charges of distraining, keeping, and selling the Distress, as the Case may be, shall be ascertained by some Justice of the Peace for the said County of Kent or County of Essex, as the Case may be, who, upon Application made to him for that Purpose, shall examine the Matter by Oath of the Parties or other Witness or Witnesses, and shall determine the Quantity of Tolls due, and shall also assess the Charges of such Distress and Sale, and all other reasonable Costs, all which Sum or Sums so determined or assessed shall be paid to the Collector before he shall be obliged to return the said Distress, or the Overplus after Sale thereof or of any Part thereof.

In case of Dispute concerning Tolls and Charges, the Matter to be settled by a Justice.

LIX. And be it further enacted, That it shall and may be lawful for the said Company from Time to Time at any General Meeting to lessen or reduce any of the Tolls hereby granted for such Time as they shall think proper, and to raise or restore again the Tolls so lessened or reduced, or any Part thereof, so that the same do never exceed the Tolls hereby granted; and the Tolls so lessened or reduced or raised again shall be collected and recovered in the same Manner as the Tolls hereby granted are directed to be collected or recovered.

Tolls may be reduced.

LX. And be it enacted, That a Table of the Tolls to be taken and collected by virtue of this Act shall be put and continued at each and every Gate erected on the said Roads or Ways.

Table of Tolls to be put up at Turnpikes.

LXI. And be it further enacted, That the Directors of the said Company shall and may erect or cause to be erected such Toll House or Toll Houses adjoining or near to the said Ferry, for the Purpose of more

Toll Houses to be erected.

easy

easy collecting the Tolls hereby made payable, as the Directors of the said Company shall from Time to Time appoint.

The Tolls  
may be let on  
Lease.

LXII. And be it further enacted, That it shall and may be lawful for the said Company, according to such Method as they shall think proper, to let to farm or demise all and every the said Tolls for any Term or Terms of Years not exceeding Three Years, for such Rent or Rents, and under such Covenants, Conditions, and Agreements, as the said Company shall think fit; and on the Execution of every such Demise or Lease the Lessee of such Tolls shall have the Power of appointing any Collector or Toll Gatherer, and be entitled to the Share or Proportion of any and every Penalty for evading the Toll hereby made payable to the said Company.

Collectors to  
affix their  
Name on Toll  
Gates.

LXIII. And be it further enacted, That all and every the Toll Collectors or Toll Gatherers so to be appointed by virtue of this Act shall place or cause to be placed on some conspicuous Part of the Fronts of the Toll Houses at which he or they shall be respectively stationed, and so that the same shall appear to public View, his and their Christian and Surnames, painted in Black on a Board with a White Ground, in large and legible Characters, each Letter whereof shall be Two Inches in Length at least and of a proportionable Breadth, and that such Board shall be and remain at such Toll House or Toll Gate during the whole of the Time the Person whose Name shall be expressed thereon shall be on Duty thereat; and if such Board shall not be put up and remain in manner aforesaid the Collector or Toll Gatherer neglecting to comply with the Directions above mentioned shall for every Offence forfeit and pay the Sum of Ten Shillings to the Person who shall make Information thereof.

Ferry, not to  
ply before or  
after certain  
Hours.

LXIV. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to compel, subject, or oblige the said Company or their Ferrymen to carry or convey over or across the said River any Persons, Carriages, Horses, Goods, or Merchandize whatsoever before the Hour of Four of the Clock in the Morning or after the Hour of Ten of the Clock in the Evening between the Twenty-fourth Day of *March* and the Twenty-ninth Day of *September* in every Year, or before the Hour of Six of the Clock in the Morning or after the Hour of Eight of the Clock in the Evening between the Twenty-eighth Day of *September* and the Twenty-fifth Day of *March* in every Year, nor at any such Times as by reason of Ice or tempestuous Winds or other Impediment it shall be dangerous so to do.

Penalty for  
defrauding  
the Ferry.

