



ANNO SEXTO

GEORGIIV. REGIS.

Cap. clxvi.

An Act for improving the Navigation of the River *Stour* and *Sandwich Haven*, from the City of *Canterbury* to the Town and Port of *Sandwich*, in the County of *Kent*; and for making and maintaining a New Haven from the said Town and Port of *Sandwich* to the Sea, and a Harbour on the Sea Shore. [22d June 1825.]

WHEREAS the amending and improving the Navigation of the River *Stour* and *Sandwich Haven*, from *Abbott's Mill* in the City of *Canterbury* and County of the same City, in and through the several Parishes of *All Saints*, *Saint Alphage*, *Saint Peter*, *Holy Cross Westgate*, *Saint Mary Northgate*, *Hackington* otherwise *Saint Stephens*, and *Fordwich*, in the said City of *Canterbury* and County of the same City, a certain Extra-parochial Place called the *Black Friars*, and a certain other Extra-parochial Place called the *Black Prince's Chantry*, in the said City of *Canterbury* and County of the same City, an Extra-parochial Place called the *Borough of Staplegate*, and the several Parishes of *Holy Cross Westgate*, *Hackington* otherwise *Saint Stephens*, and *Sturry*, in the County of *Kent*, the Town of *Fordwich* and its Liberties, and the Parish of *Fordwich*, in the said County of *Kent*, and the several Parishes of *Westbere*, *Littlebourne*, *Stodmarsh*, *Stourmouth*, *Chislet*, *Wingham*, *Ickham*, *Wickam-breux*, *Preston next Wingham*, *Elmstone*, *Ash next Sandwich*, and *Woodnesborough* otherwise *Winsborough*, in the said County of *Kent*, and the

[Local.]

53 T

Ville

Ville of *Sarr*, and the several Parishes of *Saint Nicholas at Wade*, *Monkton*, *Minster*, *Saint Lawrence*, and *Stonar*, in the Isle of *Thanet* in the said County of *Kent*, the said Town and Port of *Sandwich*, and the Liberties of the same Town and Port, and the several Parishes of *Saint Mary the Virgin*, *Saint Peter the Apostle*, and *Saint Clement*, in the said Town and Port and Liberties of *Sandwich* and County of *Kent*, or some of the said Parishes or Places, unto or a short Distance below a certain Place in the said Town and Port of *Sandwich*, or within the said Parish of *Saint Clement* there, called *Lower Head*; and the cutting, making, and maintaining a New Haven from or below the said Place called *Lower Head*, in the said Town and Port and Liberties of *Sandwich*, or within the said Parish of *Saint Clement* there, in and through the same Parish of *Saint Clement*, in the said Town and Port and Liberties of *Sandwich*, and the several Parishes of *Word* otherwise *Worth*, *Sholden*, and *Northborne*, in the said County of *Kent*, or some of them, to the Sea, between the Batteries No. 1. and No. 2. there; and the making and maintaining a Harbour on the Sea Shore there, in the said Parishes of *Word* otherwise *Worth*, *Sholden*, and *Northborne*, or some or one of them, with proper Piers, Jetties, Breakwaters, Basins, Docks, Locks, Quays, Wharfs, Landing Places, Warehouses, and other Works, for the greater and more convenient Use of the said River, Haven, Cuts, New Haven, and Harbour, with fit Roads, Ways, Avenues, and Approaches to the same; will benefit the Trade of the said City of *Canterbury*, and the said Town and Port of *Sandwich*, and the neighbouring Country, and will facilitate the commercial Inter-course of the said City of *Canterbury*, and of the said Town and Port of *Sandwich*, and of the Country in the Neighbourhood thereof, by opening a Water Conveyance for Goods, Wares, and Merchandize of every Description; and such Harbour will afford Shelter to Ships and Vessels in Stress of Weather, and may be the Means of preserving the Lives and Property of many of His Majesty's Subjects: And whereas for the better improving the Navigation of the said River *Stour*, it will be necessary that divers New Cuts should be made on or near the Line thereof, as herein-after mentioned, through the said several Parishes of *Saint Mary Northgate*, *Hackington* otherwise *Saint Stephens*, *Sturry*, and *Fordwich*, in the said City of *Canterbury* and County of the same City, and the said County of *Kent*; and that the Waters of the said River and Haven, or Part thereof, should be diverted from the said River and Haven into and through, or taken from the said River and Haven for the Supply of the said Cuts, New Haven, and Harbour; but the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *William Abbott*, Reverend *Mason Anderson*, *Charlotte Anderson*, *John Grimsdale Anderson*, *Emelin Anderson*, *Clement Austin*, *Timothy Appleton*, *Thomas Appleton*, *Edward Appleton*, *William Arnold*, *W. Anderson*, *Samuel Barlow*, *Samuel Barlow Junior*, *Daniel Blatchford*, *Samuel Brandram*, *James Boys*, *William Fuller Boteler*, *William M. Baskerville*,

Proprietors.

*ville, Benjamin Barnard, James S. Browne, John Browne, F. S. Browne, John Saunders Bennett, William Bowman, Thomas Boorman, William Beer, Charles De Beauvois, William Wyborn Bradley, Edward Baker, John Baker, Richard Baker, Ann Baker, Thomas Baker, George Blake, John Brookes, Daniel Blackman, Simon Nunn Bunton, James Bunton, James Norris Bristow, Thomas Bowes, John Bowes, Mary Bowes, John Boakes, Joseph Bundock, Corporation of Sandwich, Mayor, Jurats, and Commonalty, Reverend William Chapman, John Gurr Chaplin, Thomas Cooke, John Cooper, Henry Cooper, Thomas Cooper, John Cheesman, Anne Collard, Joseph Cox, John Clements, Thomas Cowland, Ambrose Charles, William Curling, William Cocking, Elizabeth Cocking, William Collard, Catherine Clarinbull, Slodden Castle, Slodden Castle Junior, William Castle, Sarah Castle, Catherine Castle, John Castle, Isaac Chandler, Thomas Coleman, William Culver Junior, James Culver, Mary Child, Anne Child, George Clendon, Edward Spencer Curling, Richard Collard, Benjamin Coleman, Benjamin Coleman Junior, H. T. Colebrook, John Wellsford Cowell, Charles Chitty, David Carruthers, Amy Clarke, Richard Chitty, Henry Collard, Earl of Darnley, Richard Dangerfield, George Dorset, Henry Dower, Mary Delasaux, James Dunn, Thomas Davis, Edward Duthoit, Benjamin Denne, Elizabeth Denne, Henry Denne, John Denne, John Denne, Daniel Deverson, Robert Deverson, William Drayson, Edward Drayson, George Drayson, John Christopher Drayson, John Drayson, Michael Drayson, John Davis, William Doorn, William Dunn, Joseph Dyason, Lewis John De la Chaumette, Thomas Davis, Charles Danvers, Henry Denne, John Dowty, Judith Anne Denne, Benjamin Denne, Richard Emmerson, Charles Emmerson, Detlez Eike, Henry Robert Eyles, John Edward Eyles, George Eastes, Charles Elgar, Reverend William Elwyn, John Erwell, Henry Erwell, John Edwards, Henry Erwell, John Edwards, Henry Earle, John Ellison, Edward Edwards, Stephen Elgar, Sir Robert Farquhar Baronet, Major Faussett, Richard Fennell, Samuel Fennell, Joseph Henry Fenner, William Filmer, John Filmer, William Filmer, Flint and Co., John Fletcher, Charles Fea, John Friend, William Fisher Junior, Peter Fisher, Benjamin Foster, Benjamin Foster Junior, John Friend, John Friend, William Fish Forster, Robert Famariss, Horace Frisby, Charles Fells, Charles Fearnley, Adm^l John Ferrier, George Fry, Rest Flint, John Goulden, John Grist, Frederick Grey, Edward Gibbons, George Garrett, Giles Gimber, John Gent, Samuel Gimber, Richard Gowland, James Goldsmith, Golder, George Hooper, George Hooper Junior, Edward Hatfield, John Homersham, William Hyder, William Hester, James Richard Hardy, Samuel Houston, Major Henniker, Richard Halford, A. P. Hamilton, William Homersham, John Friend Homersham, Edward Homersham, James Homersham, Samuel Hacker, George Homersham, Thomas Hart, Henry Hatcher, Hannah Hatcher, Daniel Hodgson, Stephen Hooper, John Sackett Hooper, Herbert Hooper, Valentine Hoile, John Hoile, Henry Hoile, Richard Harrison, John Hicks, Thomas Hurst, George Horn, John Harolkes, Edward Harvey, John Hayman, H Herbert, Robert Harris, Robert John Harpur, Jane Frances Hodgson, William Hodgson, Thomas Christopher Hodgson, Robert Hodgson, Henry Burden Hodgson, George Harper, Samuel Houston, Thomas Jackson, John Jessard, John Joslin, William Jarman, Sarah Jordan, Edward Ig-
gulden,*

gulden, Admiral Sir John Knight, Lady Knight, Thomas King, Sarah Keeler, John Keble, Henry Keble, Edward Emanuel Keble, John Knowles, Thomas Knight, Nathaniel Kettle, Mary Kite, William Kite, Thomas Kennett, Ann Kelsey, Charles Kerr, Adolphus Kent, George Keys, Sir William Kay Baronet, William Kemp, Samuel Legge, Jabez Legge, R. W. Lavender, John Lancefield, T. P. Lewis, Lewis Levy, Elizabeth Lawrence, Lewis Lloyd, S. J. Lloyd, James Wittet Lyon, John Leech, John May, Joseph Marryat, General Thomas G. Montessor, George May, James S. Moses, George Moss, Thomas Marseille, Benjamin Mutton, William Moses Mutton, Thomas Mose, John Marbrooke, William Morris, Sarah Morris, William T. Mackney, Thomas Mead, Edward Miles, John Miles, Michael Minter, William Moody, Keith Milnes, George Manser, William S. Mackney, Colonel Mulcaster, Frederick Edward Morrice, Frederick Francis James Morrice, John Francis Maubert, Hugh M'Intosh, Andrew Ancadie Mieville, Charles Macinnon, William Morgan, William Mackney, Johanna Morewicke, George Alfred Muskett, John Miller, Sir Gerard Noel Baronet, John Neame, Charles Neame, George Neame, John Nutt, Henry King Nisbett, George Noakes, Stephen Neame, Sir Edward William Campbell Rich Owen Knight, Latham Osborne, Latham Osborne, John Omer, John Plumptre, Dean John Parker, John Prince, Reverend Thomas Pearse, John James Pierce, James Pratt, William Pettitt, Charles Parker, John Pilbrow, Joseph Potter, William Pott, Lydia Porter, Thomas Pearson, John Perkins, Ann Pettman, John Presland, Mistress Thomas Powell, Philip Palmer, Robert Birks Pitman, Thomas Purday, Charles Henry Purday, James George Pilcher, William Pilcher, Stephen Pritchard, Thomas Pilgrim, Reverend Richard Roberts, William Henry Rolfe, Richard Richford, Edward Francis Stratton Reader, Ambrose Rose, Elizabeth Rose, Sarah Rose, Lucy Rose, Daniel Ralph, Daniel Ralph Junior, Sarah Richards, Robert Ruglyss, William Ruglyss, Henry Minter Rigden, Stephen Ratcliffe, Peter Rainier, Daniel Rainier, George Stanley Repton, W. Ralph Junior, Elizabeth Ralph, William Slarke, William Slarke Junior, Henry Knott Swinford, John Swan, John Smithers, John Sackett, Alexander Hannah Spratt, Thomas Starr, Osborne Snoulten, Edmund Saxby, William Simonds, Robert Shindler, John Thomas Scudamore, William Slodden, Alfred Sabine, William Street, John Swinford, Charles Spencer, Stephen Saunders, Edward Slaughter, William Slaughter, George Sayer, Elizabeth Stevens Soal, Sarah Soal, John Simmonds, William Stokes, William Sedgwick, Nathaniel Sheepwash, Thomas Solly, Thomas Solly Junior, Thomas Solly, James Sandcraft, James Shrewsbury, Richard Sanderson, Robert Saddington, John Smith, James Simpson, Elizabeth Smith, Smithit Spain, Elizabeth Simmonds, John Simmonds Senior, Lord Viscount Teynham, James Taddy, James Tomlin, Sarah Twyman, Daniel Towse, Samuel Elgar Toomer, Thomas Minter Tomlin, Robert Tomlin, William Tomlin, David Taylor, William Thiselton, John Tapley R. N., Mary Tapley, Henry Temple, Henry Temple, Thomas Taylor, Daniel Towse, Edward Tapley, J. Tabor, P. M. Tabor, M. A. Tabor, Richard Edmund Tattersall, Edward Vincer, William Viney, James Urquhart, William White, William Woodcock, Frances Watkins, Henry Welland, Thomas Wilkinson, George Wood, Samuel Wright, Dilnot Wildish, William Dilnot Wildish, Edward White, Henry Ward, Mary Waller,

*John Wyborn, John Wyborn Captain R. N., Robert Wyborn, John Wright, James Witherden, John Wilkinson, John Wilkinson, John Warren, James Hall Warman, Susan Wood, James Wood, William Watts, Thomas Woodruff, Isaac Witherden, John Williams, William Webster, William Wodsworth Clerk, Henry Woodcock, Henry Wood, Isaac Watt, William Wood Lieutenant R. N., Mary White, John Wilkinson, James Waters, John Young, William Young, and their several and respective Successors, Executors, Administrators, and Assigns, together with such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, as shall at any Time hereafter be possessed of any Share or Shares in the Undertaking hereby authorized to be carried into Execution, shall be, and they are hereby united into a Company for the Improvement of the said River Stour and Sandwich Haven, and for the making, completing, and maintaining the said intended Cuts, New Haven and Harbour, and other Works, according to the Rules, Orders, and Directions herein mentioned and expressed, and shall for that Purpose be One Body Politic and Corporate, by the Name and Style of *The Canterbury Navigation and Sandwich Harbour Company*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law and in Equity; and also by that Name shall and may have full Power and Authority to purchase Lands, Tenements, and Hereditaments to them and their Successors and Assigns, for the Use of the said Undertaking, and the several Works hereby authorized to be made, and for the several other Purposes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain; and also to sell any of the Lands, Tenements, or Hereditaments purchased for the Purposes aforesaid.*

Incorporated.

Their Style.

II. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors hereby united as aforesaid, to raise and contribute among themselves a competent Sum of Money for the Improvement of the said River *Stour* and *Sandwich Haven*, and for making and maintaining the said Cuts, New Haven, and Harbour, and all the Basins, Locks, Ways, Quays, Wharfs, Warehouses, and all other Works and Conveniences belonging or requisite thereto, not exceeding in the whole the Sum of One hundred thousand Pounds (save and except as herein mentioned), and the same shall be divided into Shares of Twenty-five Pounds each; and no Person subscribing thereto, or becoming a Proprietor in such Undertaking, shall become a Proprietor of less than One Share, or more than Two hundred Shares; and the said Shares shall be and are hereby vested in the several Persons so raising and contributing the same, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they shall severally raise and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums of Money as shall be demanded in lieu thereof, towards the Improvement of the said River *Stour* and *Sandwich Haven*, and the carrying on and

Proprietors to raise Money among themselves for improving the River and making the New Haven and Harbour.

[Local.]

53 U

completing

completing the said Cuts, New Haven, and Harbour, and Works, and other the Purposes of the said Subscription, shall be entitled to and receive the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid, of the Profits and Advantages that shall and may arise and accrue by the Rates and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of this Act; and every Body Politic, Corporate, and Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same in Manner herein directed and appointed.

Shares to be
Personal
Estate.

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

Subscribers
to have a
Vote, &c.

IV. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for or hold One or more Share or Shares in the said Undertaking, not exceeding Four Shares altogether, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall have One Vote for such Share or Shares in the General and Special General Assemblies to be held as herein appointed for carrying on the said Undertaking; and every Body Politic, Corporate, or Collegiate, and every Person who shall have subscribed or undertaken for or hold Five or more Shares in the said Undertaking, not exceeding Nine Shares altogether, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall have Two Votes for such Shares in such General and Special General Assemblies; and every Body Politic, Corporate, or Collegiate, and every Person who shall have subscribed or undertaken for or hold Ten or more Shares in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall have Three Votes for such Shares in such General and Special General Assemblies; but no Person shall have more than Three Votes at such General or Special General Assemblies, except as herein-after mentioned; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any General or Special General Assembly of the said Court of Proprietors shall be determined by the Majority of Votes then present, computing the Votes in Manner aforesaid.

Proprietors
may vote by
Proxy.

V. Provided always, and be it further enacted, That it shall and may be lawful for every such Body Politic, Corporate, or Collegiate, entitled to vote at Meetings of the said Company of Proprietors to be held in pursuance of this Act, by Writing under their Common or Corporate Seal, and also for all and every other Person and Persons entitled to vote as aforesaid, by Writing under his, her, or their Hand or Hands, and in case of Infancy, Idiocy, or Lunacy of any such Person or Persons, then for his, her, or their

Guardian or Guardians, Committee or Committees, by Writing under the Hand or Hands of such Guardian or Guardians, Committee or Committees, to constitute and appoint any other Proprietor or Proprietors entitled to vote in respect of his, her, or their own Share or Shares in the said Undertaking, his, her, or their Proxy or Proxies, to vote at any such Meetings of the said Company; and every such Vote by Proxy shall be as good and valid to all Intents and Purposes as if the Principal or Principals had voted in Person.

VI. And be it further enacted, That the Appointment of every Proxy to vote under and by virtue of this Act shall and may be made in the Form or to the Effect following; that is to say,

Form of Ap-
pointment of
Proxy.

‘ I Proprietor [or Guardian, or]
‘ a Proprietor of Shares in the *Canterbury* and
‘ *Sandwich* Navigation, do hereby nominate, constitute, and appoint
‘ to be my Proxy [or Proxy of the said
‘] in my [or his, or her] Name, and in my [or his, or her]
‘ Absence to vote and give my [or his, or her] Assent or Dissent to
‘ any Business, Matter, or Thing relating to the said Navigation,
‘ which shall be mentioned or proposed at any Meeting of the said
‘ Company, or any Adjournment thereof, until I [or the said
‘] shall revoke this Appointment, by Notice in Writing
‘ to the Clerk of the said Company. In Witness whereof I have
‘ hereunto set my Hand, this Day of

And every such Appointment shall be produced to the Clerk of the said Company, and entered in a Book to be kept by him for that Purpose, before any Vote shall be given in respect of such Appointment, which Book shall be sufficient Authority for any Proxy to give his Vote or Votes, without Production of his Appointment at the Time of voting, until the same is revoked.

VII. And be it further enacted, That in case the Money hereinbefore authorized to be raised shall be found insufficient for the Improvement, making, completing, and maintaining of the said River *Stour*, *Sandwich* Haven, Cuts, New Haven and Harbour, and other the Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then and in such Case it shall and may be lawful to and for the said Company of Proprietors to raise a further Sum of Forty thousand Pounds, or any Part thereof, by Mortgage of the said Undertaking, and shall make an Order or enter into a Resolution to that Effect at a Special Meeting of the said Proprietors for that Purpose, to be called by their Committee of Management to be appointed by virtue of this Act for the Time being, and of which Meeting Fourteen Days previous Notice shall be given in the *London Gazette*, and in One Newspaper usually circulated in the Eastern Parts of the County of *Kent*, mentioning the Time and Place of such Meeting; and it shall and may be lawful to and for the said Company of Proprietors, pursuant to such Order or Resolution, to borrow and take up at Interest all or any Part of the said Sum of Forty thousand Pounds on the Credit of the said River *Stour*, *Sandwich* Haven, Cuts, New Haven and Harbour,

Power to
raise Money
by Mort-
gage.

and

Mortgage made by the *Canterbury Navigation and Sandwich*
Harbour Company to
 bearing Date the _____ Day of _____
 in the Year of our Lord _____
 for securing the Sum of _____
 and all Interest now due and to become due thereon, and all my
 Right and Property therein, to the said *C. D.*
 Executors, Administrators, and Assigns. Dated this
 _____ Day of _____ in the Year
 of our Lord _____

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

Interest of
 Money bor-
 rowed to be
 paid in pre-
 ference to
 Dividends.

VIII. Provided always, and be it enacted, That no Sum or Sums of
 Money so lent and advanced on Mortgage shall be paid off and
 discharged (save and except with the Consent of the Person or
 Persons so lending and advancing such Sum or Sums of Money),
 unless Six Months previous Notice, signed by the Clerks to the
 said Company of Proprietors, shall have been given to the Person
 or Persons lending and advancing such Sum or Sums of Money, of
 such their Intention to pay off and discharge the same.

Six Months
 Notice to be
 given of
 paying off
 Money.

IX. Provided always, and be it enacted, That no Person to whom
 any such Assignment shall be made or transferred, or any Annuity
 granted as aforesaid, shall be capable of acting or voting by virtue of
 such Assignment at any Assembly or Meeting of the said Company
 of Proprietors, for or on account of his or her having lent or
 advanced any Money on the Credit of any such Assignment.

Mortgagees
 or Assignees
 not to vote
 on account
 of having
 lent Money.

X. And be it further enacted, That it shall and may be lawful for
 the said Company of Proprietors, and they are hereby authorized
 and empowered, to have, receive, and take up any Sum or
 Sums of Money not exceeding in the whole the Sum of Twenty
 thousand Pounds, Part of the said Sum of Forty thousand Pounds,
 and by Writing under their Common Seal to grant an Annuity
 or Annuities to any Persons, Body Politic, Corporate, or Collegiate,
 who shall contribute, advance, and pay to the said Company of Pro-
 prietors,

Company
 may raise
 any Sum
 not exceed-
 ing 20,000*l.*
 by way of
 Annuity.

prietors, or their Treasurer or Treasurers for the Time being, any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of such one Person as shall be nominated by or on behalf of such Contributor or Contributors respectively at the Time of the Payment of his, her, or their Purchase Money or Monies; and such Annuity or Annuities is and are hereby charged on the said Rates and Duties arising by virtue of this Act; and the Grant of every such Annuity may be in the Form or to the Effect following:

Form of
Grant of
Annuity.

‘ WE the *Canterbury* Navigation and *Sandwich*
 ‘ Harbour Company, incorporated by an Act of Parliament passed
 ‘ in the Sixth Year of the Reign of King *George* the Fourth, intituled
 ‘ [*here set forth the Title of this Act*] in consideration of the Sum of
 ‘ paid by of
 ‘ to us upon the Credit and for the Purposes of the said Act, do
 ‘ hereby grant unto the said Executors, Adminis-
 ‘ trators, and Assigns, an Annuity or clear Yearly Sum of
 ‘ out of the said Rates and Duties authorized by the said Act, which
 ‘ said Annuity or Yearly Sum of shall be paid to the said
 ‘ Executors, Administrators, or Assigns, by Half-yearly
 ‘ Payments, on the Day of and the Day of
 ‘ , or within Days after each of the said Days in
 ‘ every Year during the Life of ; and the Sum of
 ‘ being a fractional Part of the First Payment thereof, shall
 ‘ be paid on the Day of next ensuing the Date of
 ‘ these Presents; and the said Executors, Administrators, or
 ‘ Assigns, shall be entitled to receive a proportionable Part of the said
 ‘ Annuity from the last of the said Days appointed for Payment
 ‘ thereof up to the Day of the Death of the said . In
 ‘ Witness whereof we have hereunto set our Common Seal, the
 ‘ Day of in the Year of our Lord .

And every such Grant shall be good and valid in Law, and shall not be subject to the Provisions of any Act or Acts of Parliament now in force relative to the Inrolment or Registering of Annuities; and the several Annuities so granted shall be and they are hereby charged upon and made payable in preference to any Dividends due and payable by virtue of this Act to the Persons who have already subscribed to the said Undertaking, or who shall become Purchasers of any new or additional Shares or Sums of Money under the Powers herein-before contained for selling such new or additional Shares or Sums of Money.

57 G.3. c.34. XI. And whereas by an Act made in the Fifty-seventh Year of His late Majesty's Reign, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund to a limited Amount, for carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in Manner therein mentioned*, certain Commissioners therein named and appointed are authorized and empowered to issue and advance Exchequer Bills, under the Restrictions and Regulations therein specified, for the carrying on of Public Works in *Great Britain*; and by One other Act passed in the Fifty-seventh Year of His said late Majesty's Reign,

Reign, intituled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor*, the Powers of the said first-mentioned Act are enlarged and extended: And whereas by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act to amend and continue Two Acts, passed in the Fifty-seventh Year of His late Majesty King George the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in Great Britain*; and by another Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts, of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*; and also by another Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to amend the Acts for the Issue of Exchequer Bills for Public Works*; the Powers of the said Two Acts passed in the said Fifty-seventh Year of His said late Majesty are altered, amended, and enlarged: And whereas it would be of great public Benefit if the said Commissioners for the Issue of Exchequer Bills, acting in Execution of the said last-recited Acts, were authorized and empowered to advance to the said Company of Proprietors a certain Sum of Money to be secured by Mortgage of the Rates and Duties by this Act granted; be it therefore enacted and declared, That it shall and may be lawful to and for the said Company of Proprietors, at a Special Assembly of the said Company of Proprietors for that Purpose, to be called by the said Board of Directors in Manner aforesaid, and they are hereby authorized and empowered, to borrow and take up at Interest, in such Manner and upon such of the Terms and Conditions provided by the said Acts of the Fifty-seventh Year of His said late Majesty as the Commissioners named and appointed by the said last-mentioned Acts shall direct and appoint, the said Sum of Forty thousand Pounds, or such Part thereof as the said Company of Proprietors shall deem necessary or requisite for completing the said Navigation, New Haven, Harbour, and other Works, and effectuating the Purposes of this Act; and the said Company of Proprietors are hereby authorized and empowered, by any Writing or Instrument under their Common Seal, to mortgage, demise, grant, bargain, and sell the said Rates and Duties arising or to arise, and to be collected and received by virtue hereof, as a Security for any Sum or Sums of Money to be borrowed from the said Commissioners named and appointed by the said Acts of the Fifty-seventh Year of His said late Majesty, with Interest thereon at a Rate not exceeding the Rate of Five Pounds *per Centum per Annum*.

57G.3.c.124.

1 G. 4. c. 60.

3 G. 4. c. 86.

5 G. 4. c. 77.

Power to borrow Money from Exchequer Bill Commissioners.

XII. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of

Restrictions as to Grants of Annuities.

of

of granting the same, in the Manner and according to the Rate prescribed by Two several Acts, One passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

First and
other General
Assemblies.

XIII. And be it further enacted, That the First General Assembly of the said Company of Proprietors for putting this Act into Execution shall be held in the Guildhall in the City and County of *Canterbury*, upon the Fourth *Monday* after the passing of this Act, at the Hour of Twelve at Noon; and the Second General Assembly of the said Company of Proprietors for putting this Act into Execution shall be held in the Guildhall in the said City and County of *Canterbury*, upon the First *Tuesday* in *December* after the said First General Assembly, at the same Hour; and the Third General Assembly of the said Company of Proprietors for putting this Act into Execution shall be held in the Guildhall of the said Town and Port of *Sandwich*, on the First *Tuesday* in *June*, at the Hour of Twelve at Noon; and the Fourth General Assembly of the said Company of Proprietors shall be held in the said last-mentioned Guildhall, on the First *Tuesday* in *December*, at the same Hour; and all future General Assemblies of the said Company (except such Special General Assemblies as herein-after mentioned) shall be held in like Manner once in every other Year on the said First *Tuesday* in the said Months respectively, in the said City and County of *Canterbury*, and the said Town and Port of *Sandwich*, alternately, in every Year, at the same Hour, at the respective Guildhalls of the said City and County, and Town and Port, or at such other Places in the said City and County, and Town and Port, and at such Hour as the Directors of the said Company of Proprietors shall from Time to Time direct and appoint; of all which General Assemblies Fourteen Days previous Notice at the least shall be given by public Advertisement in some One Newspaper usually circulated in the Eastern Parts of the County of *Kent*, or in such other Manner as the said Company of Proprietors at their respective General Assemblies shall direct; and the said Company of Proprietors, at their First General Assembly to be held in pursuance of this Act, shall and may appoint a Chairman to preside at such General Assembly, and such Chairman shall not only vote as a Proprietor at such General Assembly, but in case of an Equality of Votes, shall have the decisive or casting Vote; and the said Company of Proprietors, at their First General Assembly, shall and may choose and elect, out of such of the said Proprietors as at the Time of such Election shall respectively be possessed in their own Right of Stock to the Amount of Ten Shares at the least in the said Undertaking, a Board of Twenty-one Directors, to manage the Affairs of the said Company of Proprietors as herein directed, and to direct the Receipt and Payment of all Monies, and to adjust all Accounts in respect thereof; of whom Five shall at the same Time be chosen by the
said

May elect
Directors.

said General Assembly to execute the Office of Auditors of the Accounts of the said Company of Proprietors and Directors; and Seven at least of such shall be resident in the City of *Canterbury*, or within One Mile thereof, and Seven others at least shall be resident in the Town and Port of *Sandwich*, or within One Mile thereof, and the other Seven Persons shall be resident in *London* or elsewhere; and which Twenty-one Persons shall continue as Directors of the said Undertaking until the General Assembly of Proprietors to be held in the Month of *June* One thousand eight hundred and twenty-eight; and that the said Company of Proprietors, at such their General Assembly to be held in the Month of *June* as aforesaid, and at every other ordinary General Assembly to be held afterwards as aforesaid, and at no other Times, except as herein-after mentioned, shall choose and elect, out of such of the said Proprietors as at the Time of such Election shall respectively be qualified and resident in Manner herein-before prescribed, a like Number of Directors to manage the Affairs of the said Company of Proprietors as herein-after directed; and the said Persons shall continue from the Time of their Election until another shall be chosen in their Stead, unless any Member or Members thereof shall die, or refuse to act, or cease to be qualified in Manner before prescribed, in any of which Cases it shall be lawful for the said Board of Directors to fill up such Vacancy or Vacancies for the remainder of the Time, until the next General Election of such Board of Directors, and so from Time to Time as occasion may require; provided that such Vacancy or Vacancies be filled from the Place or Places where the same shall occur, or permit the same Vacancy or Vacancies to remain open until the next General Election of such Directors, as they shall think fit: Provided always, that no Person holding any Office, Employment, or Contract under the said Company, shall be capable of being chosen or acting as a Director of the said Company during the Time of his Continuance in such Office or Employment, or holding such Contract.