LXV. And be it further enacted, That if any Person or Persons, without the Authority, Licence, or Permission of the said Company, shall, for Hire or Reward, or otherwise than for his, her, or their own Use, after the Hour of Four of the Clock in the Morning and before the Hour of Ten of the Clock in the Evening between the Twenty-fourth Day of *March* and the Twenty-ninth Day of *September* next following, or after the Hour of Six of the Clock in the Morning and before the Hour of Eight of the Clock in the Evening between the Twenty-eighth Day of *September* and the Twenty-fifth Day of *March* following, carry or convey over the said River any Person or Persons, Carriage, Horse, or other Animal herein-  
before

before specified, within Half a Mile of the said Ferry, or shall permit his, her, or their Boat or Boats to be used for that Purpose, whereby the Payment of any Toll, Rate, or Duty hereby granted or limited shall be avoided (otherwise than as herein-before expressed), such Person or Persons respectively shall for every such Carriage, Animal, or Person as he or they shall so carry or convey, or permit or suffer to be carried or conveyed, over the said River, (being of such his, her, or their Offence convicted before any One or more of the Justices of the Peace for either of the said Counties of *Kent* or *Essex* by the Oath of One or more credible Witness or Witnesses,) forfeit and pay the Sum of Forty Shillings.

LXVI. Provided nevertheless, and be it further enacted, That nothing herein contained shall extend, or be construed, deemed, or taken to extend, to prevent, hinder, or interrupt the free Passage of the Military and Civil Officers of His Majesty's Ordnance and Dock Yard at *Woolwich*, or of the Servants or others in their Company, or of any Persons employed by or in the actual Service of the said Ordnance and Dock Yard respectively, or of the said Military and Civil Officers, at all Times in any Boats or Vessels belonging to or appropriated to the Use of the same Officers respectively, or the free Conveyance of any Cattle, Carriages, Stores, Goods, or Merchandize for the Use of the Office of Ordnance, or of His Majesty's Royal Army or Navy, or otherwise for His Majesty's Service, or the Persons attending the same, from and to any Part of the said several Parishes of *Woolwich* and *West Ham*, other than and except the Landing Places of the said Ferry.

Exception in favour of the Office of Ordnance.

LXVII. Provided also, and be it further enacted, That in case at any Time hereafter the Ferry called the *Military Ferry*, heretofore established by and now under the Directions of His Majesty's Ordnance from the Royal Arsenal in the said Parish of *Woolwich* to the opposite Shore at *West Ham* aforesaid, shall at any Time hereafter be discontinued, and that it shall be found necessary or convenient for His Majesty's Service that a Party or Parties of Men, with or without Military or Naval Stores, should be sent to or from the Parish of *Woolwich* aforesaid and the Parish of *West Ham* aforesaid, then it shall and may be lawful to and for such Party or Parties of Men, and such Military or Naval Stores as aforesaid, at all Times from and after such Discontinuance as aforesaid freely to pass, repass, and be conveyed in the Boats and Vessels of the said Ferry hereby established or intended so to be, and to use the Roads and Approaches to and from the same Ferry, upon Payment of One Half only of the Tolls hereby granted.

In case Military Ferry shall be discontinued, Men and Stores to be conveyed by Company.

LXVIII. And be it further enacted, That no Person or Persons shall wilfully obstruct, impede, prejudice, hinder, or delay the said Ferry or the Business thereof at the Landing Places of the said Ferry or either of them, or, without the Consent of the said Company, land or ship off any Goods or Commodities whatsoever thereat, or ply there, or fasten any Boat or Craft of any Sort thereat respectively, upon pain that every or any Person who shall wilfully offend in the Premises shall for every such Offence (being thereof convicted before any Justice or Justices of the Peace of the County in which the Offence shall be committed by the Oath of One or more credible Witness or Witnesses) forfeit the Sum of Five Pounds.

Persons not to obstruct the Ferry.

No Person liable to Damages for landing at other than the regular Landing Places.