XIV. And be it further enacted, That the said Directors at their First Meeting next after their Election as aforesaid, and also at their First Meeting next after every succeeding Election of Directors, before any other Business is proceeded in, shall elect and choose from among themselves a Governor and Deputy Governor of the said Company of Proprietors; and that at all General Assemblies, except the First, of the said Company of Proprietors, and at all their Special General Assemblies, and at all Meetings of the said Directors, or Committees of the Directors, the Governor of the said Company of Proprietors, if there shall be one at the Time, and he shall be present, shall preside; or in case of a Vacancy in the Office of Governor, or in case of his Absence, then the Deputy Governor of the said Company, if there shall be one at the Time, and he shall be present, shall preside; or in case of a Vacancy in the Offices of both Governor and Deputy Governor, or the Absence of both, then a Chairman shall be elected to preside at the Assembly or Meeting, before they proceed to other Business; and besides the Vote or Votes which such Governor, Deputy Governor, or Chairman, shall be entitled to give at such Assembly or Meeting as a Proprietor of Shares

Appoint-
ment of Go-
vernor and
Deputy
Governor.

in the said Undertaking, or as a Member of the Directors or Committees, he shall, in case of an Equality of Votes upon any Question at such Assembly or Meeting, have the decisive or casting Vote.

Auditing
Accounts,
&c.

XV. And be it further enacted, That the said Company of Proprietors at every or any such General Assembly shall have Power to call for, examine, and inspect all Accounts of Money received, laid out, and disbursed on account of the said Undertaking by the Treasurers, Receivers, or Collectors of the Rates, and other Officers by them appointed, or by any other Person or Persons whomsoever, employed by or concerned for or under them in and about the said River *Stour*, *Sandwich* Haven, Cuts, New Haven and Harbour, and the Works thereto belonging; and the said Company of Proprietors shall have Power to adjourn themselves from Time to Time, to such Place or Places as shall at such General Assemblies be thought proper and convenient.

General
Meetings
may make
and alter
Rules and
Bye Laws.

XVI. And be it further enacted, That the said Company of Proprietors at any such General Assembly shall have full Power to revoke, alter, amend, or change all or any of the Rules, Bye Laws, Orders, and Directions which may have been prescribed and laid down by virtue of this Act, with regard to their Proceedings amongst themselves, as they shall think proper, (the Method of calling General or Special Assemblies, and their Time and Place of meeting and voting, and appointing Governor, Deputy Governor, and Directors, only excepted); and shall also have full Power to make all such new Rules, Bye Laws, Orders, and Directions for the good Government of the said Company and of the said Board of Directors, and of their Servants, Agents, or Workmen, and for the whole, complete, and total Superintendence and Management of the said Undertaking, and of the Masters, Mates, Seamen, and others on board of or belonging to Ships and Vessels which may enter or take shelter in the said Harbour, or any of the Works thereunto belonging, or pass along the said Harbour, New Haven, Cuts, *Sandwich* Haven, or River *Stour*, and the Bargemen, Watermen, Boatmen, and others who shall carry or assist in carrying any Goods, Wares, or Merchandize within or upon any Part of the said River *Stour*, *Sandwich* Haven, Cuts, New Haven and Harbour, as to the said General Assemblies shall seem meet; and to impose and inflict such reasonable Fines or Forfeitures upon all Persons who shall offend against any such Rules, Bye Laws, or Orders, as to such General Assembly shall seem meet, not exceeding the Sum of Five Pounds for any one Offence; which said Rules, Bye Laws, and Orders, being reduced into Writing, shall be binding upon and observed by all Parties using or in any way concerned in the said River *Stour*, *Sandwich* Haven, Cuts, New Haven and Harbour, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same; provided that they be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions and Directions in this Act contained, or to any of them; and provided that Copies of such Rules, Orders, and Bye Laws, or such of them as shall concern or relate to the using of the

said intended Navigation and Works, and the Roads and Ways belonging thereto, or to the Conduct and Behaviour of Masters, Mates, Seamen, and others on board of or belonging to any Ship or Vessel therein, or Bargemen, Boatmen, Watermen, and others conveying Goods thereon, or to the Conduct and Behaviour of any Officers, Servants, or other Persons employed in or about the said Navigation and Works, or of the Persons resorting to or making use thereof, shall be written, printed, and painted on Boards in large Characters, and be affixed and continued in some conspicuous Places upon or near adjoining the Piers, Jetties, Locks, and all the Wharfs on the said Navigation and Harbour, and renewed as often as the same shall be obliterated or defaced.

XVII. Provided always, and be it further enacted, That in all Cases of Prosecution for Offences against the said Rules, Orders, and Bye Laws, the Production of a written or printed Paper, purporting to be the Rules, Orders, and Bye Laws of the said Company, and authenticated by the engraved or printed Impression, or Copy of Impression of such Rules, Orders, and Bye Laws, having the Common Seal of the Company affixed thereto, shall be sufficient Evidence of the Existence of such Rules, Orders, or Bye Laws; and it shall be sufficient to prove that a written or printed Paper, and painted Boards in Characters sufficiently plain, purporting to be a Copy of such Rules, Orders, and Bye Laws, hath been affixed and published in Manner aforesaid, and in case of its being afterwards displaced or damaged, hath been replaced with another such Paper and Boards as soon as conveniently might be, in some conspicuous Places upon or near adjoining the Place where the Offence was committed, unless Proof shall be adduced by the Defendant that such written or printed Paper, or painted Board, is not a Copy of such Rules, Orders, or Bye Laws, or hath not been duly kept up and generally continued at such Piers, Jetties, Locks, and Wharfs in Manner aforesaid: Provided always, that Twenty-one Days previous Notice at the least shall be given to the Clerks for the Time being of the said Company of Proprietors, signed by Twenty or more Proprietors entitled to vote at such General Assembly, who shall propose to revoke, alter, amend, or change any such Rules, Orders, or Bye Laws, or to propose any such new Rules, Orders, or Bye Laws; and such Notice shall state specifically the Rules, Orders, or Bye Laws proposed to be revoked, altered, amended, or changed, and also the Particulars of the proposed Alterations or Amendments; and also the Particulars of any new Rule, Order, or Bye Law intended to be proposed; and the Clerks for the Time being of the said Company of Proprietors shall and they are hereby required, Twenty-one Days at the least before such General Assembly, to publish such Notice in the *London Gazette* and in One Newspaper usually in Circulation in the Eastern Parts of the County of *Kent*, or in such other Manner as the said Company of Proprietors at their General Assemblies shall direct; and it shall not be competent to such General Assembly to revoke, alter, amend, or change any Rule, Order, or Bye Law, or to make any new Rule, Order, or Bye Law, not specifically mentioned and particularized in such Notice, nor unless such Notice shall have been published as aforesaid.

Authenticated Bye Laws to be Evidence.

Previous Notice to be given of any Alteration to be proposed in Bye Laws.

XVIII. Pro-

General
Assemblies
to consist of
Thirty Per-
sons entitled
to Five
Shares each.

XVIII. Provided always, and be it further enacted, That if at any such stated General Assembly there shall not be Thirty Persons present who shall be possessed of or entitled unto at least Five Shares each in the said Undertaking, no Choice of Governor, Deputy Governor, Directors, or other Officers or Servants of the said Company, nor any other Matters or Things to be taken into Consideration, or done at such stated General Assembly, shall be made or done at that Time; but in such Case there shall be another General Assembly of the said Company of Proprietors at the same Place and Hour upon that Day Fortnight, and so from Time to Time until there shall be such Persons present at such Assembly having such Number of Shares as aforesaid, and such Choice, Matters, or Things shall then take place and be determined upon and done, and not before; and the Persons then chosen to be such Governor, Deputy Governor, Directors, or other Officers or Servants, shall have the same Powers which they would have had, and shall continue in such Offices until such Time as they would have done, had they been chosen by any such stated General Assembly on the Day first appointed for holding the same; and the other Matters and Things then determined upon or done shall be as valid as they would have been had they been determined upon or done at any such stated General Assembly on the Day first appointed for holding the same; provided always, that Three Days previous Notice at the least shall be given of every such Second or subsequent or adjourned Assembly, in the same Manner as Notice is herein-before directed to be given of the original General Assembly.

Assembly of
Proprietors
may be
specially
convened.

XIX. And be it further enacted, That if it shall at any Time appear, that for the more effectually putting this Act into Execution a Special General Assembly of the said Company of Proprietors is necessary to be held, it shall and may be lawful to and for any Number of the said Proprietors, not less than Twenty, who may be possessed of or entitled unto Five Shares each at the least in the whole in the said Undertaking, to cause Twenty-one Days Notice at least to be given thereof in One of the Newspapers usually circulating in the Eastern Parts of the County of *Kent*, or in any other Manner as the said Company of Proprietors shall at any General Assembly direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Assembly, and the Time when and Place where the same shall be held, which Place shall be within the said City of *Canterbury* or Town and Port of *Sandwich*; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors, with respect to the Matters so specified only; and all such Acts of the Proprietors, or of the Part of them having the greater Number of Votes according to the Provisions herein-before in that Behalf contained, met together at every such Special General Assembly, (provided such Proprietors so met together shall not be less than Thirty, and holding at least Five Shares each in the said Navigation) shall be as valid with respect to the Matters specified in such Notice, as if the same had been done at any stated General Assembly.

XX. And

XX. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors at any General Assembly, and they are hereby authorized and required, from Time to Time to nominate and appoint Five Auditors of the Accounts of the said Company of Proprietors, a Treasurer or Treasurers, One Engineer, Two Clerks, One to be resident in the City of *Canterbury* and the other in the Town and Port of *Sandwich* aforesaid, and who shall also act as Clerks of the said Directors, One or more Collector or Collectors of the said Rates, One Harbour Master, and such other Agents, Officers, and Servants as may from Time to Time appear expedient; and such Clerks shall, in proper Books to be provided by the said Company of Proprietors for that Purpose, a Duplicate being to be kept by each of them, enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of the said Navigation, and of the several Persons who shall from Time to Time become Owners and Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company of Proprietors and Directors respectively; and in case such Auditors, Treasurers, Engineer, Clerks, Collectors, or other Agents, Officers, or Servants, or any of them, shall die or quit the Service of the said Proprietors or such Directors, or by reason of any Negligence, Misconduct, or Inability in such Auditors, Treasurers, or Engineer, Clerks, Collectors, Agents, Officers, or Servants, or any of them, to execute such Office or Offices, it shall be requisite to displace or remove him or them, then and in every such Case it shall and may be lawful to and for the Proprietors assembled at any such stated or special General Assembly as aforesaid to remove such Auditors, Treasurers, Engineer, Clerks, Collectors, Agents, or Servants, or any of them, or for the said Directors to remove such Collectors, Agents, Officers, or Servants, except the Auditors, Treasurers, Engineer, or Clerks; and in case such Auditors, Treasurers, Clerks, Collectors, Agents, Officers, or Servants, or any of them, shall so die, be removed from, or quit the Service of the said Company of Proprietors, or of the said Directors, then it shall and may be lawful to and for the said Company of Proprietors at their said General or Special General Assemblies, or for the said Directors of the said Proprietors, to appoint any other fit Person or Persons to execute such Office or Offices in the Place of the Person or Persons who shall so die, be removed from, or quit the Service of the said Proprietors, or of the said Directors; but in case any such new Appointment be made by the said Directors, the same shall only continue until the next General or Special General Assembly of the said Proprietors, when the Appointment of such Person or Persons to such respective Office or Offices shall either be confirmed, or such other fit Person or Persons be appointed to succeed to such Office or Offices, as the said Proprietors at such General or Special General Assembly may think proper.

General
Assembly to
appoint
Officers.

XXI. And be it further enacted, That the said Company of Proprietors shall and they are hereby required to take such Security from the Treasurers, Engineer, Clerks, or Collectors, to be appointed for the Purposes of this Act, and every of them, for the due Execution of their Offices, and for their faithfully accounting for all the Monies

Treasurer,
Collector,
&c. to find
Security.

[Local.]

53 Z

received

received by them, or Services to be performed by them in virtue of their said Offices, as to the said Company of Proprietors or the said Directors shall seem meet.

Clerks and
Treasurers
not to be
same Per-
sons.

XXII. Provided always, and be it enacted, That it shall not be lawful for the Company of Proprietors to appoint the Persons who may be appointed to act as their Clerks in the Execution of this Act, or either of them, or the Partner or Partners of such Clerks, or either of them, or any Person in the Service or Employ of either of such Clerks, or of his or their Partner or Partners, the Treasurers or Treasurer for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurers, or either or any of them, or the Partner or Partners of such Treasurers, or either or any of them, or any Person in the Service or Employ of any such Treasurers, or either or any of them, the Clerks of the said Company, or either of them; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of either of such Clerks, or in the Service or Employ of either of such Clerks, or of his or their Partner or Partners, shall act as Treasurer, or being the Partner of such Treasurers, or either or any of them, or in the Service or Employ of such Treasurers, or either or any of them, or of his or their Partner or Partners, shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Impar lance, shall be allowed.

Powers of
the Directors
and Regula-
tions re-
specting the
same.

XXIII. And be it further enacted, That no Director shall have more than One Vote in any Meeting of Directors, except the Governor, or in his Absence the Deputy Governor, or in the Absence of both, the Director chosen to preside at any Meeting, and who, in case of an Equality of Votes upon any Question which may be agitated by the said Directors, shall have the casting Vote, although he may have given One Vote before; and that all the Powers and Authorities hereby vested in or directed to be exercised by the said Directors, may be done and exercised by the major Part of them present at their respective Meetings, the whole Number present not being less than Seven; and such Directors shall from Time to Time make Reports of their Proceedings to the said General Assemblies, and, if required, to the said Special General Assemblies of the Proprietors, and shall obey their Orders and Directions; and the said Directors shall (subject nevertheless at all Times to such Orders and Directions as aforesaid) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Times and Places as they shall think fit; but no Person holding any Place, Office, or Employment under the said Company shall be capable of being chosen to serve or of serving as a Director during the Time of his Continuance in such Place, Office, or Employment; and in order to defray the Expences of their Meetings, the said Directors shall from Time to Time receive out of the Capital Stock of the said Proprietors such Sum or Sums

Sums of Money as shall be directed, adjusted, and settled at such General Assemblies, not exceeding the Sum of Ten Shillings for each Day of Meeting in addition to Nine-pence *per* Mile for Travelling Expences for every One of the Directors present at the Meeting. (calculating the Number of Miles from the Place of Residence of each Director to the Place of Meeting, as the Distance for which such Travelling Allowance is to be made); and the said Directors (subject nevertheless at all Times to such Orders and Directions as aforesaid) shall make Agreements and Bargains with the Workmen, Agents, Undertakers, and other Persons employed or concerned in improving the said River, *Sandwich* Haven, Cuts, New Haven and Harbour, and in making and completing the said other Works, and all and every Part or Parts thereof; and shall, by themselves or their Clerks aforesaid, keep a full and true Account of all Monies 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 such River, *Sandwich* Haven, Cuts, New Haven and Harbour, and other Works, from any Collector or Collectors of the said Rates, or other Officer or Officers, or from any other Person or Persons whomsoever employed in, or having any Concerns, Dealings, or Transactions with the said Harbour, Navigation, and Undertakings, or in or with any Part or Parts thereof, and shall regularly, by themselves or their 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 Disbursement, and of all other their Orders and Proceedings; which Book or Books shall be securely deposited with and kept locked up under the Care and Direction of the said Board.

XXIV. And be it further enacted, That the said Directors shall have Power from Time to Time to make such Call or Calls of Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of, or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Five Pounds for every Share, and so in proportion for any greater or less Share or Interest which any Person or Persons shall or may be possessed of or entitled unto in the said Undertaking; and such Call or Calls shall not be made but at the Distance of Three Calendar Months at least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid, by Advertisement in some One Newspaper usually circulating in the Eastern Parts of the said County of *Kent*, and by Letter to be signed by the Clerks, or either of them, addressed to the respective Subscribers at his, her, or their Place of Abode, as the same stand described or recorded in the Books of the said Company of Proprietors; and the said Directors shall (subject nevertheless to the Orders and Directions of such General Assemblies as aforesaid) have full Power and Authority to direct and manage all and every the Affairs of the said Company of Proprietors, as well in contracting for and purchasing Messuages, Lands, Tenements, and other

Board of
Directors to
make Calls.

Here-

Hereditaments and Materials for the Use of, or for the improving and making the said River, *Sandwich* Haven, Cuts, New Haven and Harbour, and the Piers, Jetties, Ways, Roads, Avenues, and other Works thereunto belonging, as in employing, ordering, and directing the Workmen, and in placing and displacing Officers, Servants, and Agents, (except as herein-after is excepted,) and in making all Contracts and Bargains touching the said Undertaking; and every Owner or Owners of any Share or Shares in the said Undertaking shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid, to such Person or Persons, and at such Time and Place as the said Directors shall from Time to Time appoint and direct.

Recovery of Shares.

XXV. And be it further enacted, That if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part of the Money so called for as aforesaid at the Time and Place appointed by such Directors, or within Fourteen Days next ensuing, he, she, or they so neglecting or refusing shall forfeit a Sum not exceeding Ten Pounds for every Share; and in case such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable Call as aforesaid for the Space of Three Calendar Months next after the Time so appointed for Payment thereof, then he, she, or they so neglecting or refusing shall, at the Option of the said Company of Proprietors, forfeit his, her, or their respective Share and Shares in the said Undertaking, and all the Profits and Benefits thereof; all which Shares so forfeited shall be vested in the said Company of Proprietors, in Trust for and for the Benefit of all the rest of the said Proprietors, in proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of the said stated or special General Assemblies, 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 Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until personal Notice shall have been given to, or Notice left at or sent by the General Post addressed to the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively; and the same Share or Shares shall likewise be declared to be forfeited at some stated General Assembly of the Company of Proprietors within Six Months next after such Forfeiture shall have been incurred, and Ten Days Notice at least previously to such General Assembly, be advertised in the *London Gazette*, and in some One Newspaper usually circulated in the Eastern Parts of the County of *Kent*; Provided always nevertheless, that every such Forfeiture, after the same shall be declared as aforesaid, shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors so forfeiting against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors so forfeiting, and the said Company, with regard to any Call or Calls for Money subsequent to the Declaration of such Forfeiture, or the future carrying on and Management of the said Undertaking; but no such Share or Shares shall be forfeited if the Owner or Owners thereof shall at or before such stated General

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

Forfeiture of Shares to be an Indemnity to Persons forfeiting; but Shares not to be forfeited if Arrear and Interest paid or tendered

Assembly pay or tender to the Treasurers of the said Company of Proprietors, or any or either of them, what shall be due thereon, together with legal Interest for the same from the Time at which the same ought to have been paid, and all Expences incurred for Recovery thereof.

at or before
General
Assembly.

XXVI. And be it further enacted, That if any Proprietor or Proprietors shall neglect or refuse to pay his, her, or their proportionable Part of the Money to be called for as aforesaid, at the Time and Place appointed for that Purpose, it shall be lawful for the said Company of Proprietors, in case they shall think fit, to sue for and recover the same, with Interest, at the Rate of Five Pounds *per Centum per Annum*, from the Time appointed for Payment thereof, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case; and in any such Action it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors of such or so many Shares in the said Navigation and Harbour, 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, for such or so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and in such Action it shall be only necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Call or Calls, or any other Matters whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call exceeded the Sum of Five Pounds for every Share of Twenty-five Pounds, or was made within the Distance of Three Calendar Months from the last preceding Call, or without Notice given as aforesaid.

Company
may sue for
Calls not
made at
Time ap-
pointed.

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

Shares may
be sold.

‘ I *A. B.* of _____ in consideration of
‘ _____ paid to me by *C. D.* of _____
‘ _____ do hereby bargain, sell, assign, and transfer to the said
‘ *C. D.* the Sum of _____
‘ Capital Stock of and in the *Canterbury* Navigation and *Sandwich*
‘ Harbour Company, and in the Works and Premises belonging to
‘ the said Company, being Part [*or the Whole, as the Case may be*]
‘ of my Share in the said Undertaking, to hold to the said *C. D.*

Form of
Conveyance
of Shares.

[*Local.*]

54 A

‘ Executors,

‘ Executors, Administrators, and Assigns, subject to the same Rules,
 ‘ Orders, and Restrictions, and on the same Conditions that I held
 ‘ the same immediately before the Execution hereof; and I the said
 ‘ C. D. do hereby agree to take and accept the said Capital Stock or
 ‘ Share of _____, subject to the same Rules,
 ‘ Orders, Restrictions, and Conditions: As witness our Hands and
 ‘ Seals the _____ Day of _____ in the Year of
 ‘ our Lord _____

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

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

XXVIII. And be it further enacted, That after any Call of such Money shall have been made by such Board of Directors as afore-said, 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 Share or Shares therein to the said Company of Proprietors, in Trust for the Benefit of all the said Proprietors, unless he, she, or they, at the Time of such Sale or Transfer, shall have paid and discharged to the Treasurer or Treasurers of the said Company of Proprietors, or some or One of them, the whole and entire Sum of Money which shall have been called for upon each Share so sold or transferred; such Forfeiture nevertheless to be notified and declared at a General Assembly in Manner before directed.

Regulations
 as to the
 Acquisition
 of Shares,

by Mar-
 riage,

XXIX. And whereas much Inconvenience may arise by the frequent Change of the Right and Title to the Shares of and in the said Undertaking by the Marriage or Death of Proprietors, and it may be difficult in such Cases to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid and do belong; be it therefore enacted, That before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking in Right of Marriage shall be entitled to receive the same, an Affidavit, containing a Copy of the Register of such Marriage, or the Effect of such Register shall be made and sworn to by some credible Person, before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace; and the said Master or Master Extraordinary in Chancery, and Justices of the

Peace, are hereby authorized and empowered to swear any such Person to such Affidavit; and such Affidavit shall be transmitted (Post or Carriage free) to the Clerks to the said Company of Proprietors for the Time being, or One of them, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerks for the Entry of Transfers and Sales of Shares in the said Undertaking; and that before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking by virtue of any Bequest or Will, or in a Course of Administration, shall be entitled to receive the same, the said Will, or the Probate Copy thereof, shall be produced and shown to the said Clerks, or One of them, or an Affidavit, containing a Copy of so much of such Will as shall relate to the Share or Shares of the Testator, or of the Letters of Administration, in case the Proprietors shall have died intestate, shall be made and sworn to by an Executor or Executors of such Will, or by an Administrator or Administrators of the Estate and Effects (as the Case may happen to be), before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall also be transmitted (Post or Carriage free) to the said Clerks, or One of them, who shall file and enter the same in Manner herein-before mentioned; and for every such Entry the Clerks of the said Company shall be entitled to receive from the Person or Persons claiming such Share or Shares by Marriage, or Will, or in Course of Administration as aforesaid, the Sum of Two Shillings and Sixpence, and no more.

or Will, or
in Course of
Administra-
tion.

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

Names of
Proprietors
to be enter-
ed, and
Tickets of
their Shares
delivered to
them.

XXXI. And be it further enacted, That if the several Persons who have become Subscribers towards the Purposes of this Act, or any Ten or more of them, or any Person or Persons who shall here-
after

For enforc-
ing Payment
of Subscrip-
tions.

after become or agree to become a Subscriber or Subscribers for that Purpose, or shall be the Proprietor or Proprietors, by Purchase or otherwise, of any Share or Shares in the said Undertaking, shall after Twenty-one Days previous Notice in Writing under the Hands of the Clerks to the said Company, or One of them, given to him, her, or them personally, or left at or sent by the General Post addressed to his, her, or their usual Place or Places of Abode, as the same may stand registered in the Books of the said Company, refuse or neglect to make Payment of the Sum or respective Sums by him, her, or them so subscribed or agreed to be subscribed, or such Part or Parts thereof as may be required in such Notice, at such Place or Places and to such Person or Persons as the said Company shall authorize to receive the same, it shall be lawful for the said Company to bring or cause to be brought any Action or Actions of Debt, or on the Case, or Bill, Plaint, or Suit, against the Person or Persons so refusing or neglecting as aforesaid, or his, her, or their Heirs, Executors, or Administrators, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and after Proof of such Person or Persons having so subscribed or agreed to subscribe, and that such Notice was given as aforesaid, a Verdict shall be given for the Plaintiff in all such Action and Actions, and Execution shall issue thereupon as the Case may require.

Power to
appoint
Committees.

XXXII. And be it further enacted, That it shall be lawful for the said Directors, at their First Meeting after every Election of such Board, or at any subsequent Meeting, to nominate and appoint One or more Committee or Committees, (every such Committee consisting of Seven or more Directors, and of which the Governor and Deputy Governor of the said Company shall be Two); and such Committee and Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever, in and about the said Undertaking, which the said Directors shall from Time to Time entrust to the Management of such Committee or Committees; and such Committee and Committees shall meet at such Time and Place and Times and Places as they shall think proper, and shall be allowed for the Expences of their Meetings such Sums of Money as shall from Time to Time be directed, adjusted, and settled at the General Meetings of the said Proprietors, not exceeding the Rate of Allowance for the Expences of the Meetings of the said Directors; and all Powers hereby vested, or which shall be vested in such Committee or Committees by the said Directors as aforesaid, shall be exercised by the major Part present at their respective Meetings, the whole Number of Members present not being less than Five; and all Questions shall be decided by the Majority of Votes; and no Member of such Committee or Committees shall have more than One Vote at any of their Meetings, except the said Governor or Deputy Governor, or the Chairman of the Meeting, who, in case of an equal Division, shall have the casting Vote; and such Committee and Committees shall from Time to Time make Reports, and send Copies of their Proceedings to the Directors, and shall at all Times be subject to the Controul of the said Directors, and shall obey all
all

all their Orders and Directions in and about the Affairs of the said Company of Proprietors, so that such Orders and Directions be not contrary to the express Directions, Regulations, and Provisions contained in this Act, or the Rules, Bye Laws, or Orders of the said Company of Proprietors.

XXXIII. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and others, to improve, cleanse, scour, enlarge, inhigh, embank, deepen, widen, render more straight, and maintain the said River *Stour* and *Sandwich* Haven, for improving the Navigation thereof from *Abbott's Mill*, in the City of *Canterbury* and County of the same City, in and through the several Parishes of *All Saints*, *Saint Alphage*, *Saint Peter*, *Holy Cross Westgate*, *Saint Mary Northgate*, *Hackington* otherwise *Saint Stephens*, and *Fordwich*, in the said City of *Canterbury* and County of the same City, a certain Extra-parochial Place called the *Black Friars*, and a certain other Extra-parochial Place called the *Black Prince's Chantry*, in or near the said City of *Canterbury* and County of the same City, an Extra-parochial Place called the Borough of *Staplegate*, and the several Parishes of *Holy Cross Westgate*, *Hackington* otherwise *Saint Stephens*, and *Sturry*, in the County of *Kent*, the Town of *Fordwich* and its Liberties, and the Parish of *Fordwich* in the said County of *Kent*, and the several Parishes of *Westbere*, *Littlebourne*, *Stodmarsh*, *Stourmouth*, *Chislet*, *Wingham*, *Ickham*, *Wickhambreux*, *Preston next Wingham*, *Elmstone*, *Ash next Sandwich*, and *Woodnesborough* otherwise *Winsborough*, in the said County of *Kent*, and the Ville of *Sarr*, and the several Parishes of *Saint Nicholas at Wade*, *Monkton*, *Minster*, *Saint Lawrence*, and *Stonar*, in the *Isle of Thanet* in the said County of *Kent*, the said Town and Port of *Sandwich*, and the Liberties of the same Town and Port, and the several Parishes of *Saint Mary the Virgin*, *Saint Peter the Apostle*, and *Saint Clement*, in the said Town and Port and Liberties of *Sandwich* and County of *Kent*, or some of them, unto or a short Distance below a certain Place in the said Town and Port of *Sandwich*, or within the said Parish of *Saint Clement* there, called *Lower Head*; and also to form and maintain One or more Basin or Basins, with proper Quays, Wharfs, Landing Places, and Warehouses adjoining thereto, near *Abbott's Mill* aforesaid, in the said Parishes of *Saint Alphage*, *Holy Cross Westgate*, *Saint Peter*, *Saint Mary Northgate*, *Hackington* otherwise *Saint Stephens*, in the said City of *Canterbury* and County of the same City, and in the said Extra-parochial Places called the *Black Friars* and *Black Prince's Chantry*, in or near the said City of *Canterbury* and County of the same City, and in the said Borough of *Staplegate*, and the said Parishes of *Holy Cross Westgate* and *Hackington* otherwise *Saint Stephens*, in the said County of *Kent*, or in some of them; and also to make and maintain a New Cut at or near a certain Place on the said River called *Cold Harbour*, in the said Parish of *Saint Mary Northgate*, in the said City and County of *Canterbury*, and *Hackington* otherwise *Saint Stephens*, in the said City and County of *Canterbury*, and in the said County of *Kent*, or in one of the said last-mentioned Parishes; and another

Power to improve River *Stour* and *Sandwich* Haven, and to make New Cuts, Haven, and Harbour.