LXIX. Provided always, and be it further enacted, That in case any Boat or Vessel of or belonging to the said Ferry shall by Stress of Weather or otherwise be forced to land or put on Shore any Passengers, Horses, Cattle, or Carriages in any Part of the said Parishes of Woolwich or West Ham, not being one of the regular Landing Places of the said Ferry, no Person or Persons shall be liable to any Action for or on account of the Trespass or Damage done by such Landing, provided that in case of actual Damage Tender of sufficient Amends be made to the Party or Parties sustaining the same before the Commencement of such Action.

Power for lighting Ferry and Roads.

LXX. And be it further enacted, That the Directors of the said Company shall have full Power and Authority to cause such and so many Lamps to be erected adjoining to or upon the said Ferry and Roads, or any of them or any Part thereof, as they shall think proper and to fix any of such Lamps and the Posts and Irons thereof, in, upon, or against the Walls of any Houses or other Buildings, or in, upon, or against such other Places, and to be altered, taken down, or removed in such Manner as to them shall seem fit, and to cause such Lamps or any of them to be lighted up at such Seasons of the Year, in such Evenings, and in such Hours of the Evening, and to be kept burning for so many Hours, as to them shall seem necessary and proper; and if any Person or Persons shall wilfully break, throw down, or otherwise damage any of the said Lamps which shall be so erected by the said Company, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps when lighted, it shall be lawful for any One or more Justice or Justices of the Peace, or other Magistrate of the County, City, or Place wherein such Person or Persons shall reside or be, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence by any One or more credible Witness or Witnesses, to issue any Warrant or Warrants for apprehending the Party accused; or it shall be lawful for any Person or Persons whomsoever who shall see such Offence committed to apprehend, as also for any other Person or Persons to assist in apprehending, such Offender or Offenders, and by Authority of this Act and without any other Warrant to convey him, her, or them before such Justice of the Peace, or to deliver him, her, or them into the Custody of a Peace Officer in order to be secured and conveyed before such Justice of the Peace, to be dealt with as herein-after is directed; and the Party or Parties accused being brought before any such Justice, it shall be lawful for such Justice, either by the Confession of the Party or Parties, or on Proof of the Offence by the Oath of One or more credible Witness or Witnesses, to convict such Offender or Offenders, who shall thereupon respectively forfeit any Sum not exceeding Twenty Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid, and full Satisfaction shall be made to the said Company by such Offender or Offenders for the Damages so by him, her, or them done as aforesaid, with the Charges of repairing the same, and which shall be ascertained by such Justice of the Peace; and in case such Offender or Offenders shall not upon Conviction pay such Forfeiture and make such Satisfaction as aforesaid, such Justice of the Peace is hereby required to commit him, her, or them to the House of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Forfeiture and Satisfaction shall be sooner paid, and one Moiety of the said respective Forfeitures, when recovered, shall be paid to the Informer

Persons wilfully breaking Lamps subject to Forfeiture.

Persons wilfully breaking Lamps subject to Forfeiture.