New Cut at or near a certain other Place on or near the said River, called *Horse Shoe Hole*, in the said Parishes of *Saint Mary Northgate* and *Hackington* otherwise *Saint Stephens*, or one of them; and also another New Cut from just below or near unto a certain other Place on the said River, called *Chancery Head*, in the said Parish of *Sturry* in the said County of *Kent*, and Parish of *Fordwich* in the said County of the City of *Canterbury* and County of *Kent*, or one of the said last-mentioned Parishes, to a Place on the said River in the said Parish of *Fordwich* in the said County of *Kent*, a little above *Fordwich Bridge*; and to divert the Water of the said River *Stour* or any Part thereof into the said New Cuts, or to supply the said New Cuts with Water taken from the said River, with all requisite Locks, Weirs, Flood Gates, and Sluices, upon the Line of the said River and New Cuts; and also to cut, make, and maintain a New Haven from the said Place called *Lower Head*, or from a short Distance below the same, in and through Part of the said Parish of *Saint Clement* in the said Town and Port and Liberties of *Sandwich*, and the several Parishes of *Word* otherwise *Worth*, *Sholden*, and *Northborne*, or in some or one of them, in the said County of *Kent*, to the Sea, between the Batteries No. 1. and No. 2. there; and also to form One or more Basin or Basins, with proper Quays, Wharfs, Landing Places, Warehouses, and other Conveniences adjoining thereto, in the said Parishes of *Saint Mary the Virgin*, *Saint Peter the Apostle*, and *Saint Clement*, in the said Town and Port of *Sandwich*, and in the said Parish of *Stonar* in the said County of *Kent*, or in some or one of them, with Locks, Flood Gates, Dams, and Sluices across the said New Haven at or near the said Place called *Lower Head*, if the same shall be deemed necessary; and to erect and make a Tumbling Bay Lock or Sluice, and Bridge, across the Old Haven, at or near the said Place called *Lower Head*, in the said Town and Port and Liberties of *Sandwich*; also to erect, make, and maintain a Bridge where the said Third before-mentioned New Cut will cross the Turnpike Road from *Canterbury* to *Ramsgate*; and to divert the Waters of the said Old Haven, or any Part thereof, into the said New Haven; and to cut, make, and maintain a Harbour on the Sea Shore in the said Parishes of *Word* otherwise *Worth*, *Sholden*, and *Northborne*, or some or one of them, with proper Piers, Jetties, Breakwaters, Quays, Wharfs, Warehouses, Mooring Chains, Light Houses, Buoys, and other Works, within or adjoining thereto, as may be necessary for the reception, shelter, loading, and unloading of Ships and Vessels resorting thereto, and for the better enabling such Ships and Vessels to come into and go out of and pass through the same, and there to lie and continue; and to make all such convenient Tram or Rail Roads, Ways, Roads, and Passages of Communication, with all Turnpike Roads or Highways already made or to be made, within One hundred Yards of the said several Basins, Quays, Wharfs, Warehouses, River, Haven, Cuts, New Haven or Harbour, as may be requisite for giving necessary Access to the same, and the Carriage of Goods and all other necessary Purposes at, in, and upon, and to and from the same; and to erect and make Wharfs, Quays, Landing Places, and other Conveniences for the Purpose of loading and unloading, shipping and unshipping, landing and conveyance of Goods to and from the said River, Haven, Cuts, New Haven and Harbour, and to supply the
said

said Cuts and New Haven whilst making, and at all Times for ever after the same shall be made, with Water from the said River *Stour* and Old Haven, and all Rivers, Brooks, Springs, Streams, Rivulets, and Watercourses incident thereto, which shall be found in digging or making the said Cuts and New Haven, or any of them; and the said Company of Proprietors are hereby also authorized and empowered, by themselves and their Deputies, Agents, Officers, and Workmen, to make, for the Purpose of supplying the said River, Haven, Cuts, and New Haven, or any Part or Parts thereof with Water, such and so many Soughs, Tunnels, Feeders, Aqueducts, and Channels, as they shall think fit, for supplying the said River, Haven, Cuts, and New Haven with Water; and also, for effectuating the Purposes of this Act, to enlarge, widen, divert, alter, or vary any Roads or Ways, and the Course of such Brooks, Streams, or Watercourses which are or shall be situate within the Line or Track of the said River, Haven, Cuts, or New Haven, or which shall or may hinder, prevent, or otherwise obstruct the making of the said Works; and for the Purposes aforesaid or any of them, the said Company of Proprietors and their Deputies, Servants, Agents, and Workmen, are hereby authorized and empowered to enter into and upon the Lands and Grounds of any Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same or of any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary and proper for making the said Cuts and the other Works and Conveniences hereby authorized to be made, and there to bore, dig, cut, trench, and sough, and also to remove, take, carry away, and lay any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got in making, or which may hinder, prevent, or obstruct the making, carrying on, maintaining, or repairing the said Cuts and other Works respectively, according to the true Intent and Meaning of this Act; and also to make Carriage Roads and other Ways, as well for the carrying and conveying of all Manner of Materials necessary or intended for the making, erecting, finishing, altering, repairing, widening, enlarging, or improving the said Cuts, and other Works hereby authorized, as also for the Purposes of the said intended Navigation, and for the carrying and conveying of Goods, Wares, Merchandize, and other Things to and from the said River, Haven, Cuts, or New Haven; and also to make, build, drive, erect, and set up in or upon the said River, Haven, Cuts, or New Haven, or in or upon the Lands adjoining thereto respectively, such and so many Bridges, Piers, Arches, Tunnels, Soughs, Aqueducts, Culverts, Sluices, Locks, Flood Gates, Weirs, Banks, Dams, Pens of Water, Water Tanks, Reservoirs, Basins, Wharfs, Quays, Houses, Warehouses, Toll Houses, Watchhouses, Landing Places, Weighing Beams, Cranes, Dry Docks and other Docks, Steam Engines, Machines, and other Works, Ways, Roads, Gates, Fences, and Conveniences, for the Purposes of the said intended Works, as and where the said Company of Proprietors shall think requisite and convenient; and also from Time to Time alter, repair, and amend or discontinue the same or any of them; and to place, lay, work, or manufacture any Materials on the Lands

or

or Grounds adjoining to the Place or Places where the said Works, or any of them, shall be carrying on; and also to make, set out, and appoint such Towing Paths, Banks, Roads, and Ways for the towing, haling, or drawing of Barges, Boats, Lighters, Rafts, and other Vessels passing upon the said River and Cuts, with Men, Horses or otherwise, and such convenient Places for Barges, Boats, and other Vessels and Rafts, to turn, lie, or pass each other in, as the said Company of Proprietors shall think proper and expedient; and also to dig, take, and carry away any Soil, Clay, Gravel, Sand, or Stone, which shall be proper, requisite, or convenient for the making, maintaining, and repairing the several Works aforesaid, or any of them, in or from the Grounds of any Person or Persons adjoining or lying convenient thereto; and also from Time to Time to make, build, erect, construct, and keep in Repair any Piers, Arches, Aqueducts, and other Works, in, upon, over or across any Roads, Rivers, Brooks, or Valleys, for making, carrying on, using, maintaining, and repairing of the said Canal and Towing Paths; and also to construct, erect, make, and do all other Matters and Things which they shall think convenient and necessary for the making, effecting, extending, preserving, improving, completing, and using the said River, Haven, Cuts, New Haven and Harbour, and other Works, in pursuance of and according to the true Intent and Meaning of this Act; they the said Company of Proprietors, their several Deputies, Agents, Officers, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making Satisfaction in Manner herein-after mentioned to the Owners and Proprietors of and other Persons interested in any Lands, Tenements, or other Hereditaments, Waters, Watercourses, Brooks, or Rivers respectively, which shall be taken, used, removed, diverted, or prejudiced, for all Damages to be by them sustained in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company of Proprietors, and their Deputies, Agents, Officers, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject to such Provisoes and Restrictions as are herein-after mentioned.

Steam Engines to consume their own Smoke.

XXXIV. And be it further enacted, That every Steam Engine which shall be erected by the said Company of Proprietors, or in pursuance of this Act, shall be erected and built upon the best and most approved Principle of consuming its own Smoke.

Certain Lands, &c. not to be taken for the Purposes of the Act.

XXXV. Provided always, and it is hereby further enacted, That it shall not be lawful to and for the said Company of Proprietors to take for the Purposes of this Act, without the Consent of the respective Owners thereof, any Lands, Tenements, or Hereditaments, belonging to the Mayor and Commonalty of the City of *Canterbury*, or the Quay or Wharf at the said Town of *Fordwich*, belonging to the Mayor, Jurats, and Commonalty of the said Town of *Fordwich*, or any Part thereof, or the Part of the Quay or Wharf at the Town and Port of *Sandwich* belonging to the Mayor, Jurats, and Commonalty of the said Town and Port of *Sandwich*, extending from *Sandwich* Bridge for the Space of Thirty Yards along the Haven to

a certain Wet Dock now there being, belonging to the Mayor, Jurats, and Commonalty of the said Town and Port of *Sandwich*; but nevertheless the said Company of Proprietors may take for the Purposes of this Act the Lands described in Schedule (A.) hereunto annexed, (excepting the Lands, Buildings, and Premises mentioned in the said Schedule belonging to the Mayor and Commonalty of the City of *Canterbury*, of which, such Part only shall be taken as may be required for the said Basin and Navigation,) and also the Part of the said Quay or Wharf belonging to the Mayor, Jurats, and Commonalty of the Town and Port of *Sandwich*, extending from the Eastern or lower Side of the said Wet Dock belonging to the said Mayor, Jurats, and Commonalty of the Town and Port of *Sandwich*, along the Haven to the said Place called *Lower Head*, and also a certain Piece or Parcel of Pasture Land belonging to the said Mayor, Jurats, and Commonalty of *Sandwich*, called *The Vigo Piece*, containing Three Acres, situate in the said Parish of *Saint Clement*, in the said Town and Port of *Sandwich*, and also the Piece or Parcel of Pasture Land belonging to the said Mayor, Jurats, and Commonalty of *Sandwich*, called *Cold Harbour*, situate in the said Parish of *Saint Clement*, now held by *Joseph Stewart* Esquire, and containing, by Estimation, Three Acres, paying for the same Lands and Hereditaments respectively the Value thereof; and the said Mayor, Jurats, and Commonalty of *Sandwich* shall for ever hereafter suffer the Road or Way along the said Quay or Wharf belonging to them, from *Sandwich* Bridge and the High Street in *Sandwich* to *Lower Head*, and the Road or Way from *Fisher's Gate* into the said first-mentioned Road or Way, to remain and be open and unobstructed for the Use of the said Company of Proprietors, their Servants and Agents, and all other Persons having Business or Concerns with them, or having occasion to go or travel with Carriages or Horses, or on Foot, along the South Side of the said Haven, New Haven and Harbour, or any Part thereof.

XXXVI. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Undertaking, or any other of the Purposes aforesaid, any House, Mill, Quay, Wharf, or other Building or Erection which was erected and built on or before the First Day of *January* One thousand eight hundred and twenty-four, or any Land or Ground which on the said First Day of *January* One thousand eight hundred and twenty-four was set apart and used as or for a Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent of the Owners or Occupiers thereof, other than and except the Houses, Mills, Buildings, Gardens, Orchards, Yards, and Paddocks mentioned in Schedule A. to this Act annexed, and the Lands and Hereditaments herein-before mentioned.

Houses, Gardens, &c. not to be injured, except such as are mentioned in the First Schedule.

XXXVII. And be it further enacted, That the Lands and Grounds to be taken or used for improving and making the said River, Haven, Cuts, New Haven and Harbour, and the Slopes and Embankments thereof, and for the Towing Paths thereto, and the Ditches, Drains,

Breadth of River, Haven, and Harbour, and Length and

[Local.]

54 C

and

and Fences to separate such Slopes, Embankments, and Towing Paths from the adjoining Lands, shall not, including the Bed or Channel of the River or Haven, exceed Three hundred and fifty Feet in Breadth between *Abbott's Mill* in the said City of *Canterbury* and *Sandwich* Bridge; and shall not exceed Four hundred Feet in Breadth between the said Bridge and the said Harbour; and shall not exceed Two thousand Feet in Length above High Water Mark, and Nine hundred Feet in Breadth at the said Harbour, except in such Places where any Docks or Basins shall be made, and except in such Places where it shall be judged proper by the said Company for Boats or other Vessels to turn, lie, or pass each other, or where any Locks, Quays, Wharfs, or Warehouses may be made or erected by virtue of the Powers hereby given; nor in any such excepted Places more than One hundred Feet more in Breadth, without the Consent of the Owner or Owners of the Lands and Hereditaments adjoining to the said River, Haven, Cuts, New Haven and Harbour, given under his, her, or their Hand and Seal or Hands and Seals: Provided always, that the said Company of Proprietors may extend the said Harbour, and the Piers, Jetties, and other necessary Erections there, any Length they may think proper into the Sea below High Water Mark: And provided also, that the said Company of Proprietors may also take for the Purposes of this Act, or any Purposes connected therewith, or for the Erection of Houses and Buildings at or near the said Harbour, any Quantity of Land not exceeding altogether Three Acres, situate, adjoining, or near to the South or North or both Sides of the said Harbour, in such Direction and with such Abuttals as the said Company of Proprietors shall think fit, paying for the same the Value thereof.

The Company not to interfere with the River Stour before the Completion of the intended Haven and the Cut from Sandwich to the Sea, &c.

XXXVIII. Provided always, and be it enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors to make, do, execute, or perform any of the Works and Improvements in or upon the said River *Stour*, or in or upon the Line thereof from the Bridge in the Town of *Sandwich* aforesaid to *Fordwich* Bridge aforesaid, before or until they shall have made and completed the said intended New Haven or Harbour, and the Cut or Canal from the Sea to *Sandwich* Bridge, and until they shall have made and completed the respective Works, Cuts, and Canals from the said City of *Canterbury* to *Fordwich* Bridge, save and except nevertheless such Works as may be necessary to remove or clear away the Shoals and Obstructions within the Banks of the said River *Stour* between *Sandwich* Bridge aforesaid and the *Stonar* Cut.

Plans and Books of Reference deposited with the Clerks of the Peace for the County, City, and Port.

XXXIX. And whereas a Survey has been made to ascertain the Practicability of improving and making the said River, Haven, Cuts, New Haven, and Harbour, and Maps or Plans, with Books of Reference thereto, have been deposited at the Offices of the Clerks of the Peace of the said County of *Kent*, City and County of the City of *Canterbury*, and Town and Port of *Sandwich*, respectively; be it therefore enacted, That the said Plans and Books of Reference shall remain, and be safely kept in the Custody of the same Clerks of the Peace respectively; and that it shall and may be

lawful for all Persons to resort to any of such Maps, Plans, and Books of Reference, and to examine or make Extracts from, or Copies of the same, as Occasion shall require, paying to the said Clerks for Copies of or Extracts from the said Books of Reference after the Rate of Sixpence for every One hundred Words; and the said Maps or Plans, and Books of Reference, so certified, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere; and the Clerks for the Time being to the said Company of Proprietors, upon Seven Days Notice to them given for that Purpose, shall and they are hereby required, from Time to Time, to produce the said Maps or Plans, and Books of Reference, so deposited with them as aforesaid, before any Jury or Juries to be impannelled by virtue of this Act, at the Time and Place to be mentioned in such Notice, in order that the same may be then and there given in Evidence, such Clerks to the said Company of Proprietors having a reasonable Sum of Money allowed for their Travelling Expences, Absence from Home, and Attendance on such Occasions.

XL. Provided always, and be it further enacted, That the said Company of Proprietors, in making the said Reservoirs, shall not deviate from the Situation thereof, as delineated in the said Map or Plan.

Reservoirs to be made pursuant to Plan.

XLI. And be it further enacted, That the said Company of Proprietors, in improving and making the said River, Haven, Cuts, New Haven and Harbour, shall not deviate from the Course or Direction delineated in the said Maps or Plans, and set forth in the said Books of Reference, more than One hundred Yards from the Course or Direction specified in the said Maps or Plans.

Not to deviate without Consent.

XLII. Provided always, and it is hereby further enacted and declared, That the said Company of Proprietors shall and may improve and make the said River, Haven, Cuts, New Haven and Harbour, respectively, or Deviations from the same, into, through, across, or over the Estates, Lands, or Grounds of any Person or Persons whomsoever, into whose Estates, Lands, or Grounds such Deviations as aforesaid shall extend (although their Names be not mentioned in the said Book of Reference), or into the Estate or Estates, Lands, or Grounds of any Person or Persons whose Name or Names appear to the Satisfaction of any Two or more of the Justices of the Peace of the County or Place where the Land shall be situated, and be by them certified under their Hands, to have been by Mistake omitted in the said Book of Reference, or that instead thereof the Name or Names of some other Person or Persons, to whom such last-mentioned Estates, Lands, or Grounds do not belong, hath or have been by Mistake inserted therein; any thing herein contained to the contrary thereof notwithstanding.

Landholders omitted in the Book of Reference not to obstruct the making the Navigation.

XLIII. And be it further enacted, That after any Lands, Grounds, Tenements, or Hereditaments, shall be set out and ascertained for making the said River, Haven, Cuts, New Haven and Harbour, or any Part or Parts thereof, and for providing and constructing the Basins, Locks, Quays, Wharfs, Warehouses, and other Works and Conveniences

Bodies Politic, &c. empowered to sell and convey Lands.

Conveniences herein-before mentioned, or any of them; it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and for every other Person or Persons whomsoever, who is, are, or shall be seised, possessed of, or interested in any Lands, Grounds, Tenements, or Hereditaments which shall be so set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of Proprietors; and all such Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors, and shall be made according to the following Form; *videlicet*,

Form of
Conveyance
to the Com-
pany.

‘ I A. B. of _____ in consideration of the Sum
 ‘ of _____ to be paid by the *Canterbury*
 ‘ Navigation and *Sandwich* Harbour Company, do hereby grant, bar-
 ‘ gain, sell, and release to the said Company all [*describing the*
 ‘ *Premises to be conveyed*] and all my Right, Title, and Interest to
 ‘ and in the same and every Part thereof, to hold to the said Com-
 ‘ pany and their Successors for ever, by virtue and according to the
 ‘ true Intent and Meaning of an Act of Parliament made in the
 ‘ Sixth Year of the Reign of His Majesty King *George* the Fourth,
 ‘ 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 Conveyance shall be enrolled in One of His Majesty's Courts of Record at *Westminster* within Three Calendar Months after the Execution thereof, and the same shall be kept by the Clerks to the said Company of Proprietors, who shall from Time to Time, when required, deliver attested Copies thereof to any Person or Persons requiring the same, and shall have and receive Sixpence for every Seventy-two Words of each such attested Copy, and so in proportion for any less Number of Words, exclusive of the Stamp Duty.

Commons
and Waste
Lands to
be con-
veyed by the
Lords or
Ladies of
the Manor.

XLIV. And be it further enacted, That in all Cases where in improving and making the said River, Haven, Cuts, New Haven and Harbour, and the Basins, Locks, Quays, Wharfs, Warehouses, or other Works hereby authorized to be made, or any Road or Roads thereto respectively, there shall be occasion to cut through, take, or use any Part of any Commons or Wastes, the Conveyance of such Parts of such Commons or Wastes by the Lord or Lords, Lady or Ladies of the Manor or Manors in which the same are situate, to the said Company of Proprietors, shall be a good and sufficient Conveyance; and the Lord or Lords, Lady or Ladies of such Manor or
 Manors

Manors respectively, are hereby authorized and required to make and execute such Conveyances accordingly, on the Receipt of his, her, or their Proportion or Proportions of the Purchase Money as herein-after mentioned, or on the same being tendered to him, her, or them, subject to the Rules, Regulations, and Provisions herein contained with respect to the Payment of other Monies for other Lands taken or used by the said Company; and the said Jury shall ascertain what Proportions of the Purchase Money shall be due to the said Lord or Lords, Lady or Ladies, or other Persons interested in such Commons or Wastes, for his, her, or their Interest in such Lands, and such Proportions shall be thereupon paid to him, her, or them, and the Remainder thereof shall be paid to the Surveyors of the Highways of the Parish, Township, or Place in which such Commons or Wastes shall be situated, to be applied and accounted for in like Manner as any other Monies received by such Surveyors.

XLV. Provided always, and be it enacted, That all and every Body or Bodies Politic, Corporate or Collegiate, Trustees, or other Persons herein-before capacitated to sell or convey Lands, Tenements, and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands, Tenements, or other Hereditaments through, in, or upon which the said River, Haven, Cuts, New Haven, Harbour, or other Works hereby authorized are intended to be improved and made, or of any Mills or other Works, or Hereditaments, from which any Water may or shall be taken or diverted, or to which any Injury or Damage shall be done by carrying this Act into Execution, may accept and receive Satisfaction for the Value of such Lands, Grounds, Tenements, Mills, or other Works, Water, and Hereditaments, and for the Damages to be sustained by making and completing the said Works herein-before directed, in gross Sums, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company of Proprietors; and in case the said Company of Proprietors and the said Parties interested in such Lands, Grounds, Tenements, or other Hereditaments, cannot agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Verdict of a Jury as is herein-after directed.

Satisfaction to be made.

If Parties cannot agree, Price to be settled by a Jury.

XLVI. And be it further enacted, That if in improving and making the said River, Haven, Cuts, New Haven and Harbour, or any of the said Works, any Pieces or Parcels of Land or Ground shall be cut through or divided, so that what shall be left on each or either Side of the said River, Haven, Cuts, New Haven or Harbour, or other Works, shall be less than One Acre in Quantity, or less than Twenty Yards in average Breadth throughout the whole Length thereof, and if the Owner or Owners of any such Pieces or Parcels of Land or Ground shall not have any other Land or Ground adjoining or contiguous to what shall be left on either Side of the said River, Haven, Cuts, New Haven or Harbour, then and in every such Case the said Company shall also take and purchase the Piece or Parcel, Pieces or Parcels of Land or Ground so to be left on each or either Side of the said River, Haven, Cuts, New Haven

Company compellable to purchase small Slips of Land left by the Sides of the Navigation.

[Local.]

54 D

and

and Harbour, being less than One Acre in Quantity, or less than Twenty Yards in average Breadth throughout the whole Length thereof as aforesaid, and shall pay for the same after and in the same Manner as they shall pay for the Land or Ground adjoining thereto, which shall be taken and used for improving and making the said River, Haven, Cuts, New Haven and Harbour, provided the Owner or Owners, or Person or Persons entitled to the Possession or to the Rents and Profits of such small Pieces or Parcels of Land or Ground respectively, shall require the said Company to take and purchase the same, but not otherwise.

If Parties
cannot agree,
Value to be
ascertained
by a Jury.

XLVII. Provided always, and be it further enacted, That if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons interested or entitled as aforesaid, shall upon Notice in Writing given to the principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments to be made use of for the Purposes of this Act, for the Space of Twenty-one Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Company of Proprietors, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Non-age, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not within the before-mentioned Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which he, she, or they are or shall be in Possession of, and to the Interest which he, she, or they claim therein, then and in every such Case the same shall be ascertained and settled by a Jury of Twelve Persons, to be summoned and chosen by the Sheriff of the County in which such Lands, Tenements, or Hereditaments are situate, or by the Lord Warden of the Cinque Ports and Constable of *Dover Castle*, or his Deputy, or the Mayor of the said Town and Port of *Sandwich*, in case such Lands, Tenements, or other Hereditaments are situate in the said Town and Port of *Sandwich* or the Liberties thereof, and which such Sheriff, or Lord Warden and Constable, or his Deputy, or Mayor, is hereby required to summon and choose in the Manner in which Juries are or may be summoned and chosen by Sheriffs of Counties in *England*, when directed so to do by Warrant under the Common Seal of the said Company of Proprietors, particularising the Place and Time; and every such Jury shall be liable and subject to the same Regulations, and to the same Pains and Penalties for Default, as if he or they had been returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, or Lord Warden and Constable, or his Deputy, or Mayor, is hereby empowered and required, by a Summons or Notice under his Hand, either previous to or at the Time of any such Meeting or Meetings, to summon and call before him all and every Person or Persons who shall be thought necessary to be examined as a Witness or Witnesses touching

touching the Matters in question, and to hear and examine such Witness or Witnesses upon Oath; and the said Sheriff, or Lord Warden and Constable, or his Deputy, or Mayor, may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matter or Matters in question; which Jury upon their Oaths (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor, is hereby empowered to administer) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, Tenements, or other Hereditaments, or the Recompence to be made for the Damages that shall or may be sustained as aforesaid, and shall assess separate Damages for the same; and the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor, shall give Judgment for such Purchase Monies or Recompence so to be assessed by such Jury; which said Verdict, and the Judgment thereupon pronounced as aforesaid, shall be signed by the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor, and shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, or Collegiate, and all other Persons, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Court, any Law or Statute to the contrary thereof notwithstanding: Provided always, that Twenty-one Days previous Notice in Writing at the least of the Day, Hour, and Place at which such Jury is required to be returned, be given to the Bodies Politic, Corporate, or Collegiate, or to the Person or Persons interested or entitled, or claiming so to be, by leaving such Notice at the Dwelling House of the Head Office of such Body or Bodies Politic, Corporate, or Collegiate, or at the Place of Residence of such Person or Persons interested or entitled, or claiming so to be, or of some Tenant or Occupier of the Premises respectively intended to be valued.

XLVIII. And be it further enacted, That if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act, having no reasonable Excuse, to be allowed by the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor or his Deputy; or if any Person so to be summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn or examined, or to give Evidence; then and in such Case every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, to be levied by virtue of any Warrant under the Hand and Seal of the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor or his Deputy, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him or her the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty shall go and be paid to the Party or Parties who shall appear to the said Sheriff, or Lord Warden and Constable

Fine upon
Jurors, &c.
making
Default.

or

or his Deputy, or Mayor or his Deputy, to be injured by the Default of such Person so offending.

Expences of
Juries.

XLIX. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money, as a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, Hereditaments, or other Property, than had been previously offered by or on behalf of the said Company of Proprietors, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, or where no Compensation or a smaller Sum than shall be given by such Verdict had been previously offered or tendered in respect thereof by or on behalf of the said Company of Proprietors, or where, by reason of Absence in foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation from the said Company of Proprietors, as herein-before mentioned, then and in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled by the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor or his Deputy, and be defrayed by the said Company of Proprietors; and in case such Costs shall not be paid by the said Company of Proprietors or their Directors within Twenty-one Days after the same shall be demanded, the same shall and may be levied, by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting in and for the County or Place, by Distress and Sale of the Goods and Chattels of the same Company; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the said Company of Proprietors, or for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compensation from the said Company of Proprietors, by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Company of Proprietors) the Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled in like Manner by the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor, so impannelling, summoning, and returning such Jury and taking such Verdict, and be borne and paid in the Manner following, that is to say, One Moiety or Half Part of such said Costs and Expences shall be borne and paid by the said Company of Proprietors, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Company of Proprietors shall have such Disputes or Controversies; which

which said Costs and Expences having been so settled shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict, where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeitures incurred by this Act.

L. And be it further enacted, That all and every Person or Persons making Complaint, and requesting a Jury to be summoned, shall (before the said Sheriff, or Lord Warden and Constable or his Deputy, or Mayor or his Deputy, shall issue out his Summons for that Purpose) enter into a Bond with Two sufficient Sureties, to the Treasurer or Treasurers to the said Company of Proprietors, in a Penalty of One hundred Pounds, with Condition to prosecute his, her, or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury and taking such Verdict, in case the same shall be given for no greater or for a less Sum than had been offered by or on behalf of the said Company of Proprietors, for the Purchase of any Lands, Grounds, Mills, Tenements, or Hereditaments, or as a Compensation for any Damages; or in case no Verdict shall be found for Damages where the whole Dispute was whether any Damage was or was not done as aforesaid.

Persons requesting Juries to enter into Bonds to prosecute.

LI. And be it further enacted, That the said Company of Proprietors shall not be obliged by virtue of this Act to receive or take Notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained by virtue or in consequence of this Act, unless Notice in Writing shall have been given in relation thereto, by or on behalf of such Person or Persons, to the said Company of Proprietors, in Manner by this Act directed, within the Space of Six Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Notice of Injury to be given to the Company before Appeal to a Jury.

LII. And be it further enacted, That the said Company of Proprietors shall make Compensation for any Lands, Tenements, or Hereditaments to be purchased under the Powers of this Act, or for any Damages that may be done thereto by the said Company, in gross Sums of Money, and not by way of Annual Rents.

Compensation to be in gross Sums of Money.

LIII. And be it further enacted, That the said Juries shall award all Judgments and Verdicts which they shall make and give in the Execution of the Powers hereby vested in them concerning the Value of Lands, Mills, Tenements, and other Hereditaments, separately and distinctly from the Consideration of any other Damages sustained

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

sustained or to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Lands, Tenements, and other Hereditaments, and the Money assessed or adjudged for such Damages as aforesaid, separately and apart from each other, and also shall settle what Shares and Proportions of the whole Value of Lands, Mills, Tenements, and other Hereditaments, or of the whole Compensation for Damages, shall be allowed to any Tenant, or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Estate, Term, or Interest therein, and what Shares and Proportions of such Value or Compensation shall be allowed to the Owner or Owners of the Premises subject to such particular Estates, Term, or Interest.

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

LIV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in Manner aforesaid, for the Purchase of any such Lands, Waters, Mills, Tithes, Tenements, or other Hereditaments, or as a Compensation for Damages as herein mentioned, to the Proprietor or Proprietors of such Lands, Waters, Mills, Tithes, Tenements, or other Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, within Three Calendar Months after the same shall have been so agreed for or assessed; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, then upon Payment of the said Sum or Sums of Money within the said Three Calendar Months into the Bank of *England*, as herein-after directed and required, for the Use of the Person or Persons entitled thereto, but not before; it shall and may be lawful to and for the said Company of Proprietors and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Grounds, Waters, Mills, Tenements, and other Hereditaments respectively, and then and thereupon such Lands, Grounds, Waters, Mills, Tenements, and other Hereditaments, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company of Proprietors and their Successors to and for the Purposes of this Act for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment or Tender as aforesaid, it shall not be lawful for the said Company of Proprietors, or any Person or Persons acting under their Authority, to dig or cut the Lands or Grounds, or to take down, remove, or otherwise affect any Mill, Tenement, or other Hereditament of the Party or Parties entitled to such Payment, for the Purpose of improving and making the said River, Haven, Cuts, New Haven and Harbour, and other Works, without the Leave and Consent of such Party or Parties respectively;

respectively; and in case any Person or Persons shall enter upon any such Premises for the Purposes of this Act, until such Payment or Tender shall have been made, every Person or Persons so offending shall forfeit and pay the Sum of Ten Pounds for every Day he or they shall remain on the said Premises.

LV. And be it further enacted, That each and every Verdict shall be transmitted to and kept by the respective Clerks of the Peace, or other Persons having the Custody of the Records of the Quarter or General Sessions of the Peace for the said Counties or Places respectively wherein the Matter in question shall happen, and shall be deemed to be Records of such Quarter or General Sessions of the Peace to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every Hundred Words, and so in proportion for any greater or less Number of Words, exclusive of the Stamp Duty. Verdicts to be recorded.

LVI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or any other incapacitated Person or Persons, such Money shall, if the same amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account *exparte* the said Company of Proprietors of the *Canterbury* Navigation and *Sandwich* Harbour, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be paid, 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 Party or Parties who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or the Discharge of any Debt or Debts, or such other Incumbrance or Incumbrances, or 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 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, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, Application of Compensation when amounting to 200*l*.
1 G. 4. c. 35.

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 said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, 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 Party or Parties who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application when the Money is less than 200*l.* and exceeding 20*l.*

LVII. Provided always, and be it further 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 Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Party or Parties for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under his, her, or their respective Hand or Hands, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, 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 Three or more of the said Directors, such Nomination and Approbation to be signified in Writing under the Hand or Hands of the nominating and approving Party or Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application when the Sum is 20*l.* or under.

LVIII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as herein-before mentioned shall amount to the Sum of Twenty Pounds only, or be less than that Sum, then and in all such Cases the same shall be paid to or applied to the Use of the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements,

Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Court of Directors, or any Three or more of them, shall think fit; or in case of Infancy, Idiocy, or Lunacy, then 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.

LIX. And be it further enacted, That in case the Party or Parties to whom any Sum or Sums of Money shall be awarded or assessed for 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 Company of Proprietors; or in case the Party or Parties to whom such Sum or Sums of Money shall be awarded or assessed 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 be lawful for the said Company of Proprietors to order the Sum or Sums of Money so awarded or assessed as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Party or Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Party or Parties 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 Party or Parties 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 Party or Parties as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of
not making
out Titles,
&c.

LX. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Party or Parties 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 Exchequer, 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 thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Party or Parties who shall have been in Possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Party or Parties, or

Parties in
Possession
presump-
tively enti-
tled.

under the Possession of such Party or Parties, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or 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 Party or Parties was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Company of Proprietors.

LXI. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation or Corporations, 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 of Exchequer, 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 Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Compensation to Messrs. Richard and Charles Emmerson.

LXII. And whereas by the Operation of this Act it may happen that the Works for the Manufactory of Salt in the Parish of *Stonar*, in the said Isle of *Thanet* and County of *Kent*, belonging to *Richard Emmerson* and *Charles Emmerson*, may in the course of Time be deprived of a proper and due Supply of Salt Water for the Use of the same Works, and such Works may thereby be greatly injured or deteriorated in Value; be it therefore enacted, That in case it shall at any Time hereafter happen, that by the Operation of this Act the said Works shall be deprived of a proper and due Supply of Salt Water for the Use thereof, and any Damage or Injury shall be thereby sustained by the Owners or Owner, and their, his, or her Lessees or Lessee, then and in such Case Compensation and Recompence shall be made to such Owners or Owner of such Works, or their, his, or her Lessees or Lessee, by the said Company of Proprietors, for such Damage or Injury, according to the Amount or Value thereof; such Compensation and Recompence to be ascertained, in case of any Difference concerning the same, in like Manner as other Damages to be sustained by the making and completing the Works herein-before directed to be made are by this Act directed to be ascertained.

Compensation to Corporation of Fordwich for Fishery.

LXIII. And whereas the said Mayor, Jurats, and Commonalty of the said Town of *Fordwich* and its Liberties are entitled to the Fishery of the River *Stour* and its Branches within the said Liberties, but their Enjoyment of the Fishery will be greatly injured by the Operation of this Act; be it therefore enacted, That the Recompence

or Satisfaction to be made to the said Mayor, Jurats, and Commonalty, for the Loss or Injury they may sustain as aforesaid, shall be settled and ascertained by a Jury to be impannelled, summoned, and returned in Manner by this Act directed, if not otherwise settled and arranged between the Parties; and in case of Default or Refusal of Payment thereof by the said Company of Proprietors, the same shall and may be recovered from them by the said Mayor, Jurats, and Commonalty of the said Town and Liberties of *Fordwich* and their Successors, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be granted or allowed.

LXIV. And whereas by the Operation of this Act it may happen that the Drainage of the Lands in the Parish of *Stonar* aforesaid (which sew and drain into the present Haven of *Sandwich* aforesaid) may in the Course of Time be prevented and stopped, and such Lands may thereby be greatly injured or deteriorated in Value; be it therefore enacted, That in case it shall happen at any Time hereafter that by the Operation of this Act the proper Drainage of any Lands in the said Parish of *Stonar* shall be prevented or stopped, and any Damage or Injury shall be thereby sustained by the Owners or Occupiers thereof, then and in such Case it shall and may be lawful for the said Company of Proprietors, and they are hereby required, at their own Expence, to provide new and ample Drainage for the said Lands, (the said Owners and Occupiers for ever after keeping and maintaining the same in proper Repair,) and Compensation and Recompence shall be made by the said Company of Proprietors to such Owners or Occupiers of the said Lands for such Damage or Injury, according to the Amount or Value thereof; such Compensation and Recompence to be ascertained, in case of any Difference concerning the same, in like Manner as other Damages to be sustained by the making and completing the Works herein-before authorized to be made are by this Act directed to be ascertained.

Compensation to Owners and Occupiers of Lands in the Parish of *Stonar*.

LXV. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, to take down or cause to be taken down, at their own Expence, a certain Brick and Stone Bridge, or Part thereof, over the River *Stour* in the said Town of *Fordwich*, and to remove all the Materials thence arising, and to convert the same to such Use or Uses as the said Company of Proprietors shall think proper; provided always, that the said Company of Proprietors and their Successors shall and do, and they are hereby authorized, empowered, and required with all possible Speed to erect and set up a Bridge in the Place of such as shall be taken down by them by virtue of this Act, and to alter, maintain, and repair the same at all Times thereafter, without Charge or Expence to the said Mayor, Jurats, and Commonalty, or their Successors, by Toll or otherwise: Provided always, that nothing herein contained shall extend or be construed to extend to prevent the said Mayor, Jurats, and Commonalty, and their Successors, from collecting and receiving at the Bridge which shall not be taken down by virtue of this Act or either of them, and to apply to their own Use, all the like Tolls and Duties now received by them there

Empowering the Company to take down the old Brick and Stone Bridge at *Fordwich* and to erect another in its Place, &c.

there or at the other Bridge, in such and the same Manner, and with the same Powers and Remedies for the Recovery thereof in case of Refusal or Non-payment, as if this Act had not been made.

The Banks, &c. to be formed so as to keep the Water at its usual Height at the Mills.

LXVI. And whereas by the Operation of this Act it may happen that certain Water Corn Mills and Hereditaments called and known by the Name of *The Barton Mills*, situate and being in the said Parish of *Saint Mary Northgate* in the said City of *Canterbury*, and belonging to *Thomas Kingsford, Sampson Kingsford, Sarah Maria* the Wife of *Stephen Nicholson, Barber Priscilla Kingsford, Susanna* the Wife of *John Brent, Marianné* the Wife of *Thomas Lever Burch*, and *Selina* the Wife of *John Kingsford*, and also Two other Water Corn Mills and Hereditaments, situate and being in the Parish of *Sturry* in the County of *Kent*, and belonging to the said *Sampson Kingsford*, may respectively be prejudicially affected by the Works hereby authorized; and it has been agreed between the said respective Owners and the said Company of Proprietors, that Provision shall be made for securing the respective Owners and Occupiers for the Time being of the said respective Mills and Premises from Injury; be it therefore enacted, That the said Company of Proprietors and their Servants and Agents shall and they are hereby required so to form the Banks of the said Navigation, and the Locks, Gates, and other Works to be made and constructed under the Authority of this Act, that the Water in the Channel of the said River *Stour* at the said Mills respectively shall be kept and maintained at its usual and customary Height.

The Company to construct Stop Grooves, Sills, and Planks at the Heads of the Mills.

LXVII. And be it further enacted, That the said Company of Proprietors, before they shall divert the Water from the said River *Stour* to and into the said New Cut intended to be made at or near *Cold Harbour*, and to and into the said New Cut intended to be made at or near *Chancery Head* respectively, shall and they are hereby required, at their own proper Costs and Charges, to make and construct, and afterwards to maintain, good and substantial Stop Grooves, Sills, and Planks, at the respective Heads of the said *Barton Mills* and *Sturry Mills* respectively, and so as to clear the Head Aprons respectively of the said several Mills, and so that the Owners and Occupiers for the Time being of the said several Mills may from Time to Time draw down the Head Waters of the said several Mills, without affecting the Height or Heads of Water in the said New Cuts respectively; and it shall and may be lawful to and for the Owners and Occupiers for the Time being of the said Mills respectively, to have and exercise the entire Controul over the said Stop Grooves, Sills, and Planks respectively, so to be respectively made as aforesaid, so that in the Exercise of such a Controul over the said Stop Grooves, Sills, and Planks respectively, the said Owners and Occupiers for the Time being respectively do not unnecessarily obstruct or impede the Navigation.

The Owners and Occupiers to have the Management of the Barton Mill

LXVIII. And be it further enacted, That it shall and may be lawful to and for the respective Owners and Occupiers for the Time being of the said *Barton Mills* and *Sturry Mills* respectively, from Time to Time, and at all Times, to superintend and direct the Management of the *Barton Mill Lock* and the *Sturry Lock* respectively; and the said

said Owners of the said *Barton* Mills and *Sturry* Mills respectively, shall and may from Time to Time, and at all Times, have the Appointment of Lock Keepers to the said Locks respectively, at such Salary as the said Company of Proprietors shall from Time to Time direct and pay; and shall also from Time to Time, and at all Times, have full Authority to discharge any such Lock Keepers respectively, and appoint other or others in his or their Room respectively, so that in the Superintendance and Management of the said Locks respectively the said Owners or Occupiers for the Time being respectively do not unnecessarily obstruct or impede the Navigation.

and *Sturry* Locks, and the Owners to have the Appointment of Lock Keepers.

LXIX. Provided always, and be it further enacted, That it shall and may be lawful for the said Company of Proprietors, or their Directors, from Time to Time, and at all Times, to discharge any such Lock Keepers respectively for Misconduct or Neglect of Duty.

Lock Keepers may be discharged by Company.

LXX. And be it further enacted, That the said Company of Proprietors shall and they are hereby required to leave a Notice in Writing at the said *Barton* Mills and the said *Sturry* Mills respectively at least Ten Days before they shall require the Water in the said River *Stour* to be drawn through the said *Barton* Mill Lock and *Sturry* Lock respectively for the Purpose of repairing the same respectively or any of the Works hereby authorized; and the said Company of Proprietors shall well and truly pay or cause to be paid to the Occupiers for the Time being of the said *Barton* Mills the Sum of Five Pounds *per* Day, and to the Occupiers for the Time being of the said *Sturry* Mills the Sum of Six Pounds *per* Day, for every Day that the Water shall be so drawn through the said Locks respectively as aforesaid, as a Compensation to the said Occupiers of the said Mills respectively, for the Stoppage of the said Mills respectively during such Time as aforesaid, and so in proportion for any greater or less Time than a Day.

Ten Days Notice to be given before the Water be drawn through the Locks for Repairs, &c. and Compensation to be paid to the Occupiers for each Day the Mills are stopped.

LXXI. And be it further enacted, That no Part of the said River *Stour* lying between *Cold Harbour* Bridge aforesaid, where the said New Cut is hereby authorized to be commenced, and the *Barton* Mills aforesaid, and between the said Mills and the End of the said New Cut below the same Mills, and no Part of the said River *Stour* lying between the beginning of the New Cut at *Chancery Head* and the *Sturry* Great Mill, and between the beginning of the same Cut at *Chancery Head* and the *Sturry* Little Mill respectively, and between the said last-mentioned Mills respectively and the End of the said last-mentioned New Cut, shall respectively be deemed or considered for any of the Purposes of this Act within the Line of Navigation hereby authorized to be made and maintained; and it shall not be lawful for the said Company of Proprietors to demand and take of and from any Person or Persons whomsoever any Rates or Dues whatever for navigating upon the said Parts of the said River respectively; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Certain Parts of the River not to be within the Line of Navigation.

LXXII. And be it further enacted, That it shall and may be lawful to and for the Owners and Occupiers for the Time being of the said

The Owners and Occupiers of the

[*Local.*]

54 G

Barton

Barton Mill Estate to be allowed to cut a Branch Canal from the Tail of the Mills into the New Cut, &c.

Barton Mill Estate, at their own Costs and Charges, to make and maintain a Branch Cut or Canal from the Tail of the *Barton* Mills aforesaid, to and into the said New Cut hereby authorized to be made and maintained near to the said Mills and below the said *Barton* Mill Lock, the said Owners and Occupiers doing no Injury to the Works hereby authorized, and making good the Banks of the said Cut or Canal so to be cut through as aforesaid.

The Company to erect at the *Barton* Mill Lock a Carriage Bridge for the Use of the Owners, &c. of the *Barton* Mills Estate and other Lands.

LXXIII. And be it further enacted, That the said Company of Proprietors shall and they are hereby required at their own Costs and Charges to erect, build, construct, complete, and maintain at or near the *Barton* Mill Lock, a good and substantial Carriage Bridge, properly fenced in, for the Use of the Owners and Occupiers of the *Barton* Mills Estate, and also the Owners and Occupiers for the Time being of several Pieces or Parcels of Land and Hereditaments lying and being near to the said *Barton* Mills Estate, belonging to and used by the said *John Brent*; and it shall and may be lawful to and for the said Owners and Occupiers of the said Mills and Estates respectively, to pass and repass with Horses, Carts, and Carriages along the Towing Paths of the said Company of Proprietors, from the said Bridge to and into the respective Lands belonging to the said Owners respectively, without being subject or liable to pay any Rates whatsoever for the Use of the said Bridge and Towing Paths as aforesaid, so that such Owners and Occupiers respectively do no unnecessary Injury to the said Towing Paths upon using the same as aforesaid.

If Company do not make Works, Owners of Mills may do it.

LXXIV. And be it further enacted, That if the said Company of Proprietors shall refuse or neglect to make and maintain the several Works hereby directed to be made and maintained for the Use of the said *Barton* Mills Estate, and *Sturry* Mills, and the Owners and Occupiers of the said Pieces or Parcels of Land and Hereditaments belonging to the said *John Brent* respectively, then and in such Cases respectively, it shall and may be lawful to and for the respective Owners for the Time being of the said *Barton* Mills Estate, *Sturry* Mills, and the said Pieces or Parcels of Land and Hereditaments respectively, to make and maintain the said several Works respectively, and the whole Costs, Charges, and Expences thereof shall be reimbursed and repaid by the said Company of Proprietors or their Treasurer, to the Person or Persons respectively who shall sustain and pay such Charges and Expences respectively; and in Default of Payment thereof respectively, or of any Sum or Sums of Money payable to the Occupiers of the said Mills respectively for Stoppage of the same Mills respectively, pursuant to this Act, within Ten Days next after Demand thereof in Writing shall have been respectively made by the Person or Persons respectively sustaining and paying such Charges and Expences respectively as aforesaid, of the Treasurer of the said Company of Proprietors, or of any One of the Directors of the said Company for the Time being, or at the Dwelling House of such Treasurer, or of any One of the said Directors, or at the Office of the said Company of Proprietors, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said County of *Kent* or City of *Canterbury*, as the Case may require, the Amount of all

all such Costs, Charges, and Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with the Charges of such Distress and Sale by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace for the said County of *Kent* or City of *Canterbury*, as the Case may require; and which Warrant such Justice or Justices respectively is and are hereby empowered to grant; and such Sum and Sums of Money respectively shall be paid to the Person or Persons respectively sustaining and paying the Charges and Expences of making and maintaining such Works respectively as aforesaid.

LXXV. And whereas *Mary De Coetlogon*, of *Mitcham* Cottage, in the County of *Surrey*, Widow, hath lately erected a Carriage Bridge over the said River *Stour* in the Parish of *Hackington* otherwise *Saint Stephens*, in the said County of *Kent*, at a Place where an ancient Fordway was had and used as a Road from one Part of the Estate of the said *Mary De Coetlogon* to another Part thereof, lying and being on opposite Sides of the said River; and it may happen that in the Execution of the Works hereby authorized, the said Company of Proprietors may find it necessary to take down the said Bridge, and embank the Sides of the said River; be it therefore enacted, That in case the said Company of Proprietors shall cause the said Bridge to be taken down, removed, or in any way altered, the said Company of Proprietors shall, and they are hereby required, at their own Costs and Charges, forthwith to erect, build, and complete at the same Place a good and substantial Carriage Bridge, for the sole Use and Benefit of the said *Mary De Coetlogon*, and the Owners and Occupiers for the Time being of the said Estate; and if the said Company of Proprietors shall, after Ten Days Notice in Writing given to them by the said *Mary De Coetlogon*, or the Owners and Occupiers for the Time being of the said Estate, refuse or neglect to erect, build, and complete such Bridge in a good and substantial Manner as aforesaid, then and in such Case it shall and may be lawful to and for the said *Mary De Coetlogon*, and the Owners or Occupiers for the Time being of the said Estate, to erect, build, and complete such Bridge as aforesaid, and the whole Costs, Charges, and Expences thereof shall be reimbursed and repaid by the said Company of Proprietors or their Treasurer to the said *Mary De Coetlogon*, or the Owners or Occupiers for the Time being of the said Estate; and in Default of Payment within Ten Days next after Demand thereof in Writing shall have been made by the said *Mary De Coetlogon*, or the Owners or Occupiers for the Time being of the said Estate, or her or their Agents, of the Treasurer of the said Company of Proprietors, or of any One of the Directors of the said Company for the Time being, or at the Dwelling House of such Treasurer, or of any One of the said Directors, or at the Office of the said Company of Proprietors, Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the said County of *Kent*, the Amount of all such Costs, Charges, and Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with the Charges of such Distress and Sale, by Warrant under the

For rebuilding a Bridge over the River *Stour*, adjoining Mrs. De Coetlogon's Land.

Hand

Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace for the said County of *Kent*, and which Warrant such Justice or Justices respectively is and are hereby empowered to grant; and such Sum or Sums of Money shall be paid to the said *Mary De Coetlogon*, or the Owners or Occupiers for the Time being of the said Estate.

Company
empowered
to sell Lands
not wanted
for the Pur-
poses of this
Act.

LXXVI. And whereas in pursuance of the Provisions of this Act, or to avoid Disputes with the Owners of Lands, Grounds, and Hereditaments, which are or may be affected by improving and making the said River, Haven, Cuts, New Haven, Harbour, and Works, the said Company of Proprietors may purchase Lands and Buildings not necessary to be made use of for the Purposes of this Act; be it further enacted, That it shall be lawful for the said Company of Proprietors, by Indenture under their Common Seal, to grant and convey by way of absolute Sale, for a Consideration in Money, such Part or Parts of the Lands or Buildings which shall be so purchased by and conveyed to them as aforesaid, as shall not be wanted for the Purposes of this Act; and Conveyances from the said Company of Proprietors shall be valid and effectual, any thing in this Act contained, or any other 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 of such Lands or Buildings, it shall and may be lawful for the Treasurers for the Time being to the said Company of Proprietors, or such of them as shall receive the same, to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt and Receipts shall be a sufficient Discharge and sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands and Buildings shall be so sold, or for so much thereof as in such Receipt or Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application 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 or Buildings, shall first offer to re-sell the same to the Owners of the adjoining Lands, the Price at which the same shall be re-sold being adjusted and settled by a Jury in like Manner as the Price for any Land to be taken in pursuance of this Act is herein-before directed to be settled in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree, or shall refuse to re-purchase the same, it shall and may be lawful to and for any Person or Persons not interested in the Premises to make an Affidavit, to be sworn before a Master or Masters Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County or Place where such Lands or Buildings shall lie or be, stating that such Offer was made by or on Behalf of the said Company of Proprietors, and that such Person or Persons did not agree or refuse to purchase such Lands or Buildings (as the Case may be); and such Affidavit shall in all Courts be sufficient Evidence and Proof that such Offer was made and not agreed to or refused.

Drains, &c.
to be made
to convey
Water from

LXXVII. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their own proper Costs and Charges, to make, or cause to be made, such Arches, Tunnels, Culverts,

verts, Drains, Sewers, or other Passages over, under, or by the Side of, or into the said River, Haven, Cuts, New Haven and Harbour, and the Trenches, Streams, and Watercourses communicating therewith, and the Towing Path on the Sides thereof respectively, of such Depth, Breadth, and Dimensions as shall be sufficient at all Times to convey the Water clear from the Lands adjoining or lying near to the said River, Haven, Cuts, New Haven and Harbour, without obstructing or impounding the same, and likewise to make, or cause to be made, such Back Drain or Drains as may be necessary and shall be sufficient to carry off any Water which may ooze or pass through any of the Banks of the said River, Haven, Cuts, New Haven or Harbour, to the Prejudice of any of the Lands or Grounds contiguous thereto; and also to make proper Ponds and Watering Places for Cattle, and for washing of Sheep, in all Cases where, by means of the said River, Haven, Cuts, New Haven and Harbour, or any other of the Works hereby authorized to be improved or made, any Person or Persons occupying Lands adjacent thereto shall be deprived of their ancient Watering Places, and to supply the same at all Times with Water; and that all such Arches, Tunnels, Culverts, Drains, and other Passages, shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good and sufficient Repair by the said Company of Proprietors.

the Lands adjoining.

Watering Places for Cattle to be made.

LXXVIII. And be it further enacted, That if at any Time or Times after Seven Days Notice in Writing shall, by or on the Behalf of any of the said Owners or Occupiers of Lands adjoining or lying near to the said River, Haven, Cuts, New Haven and Harbour, or any other of the Works hereby authorized to be made, be given to the Directors of the said Company, or to their Clerks, known Agent, or Collector, that the said Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, or any of them, is or are not made, cleansed, maintained, and repaired, according to the true Intent and Meaning of this Act; it shall and may be lawful to and for any Person or Persons to apply for and obtain an Order in Writing from any Two or more Justices of the Peace of the County or Place in which the Lands shall be situate, from Time to Time, as often as there shall be Occasion, and the said Justices are hereby authorized and required at their Discretion to grant such Order as aforesaid, enabling such Person or Persons to make, cleanse, and repair such Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages accordingly, as well as through the Lands or Grounds of the Person or Persons obtaining such Order as aforesaid, as through any other Lands or Grounds in or through which such Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages may by the said Order of such Two or more Justices be directed to be made, and the reasonable Expences thereof (to be ascertained by the said Justices) shall be defrayed by the said Company of Proprietors; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Ten Days next after Demand thereof made upon the said Company of Proprietors, such Expences shall and may be recovered and levied in such Manner as any other Money is by this Act directed to be recovered from the said Company of Proprietors: Provided always, that such Owner or

Persons to cleanse Arches, &c. on Neglect of Company.

[Local.]

54 H

Owners,

Owners, Occupier or Occupiers of the said contiguous or adjoining Lands shall, at the Time of making such Complaint, have his, her, or their respective Ditches, Drains, Passages for Water, and Water-courses leading to or from the Drains, Culverts, and Passages of the said River, Haven, Cuts, New Haven and Harbour, and other Works as aforesaid, and each and every of them, sufficiently cleansed and opened to convey Water into the same.

Company to supply Lands in Stonar with Water for Cattle, &c. or make Compensation.

LXXIX. And whereas the Lands in the Parish of *Stonar* aforesaid have hitherto been regularly supplied with fresh Water from the said River and Haven, at certain Places therein, and at convenient Times, by Means of proper Sluices, for the Use and Benefit of the Cattle depasturing or feeding on the same Lands; and it is apprehended that by the Operation of this Act, and particularly in consequence of the intended Diversion and Contraction of the Course of the said River and Haven, the said Lands may be deprived of the above-mentioned Advantage, which is essential to their Value and Occupation; be it therefore enacted, That in case it shall at any Time hereafter happen, that by the Operation of this Act the Lands in the said Parish of *Stonar*, or any Part thereof, shall be deprived of a regular Supply of fresh Water as heretofore enjoyed to the fullest Extent for the Purpose aforesaid, the said Company of Proprietors shall at their own Costs and Charges make, provide, and maintain proper and sufficient Watering Places in convenient Parts of the said Lands, and regularly supply, or cause to be supplied, the same with an adequate Quantity of fresh Water of a good and wholesome Quality, for the Use and Benefit of the Cattle for the Time being depasturing or feeding on the same Lands; and in case of any Default or Neglect in that Behalf, then and so often as the same shall happen, Compensation and Recompence shall be made by the said Company of Proprietors, to the Owners or Occupiers of the said Lands, for such Damage or Injury as shall be thereby sustained, according to the Amount or Value thereof; such Compensation and Recompence to be ascertained, in case of any Difference concerning the same, in like Manner as any other Damage or Injury to be sustained by the Operation of this Act is hereby directed to be ascertained.

For fencing off Towing Paths and making Bridges, &c.

LXXX. And be it further enacted, That the said Company of Proprietors shall at their own Costs (within Twelve Calendar Months next after any Part of the said River, Haven, Cuts, New Haven, Harbour, and Towing Paths thereto belonging shall be improved and formed) divide and separate, and keep constantly divided and separated, the Towing Paths on each Side of the said River, Haven, Cuts, New Haven and Harbour, and the Trenches or Passages hereby authorized to be made on such Part or Parts thereof respectively, as shall be declared necessary by the said Justices, in case there shall be any Doubt or Dispute about the same, from the adjoining Lands or Grounds, by Posts and Rails, Hedges, Ditches, Trenches, Banks, or other Fences sufficient to keep off Sheep and other Cattle, the same to be set out and made on the Lands or Grounds which shall be purchased by, conveyed to, or vested in the said Company of Proprietors as aforesaid; and the said Company of Proprietors shall at their own proper

proper Costs and Charges from Time to Time maintain and support the said Towing Paths, and the said Posts, Rails, Hedges, Ditches, Trenches, Banks, and other Fences so set up and made as aforesaid; and also shall, at their own like Costs and Charges, make, erect, and set up, and from Time to Time maintain and support, such and so many convenient Gates, Bridges, and Stiles in, over, and through all the Hedges and Fences to be by them so made on the Sides of such Towing Paths as aforesaid; and also such Bridge over the Old Haven, where the said Lock, Tumbling Bay, and Sluices is or are intended to be made across the same as aforesaid; and also all such Bridges, Fording Places, Arches, Culverts, and Passages by the Side of the said River, Haven, Cuts, New Haven, and Harbour, and all such Passages into, over, under, or by the Side of or into the Feeders, Trenches, and Aqueducts communicating therewith, and the Towing Paths on the Sides thereof, of such Dimensions and in such Manner as the said Justices shall from Time to Time judge necessary and appoint, in case there shall be any Dispute about the same, for the Use of the Owners and Occupiers of the Lands and Grounds, Mills, or Hereditaments adjoining to such River, Haven, Cuts, New Haven and Harbour, and other Works, or any of them respectively; and the said Company of Proprietors shall not make the said River and Cuts across the Turnpike Road from *Canterbury to Sarr*, or the High Road from *Fordwich to Sturry*, or any Trench or Watercourse belonging to the said River, Haven, Cuts, New Haven and Harbour, in or across any common Highway, public Bridleway or Footpath, until they shall at their own proper Costs and Charges have made and perfected such Bridge or Bridges, Fording Place or Fording Places, Passage or Passages, Arch or Arches, over, across, or under the same Turnpike Road, Highway, public Bridleway or Footpath, of such Dimensions and in such Manner as the said Justices shall from Time to Time judge necessary and appoint, or being contrary to the true Intent and Meaning of this Act; and all such Gates, Stiles, Bridges, Arches, and other Works and Conveniences so to be made as aforesaid, shall from Time to Time and at all Times thereafter be supported, maintained, and kept in sufficient Repair by the said Company of Proprietors.

LXXXI. And be it further enacted, That in case the said Company of Proprietors or their Agents shall refuse or neglect to divide and separate, and to keep divided and separated, the Towing Paths of the said Navigation in Manner herein-before directed, or to make, erect, and set up such Gates, Bridges, and Stiles, in, over, and through the Fences on the Sides of the said Towing Paths, or such Bridges, Fording Places, Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, over, under, or by the Sides of or into the said River, Haven, Cuts, New Haven, and Harbour, and the said Trenches, Streams, and Watercourses as aforesaid, or to make such Watering Places for Cattle as herein-before directed for the Use and Convenience of the respective Owners or Occupiers of the Lands, Mills, Tenements, or Hereditaments adjoining or near to the said River, Haven, Cuts, New Haven, and Harbour, or to maintain and support such Gates, Stiles, Bridges, Arches, Passages, and Watering Places when erected, set up, and made, of such

If Company do not fence off Towing Paths and make Bridges, &c. Land Owners may do it at the Company's Expence.

Dimensions

Dimensions and in such Manner as aforesaid, for the Space of Thirty Days next after the Time to be appointed for those Purposes by the said Justices, or after Notice shall be given by or on the Behalf of the Owners or Occupiers of any such Lands or other Hereditaments who may be aggrieved by any such Refusal or Neglect; and in every such Case, it shall and may be lawful to and for every or any of the Owners or Occupiers of the said adjacent Lands, Grounds, Mills, Tenements, or Hereditaments, who shall find himself, herself, or themselves aggrieved by such Refusal or Neglect, to make, erect, and set up all such Gates, Stiles, Bridges, Fording Places, Arches, Passages, Watering Places, and other Conveniences as the said Justices shall have before directed or appointed to be made, erected, and set up by the said Company of Proprietors as aforesaid, and to maintain, repair, and support the same from Time to Time as Occasion shall require, so that in making and maintaining such Works as aforesaid, the said River, Haven, Cuts, New Haven and Harbour, or the Banks thereof, or the Feeders or Aqueducts belonging thereto, shall not be stopped or injured for any longer Space of Time or in any other Manner than shall be necessary for the doing thereof; and all the reasonable Costs and Charges thereof, (to be settled and allowed by the said Justices,) shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, Grounds, Mills, Tenements, or other Hereditaments, who shall have so erected and made, repaired or maintained such Works as aforesaid, by the said Company of Proprietors, within the Space of Thirty Days next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company of Proprietors, or their Clerks for the Time being; and in Default of Payment of the said Costs and Charges within the Time aforesaid, the said Justices shall and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company of Proprietors, which shall be found in or upon the said River, Haven, Cuts, New Haven and Harbour, or the Wharfs, Quays, or Warehouses adjoining or near to the same, belonging to the said Company, to be applied to and for the Use of such Person or Persons who shall have so incurred such Costs and Charges as aforesaid, rendering to the said Company of Proprietors, or to some of their known Agents or Collectors, the Overplus (if any) after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and all or any of the said Owners or Occupiers, upon Refusal or Neglect of the said Company of Proprietors to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedy against the said Company of Proprietors for the Recovery thereof, by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is in and by this Act directed.

Thistles
growing on
the Towing
Paths, and

LXXXII. And be it further enacted, That the said Company of Proprietors shall at their own Costs Twice in every Year, once in the Month of *June*, and once in the Month of *September*, cut or mow down

down the Thistles and other noxious Weeds growing on the Towing Paths, or on the Sides thereof, of the said Harbour, New Cut, and River, to be made by virtue of this Act; and in case the said Company of Proprietors shall neglect or refuse to do the same, it shall and may be lawful to and for the Owners or Occupiers of the Lands next adjoining, who shall find themselves aggrieved thereby, to cut or mow down the Thistles and other noxious Weeds as aforesaid.

the Sides thereof, may be cut or mown down.