LXX. And be it further enacted, That the Directors of the said Company shall have full Power and Authority to cause such and so many Lamps to be erected adjoining to or upon the said Ferry and Roads, or any of them or any Part thereof, as they shall think proper and to fix any of such Lamps and the Posts and Irons thereof, in, upon, or against the Walls of any Houses or other Buildings, or in, upon, or against such other Places, and to be altered, taken down, or removed in such Manner as to them shall seem fit, and to cause such Lamps or any of them to be lighted up at such Seasons of the Year, in such Evenings, and in such Hours of the Evening, and to be kept burning for so many Hours, as to them shall seem necessary and proper; and if any Person or Persons shall wilfully break, throw down, or otherwise damage any of the said Lamps which shall be so erected by the said Company, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps when lighted, it shall be lawful for any One or more Justice or Justices of the Peace, or other Magistrate of the County, City, or Place wherein such Person or Persons shall reside or be, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence by any One or more credible Witness or Witnesses, to issue any Warrant or Warrants for apprehending the Party accused; or it shall be lawful for any Person or Persons whomsoever who shall see such Offence committed to apprehend, as also for any other Person or Persons to assist in apprehending, such Offender or Offenders, and by Authority of this Act and without any other Warrant to convey him, her, or them before such Justice of the Peace, or to deliver him, her, or them into the Custody of a Peace Officer in order to be secured and conveyed before such Justice of the Peace, to be dealt with as herein-after is directed; and the Party or Parties accused being brought before any such Justice, it shall be lawful for such Justice, either by the Confession of the Party or Parties, or on Proof of the Offence by the Oath of One or more credible Witness or Witnesses, to convict such Offender or Offenders, who shall thereupon respectively forfeit any Sum not exceeding Twenty Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid, and full Satisfaction shall be made to the said Company by such Offender or Offenders for the Damages so by him, her, or them done as aforesaid, with the Charges of repairing the same, and which shall be ascertained by such Justice of the Peace; and in case such Offender or Offenders shall not upon Conviction pay such Forfeiture and make such Satisfaction as aforesaid, such Justice of the Peace is hereby required to commit him, her, or them to the House of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Forfeiture and Satisfaction shall be sooner paid, and one Moiety of the said respective Forfeitures, when recovered, shall be paid to the Informer

or Informers, and the other Moiety shall be applied for the Purposes of this Act; and if any Person shall accidentally break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not make a Satisfaction to the said Company, upon Demand by the Clerk, Treasurer, or Surveyor thereof, for the Damage, it shall be lawful for any Justice of the Peace, or other Magistrate of the County, City, or Place wherein such Person shall reside or be, and such Justice or Magistrate is hereby required, upon Complaint to be made by the said Company, or by the Clerk, Treasurer, Surveyor, or other Officer thereof, to summon the Party complained of, and upon his or her Appearance, or making default to appear, without some reasonable or sufficient Excuse, Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or Place of Abode, if known, or that he or she could not be found, such Justice or Magistrate shall proceed to examine the Matter complained of, and upon Proof thereof either by the Confession of the Party complained of or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of for the Damage so by him or her done, together with such Costs as the said Company shall have incurred, and as to the said Justice or Magistrate shall appear just and reasonable, and shall cause the Sum so awarded (in case the same be not paid upon the making of such Award or Order), together with such Costs, to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering to him or her the Overplus (if any be), upon Demand, after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted; and in case sufficient Distress cannot be found such Justice or Magistrate, or any other Justice or Magistrate, shall commit the Party complained of to the Common Gaol or House of Correction for the County, City, or Place aforesaid, until he or she shall pay the Sum and Costs so awarded, for any Time not exceeding the Space of Three Calendar Months.

Persons accidentally breaking Lamps to pay the Damage.

not lawful

Persons willfully breaking Lamps to pay the Damage.

LXXI. And be it further enacted, That the Directors of the said Company are hereby empowered from Time to Time, if they see Occasion, to appoint such a Number of fit and able-bodied Men as they shall think proper, to be armed and clothed in such Manner as the said Directors shall direct, to be employed as Watchmen, Guards, or Patroles, either on Foot or on Horseback, upon any of the said Roads, and to appoint any Person or Persons to be Superintendent or Superintendents thereof, and from Time to Time to remove any of the said Superintendents, Watchmen, Guards, or Patroles, and to appoint others in their Room, and from Time to Time to make such Rules, Orders, and Regulations for the better governing the Superintendents, Watchmen, Guards, or Patroles, and for the watching and guarding the said Roads, as the said Directors shall think proper.

Guarding and watching the Ferry and Roads.