LXXXIII. Provided always, and be it further enacted, That no Bridge or Bridges shall at any Time or Times hereafter be erected or built over or across the said River, Haven, or New Haven, below *Fordwich* Bridge, unless the same shall be a Draw-Bridge or Swing-Bridge of a proper Construction, the clear Distance between the Piers, or the Distance between the two principal Piers thereof, shall be Twenty-two Feet at the least, so as to admit of Vessels, Barges, or Boats, of any less Breadth than Twenty Feet Beam, passing through the same with their Rigging standing, with Safety and Convenience; and the Person or Persons, Body or Bodies Politic or Corporate, or other Party or Parties building any such Bridge or Bridges, as aforesaid, over the said River, Haven, or New Haven, below *Fordwich* Bridge, shall from Time to Time, and at all Times afterwards, at his or their Expence, provide and keep proper Persons in Attendance at all Times to open and draw up and let down such Bridge or Bridges, for the Passage of Vessels, Barges, or Boats through the same, without putting the said Company to any Expence about the same.

No Bridge to be erected below *Fordwich* Bridge unless so constructed as not to prejudice Navigation for Shipping.

LXXXIV. Provided always, and be it further enacted, That if the Owners or Occupiers of any Lands, Mills, Tenements, or other Hereditaments, through which the said River, Haven, Cuts, New Haven, and Harbour shall be made, do or shall at any Time or Times hereafter apprehend that any of the Gates, Stiles, Bridges, Fording Places, Passages, Arches, Tunnels, Drains, Back Drains, Trenches, or other Passages, Watering Places, and other Conveniences respectively, which the said Justices shall have so directed or appointed to be made by the said Company of Proprietors, are insufficient either in Number or Situation for the commodious Use and Occupation of the respective Lands, Grounds, Mills, Tenements, or Hereditaments on both Sides, or on either Side thereof, then and in every such Case it shall and may be lawful to and for all or any such Owners or Occupiers, with the Consent and Approbation of the said Company of Proprietors, upon Request made to them for that Purpose, or in case of their Refusal for the Space of Twenty-one Days next after such Request, then with the Consent and Approbation of the said Justices, to make, fix, and erect, at their own Costs and Charges, any such other Gates, Stiles, Bridges, Fording Places, Passages, Arches, Culverts, Watering Places, or other Conveniences of the same or the like Construction with those made and erected by the said Company of Proprietors by the Side of the said River, Haven, Cuts, New Haven and Harbour, and over, under, or by the Side of or into the Feeders, Trenches, and Aqueducts communicating therewith, in such Places as shall be found and adjudged necessary and convenient for the better Use, Cultivation, Improvement, or Occupation

If Bridges, &c. made by the Company are insufficient, Land Owners may make others at their own Expence.

of such Lands and other Hereditaments, and to repair and support the same at their like Costs and Charges as Occasion shall require, so as that the Navigation be not prevented or obstructed thereby for any longer Space of Time or in any other Manner than the same would necessarily have been if such Gates, Stiles, Bridges, Fording Places, Passages, Arches, Watering Places, or other Conveniences had been made or erected by the said Company of Proprietors.

Ascent to
Bridges, and
Height of
Fences on
Side thereof.

LXXXV. Provided always, and be it enacted, That the Ascent to every Bridge to be made for the Purpose of any public or private Road as aforesaid, shall not be more than One Foot in Thirteen Feet; and that the Fence on each Side of such Bridge shall not be less than Four Feet above the Surface of the Bridge; and that no Swing or Swiveled Bridge or Drawbridge shall be erected at any Place or Places across the Road leading from *Canterbury* to *Ramsgate*, without the Consent of the Trustees of the said Road, or of the major Part of them, at a Meeting duly convened for that Purpose, being first had and obtained.

Company
empowered
to get Mate-
rials from
adjoining
Lands to re-
pair Works
damaged by
Floods.

LXXXVI. And whereas it may happen from Floods or from some unexpected Accident, that the Locks, Weirs, Flood Gates, Dams, Banks, Basins, Trenches, or other Works of the said River, Haven, Cuts, New Haven, and Harbour may be injured or destroyed, and the adjacent Lands may thereby suffer Damage, and that it may be necessary that the same should be immediately repaired or rebuilt to prevent further Damage; be it therefore further enacted, That when and as often as any such Case shall happen, it shall and may be lawful to and for the said Company of Proprietors from Time to Time, or for their or any of their Servants, Agents, or Workmen, without any Delay or Interruption from any Person or Persons whomsoever, to enter into any Lands, Grounds, or Hereditaments adjoining or near to the said River, Haven, Cuts, New Haven and Harbour, and other Works or Conveniences, or any of them, (not being the Ground whereon any House or other Building stands, or an Orchard, Garden, Pleasure Ground, Park, Paddock, planted Walk, Nursery for Trees, or Avenue to a House,) and to dig for, work, get, and carry away and use all such Stones, Gravel, and other Materials, as may be necessary for the Purposes aforesaid, without any previous Treaty whatsoever with the Owner or Owners, Occupier or Occupiers of, or other Person or Persons interested in such Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereby as the Nature of the Case will permit, and making Recompence for the same to the Owner or Owners, and Occupier or Occupiers thereof, or other Person or Persons interested in such Lands, Grounds, or Hereditaments within the Space of Ten Days next after the same shall be demanded; which Damage, and the Compensation to be made in respect thereof, shall be settled and determined, or assessed and recovered by the Ways and Means herein-before prescribed and directed with respect to other Damages to be done in or about the making and maintaining the said River, Haven, Cuts, New Haven and Harbour.

LXXXVII. And

LXXXVII. And be it further enacted, That the Lord or Lords, Lady or Ladies of any Manor or Manors, and the Owner or Owners of any Lands or Grounds near to, through, or by which the said River, Haven, Cuts, New Haven, and Harbour, shall be made, may build, construct, or use any Wharfs, Quays, Landing Places, Cranes, Weigh Beams, or Warehouses, in or upon his, her, or their respective own proper Lands, Grounds, or Wastes adjoining or near to the said River, Haven, Cuts, New Haven, and Harbour, with the necessary Ways and Roads to the same, and may land any Goods or Merchandize, Coal, Lime, or other Things, upon such Wharfs, Quays, or Landing Places, or upon the Banks lying between the same and the said River, Haven, Cuts, New Haven, and Harbour, and may make and use proper and convenient Places for Boats and other Vessels to lie and turn in, and pass by each other, so that the making, constructing, or using thereof respectively do not obstruct or prejudice the said River, Haven, Cuts, New Haven or Harbour, or any Towing Path on the Sides thereof respectively; and such and the same Rates and Duties shall and may be taken by the Owners of such Wharfs, Quays, and Landing Places, for Goods, Wares, and Merchandize brought upon the same, as shall be from Time to Time taken for Goods, Wares, and Merchandize brought upon the Wharfs, Quays, and Landing Places belonging to the said Company of Proprietors, by virtue of this Act, but no other or greater Rates or Duties; and such Rates and Duties for Goods, Wares, and Merchandize brought upon the Wharfs, Quays, and Landing Places of such Lord or Lords, Lady or Ladies of such Manor or Manors, or of the Owner or Owners of such Lands, Grounds, or Wastes, who shall make, construct, and erect the same respectively as aforesaid, are hereby vested in such Lord or Lords, Lady or Ladies of such Manor or Manors, or in the Owner or Owners of such Lands, Grounds, or Wastes respectively, and his, her, and their Representatives.

Lords of
Manors and
Land Own-
ers may
erect
Wharfs, &c.

LXXXVIII. Provided always, and be it further enacted, That if any Lord or Lady of a Manor, or Land Owner, shall not within the Space of Six Calendar Months next after Notice given in Writing to him, her, or them, or left at his, her, or their usual Place or Places of Abode, by or on behalf of the said Company of Proprietors, and that any Part or Parts of such Lands, Grounds, or Wastes is or are necessary or proper to be used for the Purpose of making and erecting any Wharfs, Warehouses, Buildings, or other Conveniences as aforesaid, for the Use of the said Navigation, lay out, construct, and make, and from Time to Time maintain and keep in good and substantial Repair, such proper and sufficient Wharfs, Quays, Warehouses, Buildings, and other Conveniences as aforesaid, for the Use of the said Navigation, as the said Company of Proprietors shall think necessary on the respective Parts of the Lands, Grounds, or Wastes described in such Notice, then and in such Case it shall and may be lawful to and for the said Company of Proprietors, without any Hindrance or Restraint whatsoever, to make use of any such Lands, Grounds, or Wastes, (not being the Ground whereon any House or other Building stands, or any Garden, Orchard, Yard, Park, Paddock, planted Walk, Nursery of Trees, or an Avenue to any House,) for erecting and constructing proper and sufficient Wharfs,

If not done
by Land
Owners
within a cer-
tain Time,
Proprietors
may build
Wharfs, &c.

Wharfs, Warehouses, Buildings, and other Conveniences as aforesaid, agreeably to such Notice to be delivered as aforesaid, they the said Company of Proprietors first making Satisfaction for the same, in such Manner as is and hath been herein-before directed with respect to other Lands or Grounds which shall be taken or used for the Purposes of this Act: Provided also, that it shall not be lawful for the said Company of Proprietors to make use of any Lands, Grounds, or Wastes, situated within the Parish of *Stonar* aforesaid, for erecting or constructing any Warehouses or Buildings as aforesaid; any thing herein-before contained to the contrary notwithstanding.

Company of Proprietors not to use private Wharfs.

LXXXIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to empower the said Company of Proprietors, or any other Person or Persons, to make use of any Wharf, Quay, Landing Place, Crane, Weigh Beam, or Warehouse which shall be set out, erected, or made by the Lord or Lords, Lady or Ladies of any Manor, or the Owner or Owners of any Lands or Grounds adjoining or near to the said River, Haven, Cuts, New Haven or Harbour, for his, her, or their private Use only, nor to set up, erect, repair, or use any Crane or Weigh Machine in or upon any such Wharf, Quay, or Landing Place, without the Consent of the Owners or Occupiers thereof respectively; any thing herein contained to the contrary notwithstanding.

Commencement of Harbour Dues.

XC. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, by such Person or Persons as they shall appoint, and they are hereby authorized and empowered from Time to Time, and at all Times from and after the Time that the said New Haven and Navigation shall have been completed, which Fact shall be ascertained by a Certificate under the Hands of Two Justices of the Peace assembled at the Quarter Sessions for the Eastern Division of the County of *Kent*, holden at the Sessions House at *Saint Augustines*, near *Canterbury*, and be published in the *London Gazette*, and in One Newspaper circulating in the Eastern Division of the said County of *Kent*, to ask, demand, take, collect, receive, and recover, to and for the Use and Benefit of the said Company of Proprietors, of and from all and every the Masters, Commanders, Owner or Owners, or other Person or Persons having the Rule or Command, or navigating any Vessel or Ship coming into or going out of the said New Haven or Harbour, or importing into or exporting from the same any Kind of Goods, Wares, Merchandize, or Passengers; the several Rates and Duties set forth or specified in Schedules B., C., and D., to this Act annexed.

Exemption for Arundel to continue.

XCI. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed or construed to extend, to take away, lessen, or abridge the Exemption given to Ships and Vessels belonging to the Port of *Arundel* in the County of *Sussex*, the Owner or Owners of the whole or major Part of such Vessels being Inhabitants of the said Port of *Arundel*, and producing the

the Certificate thereof, in the Form and Manner directed by an Act passed in the Thirty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act to explain and amend an Act made in the Sixth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for erecting Piers in, and for repairing and keeping in Repair the Harbour of Littlehampton, called 'Arundel Port; in the County of Sussex;'* and for empowering the Commissioners acting under the said Act to improve the Navigation of the River Arun from the said Harbour to the Town of Arundel in the said County: Provided always, that nothing herein-before contained shall extend or be construed to extend to the aforesaid Exemption to and over the New Haven and Harbour to be made by virtue of this Act. 33G.3.c.100.

XCII. Provided always, and be it further enacted, That any Ship or Vessel, Bark or Boat, importing into the present *Sandwich* Haven, or landing upon any Part of the Sea Shore between *Cliffs End*, in the Parish of *Saint Lawrence*, in the Isle of *Thanet*, in the County of *Kent*, and *Sandown Castle*, or exporting from the said present Haven, or from any Part of the Sea Shore within the Limits last herein specified, any Goods, Wares, or Merchandize which shall be afterwards carried, or which shall have been previously carried upon the said River, Haven, Cuts, and New Haven, or any Part thereof, or brought or carried by Land into or out of the said Town and Port of *Sandwich*; or into any of the Parishes or Places on the Line of the said River, Haven, Cuts, or New Haven, shall be charged with and subject to the Payment of the same Rates or Duties as if such Ship or Vessel, Bark or Boat, had come into or gone out of the said Harbour, or imported such Goods, Wares, or Merchandize into the said Harbour, or exported such Goods, Wares, or Merchandize from the same. Vessels and Goods liable to Tonnage Duties, in certain Cases, although not coming into or going out of the Harbour.

XCIII. And be it further enacted, That there shall be paid to the said Company of Proprietors, or to such Person or Persons as they shall appoint to collect and receive the same, for and upon the Tonnage of Vessels, and for all Goods, Wares, and Merchandize conveyed Inwards, Outwards, or Coastwise, or imported or exported to or from the said Harbour, or carried upon the said River, Haven, Cuts, or New Haven, such Rates or Duties as the said Company of Proprietors shall order or direct to be paid, not exceeding the Rates or Duties contained in the Schedules to this Act annexed, marked B. and C.; which said Rates and Duties shall be paid by the Master or Commander, or other Person or Persons having the Command or Charge of any Ship or Vessel, Bark or Boat, in which the same shall be imported, exported, or carried, the Merchant or Merchants, or other Person or Persons conveying, exporting, or importing, or carrying such Goods, Wares, and Merchandize, or into whose Custody or Possession the same shall be delivered, or by whom the same shall be shipped respectively, upon the Delivery or Shipping of the same respectively: Provided always, that where any Rates or Duties have been paid for Passengers, Goods, Wares, and Merchandize brought or imported into the said Harbour, or for the Ship or Vessel, Bark or Boat, carrying the same, such Rates or Duties shall not Duties on Exports and Imports.

[Local.]

54 K

be

be again payable for the same Passengers, Goods, Wares, and Merchandize being afterwards conveyed or carried on the said River, Haven, Cuts, or New Haven; and where any Rates or Duties have been paid for Passengers, Goods, Wares, and Merchandize conveyed or carried on the said River, Haven, Cuts, or New Haven, such Rates or Duties shall not be again payable for the same Passengers, Goods, Wares, and Merchandize being afterwards taken or exported from the said Harbour.

Power to reduce Dues on Foreign Ships and Goods.

XCIV. Provided always, and be it further enacted, That it shall and may be lawful to and for His Majesty, in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time, and at all Times when and so often as he or they shall deem fit so to do, in and by his or their Order in Writing, to reduce the Duties hereby made payable on all, or on such or so many of the Foreign Ships or Vessels, and on all, or on such or so many of the Goods and Merchandizes imported or exported in Foreign Bottoms, as he or they in their Judgment shall deem expedient, to the same and like Duties as are hereby, and hereafter shall, in pursuance of the Powers herein contained, be made payable in respect of the *British* Ships or Vessels, or the Goods and Merchandizes imported or exported in or by them.

A Flag to be hoisted by Day when Water is at a certain Depth, and a Light to be kept at Night.

XCV. And be it further enacted, That the said Directors shall and may cause to be hoisted on the intended Lighthouse, or near thereto, a Flag or Ensign, for and during such Time in each and every Day as any Ship or Vessel drawing Eleven Feet Water may with Safety, as to the Draught of Water, enter the Channel between the Jetties and the said Basin or Harbour; and when and so soon as, and for and during such Time as such Ship or Vessel cannot with Safety enter the said Channel and Harbour, to cause to be taken down and removed such Flag or Ensign, and again to cause to be rehoisted the same in Manner aforesaid, when and as soon as there shall be such sufficient Water as aforesaid; and the said Directors shall and may cause to be burnt some Light or Lights in the aforesaid Lighthouse, near the Entrance of the Channel to the said Harbour, in each and every Night, or when such Flag or Ensign cannot be easily seen from Sea, for and during such Time as any Ship or other Vessel drawing Eleven Feet Water may with Safety, as to the Draught of Water, enter the said Channel and Harbour; and when and as soon as, and for and during such Time as such Ship or Vessel cannot with Safety enter the said Channel and Harbour, to extinguish or cause to be extinguished such Light or Lights, and again to burn or cause to be burnt such Light or Lights in Manner aforesaid, when and so soon as there shall be sufficient Water as aforesaid; and in case it shall become expedient to exhibit the said Light and Flag upon any other Place or Situation than aforesaid, it shall and may be lawful to and for the said Directors, or Five or more of them, to alter and remove the same accordingly, after Three Months previous Notice thereof given in the *London Gazette*, and in Two Newspapers circulating in the Eastern Division of the County of *Kent*, twice at least in each of the said Papers, of the Time and Place of such intended Alteration and Removal.

XCVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to charge His Majesty, or any other Person on his behalf, with the Payment of any of the Rates or Duties under this Act, in respect of any of His Majesty's Ships of War, or any other Ship, Transport, or Packet of His Majesty, His Heirs and Successors; or any Vessel employed in His Majesty's Revenues of Customs or Excise, or in the Service or Employ of the Ordnance, or any Ship, Transport, or Packet employed in carrying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General; or any Vessel employed in or upon His Majesty's Service, or in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging; and if any Person or Persons shall claim and take the Benefit of any such Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

Exempting
Vessels in
His Ma-
jesty's
Service.

XCVII. Provided always, and be it further enacted, That *Edward Kingsford* of *Littleborne* in the County of *Kent*, Owner of a certain Water Corn Mill, Wharfs, and Warehouses situate and being at a Place called *Seaton* in the Parish of *Ickham*, in the said County of *Kent*, and the Owners and Occupiers for the Time being of the said Mill, Wharfs, and Warehouses, shall pay the Rates and Dues stated in Schedule B.; and as to the Rates in Schedule C., that for a Period of Twenty-one Years from the Commencement of such Rates, One-half only of the said Rates in the said Schedule C. shall be paid and payable by the said *Edward Kingsford*, or the Owners and Occupiers for the Time being of the said Mill, Wharfs, and Warehouses for or in respect of Cargoes belonging to them or either of them, and not to any other Person or Persons whomsoever, and conveyed in Barges or Vessels not drawing more than Three Feet Six Inches Water when laden, and loaded or discharged in the *Little Stour* or *Seaton* Navigation; and further, that the said *Edward Kingsford*, and the Owners and Occupiers for the Time being of the said Mill, Wharfs, and Warehouses, shall pay the whole of the said Rates comprised in the said Schedules B. and C. after the said Period of Twenty-one Years, for and in respect of all Goods wherever loaded or discharged, or in whatever Vessels conveyed, and, within the said Period of Twenty-one Years, upon all Goods conveyed in Barges drawing more than Three Feet Six Inches, or loaded and discharged elsewhere than in the *Little Stour* or *Seaton* Navigation.

Edward
Kingsford
only to pay
certain Dues
in certain
Cases.

XCVIII. And be it further enacted, That from and after the passing of this Act, the said *Edward Kingsford*, and the Owner and Occupier for the Time being of the said Mill, Wharfs, and Warehouses, or any other Person or Persons, shall pay for and in respect of any Boats, Barges, or Vessels belonging to him, them, or either of them, and for and in respect of any Goods or Merchandize laden on board thereof, the whole of the Rates chargeable by the said Schedules B. and C. whenever the same shall pass higher up the said River *Stour* than the Entrance into the said *Little Stour* or *Seaton* Navigation.

But other
Rates when
passing up
the River
above En-
trance of
Little Stour
Navigation.

XCIX. And

Vessels not
to be cleared
till Duties
paid.

XCIX. And be it further enacted, That for the more effectually securing the Payment of the said Rates and Duties herein-before granted and authorized to be taken, no Collector or Comptroller of His Majesty's Customs, Receiver of Entries or Ships, Surveyor or Searcher, Waiter, or other Officer of the Customs whatsoever, shall at any Time after the said Harbour shall be made, give or make out any Cocket, or other Discharge, or take any Report Outwards for any Ship or other Vessel within the said Harbour, or permit any Ship or other Vessel to go out of the said Harbour, or from any Landing Place within the Limits thereof, until the Master or Owner, or other Person having the Rule or Command of such Ship or Vessel, shall produce a Certificate from the Collector or Collectors who shall be appointed in pursuance of this Act, that the Rates or Duties by this Act herein-before granted and imposed are paid or secured to be paid, which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward.

Ships to be
reported
on arriving
in the Har-
bour.

C. And be it further enacted, That every Master or Commander, or Person having the Rule or Command for navigating any Ship or Vessel which shall arrive in the said Harbour, with any Goods, Wares, or Merchandize, shall in every Case make his Report of such Ship or Vessel, and of her Cargo, to the Harbour Master for the Time being of the said Harbour, or to such other Person as the said Company of Proprietors shall appoint from Time to Time for that Purpose, within Six Hours next after her Arrival within the said Harbour; and shall also, within Six Hours after such Ship or Vessel and Cargo shall be so reported, deliver, or cause to be delivered, a true Copy of the Manifest of the Cargo of such Ship or Vessel at the principal Office or House near to the said Harbour, or at the Town and Port of *Sandwich*, used for the Time being for the Management of the Affairs of the said Company of Proprietors, to such Officer or Servant of the said Company of Proprietors as shall be appointed for the Receipt thereof; and every such Master or Commander, or Person having the Rule or Command of or navigating such Ship or Vessel, refusing or neglecting to make such Report, or to deliver a true Copy of such Manifest within the respective Times and in the Manner before directed, shall for every such Offence (upon being convicted thereof) forfeit and pay any Sum not exceeding Twenty Pounds Sterling.

How Ton-
nage Duties
for the Har-
bour shall
be ascer-
tained.

CI. And be it further enacted, That the Master or other Person having the Rule or Command of any Ship or other Vessel lying within the said Harbour, shall and he is hereby required to produce and shew on Demand, to the Person or Persons appointed to collect the Rates and Duties aforesaid, the Custom House Register of the Burthen or Tonnage of such Ship or Vessel; and in case of Refusal, Failure, or Delay in producing and shewing the same, or in case there be no such Register, or in case the said Company of Proprietors, or such Person or Persons appointed to collect the Rates and Duties aforesaid, shall not be satisfied therewith, or shall entertain any Doubt of the Correctness thereof in regard to the Tonnage of such Ship or Vessel, it shall and may be lawful for the Person or Persons appointed to collect the Rates and Duties aforesaid to detain, and to enter,

enter, either alone, or with any Person or Persons for his or their Assistance, into such Ship or Vessel, and admeasure the same in Manner directed by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for the registering of Vessels*, and which shall be deemed to give the true Contents of the Tonnage; according to which Rule or Method, all Ships and Vessels using the said Harbour shall be measured, for computing, ascertaining, and collecting the said Rates or Duties of Tonnage, any Custom, Practice, or Usage to the contrary notwithstanding; and in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Tonnage than shall be set forth and contained in the Account which shall have been given thereof, then the Master or Person giving in such Account, shall pay the Costs and Charges of such weighing, measuring, or gauging; all which said Costs and Charges, upon Refusal of Payment thereof on Demand, shall and may be recovered and levied by such Ways and Means, and in such Manner as the said Rates are hereby appointed to be recovered and levied; but if any such Ship or other Vessel shall be found to be of the same or of less Tonnage than the same shall by such Account appear to be of, then the said Collector or Collectors, or such other Person or Persons respectively, shall pay the Costs and Charges of such weighing, measuring, or gauging, and shall also pay such further Damages as shall appear to any One or more Justices of the Peace acting in or for the said County or Place, on the Oath of any credible Witness, to have arisen from such Detention, and in Default of immediate Payment thereof by the Collector or Collectors, the same shall and may be recovered from the said Company of Proprietors by Distress and Sale of the Goods and Chattels of the Company, or of their Collector or Collectors; and if any Master, Commander, or other Officer of any Ship or Vessel, or any other Person or Persons, shall obstruct or hinder any Person or Persons so employed from weighing, measuring, or gauging any Ship or Vessel in pursuance of this Act, every such Master, Commander, or other Person, shall for every such Offence forfeit any Sum not exceeding Five Pounds, over and above the said Rates.

4 G. 4. c. 41.

Penalty on any Person obstructing the measuring of Vessels.

CII. And for the more orderly Government of the said Harbour, and for the better preserving the same, and the Works to be erected there from Injury or Damage, as well as for the Accommodation of Ships or Vessels coming into or going out of the said Harbour; be it enacted, That the said Company of Proprietors may, and they are hereby authorized and empowered to nominate and appoint such Person as they shall think proper to be a Harbour Master, with such Annual Allowance or Salary, payable out of the Rates or Duties by this Act granted and made payable, as they shall think fit; and such Harbour Master shall from Time to Time order and require all and every Person having the Rule or Command of any Ship or other Vessel entering into, lying, being, or abiding within the said Harbour, to lie, anchor, moor, and ballast, load, and unload such Ship or Vessel in such proper Place or Places within the same, as such Harbour Master shall assign or direct for those Purposes (having due regard that to the best of his Skill and Knowledge such Ship or

Power to regulate Vessels lying within the Harbour.

[Local.]

54 L

other

other Vessel shall be ordered to lie, anchor, moor, ballast, load, or unload in a Place of Safety); and in case the Person or Persons having the Rule or Command of any such Ship or other Vessel, shall refuse or neglect to obey the Orders so given, every Person so offending, for every such Refusal or Neglect, shall forfeit and pay any Sum not exceeding Ten Pounds to the said Company of Proprietors.

Recovery of Rates and Duties authorized to be collected.

CIII. And be it further enacted, That all the Rates and Duties authorized by this Act to be received, collected, and taken, shall be paid to such Person or Persons, at such Place or Places, in such Manner and under such Regulations as the said Board of Directors of the said Company of Proprietors shall from Time to Time direct or appoint; and in case any Owner or Master, or any other Person or Persons having the Rule or Command of any Ship or other Vessel coming into or going from the said Harbour or Dock, or any Factor, Consignor, or Consignee of any Goods, Wares, or Merchandize, or any Person or Persons having the Charge or Command of any Boat or other Vessel using the said River, Haven, Cuts, New Haven, or Harbour, shall neglect or refuse to pay any such Rates or Duties, or any Part thereof on Demand, to the Person or Persons appointed to receive the same, then and in such Case it shall and may be lawful for the Collector or Collectors, or other Person or Persons appointed in pursuance of this Act to receive the same, to go on board such Ship, Boat, or other Vessel, to demand, collect, and receive the said Rates or Duties; and on Nonpayment thereof to take and distrain every such Ship, Boat, or other Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and all or any Part of the Goods, Wares, or Merchandize in respect whereof such Rates or Duties shall be payable, either on board such Ship, Boat, or other Vessel, or on Land, and the same to detain until the respective Rates or Duties shall be satisfied and paid; and in case of any Neglect or Default in Payment of the said Rates or Duties for the Space of Seven Days after any Distress or Distresses so made or taken, exclusive of the Day of taking the same, that then it shall and may be lawful to and for the said Company of Proprietors, or such Collector or Collectors, or other Person or Persons appointed as aforesaid, to cause the same to be appraised by One or more Sworn Appraisers, or other sufficient Persons, and afterwards to sell the said Distress or Distresses, and out of the Produce of the Sale thereof, first to pay all Duties of Customs or Excise due in respect of the said Ship or Goods, and then to satisfy themselves or himself as well for and in respect of the Rates or Duties so neglected or delayed to be paid, as also for and in respect of their or his reasonable Charges in taking, keeping, appraising, and selling the same, rendering the Overplus (if any such there be) to the Owner, Master, or Commander, or Person or Persons having the Rule or Command of such Boat, Ship, or Vessel, upon Demand; and it shall and may be lawful for the said Company of Proprietors, in case of Nonpayment of the Rates and Duties as aforesaid, instead of recovering the same in Manner aforesaid, or in case the whole thereof shall not be so recovered, to proceed for the Recovery of the same, or so much thereof as shall not be

so recovered, by Action of Debt or Trespass on the Case, in any Court of Record at *Westminster*.

CIV. And be it further enacted, That if any Master, Owner, or other Person having the Rule or Command of any Ship, Boat, or other Vessel, or the Owner, Factor, or Consignee of any Goods, Wares, or Merchandize, shall by any Means whatsoever, at any Time or Times, elude, evade, or avoid the Payment of the Rates or Duties hereby made payable, or any Part of the same, each and every Person eluding, evading, or avoiding Payment as aforesaid, shall forfeit and pay to the said Company of Proprietors a Sum equal to the Amount of such Rates and Duties; and shall also stand charged with and be liable to the Payment of the said Rates and Duties, which shall and may be recovered from such Master or Owner, Factor or Consignee, or such other Person having such Rule or Command respectively, at any Time or Times, either by the Means herein-before prescribed for the levying of the said Rates and Duties, or by the same Method and in such Manner as is herein-after directed for levying and recovering the Fines, Forfeitures, and Penalties imposed by this Act, and with the like Costs.

Persons eluding Payment to continue chargeable.

CV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or relating to the said Rates or Duties, or any of them, the Person or Persons appointed to collect the said Rates or Duties, under the Authority of the said Directors or Company of Proprietors, shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their Appointment and Office to collect such Rates or Duties.

Collectors of Rates not to be incompetent Witnesses.

CVI. And be it further enacted, That it shall and may be lawful for the Directors of the said Company of Proprietors from Time to Time to lower or reduce all or any of the Rates and Duties by this Act granted, and again to raise the same to such Sum or Sums of Money as they shall think proper, not exceeding the Sums by this Act allowed to be taken, as often as it shall be deemed necessary for the Benefit of the said Undertaking.

Rates may be altered.

CVII. And be it further enacted, That if any Goods, Wares, Merchandize, or other Things, shall be brought upon any Pier or Piers, Jetty or Jetties, Wharf or Wharfs, Quay or Quays, Landing Place or Landing Places, or be deposited in any Warehouse or Warehouses belonging to the said Company of Proprietors or their Lessees, then and in such Case there shall be paid to the said Company of Proprietors or their Lessees, or to the Collector or other Person or Persons whom they shall appoint to demand, receive, and recover the same, over and above the Rates and Duties herein-before granted and authorized to be taken, and in such and the same Manner as such Rates and Duties are hereby directed and appointed to be paid and recovered, such Sum *per* Ton or otherwise, as the said Company of Proprietors, or their Directors, shall from Time to Time fix and appoint, not exceeding the Rates and Charges in Schedules D. and E. to this Act annexed and particularly specified and set forth.

Wharfage Duties to be paid.

CVIII. And

Masters of
Boats to give
an Account
of their
Lading.

CVIII. And for the better ascertaining and more easy, effectual, and just Collection of the said Rates hereby directed to be paid to the said Company of Proprietors for Goods, Wares, and Merchandize, carried on the said River, Haven, Cuts, and New Haven; be it further enacted, That the Person having the Care of every Boat, Barge, Keel, or other Vessel navigating upon the said River, Haven, Cuts, and New Haven; shall give to the Collector of the said Rates, or to any other Officer to be appointed for such Purpose, at the Place or Places where he shall attend for that Purpose, a just Account in Writing, signed by the Person or Persons sending or consigning such Goods and other Things as shall be embarked in each such Boat, Barge, Keel, or other Vessel, or by his or their Clerk or Agent, which Account shall contain a Statement of the Quantities and Weight of such Goods and other Things, and of their Nature, Sort, or Kind, which shall be embarked in each such Boat, Barge, Keel, or Vessel; and in case the Person having the Care of such Boat, Barge, Keel, or Vessel shall neglect or refuse to give such Account, or shall refuse to produce his or their Invoice or Bill of Lading to the Officer demanding the same, or shall wilfully or knowingly give a false Account, or shall wilfully do any other Act whereby the Payment of the said Rates or any Part thereof shall be avoided; or if the Person or Persons sending or consigning such Goods or Things, or his or their Clerk or Agent, shall sign a false Account thereof, every Person so offending shall forfeit and pay the Sum of Ten Shillings for every Ton of Goods or other Things (and so in proportion for any less Quantity than a Ton), which shall be in or be conveyed by such Boats, Barges, Keels, or other Vessels respectively, over and above the Rates which shall be payable for the same by virtue of this Act.

What Quan-
tities of
Goods shall
be deemed a
Hundred
Weight.

In case of
Difference
concerning
the Weight,
Collector
may weigh
them.

CIX. And be it further enacted, That the Tonnage of Timber, and all other Goods, Merchandize, Articles, and Things whatsoever conveyed inward or outward, or coastwise, or imported or exported to or from the said Harbour, or conveyed upon and along the said River, Haven, Cuts, and New Haven, shall be ascertained and charged according to the real Weight thereof, and that One hundred and twelve Pounds Weight Avoirdupois shall be deemed and taken as and for One Hundred Weight, any Usage to the contrary thereof notwithstanding; and if any Difference shall arise between any Collector of the said Rates and the Master or other Person having the Care or Charge of any Ship, Boat, Barge, Keel, or other Vessel entering or leaving the said Harbour, or navigating the said River, Haven, Cuts, and New Haven, or the Owner, Factor, Consignor or Consignees of any Goods, Wares, Merchandize, or other Things loaded or embarked therein, concerning the Weight or Quantities of the Goods, Wares, or other Matters or Things therein embarked or contained, it shall be lawful for any such Collector to stop and detain any such Ship, Boat, Barge, Keel, or other Vessel, and to weigh or gauge, or cause to be weighed or gauged, such Ship, Boat, Barge, Keel, or other Vessel, and all such Goods, Wares, and Merchandize, or other Matters or Things as shall be therein embarked or contained; and in case the same shall, upon any such weighing or gauging, appear to be of greater Weight or Quantity than the Account given thereof by such Master, Owner, or other Person having the Care or Charge of such Ship, Boat, Barge,
Keel,

Keel, or other Vessel, then it shall and may be lawful to and for the said Directors of the said Company of Proprietors, or their said Collector or Collectors, and he and they are hereby authorized and empowered to charge for such Goods and Things according to the Weight thereof found upon such Weighing, or declared by the Gauge of such Ship, Boat, Barge, Keel, or other Vessel, and the graduated Index thereon; and the Master, Owner, or other Person giving in such Account, shall pay the Costs and Charges of such weighing or gauging, all which Costs and Charges, upon Refusal of Payment upon Demand, shall and may be recovered and levied in the same Manner as the said Rates are hereby appointed to be recovered and levied; but if such Timber, Goods, Wares, Merchandize, or such other Matters or Things shall appear to be of the same or of a less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Company of Proprietors shall pay the Costs and Charges of such weighing or gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, or other Things, such Damages as shall have arisen from such Detention; and in Default of Payment thereof, the same shall be recovered from the said Company of Proprietors by Distress and Sale of the Goods and Chattels of the Company or of their Collector or Collectors.

CX. And be it further enacted, That every Owner, Master, or other Person, having the Care or Command of any Boat, Barge, Keel, or other Vessel passing upon or using the said River, Haven, Cuts, New Haven and Harbour, or any of them, shall cause his Name and Place of Abode, and the Number of his or her Boat, Barge, Keel, or other Vessel, to be entered with the Clerks to the said Company of Proprietors, and shall also cause such Name and Number to be painted and continually kept painted, so that the same may be distinctly seen, in large White Capital Letters and Figures on a Black Ground, Three Inches high at the least, and of a proportionable Breadth, on the Outside of the Head or Stern of every such Boat or other Vessel, higher than the Place to which the same shall sink into the Water when fully laden; and also shall fix on each Side thereof respectively, and continually keep and continue so fixed, correct Indexes of Copper, Lead, or other Metal of such graduated Dimensions, and of such convenient Height, and under such Regulations as the Directors of the said Company of Proprietors shall from Time to Time order and direct, so that the true Weight of the Lading on board may at all Times be thereby clearly ascertained and shewn; and shall permit and suffer every such Boat, Barge, Keel, or other Vessel to be gauged, weighed, or measured at the Expence of the said Company of Proprietors, whenever it shall be required by them, or any Person or Persons appointed for that Purpose, at such Place or Places on the said River, Haven, Cuts, New Haven and Harbour, or any of them, as they shall appoint; and every Owner, Master, or other Person having the Care or Command of any Boat, Barge, Keel, or other Vessel, who shall navigate the same upon the said River, Haven, Cuts, New Haven, or Harbour, without having and keeping such Name, Figures, and Index thereon, as are herein-before directed, or shall alter, erase, deface, or destroy the same or any Part thereof,

Masters to put their Names on the Outside of Boats.

Weight of the Lading of Vessels to be marked.

or shall fix any false Name, Figures, or Index, or who shall refuse to permit and suffer the same to be gauged and measured, shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Pounds.

Owners of Ships and Boats to be accountable in certain Cases for Damages done to the Harbour, &c.

CXI. And be it further enacted, That every Master, Owner, or other Person having the Rule or Command of any Ship or other Vessel entering into, or departing from, or lying or being in the said Harbour, or having the Charge or Care of any Boat, Barge, Keel, or other Vessel navigating upon the said River, Haven, Cuts, and New Haven, or any of them, shall be and is hereby made answerable for any Damage, Spoil, or Mischief which shall be done to the said River, Haven, Cuts, New Haven, and Harbour, or any of the Works to be constructed under this Act; through Wilfulness, Unskilfulness, or Negligence of him, or by any of the Mariners, Boatmen, Servants, or Crew on board of or employed in or about the same, or by or in the navigating, loading, or unloading of such Ship, Boat, Barge, Keel, or other Vessel, or by any other Means whatsoever, and also for any Trespass, Damage, Spoil, or Mischief which may be done by him, or by any such Person and Persons as aforesaid, to the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers of any Buildings or other Erections, Lands, Tenements, or Hereditaments, adjoining to the said River, Haven, Cuts, New Haven and Harbour, or other Works, or to any of them; and the said Master or Owner, or other Person having the Rule or Command of such Ship, Boat, Barge, Keel, or other Vessel, shall and may be sued and prosecuted for the same in any of His Majesty's Courts of Record at *Westminster*; and if a Verdict or Judgment shall be given against him, either on Proof made, or by Default, or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained with full Costs of Suit, or such Damages, in case the same shall not exceed Ten Pounds in Amount, shall and may be recovered of the Person or Persons herein-before made liable to pay the same, or of the Person or Persons by whom the Trespass, Damage, Spoil, or Mischief shall have been done, as in the Nature of a Penalty, in the same Manner as any Penalty is hereby directed to be recovered.

Masters to recover from their Servants any Sums for their Defaults.

CXII. And be it further enacted, That in case the Owner or Owners of any Ship, Boat, Barge, Keel, or other Vessel using the said River, Haven, Cuts, New Haven or Harbour, or any Basin or Dock, or other Work therein, or adjoining thereto, or passing through any of the Locks therein, shall be compelled to pay any Penalty, or to make Satisfaction for any Damages by reason of any Neglect or Default done or committed by his or their Servants, Boatmen, or Watermen, or by any other Person or Persons on board such Ship, Boat, Barge, Keel, or other Vessel, or any of them, such Servants, Boatmen, Watermen, or other Person or Persons as aforesaid, and each and every of them, shall be liable to repay such Penalty or Damages (with the Costs thereof) to such Owner or Owners; and in case of Nonpayment upon such Demand thereof, and Oath made by such Owner or Owners of the Payment

made by him or them of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him or them by such Servants, Boatmen, Watermen, or other Person or Persons as aforesaid, or any of them, although demanded (such Oath to be made before any One Justice of the Peace for the County or Place where such Penalty or Satisfaction shall have been recovered), the Amount thereof shall be recovered in like Manner as any Penalty is hereby directed to be recovered.

CXIII. And be it further enacted, That the said Company of Proprietors shall and may, and they are hereby empowered, in such Parts of the said River, Haven, Cuts, and New Haven as shall not be of sufficient Breadth for admitting a Boat, Barge, Keel, or other Vessel to turn about, or lie whilst another Boat, Barge, Keel, or Vessel shall pass by, or to admit Three Boats, Barges, Keels, or other Vessels to pass each other, to make and cut proper Spaces or Openings into the Lands adjoining to the said River, Haven, Cuts, and New Haven, at convenient Distances from each other, for the turning, lying, or passing by of any such Boat, Barge, Keel, or other Vessel; and all such Boats, Barges, Keels, and other Vessels, which shall be haled or navigated upon the said River, Haven, Cuts, and New Haven, or any of them, shall, upon meeting any other Boat, Barge, Keel, or Vessel navigating thereupon, stop at or go back to and lie in the said Spaces or Openings, in such Manner as the said Company of Proprietors, or their Directors, shall from Time to Time direct or appoint: And if any Boat, Barge, Keel, or other Vessel shall be placed or lie abreast in any Part of the said River, Haven, Cuts, and New Haven, or any of them, not being moored at both Ends; or if any Person or Persons shall obstruct the Navigation of the said River, Haven, Cuts, and New Haven, or any of them, by means of loading, unloading, misplacing, or otherwise misconducting any Boat, Barge, Keel, or other Vessel, and shall not immediately, upon Request made, alter the Situation of such Boat, Barge, Keel, or other Vessel, or alter or lessen the Loading thereof, as the Case shall require, so as that the said Obstruction shall cease and be removed; or if any Person or Persons shall float any Timber upon the said River, Haven, Cuts, and New Haven, or any of them, or throw any Trees, Ballast, or other Thing or Things into any Part of the said River, Haven, Cuts, and New Haven, or any of them, or shall wilfully obstruct the Navigation thereof in any other Manner, every Person so in any such Cases offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and it shall be lawful for the Directors of the said Company of Proprietors, or their Servants, to cause any such Boat, Barge, Keel, or other Vessel to be reloaded or unloaded if necessary, or to be removed, and also to remove such Timber or other Thing or Things in such Manner as shall be proper for preventing such Obstruction in the Navigation, and to keep and detain such Boat, Barge, Keel, or other Vessel, and the Loading thereof, or any Part of such Loading, Timber, or other Thing or Things, until the Charges occasioned by such Reloading, Unloading, or Removal shall be paid, or otherwise to recover

Places to be made for Boats to turn or lie in, or for other Boats to pass.

Obstructions of the Navigation to be removed;

recover the Expences incurred thereby, in like Manner as any Penalty is hereby directed to be recovered.

and Vessels
sunk to be
weighed up.

CXIV. And be it further enacted, That if any Boat, Barge, or other Vessel shall be sunk in any Part of the said River, Haven, Cuts, New Haven, or Harbour, or any of the Locks or Entrances thereof respectively, and the Person or Persons having the Care of such Boat, Barge, Keel, or other Vessel shall not without Loss of Time weigh or draw up the same, it shall be lawful for the Agents or Servants of the said Company of Proprietors, or any of them, to cause such Boat, Barge, Keel, or other Vessel to be weighed or drawn up, and to detain and keep the same until Payment shall be made of all the Expences thereby necessarily incurred and occasioned; and if the same shall not be paid within Ten Days after Notice given to any Owner of such Vessel of such Offence, exclusive of the Day of giving such Notice and of the Day of Sale, then to sell the same for the Payment thereof, rendering the Overplus, if any, after Payment of such Expences, and the Expence of the Detention and Sale, to the Owner or Owners thereof.

Penalty for
destroying
the Ropes,
&c. of Ves-
sels,

CXV. And be it further enacted, That in case any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy or injure any Rope, Chain, or other Thing by which any Ship or other Vessel lying in the said Harbour, or within any Part of the Entrance Pier or Jetties thereof, shall be moored and fastened, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; provided always, that such Penalty shall not in any Manner preclude or bar or affect the Recovery of any Damages in any Action which may be brought for any Injury which may arise from cutting, breaking, destroying, or injuring any such Rope, Chain, or other Thing as aforesaid: Provided also, that nothing herein contained shall hinder or restrain any Harbour Master or Masters to be appointed in pursuance of this Act, or his or their Assistant or Assistants, from exercising in a due and reasonable Manner any of the Powers and Authorities hereby vested in them; or to hinder or restrain the Owner or Owners, Occupier or Occupiers of any of the Quays or Wharfs, from casting off any Rope or Ropes that may be fastened to any Post or Posts, or other Fixture or Fixtures on such Quays or Wharfs, without the Licence and Consent in Writing of such Owner or Owners, Occupier or Occupiers, for that Purpose had and obtained.

or misusing
the Locks,
or doing
other Da-
mage to the
Navigation.

CXVI. And be it further enacted, That if any Person or Persons shall wantonly or unnecessarily open or cause to be opened any Lock, Paddle, Valve, or Clough, belonging to the said River, Haven, Cuts, and New Haven, or any of them, or any of the Works thereto belonging; or when necessarily emptying a Lock for the Purpose of passing into or entering the same, shall neglect to shut the Top Gate or Gates thereof, and the Paddles, Valves, or Cloughs thereto belonging, before he or they shall draw the Paddles, Valves, or Cloughs of or belonging to the Bottom Gates thereof, or any of them; or shall suffer any Boat, Barge, Keel, or other Vessel to strike
or

or run upon any of the Bridges or Locks thereof; or shall flush or draw off, or cause to be flushed or drawn off, the Water from any Part of the said River, Haven, Cuts, or New Haven; or shall leave any Gate or Gates, Paddle, Valve, or Clough of any Lock open and running after any Boat, Barge, Keel, or other Vessel, shall have passed through the same (except in such Cases as are otherwise ordered); or shall draw, or cause to be drawn any Paddle, Valve, or Clough on the said Navigation, so as to mispend or waste the Water thereof, or shall wilfully obstruct, hinder, or prevent any Person or Persons in the Execution of this Act; every Person offending in any of the Cases aforesaid, shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

CXVII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously demolish, break down, or damage any Quays, Wharfs, Piers, Jetties, or any of the Works which shall be constructed in, or which shall belong to the said River, Haven, Cuts, New Haven or Harbour; or if any Person or Persons shall wilfully and designedly break, throw down, destroy, or damage any Bridges, Locks, Tunnels, Banks, or other Works to be erected and made by virtue of this Act, or any Part thereof, every such Person shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by and before whom such Person or Persons shall be tried, shall have Power and Authority to cause such Person or Persons to be punished by Transportation for Seven Years, or in such other Manner as any Felons may be punished by the Laws and Statutes of this Realm.

Persons destroying the Works, to be deemed guilty of Felony.

CXVIII. And be it further enacted, That every Boatman or other Person navigating or having the Care of any Boat, Barge, Keel, or other Vessel upon the said River, Haven, Cuts, and New Haven, which shall pass through any Lock to be made thereon, shall under the Direction and Supervision of any Lock-keeper to be appointed by the said Company of Proprietors, in going upon the said River, Haven, Cuts, and New Haven, and other Works, from a higher to a lower Level, previously to his bringing his Boat, Barge, Keel, or Vessel into any Lock, carefully shut the Lower Gates of such Lock, and the Paddles or Sluices thereto belonging, before he shall draw the Paddles or Sluices of the Upper Gates thereof; and after he shall have guided or brought his Boat, Barge, Keel, or Vessel into the said Lock, he shall then shut the Upper Gates thereof, and the Paddles or Sluices thereof, before he shall draw the Paddles or Sluices belonging to the Lower Gates thereof; and in going up the said River, Haven, Cuts, and New Haven, from a lower to a higher Level, such Boatman or other Person shall first guide his Boat, Barge, Keel or Vessel into the said Lock, and carefully shut the Lower Gates thereof, and the Paddles or Sluices thereto belonging, before he shall draw the Paddles or Sluices of the Upper Gates thereof; and as soon as he shall have passed with his Boat, Barge, Keel, or Vessel out of the said Lock, such Boatman or other Person shall securely shut the Upper Gates thereof, and the Paddles or Sluices thereof; and at all Times Boats, Barges, Keels, or Vessels going up the said River, Haven, Cuts, and New Haven, if within Sight of any Boat or Vessel coming down and

Regulations of Vessels passing the Locks.

[Local.]

54 N

at

at a Distance not exceeding One hundred Yards below any Lock, shall pass through such Lock before the Boat, Barge, Keel, or Vessel coming down, and then the Boat, Barge, Keel, or Vessel above such Lock shall come down, and if there shall be more Boats, Barges, Keels, or Vessels than One below, and One above any Lock at the same Time within the Distance aforesaid, such Boats, Barges, Keels, or Vessels shall go up and come down through such Locks by Turns as aforesaid, until all the Boats, Barges, Keels, or Vessels going up or coming down shall have passed the same, in order that One Lock-full of Water may serve Two Boats, Barges, Keels, or Vessels; and if any Person or Persons shall offend against any such Provision or Provisions, Rule or Rules, Regulation or Regulations, for entering or passing any such Lock or Locks, or for opening or shutting any Gate or Gates thereof, or for drawing or shutting the Paddles, or Sluices thereof, or any of them, then and in every such Case every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Preventing
Dogs being
landed from
Vessels.

CXIX. And be it further enacted, That if any Person shall permit or suffer any Dog to go on Shore from any Boat, Barge, or other Vessel during the Time the same shall be navigating or passing along the said River or Cut, every Person so offending shall forfeit and pay any Sum not exceeding Ten Shillings.

Punishment
of Persons
damaging
Fences.

CXX. And be it further enacted, That in case any Person or Persons shall break down, destroy, carry away, or damage any Gate, Stile, Post, Rail, or other Fence to be put up or placed under the Authority of this Act, for the Fencing of the Towing Paths of the said River, Haven, Cuts, and New Haven, in any and every Case where the Damage occasioned by the Offence shall not amount to more than Twenty Pounds, every Person so offending, and being thereof convicted before any One or more Justice or Justices of the Peace (not interested in the Premises), for the County, City, or Place where the Offence shall be committed, on the Confession of the Offender or Offenders, or on Proof of the Offence on the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby empowered to administer), shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and no Person shall be deemed incompetent to give Evidence of such Offence by reason of his or her being a Proprietor of the said Navigation and Harbour Company, or the Owner of such Gate, Stile, Post, Rail, or other Fence; and in case any such Offender or Offenders shall not immediately pay such Penalty or Penalties, or find Sureties to the Satisfaction of such Justice or Justices for the Payment thereof at such future Day as he or they shall think proper to appoint, it shall be lawful for such Justice or Justices to cause the same to be forthwith levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under his or their Hand and Seal, or Hands and Seals, returning the Overplus, if any, to the Owner or Owners of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale, the whole of which Penalty or Penalties shall be paid to the Owner or Owners of such

Gate, Stile, Post, Rail, or Fence so broken, destroyed, or carried away; but if the Owner of such Gate, Stile, Post, Rail, or Fence shall be the Informer, and shall give Evidence of the Offence, then the whole of such Penalty or Penalties shall be paid to the Overseers of the Poor of the Parish where such Offence shall be committed, for the Benefit of such Poor; and in that Case the Offender or Offenders shall (over and above the Payment of such Penalty as last aforesaid) make such Recompence and Satisfaction to the Owner or Owners of such Gate, Stile, Post, Rail, or Fence, for the Damage done by such Offender or Offenders, as the Justice or Justices before whom he or they shall be convicted of such Offence shall think fit to allow in respect thereof, such Allowance for Damage to be added to such Penalty or Penalties, and levied therewith in Manner above mentioned; and for Want of such Distress, such Justice or Justices shall and may commit the Offender or Offenders to the Common Gaol, or House of Correction, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months, or until such Penalty and Damage shall be sooner paid.

CXXI. And be it further enacted, That no Person or Persons shall take away any of the Beach, Shingle, Sand, Gravel, or Earth from any Part of the Strand or Sea-shore within Five hundred Yards at the least from the Outsides of either of the Piers or Jetties measuring along the Coast from such Pier or Jetty, either for the Purpose of ballasting any Ship or Vessel, or for any other Purpose whatsoever, without the Consent of the said Company of Proprietors, or their principal Officer at the said Harbour, or at the said Town and Port of *Sandwich*, on pain of forfeiting Twenty Shillings for every Ton so taken; nor shall any Person or Persons discharge the Ballast of any Ship or Vessel between or within the same Distances from the said Piers or Jetties, on pain of forfeiting Five Pounds for every Offence: Provided always, that it shall be lawful for the said Company of Proprietors to take for their own Use and Disposal all the Beach, Shingle, Sand, Gravel, and Earth, which may be dug up, dug out, or excavated within the Pier Heads or Jetties, or in the making of the said Harbour, Basins, or other Works authorized to be made by this Act; and it shall also be lawful for the said Company of Proprietors to take and use any Quantity of the Beach, Shingle, Sand, Gravel, or Earth, from any Part of the Shore along the Coast from *Sandown Castle* to the Cliff at *Pegwell*, for making, maintaining, and repairing any of the approach Roads to be made by the said Company of Proprietors, or for any other Purpose whatsoever appertaining to the making, maintaining, or repairing of the said Harbour, Docks, Basins, Cuts, New Haven, or other Works, without being subject to any Penalty for the same, so as that they do not thereby endanger the Safety of the adjoining Lands, and pay to the Owners of such Beach, Shingle, Sand, Gravel, or Earth, as they may take from above High Water Mark, the Value thereof, and the Damage occasioned thereby.

Beach not to be taken within certain Limits without Consent of Company.

CXXII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to erect or otherwise provide any Warehouses or other Buildings for depositing or keeping any Goods,

Power to provide an Office and Warehouses.

Goods, Merchandize, or other Things carried or conveyed, or intended to be carried or conveyed upon the said River, Haven, Cuts, New Haven, and Harbour, or for an Office or Offices for transacting the Business of the said Company of Proprietors therein, at any Distance from the said Navigation and Harbour, not exceeding One hundred Yards, which they shall judge necessary or convenient; and for that Purpose the said Company of Proprietors may and are hereby authorized and empowered to purchase, lease, or hire any Ground or Buildings where they shall think proper, provided the Owners and Proprietors of, and other Persons interested in such Grounds or Buildings, shall be consenting to sell or let the same, but not otherwise.

Company empowered to lease the Rates.

CXXIII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered, at any of the General or Special General Assemblies, by Writing under their Common Seal at any Time or Times, to let to farm the Rates hereby made payable or any Part or Parts thereof, upon the Whole or any Part or Parts of the said River, Haven, Cuts, New Haven and Harbour, or other Works, to any Person or Persons, for any Time or Term they shall think proper, not exceeding Three Years from the Commencement of any Lease; and every such Lease shall be valid and effectual; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Rates so let, shall, during the Continuance of every such Lease, be deemed Collectors of the Rates so let, and shall have the same Power and Authority for collecting and recovering the same as if he, she, or they had been appointed for that Purpose by the said Company of Proprietors; provided public Notice of the Intention to let the said Tolls or any Part thereof be given by the Directors or the Clerks to the said Company by Advertisements published in the *London Gazette* and One Newspaper circulating in the Eastern Parts of the said County of *Kent*, at least Ten Days prior to any such General Assembly, at which the said Rates or any Part thereof are proposed to be let as aforesaid.

Vessels of small Tonnage not to pass through Locks.

CXXIV. And be it further enacted, That no Boat, Barge, or other Vessel of less Burthen than Twenty-five Tons, or with less Burthen of Goods than Twenty Tons, unless such last-mentioned Boat, Barge, or Vessel shall be returning after the Delivery of her Lading, or proceeding to receive such Lading, shall pass through any of the Locks intended to be made by virtue of this Act, without the Consent of the said Company of Proprietors, or of their principal Agent at *Canterbury* or *Sandwich*, for the Time being, in Writing first had and obtained, on paying the same Tolls as if fully laden with Twenty-five Tons.

Power to divert certain Roads.

CXXV. And whereas the Line of the said New Haven and Harbour will cross certain Roads and Ways leading to the Lands, Tenements, and Hereditaments situate between the said Line of the said New Haven and Harbour, and the said Old Haven, and to the Sea Shore; and it will not be practicable to build Bridges over, or to make
Roads

Roads or Ways under the said New Haven and Harbour, but at a very heavy Expence, but the Convenience of the Owners and Occupiers of the said Lands, Tenements, and Hereditaments, and of the Public, will be sufficiently provided for in Manner herein-after mentioned; be it therefore further enacted, That the said Company of Proprietors shall make and form a good and sufficient Road or Way for Carriages from *Sandwich* Bridge to the said Lands, Tenements, and Hereditaments, and to the Sea Shore on the North Side of the Part of the Old Haven used for the Purposes of the said Navigation, and of the said New Haven, with a convenient Bridge for Carriages over the Old Haven, where the said Lock, Floodgate, or Sluice, or Tumbling Bay shall be made and erected across the same as herein-before mentioned, or near thereunto, and do and shall at their own Costs and Charges for ever maintain and keep in good and sufficient Repair the said Road and Bridge so to be formed and made by them, and do and shall suffer the Owners and Occupiers of the said Lands, Tenements, and Hereditaments, and their Servants and Workmen, and all Persons necessarily going to or from the said Lands, Tenements, and Hereditaments, or to and from the Sea Shore, to have the free Use of the said Road or Way, for the more convenient and better Occupation and Enjoyment of such their respective Lands, Tenements, and Hereditaments, and otherwise jointly with themselves for the Use of the said Navigation and Works.

CXXVI. Provided always, and be it further enacted, That the Owners and Occupiers of the Lands, Tenements, and Hereditaments, lying between the said New Haven and Harbour, and the said Old Haven, and their Servants and Workmen, and all Persons necessarily going upon the said Road or Way so to be formed, to or from any of the said Lands, Tenements, and Hereditaments, or to or from the Part of the said Old Haven between *Sandwich* Bridge and the said New Haven, or any Quays or Wharfs which may be made or erected by the Side thereof, or to or from the said New Haven, Harbour, and other Works, or any Part thereof, or to or from the Sea Shore between the Old and New Haven, and passing *Sandwich* Bridge aforesaid, with Carriages, Horses, and Cattle, or on Foot, shall be exempted, for themselves, their Carriages, Horses, and Cattle, from paying any Toll now chargeable at *Sandwich* Bridge.

Owners, &c.
of Lands
lying be-
tween New
Haven and
Harbour
and Old
Haven not
to pay Toll.

CXXVII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to divert and turn a certain Highway leading from *Word* otherwise *Worth* aforesaid, to a certain Place within the same Parish called the *Blue Pigeons*, and to the Commencement of a private Road adjoining thereto, and communicating therewith; and also a certain other Highway leading from the said Town and Port of *Sandwich* to the Town of *Deal* in the said County of *Kent*, where the Line of the said New Haven will intersect the same respectively, the said Company of Proprietors making a New Road or Roads, of not less Width than the Roads so diverted along the South Side of the said New Haven and Harbour, from the Place where the Line of the said New Haven shall intersect the said Old Roads respectively to the Place in which the said Old Road from *Word*

Power to di-
vert certain
Highways.

otherwise *Worth* aforesaid, to *Blue Pigeons* aforesaid, again leaves the Line of the said New Haven, so as to continue and preserve the said Communication thereof with the said private Road, and also to the Place in which the said Old Road, from the said Town and Port of *Sandwich* to the said Town of *Deal*, again leaves the Line of the said New Haven; and that the said Company of Proprietors shall, at their own Costs and Charges, for ever maintain and keep in good and sufficient Repair the said Roads so to be made by them as aforesaid, and shall suffer all Persons entitled to use the said Old Roads, to have the free Use and Enjoyment of the said New Roads, in the same or the like Manner, and for all such Purposes as they are entitled to use the said Old Roads.

Power to divert Roads, &c. on making others, and vesting Old Roads in the Company.