LXXII. And be it further enacted, That the Superintendents, Watchmen, Guards, and Patroles shall use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, Disturbances, Breaches of the Peace, and all Outrages, Misdemeanors, and Disorders on the said Roads, or near or adjoining thereto, and to that End are hereby jointly and severally empowered and required, without further Warrant, to arrest, apprehend, and detain in the Watch-house of either of the said Parishes of Woolwich or

Duty of Patroles and Watchmen.

West

*West Ham*, or in any other Watch-house or convenient Place (whether provided or appointed by the said Company or otherwise), all Malefactors, Rogues, Vagabonds, and other disorderly and suspicious Persons who shall be found committing any Disorder or Offence, or loitering, wandering, or misbehaving themselves, or whom the said Superintendents, Watchmen, Guards, or Patroles shall have just Cause or Reason to suspect of any evil Design, and the Person or Persons so apprehended to convey as soon as conveniently may be before One or more of His Majesty's Justices of the Peace acting in and for the County of *Kent* or County of *Essex*, as the Case may be, to be examined and dealt with according to Law.

Ferry vested  
in the Com-  
pany.

LXXIII. And be it further enacted, That the said Ferry and Ferry Boats, and the Toll House or Toll Houses, and all other Buildings, Stairs, Causeways, or Conveniences to be erected by the said Company, and all Materials which shall from Time to Time be gotten or provided for building, making, maintaining, repairing, and using the same, and all Lands, Tenements, and Hereditaments so to be purchased by the said Company, and all Roads to be made, widened, repaired, or amended in pursuance of this Act, shall at all Times be vested in the said Company, their Successors or Assigns, and they are hereby authorized and empowered to bring any Action or Actions, and to prefer any Bill or Bills of Indictment, against any Person or Persons who shall cut, damage, deface, or injure, or cause to be cut, damaged, defaced, or injured, the same or any of them, or any Part of any of them, or who shall injure or destroy the said Houses, Roads, and other the Works hereby authorized to be done and performed whilst doing, or impede the doing thereof, or who shall steal, purloin, or wrongfully take away Stones, Lead, Iron, Wood, Bricks, Gravel, or other Materials, Machines, Engines, or Utensils provided or to be provided from Time to Time, or used or intended to be used for the said Ferry, Houses, Roads, or other the Purposes of this Act, or which shall belong to the said Company.

No Annoy-  
ance to be  
made on the  
Ferry or  
Roads.

LXXIV. And be it further enacted, That if any Person or Persons shall wilfully or negligently injure, destroy, break down, or otherwise damage, or shall ride on or drive or lead any Horse, Beast, Cattle, or Carriage over or upon, any Footpath or Causeway made or to be made on the Side or Sides of any of the Roads or Ways to be made by virtue of this Act; or if any Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Footpaths or Causeways; or shall scrape off any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Roads or Ways, without the Consent of the Directors of the said Company; or shall place or lay any Ashes, except in Time of Frost, Rubbish, Dung, Soil, or other Filth or Annoyance, or cause or permit any Water to run or flow from any Pipe or Pipes placed or to be placed under the said Roads or Ways, save and except in case of Frost or Fire; or leave, place, or permit to remain any Coach, Chariot, Waggon, Cart, or other Carriage, laden or unladen, without any Horse or Beast harnessed or yoked to the same, (except on account of some Accident having happened thereto, and then only until the same can conveniently be removed or repaired,) or any Waggon, Wain, Cart, or other Carriage with any Horse or Beast harnessed or yoked thereto, unless to load or unload, and then no longer than is necessary

necessary



necessary for that Purpose, or put or place any Dung, Cask, Tub, Block, Water Trough, Timber, Bricks, Mortar, Lime, or any Materials for building, or any Goods or Wares whatsoever, or shoe Horses, or make any Fires called Bonfires upon any Part of the said Roads by this Act authorized to be made, repaired, widened, or altered, or the Footpaths thereof or adjoining thereto, every such Person or Persons, being convicted of the Matters aforesaid, or any of them, upon the Oath of One or more credible Witness or Witnesses before any One or more Justice or Justices of the Peace for the County of *Kent* or County of *Essex*, as the Case may be, which Oath the said Justice or Justices is and are hereby empowered and required to administer, or by his, her, or their own Confession before the said Justice or Justices, within One Month next after such Offence shall have been committed, shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence.

LXXV. Provided always, and be it further enacted, That it shall and may be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, on any Part of the said Roads, any Inclosure, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, or depositing Bricks, Lime, or other Materials for Buildings, or repairing any Houses, Buildings, or other Works, or to place any Water Trough thereon or near thereto, every such Person or Persons having first obtained Leave from the said Company for the Purposes respectively; and the same may be continued for so long Time as the said Company shall think fit, but no longer.

Hoads may be erected by Leave of the Company.

LXXVI. And be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors, or other Person or Persons acting by or under the Authority of the said Company, and to and for any Person or Persons whom he or they shall appoint, by Order of the said Company, to cut or make any Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part of the said Roads, in such Manner as such Surveyor or Surveyors shall deem and judge necessary and proper for amending or keeping in repair any Part of the said Roads, making such Satisfaction to the Owners and Occupiers of such Lands respectively through and into which any such Drain shall be cut, for the Damages which such Owners or Occupiers respectively shall or may thereby sustain, as shall be adjudged reasonable by the said Company; and in case any Difference shall arise between such Owners or Occupiers and the said Company of Proprietors touching the Amount of any Damages, then and in such Case the Amount of such Damages shall be settled by any One or more Justices of the Peace for the County of *Kent* or County of *Essex*, as the Case may be.

Power to cut Drains, &c.

LXXVII. And be it further enacted, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, (by the Direction of the said Company or of the Directors thereof,) from Time to Time to remove and prevent all Annoyances on any Part or Parts of the said Roads, by Rails, Steps, Sign Posts, or other Posts, or otherwise, or by any Matter or Thing herein-before mentioned, and to turn any Watercourses, Sinks, or Drains running into, along, or out of any Part of the said Roads, to the Prejudice thereof, and to make the same as large and deep as he or they shall

Surveyor to remove Annoyances.

[*Loc. & Per.*]

51 K

think

think proper, and to cleanse any Ditch or Watercourse next adjoining to any Part of the said Roads, in case the Person or Persons occasioning such Annoyance, or who ought to remove the same, or to cleanse such Ditch or Watercourse, shall refuse or neglect so to do for the Space of Five Days next after Notice in Writing given for that Purpose, signed by the said Surveyor or Surveyors, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by the Person or Persons refusing or neglecting as aforesaid; and in case any such Person shall not, upon Demand, pay and reimburse to such Surveyor or Surveyors such Charges as aforesaid, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of such Person, in like Manner as is herein authorized or directed for the Recovery of any Penalty inflicted by this Act; and if after the Removal of any of the said Annoyances any Person shall offend in like Manner, every Person shall for every such Offence, over and above such Charges as aforesaid, forfeit and pay any Sum not exceeding Forty Shillings, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Manner of recovering Penalties and Forfeitures.

LXXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly mentioned, shall, upon Proof of the Offence and Conviction of the Offenders respectively, by or before One or more of His Majesty's Justices of the Peace or Magistrate for the County, City, or Place wherein the Offence shall be committed or the Party shall reside, either by the Confession or Confessions of the Party or Parties, or by the Oath or Oaths of One or more credible Witness or Witnesses, which Oath such Justice or Magistrate is hereby required to administer, be levied and recovered by Distress and Sale of the Goods and Chattels of the respective Parties offending, by Warrant under the Hand and Seal of such Justice or Magistrate; and the Overplus (after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are recovered and deducted,) shall be returned, upon Demand, to the Owner of such Goods and Chattels; and one Moiety of all such Penalties and Forfeitures, when so levied and recovered, shall, if not herein-before directed to be otherwise applied, from Time to Time be paid to the Informer or Informers, and the other Moiety to the Clerk to the said Company, to be applied for the Purposes of this Act; and in case sufficient Distress cannot be found, it shall be lawful for any such Justice or Magistrate, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offenders respectively to be committed to the Common Gaol for such County, City, or Place, there to remain without Bail or Mainprize for such Time as such Justice or Magistrate shall direct, not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Prosecution, shall be sooner paid and satisfied.