CXXVIII. And whereas the said Company of Proprietors, in improving, making, and forming the said River, Haven, Cuts, New Haven, and Harbour, may have Occasion to divert and turn several Roads and Ways, besides those herein-before mentioned, and in lieu of such Old Roads and Ways, at a considerable Expence, make other more or equally convenient Roads and Ways; be it therefore enacted, That where it shall appear necessary that any Road or Way shall be diverted or turned in the Line or Track of the said River, Haven, Cuts, New Haven, and Harbour, then and in such Case it shall and may be lawful to and for the said Company of Proprietors to divert and turn such Road or Way, an Order in Writing from any Two or more of His Majesty's Justices of the Peace for the County or Place within which the Road or Way to be turned shall be situate, (which Order such Two or more Justices are hereby authorized and required, at their Discretion, to grant,) being first obtained for that Purpose; and the said Company of Proprietors first making a New Road or Way of not less Width than the former; and when such New Road or Way shall be completed and finished, the Part of the Old Road or Way so to be diverted and turned, shall be and become vested in Fee Simple in the said Company of Proprietors, as shall also the said Parts of the said Roads from *Word* otherwise *Worth*, to the said Place called the *Blue Pigeons*, and from the said Town and Port of *Sandwich* to the said Town of *Deal*, which shall be diverted as aforesaid, with full Power for them to sell or dispose of the same, in such Manner and Form and under such Regulations as are herein-before directed with respect to Lands which shall be purchased by the said Company of Proprietors, and not found necessary to be made use of for the Purposes of this Act, or as near thereto as the Circumstances of the Case will admit; and the Land constituting the New Road or Way shall from thenceforth for ever be vested in or belong to such Person or Persons, and be subject and liable to such and the same Laws, Rules, and Regulations, in every respect, as the Old Road or Way so to be diverted or turned shall have been subject and liable to immediately prior to such Diversion or Turning: Provided always, that in case any such New Road or Way shall be made within the said Parish of *Word* otherwise *Worth* (which is not at present liable to the Repairs of any Road in the Direction of the said New Haven, beyond the said Place called the *Blue Pigeons*), the same shall be for ever maintained and kept in

good and sufficient Repair by the said Company of Proprietors at their own Costs and Charges.

CXXIX. Provided always, and be it enacted, That no Road or Way shall be diverted or turned without Notice thereof being given, pursuant to an Act made in the Fifty-fifth Year of the Reign of His late Majesty, intituled *An Act to amend an Act of the Thirteenth Year of His present Majesty, for the Amendment and Preservation of the Public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a Public Highway, and to extend the Provisions of the same Act to the stopping up of unnecessary Roads*; and the Order for diverting or turning the same shall be subject to Appeal to the Quarter Sessions in Manner directed by the said Act.

Roads not to be turned without Notice pursuant to 55G. 3. c-68.

CXXX. And be it further enacted, That when and as often as it shall be found necessary by the said Company of Proprietors to make or cut through any Carriage or Horse Road, be the same public or private, or so much injure the same as to render the same impassable or inconvenient for Carriages or Horses, or the Persons entitled to the Use and Benefit thereof, the said Company of Proprietors shall at their own Expence, before any such Road shall be taken, cut through, or injured as aforesaid, cause a good and sufficient Carriage or Horse Road (as the Case may be) to be set out and made instead thereof, and shall put, or cause to be put, the same in good and sufficient Repair and Condition.

If Old Roads are destroyed, New Ones to be made.

CXXXI. Provided always, and be it further enacted, That wherever the Course of any Road or Way shall be altered in pursuance of this Act, and a New Road or Way opened and made in and upon the adjoining Land, the Offer of the Purchase of such Old Road or Way shall be first made to the Owner or Owners of the adjoining Land, and in the next place, to his, her, or their Lessee or Lessees; and in case such Owner or Owners, or his, her, or their Lessee or Lessees, shall be desirous of becoming the Purchaser or Purchasers of such Old Road or Way, and shall not agree with the said Company of Proprietors, or with their Directors, for the Price to be paid for the Purchase of the same, then and in such Case the Value thereof shall be settled and ascertained in such and the like Manner as the Price for any Land to be taken in pursuance of this Act is herein-before directed to be settled and ascertained; and such Owner or Owners, or his, her, or their Lessee or Lessees, shall be deemed the Purchaser or Purchasers thereof at the Sum to be ascertained by a Jury; and in case such Owner or Owners, or his, her, or their Lessee or Lessees so purchasing shall refuse to pay such Money upon Demand made thereof by the Clerks to the said Company of Proprietors, or either of them, and Tender of the Conveyance of such Old Road or Way, the same shall and may be recovered by the said Company of Proprietors by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*; and in case any such Owner or Owners, or his, her, or their Lessee or Lessees, shall not agree, or shall refuse to purchase any such Old Road or Way for Twenty-one Days next after the Offer thereof shall be made to him, her, or them, it shall and may be lawful

Owners of adjoining Lands to have the first Offer of the Old Road.

to

to and for any Person or Persons not interested in the Premises to make an Affidavit, to be sworn before a Master or Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County or Place where such Old Road or Way shall lie, stating that such Offer has been made by or on behalf of the said Company of Proprietors, and that such Owner or Owners, or his, her, or their Lessee or Lessees, has or have not agreed, or has or have refused to purchase such Old Road (as the Case may be); and such Affidavits shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and not agreed to, or refused by such Owner or Owners, or his, her, or their Lessee or Lessees.

Collectors,
&c. to give
Possession
of Toll
Houses, &c.
when dis-
charged.

CXXXII. And be it further enacted, That if any Harbour Master, Toll Collector, Wharfinger, Lock Keeper, or other Agent or Servant of the said Company of Proprietors, occupying any House, Offices, or Buildings belonging to the said Company of Proprietors, without paying Rent for the same, shall be discharged from his Office by or by the Order of the said Company of Proprietors, or the Directors of the said Company of Proprietors, and shall not deliver up the Possession of such House, Offices, Buildings, and Appurtenances, together with the Books, Papers, and other Matters and Things belonging to the said Company of Proprietors in his Custody, Power, or Possession, within Twenty-one Days next after Notice in Writing of such Discharge shall be given to him, or left at such House, Offices, or Buildings; or if the Wife or Family of any such Harbour Master, Toll Collector, Wharfinger, Lock Keeper, or other Agent or Servant, as shall happen to die while in the Service of the said Company of Proprietors, shall refuse to deliver up the Possession of such House, Offices, Buildings, and Appurtenances as aforesaid, together with the Books, Papers, and other Matters and Things belonging to the said Company of Proprietors in his, her, or their Custody, Power, or Possession, within Twenty-one Days after another Person shall have been appointed in the Place and Stead of the Person so dying; then, and in either of the said Cases, it shall be lawful for any Justice or Justices of the Peace for the County or Place where such House, Offices, and Buildings shall be, and he is hereby required, by Warrant under his or their Hand and Seal or Hands and Seals, to order the Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House, Offices, and Buildings in the Daytime, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods and Chattels, out of such House, Offices, and Buildings, and to take Possession of all the Books, Papers, Matters, and Things belonging to the said Company of Proprietors which shall be found therein, and to deliver Possession of such House, Offices, and Buildings, together with the Books, Papers, Matters, and Things found therein belonging to the said Company of Proprietors, to the new-appointed Harbour Master, Toll Collector, Wharfinger, Lock Keeper, or other Agent or Servant, or to such other Person or Persons as the said Company of Proprietors or their Board of Directors shall appoint to receive the same.

CXXXIII. And

CXXXIII. And be it further enacted, That in case all or any of the Rates or Duties arising by virtue of this Act shall be demised or let to farm to any Person or Persons in Manner whatsoever, and the Lessee or Lessees thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, or any Part or Instalment thereof, shall be in arrear or unpaid for the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Agreement, or Contract for demising or letting the same Rates or Duties; or in case such Lessee or Lessees shall refuse to deliver up the Possession of any Toll House or Toll Houses, Weighing Machine or Weighing Machines, or other Building or Buildings, with the Gardens and other Appurtenances thereto respectively belonging, to be erected, built, constructed, or set up by virtue of this Act, for the Space of Four Days after Demand thereof made in Writing, given or left at such Toll House, Weighing Machine, or Building, or at any One of such Toll Houses, Weighing Machines, or Buildings, which shall be or have been in the Possession or Occupation of such Lessee or Lessees, such Demand in Writing to be signed in Writing by any Three or more of the Directors of the said Company (although not assembled in Meeting), or by the Clerk or Treasurer for the Time being of the said Company; or in case any such Lease, Agreement, or Contract, shall in any other Manner become void, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said County of *Kent*, upon Application made by the said Directors, or any Three or more of them, or by the Treasurer for the Time being of the said Company, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any such Toll House, Weighing Machine, or other Building, with the Garden and all other the Appurtenances thereto belonging, and to remove and put such Lessee or Lessees, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, from and out of the same, and the Possession thereof, and from the Collection of such Rates and Duties, and to put the said Company, or any One of them, or their new Lessee or Collector, Lessees or Collectors, into the Possession thereof; and thereupon it shall be lawful for the said Directors, or any Three or more of them, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement (if any) which was previously existing, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part), as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Directors, or any Three of them, in every such Case, again to demise or let to farm the said Rates and Duties to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Power to
re-enter.

[Local.]

54 P.

CXXXIV. And

Proceedings entered in the Books of the Company to be Evidence.

CXXXIV. And be it further enacted; That all Orders and Proceedings of the said Company of Proprietors at their several and respective General or Special Assemblies, or of their Board of Directors or Committees at their several Meetings, which shall be entered in a Book or Books to be kept for such Purposes, and to be signed either by the Chairman of such General or Special Assemblies, or by the Governor or Deputy Governor, or by the Clerks of the said Company of Proprietors, or either of them, shall be deemed and taken to be Originals, and shall be admitted in Evidence in all Courts and Places whatsoever.

Powers given by this Act to cease, if Works not completed within Ten Years.

CXXXV. Provided always, and be it further enacted, That in case the several Works herein-before described, and intended to be carried into Effect under the Authority of this Act, shall not have been completed so as to answer the Purposes aforesaid within the Space of Ten Years from the passing of this Act, then and from thenceforth all the Powers and Authorities given by this Act shall cease and determine, save only as to such or so much of such Works as shall have been completed within such Time, and save also as to such Matters as shall have been transacted, and such Agreements as shall have been made in pursuance of the Powers herein contained.

Certain Duties on Coals authorized to be taken by 27 G. 3. c. 14. to be collected by Company in the same Manner as Duties authorized by this Act.

CXXXVI. And whereas by an Act made in the Twenty-seventh Year of His late Majesty's Reign, intituled *An Act for paving, cleansing, lighting, and watching the Streets, Lanes, and other Public Passages and Places within the Walls of the City of Canterbury, and the Liberties thereof; and also several Streets and other Places near or adjoining to the said City; and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein*, it was (amongst other Things) enacted, for raising an additional Fund for the Purposes of the said Act, that from and after the passing of the said Act, for all Coal, Coke, or Cinder which should be brought or conveyed through any of the Turnpikes to be erected or appointed by virtue of the said Act, for the Purposes of collecting a Duty on such Coal, Coke, or Cinder, there should be paid to the respective Collectors to be appointed by virtue of the said Act, the Sum of One Shilling *per* Chaldron for such Coal, Coke, or Cinder as had been usually sold by Admeasurement, (every such Chaldron containing Thirty-six Bushels *Winchester* Measure,) and the Sum of One Shilling *per* Ton for all such Coal, Coke, or Cinder as had been usually sold by Weight, and brought through such respective Turnpikes, (every such Ton containing Twenty Hundred,) and so in proportion for every greater or less Quantity than a Chaldron or Ton; and the Commissioners appointed for putting the said Act into Execution, or any Nine or more of them, were thereby empowered to erect and appoint any Number of Turnpikes which they should think necessary or expedient within the Liberties of the said City, or at any of the Avenues leading into the said City, at any Distance not exceeding Three Miles from the said City, for the Purpose of collecting the said Duty on Coal, Coke, or Cinder, and the said Duty is thereby directed and required to be paid at the respective Turnpikes so to be erected or appointed; and it is by the said recited Act provided,

vided, that so soon as the Sum of Four thousand Pounds, Part of the Money to be borrowed on the Credit of the said recited Act, should be paid off and discharged, the Duty therein-before granted upon or in respect of Coal, Coke, or Cinder, should from thenceforth cease and determine; but such Sum of Four thousand Pounds, Part of the Money which has been borrowed on the Credit of the said recited Act, hath not yet been paid off and discharged: And whereas after the said River, Haven, Cuts, New Haven, Harbour, and other Works to be made by virtue of this present Act, shall be completed, considerable Quantities of Coal, Coke, or Cinder, will be brought or conveyed to the said City of *Canterbury* and the Neighbourhood thereof upon the said Navigation, without passing through any of the Turnpikes which have been erected or appointed by virtue of the said recited Act, whereby the Payment of the Duty imposed by the said Act, which would otherwise be paid upon such Coal, Coke, or Cinder, will be avoided, and the additional Fund thereby provided will be materially lessened, and will become inadequate for the Purposes of the said Act; for Remedy whereof be it further enacted, That from and after the said River, Haven, Cuts, New Haven and Harbour, and other Works, shall be improved, made, and completed, and the Navigation thereof shall be opened for Barges, Boats, or other Vessels, for all Coal, Coke, or Cinder, which shall be carried or conveyed through the Lock nearest to the said City intended to be made by virtue of this Act, within the Distance of Three Miles from the said City, into the upper Level of the said River, there shall be paid to and for the Use and Behoof of the Commissioners for the Time being acting in Execution of the said last-recited Act, for the Purposes of the same Act, the like Duty or Sum of One Shilling *per* Chaldron for such Coal, Coke, or Cinder, as have been usually sold by Admeasurement, (every such Chaldron containing Thirty-six Bushels *Winchester* Measure,) the Sum of One Shilling *per* Ton (every such Ton containing Twenty Hundred) for all such Coal, Coke, or Cinder, as have been usually sold by Weight, and carried or conveyed through such Lock into the upper Level of the said River, and so in proportion for every greater or less Quantity than a Chaldron or Ton; which last-mentioned Duty upon Coal, Coke, or Cinder shall, in the first Instance, be paid to such Person or Persons as the Directors of the said Company of Proprietors shall from Time to Time direct or appoint, in the same Manner as the Rates and Duties mentioned in Schedule C. to this Act annexed, are hereby directed to be paid; and all and every the Powers, Authorities, Fines, Forfeitures, Penalties, and Provisions herein-before given, enacted, and provided for or touching the Payment, Collecting, or Recovery of the said Rates and Duties mentioned in the said Schedule, shall apply and extend, and shall be deemed to apply and extend to the Payment, Collecting, and Recovery of the said last-mentioned Duty upon Coal, Coke, or Cinder, carried or conveyed through the said Lock into the upper Level of the said River.

CXXXVII. Provided always, and be it further enacted, That all the Monies which shall from Time to Time be paid to such Person or Persons so to be appointed by the Directors of the said Company of Proprietors

Application thereof.

Proprietors to collect and receive the said Duty upon Coal, Coke, or Cinder, carried or conveyed through the said Lock into the upper Level of the said River as aforesaid, shall from Time to Time be accounted for and paid over by such Person or Persons to the Commissioners for the Time being acting in Execution of the said last-recited Act; or any Nine or more of them, or to such Person or Persons as they, or any Nine or more of them, shall appoint to receive the same, for the Purposes of the said last-recited Act; and all such Monies shall be accounted for and paid over or recovered by or from such Person or Persons in like Manner as any Monies received by any Officer or Officers appointed by virtue of the said last-recited Act are directed to be accounted for and paid, or can or may be recovered by or by virtue of the said last-recited Act; and every such Person or Persons duly accounting for and paying over such Monies as aforesaid, shall be allowed and paid by the Commissioners for the Time being acting in Execution of the said last-recited Act, or any Nine or more of them, for his or their Pains and Trouble in receiving, accounting for, and paying over the same, upon the full Amount of the Monies so by him or them received, at and after the Rate mentioned in the said Act of the Twenty-seventh Year of the Reign of His late Majesty.

In certain Cases such Duty on Coals not to be paid.

CXXXVIII. Provided always, and be it further enacted, That if the Commissioners for the Time being acting in Execution of the said last-recited Act, or any Nine or more of them, or their Collectors or Collector, appointed or to be appointed by virtue of the same Act, shall collect or receive at any of the Turnpikes erected or appointed, or to be erected or appointed by virtue of the said last-recited Act, the Duty upon Coal, Coke, or Cinder granted or imposed by the said Act upon any Coal, Coke, or Cinder which shall be carried or conveyed through the said Lock into the upper Level of the said River, then and in such Case the Duty upon Coal, Coke, or Cinder made payable by this present Act upon such Coal, Coke, or Cinder as shall be carried or conveyed through the said Lock into the upper Level of the said River, shall from thenceforth cease and determine.

When 4000*l.* paid, this Duty to cease.

CXXXIX. Provided also, and be it further enacted, That when and so soon as the said Sum of Four thousand Pounds, Part of the Money borrowed on the Credit of the said last-recited Act, shall be paid off and discharged, the Duty herein-before granted upon or in respect of Coal, Coke, or Cinder carried or conveyed through the said Lock into the upper Level of the said River, shall from thenceforth cease and determine, any thing in this Act to the contrary thereof notwithstanding.

Sandwich Bridge and Pavement Acts to remain in Force.
28 G. 2. c. 55.

CXL. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or shall be construed or taken to extend to alter or vary the Enactments and Provisions contained in an Act passed in the Twenty-eighth Year of the Reign of His late Majesty King George the Second, intituled *An Act for building a Bridge over the Water or Haven between the Town of Sandwich and the opposite Shore in the County of Kent*; or in another Act passed in the Twenty-seventh Year of the Reign of His late Majesty
King

King George the Third, intituled *An Act for the better repairing, paving, cleansing, lighting, and watching the Highways, Streets, and Lanes of and in the Town and Port of Sandwich, in the County of Kent, and in the several Parishes of Saint Peter the Apostle, Saint Mary the Virgin, and Saint Clement, in the said Town and Port and County; and for removing and preventing Incroachments, Nuisances, Obstructions, and Annoyances in the said Highways, Streets, and Lanes, and on the common Quay belonging to the said Town and Port, and in the Haven adjoining to the said Quay, and the Bridge built over the said Haven; and for regulating the Births and Mooring Places of Vessels at the said Quay, and the proper Times for Vessels to pass through the said Bridge; or in either of those Acts, farther or otherwise than as is in this Act expressly declared or enacted.* 27 G.3. c.67.

CXLI. Provided always, and be it further enacted, That all Coal, Culm, Cinders, or Breeze, brought into and carried on the New Haven, and landed below *Grove Ferry*, shall pay the same Duty as by the said last-mentioned Act is directed to be paid.

Coal landed below Grove Ferry to pay same Duty as under 27 G.3. c.67.

CXLII. And whereas by an Act made and passed in the Thirty-second Year of the Reign of His late Majesty King George the Third, intituled *An Act for the Maintenance and Improvement of the Harbour of Ramsgate in the County of Kent, and for cleansing, amending, and preserving the Haven of Sandwich in the said County*, it was enacted, amongst other Things, that out of the Monies arising by the Rates and Duties thereby granted and imposed, the Sum of Two hundred Pounds Sterling *per Annum* should during the Continuance of the said Act be paid by the Committee of Treasury therein mentioned for the Time being, into the Hands of the Mayor and Jurats of the said Town and Port of *Sandwich* for the Time being, or into the Hands of such Person or Persons as they or the major Part of them should by Writing under their Hands and Seals authorize and appoint to receive the same, by Four equal Quarterly Payments as therein mentioned, which Money when received should, after the Payment and Discharge of the Expences therein mentioned, be applied and disposed of in cleansing, scouring, deepthening, preserving, and maintaining the said Haven, or in erecting a Pier, or such other Works as the said Mayor and Jurats for the Time being, or the major Part of them, should from Time to Time judge necessary, and by Writing under their Hands and Seals should order and direct to be erected and maintained for preserving and improving the same Haven of *Sandwich*; now it is hereby enacted, That the said Mayor and Jurats for the Time being, or the major Part of them, if they shall see fit, shall and may from Time to Time apply and dispose of the said Annual Sum of Two hundred Pounds, or any Part thereof, in cleansing, scouring, deepthening, preserving, and maintaining the said New Haven, Harbour, Piers, or Jetties to be made by virtue of this Act, instead of applying and disposing of the same upon the Old Haven and Harbour of *Sandwich*, as directed by the said Act.

Power to apply the Annual Sum of 200*l.* paid by the Trustees of Ramsgate Harbour for the Preservation of Sandwich Haven, for the Maintenance of the New Haven and Harbour.

CXLIII. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or
[Local.] 54 Q recovered,

Damages and Charges, in Cases of

Dispute, to
be settled by
Justices.

recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required on Nonpayment thereof to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in Manner hereby directed for the levying of any Penalties or Forfeitures.

Act not to
prejudice
the Rights of
the Commis-
sioners of
Sewers.

16 G.3. c.62.

CXLIV. And be it further enacted, That nothing herein contained shall extend or be construed to extend to prejudice, lessen, alter, or take away any of the Rights, Privileges, Powers, or Authorities of the Commissioners of Sewers for the several Limits in or through or near to which the said River, Haven, Cuts, New Haven and Harbour, and other Works, will lie or pass, by virtue of the general Laws relating to Sewers, but that such Rights, Privileges, Powers, and Authorities of the said Commissioners of Sewers shall remain, continue, and be in full force and effect; and also that nothing in this Act contained shall extend or shall be construed or taken to extend to alter or vary the Enactments and Provisions contained in an Act passed in the Sixteenth Year of the Reign of King *George the Third*, intituled *An Act to enable the Commissioners of Sewers for several Limits in the Eastern Parts of the County of Kent, more effectually to drain and improve the Lands and Grounds within the General Vallies*, in any Manner whatsoever, except as appears by this Act: Provided always, that nothing herein contained shall extend or be construed to extend to enable the said Commissioners of Sewers to interrupt or hinder the Execution of this Act, the said Company of Proprietors erecting or making no Locks, Flood Gates, or other Works, and doing no other Matter or Thing to prevent or hinder the Enactments and Provisions contained in the said Act, passed in the Sixteenth Year of the Reign of King *George the Third*, from being observed and acted upon, and the said Lands and Grounds within the General Vallies receiving the full and whole Benefit thereof, and the said Company of Proprietors also from Time to Time making, and erecting, and maintaining all such Drains, Tunnels, Culverts, Sluices, and other Works, and doing all such other Things as may be necessary for preventing the Drainage and Sewage of the said Levels from being injured or impeded by means of the Improvement and making and maintaining of the said River, Haven, Cuts, New Haven and Harbour, and other Works by this Act authorized to be made and maintained, or any of them, and for preventing the said Levels from being injured by the Influx of the Sea into the said New Harbour and Haven.

For making
Tide Gates
on the River
Stour, or
New Cut to
the Sea.

CXLV. And be it further enacted, That the said Company of Proprietors shall and they are hereby required to make and construct good and sufficient Tide Gates, so as that the Waters of the said River *Stour* shall be discharged, and immediately follow the Tide Waters on and during each and every Ebb Tide, and so as that the Tide Water shall go no further up the Country and remain no
12 higher

higher in the Channel of the said River than at present in ordinary Spring Tides, and so as that the same can be effected without producing Inundation upon the Lands adjoining; and without Injury, Impediment, or Damage to the Drainage and Sewage of the Lands and Levels draining or sewing into the said River *Stour*, and without damaging or injuring the Supply of fresh Water for the Cattle depastured upon the said Lands and Levels; and that the said Tide Gates shall be fixed at such Place as shall hereafter be determined on by the Commissioners of Sewers at any Meeting to be especially convened and holden for that Purpose; and it shall not be lawful for the said Company of Proprietors or their Successors to erect or set up in the Channel of the said River *Stour* between the Sea and *Fordwich* Bridge any other Gates or any Locks or other such Works whatever, or to contract or lessen the Capacity of the Channel of the said River *Stour*, except at the said Gates or Locks, or other Works, but with the Consent of the said Commissioners of Sewers; nor shall the said Company of Proprietors, or their Successors, be authorized to raise the Surface of the Water in the said River *Stour* above its present usual Height in ordinary Spring Tides as aforesaid, but all and every additional Depth of Water which shall or may from Time to Time be required for the Purposes of Navigation, shall be obtained by lowering the Bed or Bottom of the Channel of the said River *Stour*, and by no other Ways or Means whatsoever, unless by the Consent of the Commissioners of Sewers; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

CXLVI. And be it further enacted, That the said Company of Proprietors shall and they are hereby required to raise, make, construct, and maintain the Banks of the Cut or Canal from the Channel of the said River *Stour* to the Sea, of the full Width at the Top of Eighteen Feet at the least, and of the Height of Three Feet at the least at the East End thereof, and Six Feet at the least at the West End thereof, above the Level of the highest known Flood Tide at that Part of the said County of *Kent*, within the Distance of Four Miles of the said Town of *Sandwich*.

Height and Width of the Banks of the Cut or Canal from the River *Stour* to the Sea.

CXLVII. And whereas a certain Cut called *The Stonar Cut* has been made between one Part of the Channel of the said River *Stour* into another Part of the said Channel, where by the Windings of the said River the said Parts approach near to each other, for the Purpose of assisting the Drainage and Sewage of the Lands and Grounds within the General Vallies: And whereas the Works by this Act authorized may occasion Difficulty in such Drainage and Damage to the said Lands; for Remedy whereof be it further enacted, That whenever any such Damage shall arise, or be reasonably apprehended, or in the Opinion of the Commissioners of Sewers for several Limits in the Eastern Parts of the County of *Kent*, at a Sessions of Sewers assembled in and for the said Limits, be likely to occur, the said Company of Proprietors shall and they are hereby required, upon the Requisition in Writing of the Clerk to the said Commissioners, by and under their Authority, to make and construct a Cut or Channel for the Purpose of the Drainage and Sewage of the said Lands from the said Cut called *The Stonar Cut* to, into, and below

For making a New Cut for the Purpose of draining, &c.

below the Tide Gates in the Cut or Canal hereby authorized to be made from the said River *Stour* to the Sea; and such Cut or Channel shall be so made and constructed as to afford an effectual Drainage and Sewage, as well to the Lands and Grounds within the said General Vallies as to all the Lands and Grounds which before the passing of this Act drained and sewed into the said River *Stour* or Haven, between the said Cut called *The Stonar Cut* and the Sea.

Commissioners of Sewers enabled to open the Stonar Cut under certain Circumstances.

CXLVIII. And whereas it may be necessary in order to preserve the Drainage and Sewage of the Lands and Grounds which before the passing of this Act drained and sewed into the River *Stour* through the said Cut called *The Stonar Cut*, that the said Commissioners acting under and by virtue of an Act passed in the Sixteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Commissioners of Sewers for several Limits in the Eastern Parts of the County of Kent, more effectually to drain and improve the Lands and Grounds within the General Vallies*, should have the Power to open the said Cut called *The Stonar Cut* oftener than they are authorized to do by the said recited Act; be it therefore further enacted, That the said Commissioners of Sewers shall have full Power and Authority, in addition to the Powers granted by the said recited Act, whenever they shall deem it necessary for the proper Drainage and Sewage of the adjacent Lands, to open the Sluices in the said Cut called *The Stonar Cut*, but so as that the same shall not be opened for a longer Period than Eighteen Hours in any One Day, and that Day being *Sunday*, nor more than Eighteen Hours in any One Week, and so as that the Use of the Cuts, Canals, and Works hereby authorized to be made and constructed for the Purposes of Navigation, be impeded as little as may be; any thing in the said recited Act of the Sixteenth Year of His late Majesty King *George* the Third to the contrary thereof in anywise notwithstanding.

To enable the Commissioners of Sewers to lower the Mark for running the Stonar Cut, under certain Circumstances.

CXLIX. Provided always, and be it further enacted, That if the Works hereby authorized shall at any Time or Times hereafter lower the Water in the Channel of the said River *Stour* at or near the said Cut called *The Stonar Cut*, so as to prevent the Water in the said River rising to the Mark defined and placed for running the said Cut, under and by virtue of the said recited Act, of the Sixteenth Year of the Reign of His said late Majesty King *George* the Third, and so as to prejudice the Drainage of the Lands and Grounds which before the passing of this Act drained and sewed through the said *Stonar Cut*, then and in such Case it shall be lawful for the said Commissioners of Sewers from Time to Time to lower and refix the said Mark, so as to produce an Effect upon and assist the Drainage of the said Lands and Grounds equal to the Effect produced upon running the said *Stonar Cut* according to the present Mark; any thing in the said recited Act of the Sixteenth Year of His late Majesty King *George* the Third to the contrary thereof in anywise notwithstanding.

New Channel for Sewage may be made.

CL. Provided always, and be it further enacted, That if the said Commissioners of Sewers shall deem it proper to discharge the Waters

Waters of the *Lydden* Valley by means of a New Channel and Sluice leading into the Upper End of the Basin hereby authorized to be made and maintained at or near the said Harbour, the said Company of Proprietors shall and they are hereby required to make such New Channel and Sluice, so that in so doing the said Commissioners of Sewers shall sustain and pay all the Costs and Charges of the said Work over and above the Costs and Charges which the said Company of Proprietors would be subject to in making a Channel and Sluice at the Upper Part of the said New Haven.

CLI. And be it further enacted, That the said Company of Proprietors, before they shall begin to execute any of the Powers and Authorities of this Act relative to the making of the said Navigation, shall and they are hereby required to invest the full Capital Sum of Five thousand Pounds Sterling in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, in the Names of *William Henry Baldock* of *Petham*, in the County of *Kent*, Esquire, *John Godfrey* of *Statenborough House*, in the Parish of *Eastry*, in the said County of *Kent*, Esquire, and *Charles Emmerson* of the said Town and Port of *Sandwich*, Esquire; which said Sum of Five thousand Pounds, with the Dividends thereon, shall remain invested to accumulate until the same shall amount to Twenty thousand Pounds Sterling; and such Sum shall stand as a Security for the due Execution of such Works as may from Time to Time become necessary to be done and constructed for the Purposes of Drainage, Sewage, and Embankments against the Sea and River Water, and also for the due Completion of the Works hereby authorized, and also for the Repair of any Damage which may be done or may arise during or in consequence of the Execution of the several Works hereby authorized.

Company to invest 5000*l.* Sterling in the Funds, to accumulate.

CLII. And be it further enacted, That in case the said Company of Proprietors hereby established shall, after commencing the several Works hereby authorized, not proceed with due and reasonable Dispatch in the Completion thereof, or in case the same shall have been completed, the said Company of Proprietors shall not keep the said several Works hereby authorized in a proper State and Condition, so as to keep open the same for all the necessary Purposes of Navigation, Drainage, and Sewage, and so as that proper Drainage and Sewage be not effected, then in any or either of the said Cases the said Commissioners of Sewers for several Limits in the Eastern Parts of the said County of *Kent* shall be at liberty to use and employ the said Sum of Five thousand Pounds herein-before directed to be invested in the Three Pounds *per Centum* Consolidated Bank Annuities, with all the Accumulations thereof, or such Part or Parts thereof as may be sufficient for the Purpose, in order to do and execute such Works as may in the Judgment of the said Commissioners be necessary for effecting good and efficient Embankments against the Sea and River *Stour*, and the due and proper Drainage and Sewage of the several Lands and Grounds adjacent to the said River *Stour* and Harbour, and draining and sewing into the same in as good and efficient a Manner as before the passing of this Act; and the several Persons in whose Names such Sum of Five thousand Pounds, with the Accumulations, shall be standing in the Books of the Governor and Company

Commissioners of Sewers enabled to do certain Works for the Purposes of Drainage and Embankment, to be defrayed out of the Sums invested in the Funds by Company.

of the Bank of *England*, shall and they are hereby authorized and required to sell out the same, or such Part thereof as may be required for the Purposes aforesaid, and to disburse and pay the same in discharge of the Expences to be incurred by the said Commissioners of Sewers as aforesaid.