Mode of recovering Penalties where sufficient Distress cannot be found in the Places of Conviction.

LXXIX. And be it further enacted, That where any Penalties and Forfeitures are by this Act directed to be levied by Warrant of Distress, and sufficient Distress cannot be found within the County, City, or Place wherein the Party shall be convicted, then, upon Oath made before any Justice of the Peace or Magistrate of any other County, City, or Place where sufficient Distress can be found, of the Handwriting of such Justice

Justice or Magistrate issuing such Warrant, and set thereto, the Goods and Chattels of the Person or Persons against whom such Warrant shall be issued shall be subject and liable to such Distress in such other County, City, or Place where the same shall or may be found; and the said Penalties and Forfeitures may by virtue of such Warrant, on the Justice or Magistrate of such other County, City, or Place writing his Name on the Back thereof, be levied and recovered by Distress and Sale by the Person or Persons bringing such Warrant, or to whom such Warrant shall have been originally directed, in the same Manner as if such Goods and Chattels had been found in the County, City, or Place wherein the Offender had been convicted.

LXXX. And be it further enacted, That it may be lawful for any Justice of the Peace or Magistrate by whom any Conviction shall be pronounced or made, from Time to Time where he may see Cause, to mitigate, compound, or lessen any of the Penalties or Forfeitures aforesaid, so as such Mitigation or Composition doth not extend to remit above One Moiety of such Penalty or Forfeiture.

Penalties may be mitigated.

LXXXI. And be it further enacted, That all Justices of the Peace or Magistrates before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form, or to the like Effect; that is to say,

Form of Conviction received Penalties and Forfeitures

*Kent* (or other Place) to wit. } BE it remembered, That on the Day of in the Year of the Reign of His Majesty A. B. is convicted before me C. D., One of His Majesty's Justices of the Peace for the said County, (or before me C. D., stating the Name of any other Magistrate than a Justice of Peace), by virtue of an Act of Parliament made in the Fifty-first Year of the Reign of His Majesty King George the Third, intituled [here set forth the Title of this Act, and specify the Offence, and the Time and Place when and where the same was committed, as the same shall be]. Given under my Hand and Seal.

LXXXII. 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, or by any Order, Judgment, or Determination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, such Person or Persons may appeal to the Justices of the Peace or Magistrates at any Sessions of the Peace to be holden for the County or Place wherein the Cause shall arise within Four Calendar Months after such Cause of Appeal shall have arisen, first giving Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk to the said Company, or to the Body or Bodies Politic or Corporate, Person or Persons, to be appealed against, and within Four Days after such Notice entering into a Recognizance unto the said Company, or to the Body or Bodies Politic or Corporate, Person or Persons aforesaid, as the Case may require, before some Justice of the Peace or Magistrate of the County or Place wherein such Appeal shall be intended to be made, with Two sufficient Sureties, in a sufficient Penalty of not less than Forty Pounds, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by such Justices or Magistrates

Appeal to the Quarter Sessions.

to hold covering the same with the same penalty of bond and recognizance

Magistrates at such Sessions; and the Justices or Magistrates at such Sessions, upon due Proof of such Notice having been given, and of such Recognizance having been entered into as aforesaid, shall hear and finally determine the Causes and Matters of every such Appeal, and award such Costs to the Party appealed against as the said Justices or Magistrates shall think proper; and the Determination of the said Justices or Magistrates in their said Sessions shall be binding and conclusive to all Intents and Purposes.

Proceedings  
not to be  
quashed for  
Want of  
Form.

LXXXIII. And be it further enacted, That no Conviction, Order, Judgment, or other Proceeding touching or concerning any of the Matters or Things by this Act authorized or required shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding; and where any Distress shall be made, or any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor any of the Parties making the same be deemed Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall any of the Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by any of the Parties distraining, but the respective Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in any Action upon the Case; provided that no Plaintiff shall recover in any Action for such Irregularity if Tender of sufficient Amends to him or her hath been made by or on the Behalf of the Defendant or Defendants before such Action brought, or paid into Court, with a Submission of Payment of Costs, at or before the Time of pleading therein.

For securing  
transient Of-  
fenders.

LXXXIV. And whereas several Persons guilty of Offences against this Act may be transient People, unknown to the Collectors, Surveyors, or other Officers under this Act; be it therefore further enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence as aforesaid, and to convey him, her, or them before any One or more Justice or Justices of the Peace for the said County of *Kent* or County of *Essex*, as the Case may be, without any Warrant or other Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders, and on such Conviction to commit the Person or Persons so offending to the Common Gaol or House of Correction for the said County, for the Times herein directed for such Offences, unless the respective Penalty by him, her, or them incurred for such Offence or Offences shall be sooner paid.

Justices to  
administer  
Oaths and  
act, although  
Proprietors.

LXXXV. And be it further enacted, That in all Cases where Cognizance is given to any Justice or Magistrate, Justices or Magistrates, by this Act, it shall and may be lawful for such Justice or Magistrate, Justices or Magistrates, to administer an Oath or Affirmation to any Person for his or their more certain Information in the Matters then depending.

LXXXVI. And

LXXXVI. And be it further enacted, That all and every Person and Persons who shall wilfully and corruptly give false Evidence in any Examination to be taken by virtue of this Act, or where, in pursuance of this Act, any Oath or Affirmation is required to be taken, shall swear or affirm falsely, shall be subject to such Pains, Penalties, and Disqualifications as Persons guilty of wilful and corrupt Perjury are or for the Time being shall be subject or liable to by the Laws and Statutes of this Realm.

Punishment  
for giving  
false Evi-  
dence.

LXXXVII. And be it further enacted, That no Action or Suit shall be commenced against the said Company, or any Person or Persons, for any thing done in pursuance or under colour of this Act, until Fourteen Days Notice thereof shall be given in Writing to the Clerk to the said Company, or to the Person or Persons against whom such Action or Suit is intended to be brought, or after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried in such City or County where the Cause of Action shall arise, and not in any other Place; and the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action shall be so brought was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Fourteen Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or if, upon any Demurrer or Demurrers in such Action or Actions, Judgment shall be given for the Defendant or Defendants therein, then and in either of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Case by Law.

Limitation of  
Actions.

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LXXXVIII. 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 Authorities 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 the Masters, Wardens, and Assistants of the *Trinity House of Deptford Strond* respectively, 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 Conservators of the River *Thames*, or the said Master, Wardens, and Assistants of the *Trinity House*, respectively, did or might lawfully claim, use, or exercise, nor to authorize or empower the said Company of Proprietors, their Workmen or Servants, or any of them, to embank, en-

Saving the  
Rights of the  
City of Lon-  
don as Con-  
servators of  
the Thames.

croach upon, or interfere with any Part of the Soil or Bed of the said River, or the Banks or Shore thereof (except so far as is herein-mentioned), without the Licence and Consent of the said Mayor and Commonalty and Citizens, and also of the said Master, Wardens, and Assistants of the *Trinity House*, so far as such Consent is or shall be by Law requisite in that Behalf, first had and obtained in Writing for that Purpose; any thing herein contained to the contrary thereof in anywise notwithstanding.

Saving Rights  
of Trinity  
Company.

LXXXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges, or to abridge, alter, or diminish or take away any of the Jurisdictions, Powers, or Authorities of the Master, Wardens, and Assistants of the Corporation of *Trinity House of Deptford Strond*.

Public Act.

XC. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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