Company to
make New
Sluices, &c.
and to repair
present
Sluices, Sew-
ers, &c.

CLIII. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their own Costs and Charges, to make and complete all such New Sluices, Sewers, and other Works, and all such Alterations of existing Sluices, Sewers, and other Works, as shall be requisite in consequence of the Execution of the several Works hereby authorized; and that such New Sluices, Sewers, and Works, or Alterations of existing Sluices, Sewers, and Works, shall be made and executed at such Places and in such Manner as shall be directed by the said Commissioners of Sewers, or their Surveyor; and in case of Default by the said Company in making and executing the same at such Places and in such Manner as shall be directed by the said Commissioners of Sewers, it shall be lawful for the said Commissioners of Sewers to make and execute the same; and the said Company of Proprietors shall pay and make good to the said Commissioners of Sewers all such Costs and Expences as shall be incurred by them in and about the making and executing the same; and in case of Neglect or Refusal to satisfy and defray such Costs and Expences for the Space of Six Calendar Months next after Demand thereof made upon the said Company, or their Clerk or other known Agent or Collector, such Costs and Expences shall and may be recovered and levied in such Manner as any other Money is by this Act directed to be levied and recovered from the said Company.

New Sluices,
&c. to be
under the
Management
of Commis-
sioners of
Sewers.

CLIV. And be it further enacted, That such New Sluices, Sewers, and other Works to be made under the Direction of the said Commissioners of Sewers shall, when made, be under the Care and Management of the said Commissioners of Sewers, in the same Manner and for the same Purposes as the existing Sewers now are under their Management.

Lock at
Pluck's Gut-
ter to be al-
tered if ne-
cessary.

CLV. And whereas by the Operation of this Act it may happen that the Works hereby authorized may render it necessary to alter the Lock or Floodgate erected by the said *Edward Kingsford* on the Little River *Stour* or *Seaton* Navigation at or near *Pluck's Gutter*; be it therefore enacted, That in case it shall at any Time hereafter happen that by the Operation of this Act the said Lock or Floodgate shall require any Alteration for the Purpose of obtaining as good and efficient a Navigation into and through the said *Seaton* Navigation as heretofore, then and in such Case the said Company of Proprietors shall and they are hereby required, upon receiving One Month's Notice from the said *Edward Kingsford*, or the Owner for the Time being of the *Seaton* Mill and Estate, for such Purpose, to make a sufficient and substantial Alteration in the said Lock or Floodgate; so as to allow of a good and efficient Navigation into and through the said *Seaton* Navigation or Little River *Stour*.

CLVI. And

CLVI. And be it further enacted, That all Complaints and Informations of Offences against this Act, or any Rule, Bye Law, or Order to be made in pursuance thereof (except in Cases where the Manner of hearing and determining thereof is herein-before otherwise directed), shall and may be made before One or more Justice or Justices of the Peace for the County, City, or Place wherein the Offence shall be committed; and such Justice or Justices is and are hereby authorized and empowered to take Cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, or upon Complaint upon Oath, to issue his or their Warrant or Warrants for the Apprehension of any such Person or Persons; and upon the appearing or not appearing of such Person or Persons pursuant to such Summons, or upon such Person or Persons being apprehended with such Warrant, to hear the Matter of every such Complaint and Information, by Examination of any Witness or Witnesses upon Oath, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person such Justice or Justices shall and may issue a Warrant under his or their Hand and Seal, or Hands and Seals, for levying the Fine, Penalty, or Forfeiture, by virtue of this Act, or of any Regulation made in pursuance thereof, imposed for such Offence, by Distress and Sale of the Goods and Chattels of the Person so convicted; and it shall and may be lawful for any such Justice or Justices to order any Person so convicted to be detained and kept in the Custody of any Constable or other Peace Officer until it can be ascertained whether such Person hath any Goods and Chattels whereon such Fine, Penalty, or Forfeiture can be levied; and in case sufficient Goods or Chattels of any Person liable to pay any such Fine, Penalty, or Forfeiture cannot be found whereon to make such Distress, and such Fine, Penalty, or Forfeiture shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction for any Term not exceeding Six Calendar Months, unless and until such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and all such Fines, Penalties, and Forfeitures, when recovered, shall, where the Application is not otherwise directed by this Act, be paid into the Hands of the Treasurer to the said Company, and shall be applied and disposed of towards defraying the Expences of the said Navigation, Harbour, and other Works, and the Overplus (if any) arising from such Distress and Sale, after Payment of the Penalty and the Costs and Charges attending the same, shall be returned upon Demand to the Owner of the Goods and Chattels so distrained.

CLVII. And

For Apprehension of Offenders in certain Cases.

CLVII. And be it further enacted, That it shall be lawful for any Person or Persons who shall see any Offence committed against this Act by any Person destroying or doing any wilful Damage to the said Navigation or any other Works by this Act authorized to be made, contrary to any of the Provisions herein-before contained, to apprehend and detain any such Offender without any Warrant or other Authority than this Act, and to convey such Offender, or cause him to be conveyed by some Constable or other Peace Officer before any Justice of the Peace for the said County, City, or Place where the said Offence shall be committed, who shall forthwith proceed against such Offender according to the Provisions in this Act contained.

Power to give Informer Part of the Penalties.

CLVIII. Provided nevertheless, and be it further enacted, That it shall be lawful for the Directors of the said Company of Proprietors, from Time to Time; if they shall see Cause, to pay and apply such Part of the said Penalties, Forfeitures, and Fines, or any of them, to and for the Use of the Informer or Informers or other Person or Persons aiding or assisting in the Apprehension of any Offender or Offenders therein, or any of them, who shall not have been a Witness on the Trial of the Information; any thing herein contained to the contrary thereof in anywise notwithstanding.

Appeal.

CLIX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company of Proprietors or their Directors, or Committee or Committees, 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, then and in every such Case the said Company of Proprietors or such Person or Persons may, within Three Calendar Months next after such Order, Judgment, or Determination shall have been made or given; appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be held in and for the said County, City, Town, or Place in which the Cause of Appeal shall arise, such Person or Persons having first given Fourteen Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerks to the said Company of Proprietors, or one of them, and forthwith after such Notice of Appeal entering into a Recognizance before some Justice or Justices of the Peace for such County, City, or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Appeal at such General Quarter Sessions or General Sessions of the Peace, or if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions or General Sessions of the Peace to be holden for such County, City, or Place; and the said Justices at such General Quarter Sessions or General Sessions may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, Judgment, or Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall judge reasonable; but no

Proceedings to be had and taken in pursuance of this Act, shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

CLX. And be it further enacted, That in all Cases where it may be deemed requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, or Proceedings in Equity, the Service upon any One of the said Directors, or left at his last or usual Place of Abode, or on any One of the Clerks of the said Company, or at their respective Offices, or left at his last or usual Place of Abode, or in case the same should not be known, on any Agent or Officer of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Directing what shall be deemed Service of Notice on the Company.

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

Compelling Witnesses to attend.

CLXII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect; as the Case shall happen; (that is to say,)

Conviction of Offenders.

‘ BE it remembered, That on the _____ Day of _____
 ‘ _____ in the Year of our Lord _____
 ‘ _____, is convicted before me _____
 ‘ [or before us] _____ and _____
 ‘ _____ One [or Two] of His Majesty's Justices of
 ‘ the Peace for the County, City, Town, Port, and Liberties, or Town
 ‘ and Liberty of _____ [specifying the Offence, and Time and
 ‘ Place when and where the same was committed, as the Case shall be.]
 ‘ Given under my Hand and Seal, [or our Hands and Seals,] the
 ‘ Day and Year first above-mentioned.’

Form of Conviction.

Distress not
unlawful for
Want of
Form.

CLXIII. And be it further enacted, That when any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be considered a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or the Appointment of the Collector or Collectors, Receiver or Receivers, or any other Agent of the said Company of Proprietors, or in any other Proceedings relating thereto; nor shall the said Party or Parties distraining be deemed or considered a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards happen to be done by the Party or Parties so distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for special Damage which he, she, or they shall have sustained thereby, with the usual Costs and no more, in an Action of Tresspass on the Case.

Plaintiff not
to recover
without No-
tice, or after
Tender of
Amends.

CLXIV. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action or Suit to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode, Twenty-one Days before such Action or Suit shall be commenced, of such intended Action or Suit, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action or Suit; nor shall the Plaintiff or Plaintiffs recover in such Action or Suit if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action or Suit brought; nor if such Tender of Amends shall be made at any Time after the said Action or Suit brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof of such Tender on any Trial to be had in such Action or Suit, the Plaintiff or Plaintiffs shall be nonsuited, and shall pay Double Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action or Suit, by Leave of the Court where such Action or Suit shall be depending, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court, as in other Actions or Suits where the Defendant is allowed to pay Money into Court.

Limitation
of Actions.

CLXV. Provided always, and be it further enacted, That no Action or Suit shall be brought against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, for any thing done in pursuance of this Act, after Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then after Six Calendar Months next after the doing or committing

mitting of such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the County, City, or Place in which the Matter in dispute shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her, or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction has been made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid shall have expired, or shall be brought in any other County, City, or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

General
Issue.

CLXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend, or to take away, lessen, or abate any Power, Right, Privilege, Immunity, Jurisdiction, or Authority granted or belonging to, or enjoyed, or legally claimed by the Mayor and Commonalty of the said City of *Canterbury*, or the Mayor, Jurats, and Commonalty of the said Town of *Fordwich*, or the Mayor, Jurats, and Commonalty of the said Town and Port of *Sandwich*, or by any Officer or Officers of or belonging to those Corporate Bodies respectively, or by the Lord Warden of the Cinque Ports and Constable of *Dover Castle*, the Deputy Warden of the Cinque Ports, or the Judge Official or Commissary, or his Surrogate or Surrogates of the Court of Admiralty of the Cinque Ports, Two Ancient Towns and the Members thereof, or the Members or Inhabitants of the Cinque Ports, Two Ancient Towns and the Members thereof, or by the Lord of the Manor of *Minster*, all and every of them for the Time being, except only in such Cases as are specially mentioned and contained in this Act.

Saving
Rights of the
City of Can-
terbury, &c.

CLXVII. Provided always, and be it further enacted, That after the said New Haven and Harbour to be made by virtue of this Act shall be completed, the same and the Banks thereof shall for ever afterwards be and be deemed to be within and part of the Liberties of the said Town and Port of *Sandwich*, and the Liberties of the Cinque Ports, as fully and to and for all the same Intents and Purposes as the said Old Haven and Harbour of *Sandwich*, and the Banks thereof, at the Time of the passing of this Act, are and are deemed to be within and Part of such respective Liberties; and that the Lord Warden of the Cinque Ports and Constable of *Dover Castle*, and other Officers of the Cinque Ports, and the Mayor, Jurats, and Commonalty of the

The Lord
Warden of
the Cinque
Ports, and
the Mayor,
Jurats, and
Commonalty
of *Sandwich*,
to have Ju-
risdiction
over the
New Haven
and Har-
bour.

said

said Town and Port of *Sandwich* and its Liberties, and His Majesty's Justices of the Peace of the said Town and Port and its Liberties, and all and every Officer and Officers of the said Town and Port and its Liberties, shall and may from Time to Time and at all Times hereafter have, hold, and enjoy all the same Royalties, Rights, Titles, Interests, Privileges, Usages, and Jurisdictions into and over the said New Haven and Harbour to be made by virtue of this Act, and the Banks and Sides thereof, as they, every or any or either of them, now have, hold, or enjoy, ought to have, hold, or enjoy in, to, and over the said Old Haven and Harbour of *Sandwich* and the Sides and Banks thereof, any thing herein contained to the contrary thereof in anywise notwithstanding; provided always, that nothing hereinbefore contained shall extend or be construed to extend to interrupt or hinder the Execution of this Act.

New Harbour to be under Provisions of former Laws concerning Sandwich Harbour.

CLXVIII. Provided also, and be it further enacted, That when the said New Harbour to be made by virtue of this Act shall be completed, the same shall be within the Provisions of, and under and subject to the same Statutes, Laws, Jurisdictions, Usages, and Customs relating to Pilots and Pilotage, or any Matters and Things concerning Pilots and Pilotage, as are now in force and apply to the said Old Harbour of *Sandwich*, to the Cinque Ports, or to the Harbours of *Dover*, *Ramsgate*, *Margate*, and *Folkstone*.

Boatmen to be licensed.

53G.3.c.140.

CLXIX. And be it further enacted, That in addition to the Number of Boatmen to be licensed pursuantly to the Directions of a certain Act made and passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend an Act passed in the last Session of Parliament, intituled 'An Act for the more effectual Regulation of Pilots, and of the Pilotage of Ships and Vessels on the Coast of England,' and for the Regulations of Boatmen employed in supplying Vessels with Pilots licensed under the said Act, so far as relates to the Coast of Kent within the Limits of the Cinque Ports*, there shall be Twenty additional Boatmen, licensed by the Lord Warden of the Cinque Ports, or by his Lieutenant, or by the Deputy Lieutenant, Governor of *Dover Castle*, or such other Person or Persons as shall be from Time to Time specially authorized by the Lord Warden for granting Licences by virtue of the said recited Act within the Jurisdiction of the Cinque Ports, for the Purposes of the said recited Act; and that the Mayor and Jurats of *Sandwich* shall be and they are hereby appointed Commissioners jointly with the Commissioners of Salvage of the Lord Warden, mentioned in the said recited Act, for the Purpose of examining such additional Boatmen, and granting Certificates to them for Licences under the said Act; and the Examination of such additional Boatmen shall in every Case take place at a Meeting to be held at the Guildhall of the said Town and Port of *Sandwich*, for the Purpose, or at such other Place in the said Town and Port as the Mayor or his Deputy shall appoint for the Purpose, in the Presence of (and the Certificates of such additional Boatmen shall in every Case be signed by) the Mayor of *Sandwich* or his Deputy, and Two of the Jurats of the said Town and Port, not being Commissioners of Salvage, at least, and Two of the said Commissioners of Salvage,

at

at least, present at the Examination; and such additional Boatmen shall constantly reside at *Sandwich* or at the said Harbour to be made by virtue of this Act; and all the Provisions of the said recited Act, with regard to the Boatmen thereby directed to be licensed, except so far as the same are hereby expressly altered, shall apply to the said additional Boatmen to be licensed by virtue of this Act.

CLXX. Provided always, and be it enacted, That nothing herein contained shall prejudice or derogate from any of the Rights and Privileges of the Master, Wardens, and Assistants of the Trinity House of *Deptford Strond*. Act not to prejudice the Rights of the Trinity House.

CLXXI. 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. Public Act.

SCHEDULES to which this Act refers.

SCHEDULE A.

A Schedule of Property to be taken by virtue of this Act.

Nos. on the Plan.	Owners.	Occupiers.	Parishes or Places.	Description of Property.
9 & 12	Rt. Hon. the Earl of Guilford -	} Chs. Emmerson, Esq. -	} - -	Cottage.
	Wm. Henderson	Wm. Henderson	- -	Cottage and Garden.
	Mayor, Jurats, and Commonalty of the Town and Port of Sandwich	} Henry Ewell -	} St. Clement Sandwich	A Piece or Parcel of Pasture Ground or Ground commonly called the Vigo Piece, with the Rights of Way over the same, on Lease for the Term of Fourteen Years from 10th October 1821.
	Ditto - -	Jos. Stewart, Esq.	Ditto -	A Piece or Parcel of Pasture or fresh Marsh Land called Cold Harbour.
	Ditto - -	Assignees of Isaac Chandler, a Bankrupt -	} Ditto -	Two Pieces or Parcels of Land or Ground, a Dock with the Gate, Gate Posts, and other Conveniencies; a Kiln, Pitch-house, Forge and long Lodge, with other Buildings.
	Ditto - -	Isaac Slaughter, Esq. for the Use of the Hon. the Commissioners of Customs -	} Ditto -	A Piece or Parcel of Land or Ground, and a Building thereon, used as a Boat-house, with Rights of Way, on Lease for Fourteen Years from 10th October 1813.
	Ditto - -	Israel Wellard -	Ditto -	A Piece or Parcel of Land or Ground used as a Wharf or Quay, on Lease from 10th October 1819, for Seven Years.

SCHEDULE A. — *continued.*

Nos. on the Plan.	Owners.	Occupiers.	Parishes or Places.	Description of Property.
	Mayor, Jurats, and Commonalty of the Town and Port of Sandwich	{ Themselves, William Miles, Edward Miles, John Hills, and others }	Saint Clement Sandwich -	All the Gardens, Lands, and Grounds from the Lower or Southern Eastern Side of the Land held by the Assignees of Isaac Chandler, to Lower Head, (except the Premises on Lease to Isaac Slaughter and Israel Wellard,) with the Old Town Ditch adjoining and extending to Sandown Bridge, and the Ways or Passages from the same to Vigo Piece and Sandwich Bridge respectively; and also a Right of Way to and from Sandwich Bridge, and the Town at that Spot, and Fisher's or Quay Gate respectively; and all the public and private Wharfs, Quays, and Warehouses for all Persons, Horses, Beasts, Cattle, and Carriages, reserving to the Corporation their Right of Sewage.
140	Thomas Denne and John Paramor }	Robert Parsons -	Chislet -	Cottage and Garden.
190	Thomas Denne -	Robert Matson -	Ditto -	Cottage and Garden.
322	John Sneller, Jun. -	Thomas Howard -	- -	Garden.
324	St. John's Hospital	Joseph Ovendon and Charles Welby }	- -	Garden.
325	Elizabeth Hawker	James Gilman -	- -	Garden.
326	Thomas Marsh -	Himself -	- -	Garden.
327	John Philpot -	Himself -	- -	House and Garden.
328	The Mayor and Commonalty of the City of Canterbury - }	James Large -	- -	Houses and Garden.
329	Ditto - -	Ditto -	- -	Building and Garden.
334	Ditto - -	John Minter -	- -	{ Piece or Parcel of Meadow or Pasture Land, called King's Mead.
342	Jesus Hospital -	John Gouldin -	- -	House.
343	George Eastes -	Himself -	- -	House.
344	Elizabeth Ann Farbrass - }	George and Wm. Eastes }	Black Princes Chantry - }	House and Garden.
345	Edward Harnett }	John Bright, William Pollard, and Edward Bright }	- -	Cottages and Gardens.

SCHEDULE B.

A Schedule of Harbour Dues on the Tonnage of Vessels frequenting
the Port and River.

		£	s.	d.
Traders.	Foreign Vessels to load or unload - - - - per Ton	0	1	6
	British Ditto from Foreign Countries - - - - Do.	0	1	3
	Ditto Coastwise - - - - - - - - - - Do.	0	0	9
	Ditto Colliers, laden ditto - - - - - - - - Do.	0	0	9
	Ditto Vessels laden with Limestone, Lime-chalk, Sand, Manure, Ballast, or any Description of Compost for the Land - - - - - - - - - - Do.	0	0	3
Packets, Yachts, &c. }	Passage Vessels, Keels and Boats - - - - - Do.	0	0	6
	Pleasure Yachts under 30 Tons, and Boats in the Har- bour, or on the River belonging to the Port and River - - - - - - - - - - per Ann.	1	1	0
	The same Description of Vessels or Yachts exceeding 30 Tons Burthen, either belonging to the Port or entering the Harbour or River from any other Port per Ton	0	0	9
Fishing Boats. }	Every Fishing Boat (Foreign) - - - - - Do.	0	0	4
	Ditto (British) - - - - - - - - - - Do.	0	0	3
	Every Vessel entering and using the Harbour, Basin, or Wet Docks, from Stress of Weather, or Outward bound, waiting for a Wind, or for Repairs - - - - Do.	0	0	6
	Every Vessel remaining in the Harbour or Basin more than 12 Days after the Weather abates, or the Wind permits, unless for Repair, per Diem - - - - - Do.	0	0	2

SCHEDULE C.

A Schedule of Harbour and River Rates on Cargoes.

		£	s.	d.
Corn and Seeds. }	For every Quarter (containing 8 Bushels Winchester Measure) of Wheat, Barley, Malt, Beans, Pease, Tares, Canary, Mus- tard and other Seeds	0	0	3
	For every Quarter of Oats	0	0	2
	Sack containing 5 Bushels of Flour	0	0	2
	Quarter of Meal, Middlings, and Sharps	0	0	2
	Ditto of Pollard and Bran	0	0	2
	Sack of Clover, Trefoil, and other heavy Seeds	0	0	3
	Ditto of Potatoes, Onions, &c.	0	0	1
	Bushel of Apples, Pears, &c.	0	0	1
	Bag of Hops	0	0	6
	Pocket of Ditto	0	0	3
	Thousand of English Oil Cakes	0	2	0
	Ditto of Foreign Ditto	0	2	0
	Pack of Wool, Cotton, &c. containing 240 lbs.	0	0	4
	Leather. Hides and Skins. }	For every Hundred Weight of Tanned Hides and Calf-skins	0	0
Raw Hide		0	0	1
Hundred of Pelts		0	0	9
Ton of Tan or Bark		0	1	8
Groceries.	For every Ton of Sugar, Fruits, Bacon, Cheese, Butter, Pork, Hams, Tongues, Salt, Salted Fish, Tallow, Soap, Candles, and all heavy Grocery Goods, not here specified	0	1	8
	Hundred Weight of Tea, Coffee, and Spices	0	0	3
	Chest of Oranges, Lemons, &c.	0	0	2
	Puncheon of Molasses	0	1	0
Ale, Porter, Cyder, Perry, Vinegar, and Oil. }	For every Butt	0	1	0
	Puncheon	0	0	9
	Hogshead	0	0	6
	Barrel	0	0	4
	Kilderkin or Runlet	0	0	2
	Per Dozen, in Hampers	0	0	2
Madder.	At per Cask, per Cwt.	0	0	2
	Pipe Clay, at per Ton	0	1	6
Spirits and Wines. }	For every Pipe or Butt	0	3	6
	Hogshead	0	2	6
	Half Ditto	0	1	6
	Quarter Ditto	0	1	0
	Under 20 Gallons, at per Gallon	0	0	1
	Per Dozen in Hampers	0	0	3
	Passenger	0	0	6
For every	Four-wheeled Carriage	0	7	0
	Two-wheeled Carriage	0	3	6
	Horse, Mare, or Gelding	0	7	0
	Other Beast	0	3	0

[Local.]

54 U

SCHEDULE C.—*continued.*

		£	s.	d.
Coal, &c.	For every Chaldron (containing 36 Bushels Winchester Measure) of Coal, Coke, Culm, Cinders, or Breeze - - -	0	2	0
Hay and Straw.	For every Ton of Hay, Cinquefoil, Clover, or Straw - -	0	2	0
Timber and Deals.	For every Load of Oak, Elm, Pine, Beech, and Fir Timber -	0	2	0
	Load of Deals, Battens, and Lathwood - -	0	2	0
Mahogany, &c.	For every Cubic Foot of Mahogany, Teak Wood, or other valuable Woods - - - - -	0	0	1
	For every Ton of Hemp, Cordage, and Yarn - - -	0	2	0
	Barrel of Pitch, Tar, Grease, Rosin, &c. - -	0	0	3
Stone, Slate, &c.	For every Ton of Stone, Slate, Plaister of Paris, Alum, unwrought Iron, Bar Iron, Lead, &c. - - - - -	0	2	0
	For every Cubic Foot of Marble - - - - -	0	0	3
	1000 of Gutter, Pan, Mathematical, and Plain Tiles -	0	3	0
	1000 of Bricks, and Paving Tiles - - - - -	0	4	0
	Crate of Glass or Earthenware - - - - -	0	0	9
	Carboy of Vitriol or Oil - - - - -	0	0	3
	Corpse - - - - -	1	1	0
	Organ - - - - -	1	0	0
	Pianoforte, Harpsichord, Harp, or Base Viol - - -	0	5	0
	100 Pipe Staves - - - - -	0	2	0
	Ton of Copper, Pewter, Brass, or Metals, (except Lead and Iron) - - - - -	0	2	0
	For every Ton of Ballast - - - - -	0	1	0
	For Bale Goods, and all other Articles, Wares, or Merchandize not specified in this Schedule, according to the Amount of the Freight, at per Cwt. - - - - -	0	0	2

SCHEDULE D.

Rates of Wharfage at the Harbour and all other Places throughout the Line of Navigation respectively.

		For any Time not exceed- ing the first 24 Hours.
		£ s. d.
Corn and Seeds. }	For every Quarter (containing 8 Bushels Winchester Measure) of Wheat, Barley, Malt, Beans, Pease, Tares, Canary, Mustard, and other Seeds	0 0 0½
	For every Quarter of Oats	0 0 0½
	Sack containing 5 Bushels of Flour	0 0 0½
	Quarter of Meal, Middlings, and Sharps	0 0 0½
	Ditto of Pollard and Bran	0 0 0½
	Sack of Clover, Trefoil, and other heavy Seeds	0 0 0½
	Ditto of Potatoes, Onions, &c.	0 0 0½
	Bushel of Apples, Pears, &c.	0 0 0½
	Bag of Hops	0 0 1
	Pocket of Ditto	0 0 0½
	Thousand of English Oil Cakes	0 0 6
	Ditto of Foreign ditto	0 0 6
	Pack of Wool, Cotton, &c. (containing 240 lbs.)	0 0 1
	Leather. Hides and Skins. }	For every Hundred Weight of Tanned Hides and Calf Skins
Raw Hide		0 0 0½
Hundred of Pelts		0 0 2
Ton of Tan or Bark		0 0 4
Groceries.	For every Ton of Sugar, Fruit, Bacon, Cheese, Butter, Pork, Hams, Tongues, Salt, Salted Fish, Tallow, Soap, Candles, and all heavy Grocery Goods, not here specified	0 0 4
	Hundred Weight of Tea, Coffee, and Spices	0 0 0½
	Chest of Oranges, Lemons, &c.	0 0 1
	Puncheon of Molasses	0 0 3
Ale, Porter, Cyder, Perry, Vine- gar and Oil. }	For every Butt	0 0 3
	Puncheon	0 0 2
	Hogshead	0 0 1½
	Barrel	0 0 1
	Kilderkin or Runlet	0 0 0½
	Per Dozen, in Hampers	0 0 0½
Madder.	At per Cask, per Cwt.	0 0 0½
	Pipe Clay, at per Ton	0 0 4

SCHEDULE D.—continued.

		For any Time not exceed- ing the first 24 Hours.
		£ s. d.
Spirits and Wines. }	For every Pipe or Butt	0 0 6
	Hogshead	0 0 4
	Half Ditto	0 0 3
	Quarter Ditto	0 0 2
	Under 20 Gallons, at per Gallon	0 0 0½
	Per Dozen in Hampers	0 0 0½
Coal, &c.	For every Chaldron, containing Thirty-six Bushels Winchester Measure, of Coal, Coke, Culm, Cinders, or Breeze	0 0 3
Hay and Straw. }	For every Ton of Hay, Cinquefoil, Clover, or Straw	0 0 6
Timber and Deals. }	For every Load of Oak, Elm, Pine, Beech, and Fir Timber	0 0 6
	For every Load of Deals, Battens, and Lathwood	0 0 6
Mahogany.	For every Cubic Foot of Mahogany, Teak Wood, or other valuable Woods	0 0 0½
	For every Ton of Hemp, Cordage, and Yarn	0 0 6
	Barrel of Pitch, Tar, Grease, Rosin, &c.	0 0 1
Stone, Slate, &c. }	For every Ton of Stone, Slate, Plaister of Paris, Alum, unwrought Iron, Bar Iron, Lead, &c.	0 0 6
	For every Cubic Foot of Marble	0 0 1
	1000 of Gutter, Pan, Mathematical, and Plain Tiles	0 0 9
	For every 1000 of Bricks and Paving Tiles	0 1 0
	Crate of Glass or Earthenware	0 0 3
	Carboy of Vitriol or Oil	0 0 1
	For every Corpse	0 5 0
	Organ	0 5 0
	Piano Forte, Harpsichord, or Harp	0 1 0
	For every 100 Pipe Staves	0 0 6
	For every Ton of Copper, Pewter, Brass, and other Metals, except Iron and Lead	0 0 6
	For Bale Goods, and all other Articles, Wares, or Merchandize, not specified in this Schedule, according to the Amount of Freight, at per Cwt.	0 1 6
		And an additional Rate or Duty to the same Amount for every 48 Hours beyond the first 24 Hours, or for any shorter Period of Time after the first 24 Hours, or after any one complete Term of 48 Hours.

SCHEDULE E.—continued.

		For any Time not exceeding the first 24 Hours, and at per Week exceeding the first 24 Hours.
		£ s. d.
Spirits and Wines. }	For every Pipe or Butt	0 0 6
	Hogshead	0 0 4
	Half Ditto	0 0 3
	Quarter Ditto	0 0 2
	Under 20 Gallons, at per Gallon	0 0 0½
	Per Dozen in Hampers	0 0 2
Hay and Straw. }	For every Ton of Hay, Cinquefoil, Clover, or Straw	0 0 2
Timber and Deals. }	For every Load of Oak, Elm, Pine, Beech and Fir Timber	0 0 2
	For every Load of Deals, Battens, and Lathwood	0 0 6
Mahogany.	For every Cubic Foot of Mahogany, Teak Wood, or other valuable Woods	0 0 2
	For every Ton of Hemp, Cordage, and Yarn	0 0 2
	Barrel of Pitch, Tar, Grease, Rosin, &c.	0 0 2
Stone, Slate, &c. }	For every Ton of Stone, Slate, Plaister of Paris, Alum, un- wrought Iron, Bar Iron, Lead, &c.	0 0 3
	For every Cubic Foot of Marble	0 0 0½
	1000 of Gutter, Pan, Mathematical, and Plain Tiles	0 0 3
	For every 1000 of Bricks and Paving Tiles	0 1 0
	Crate of Glass or Earthenware	0 0 3
	Carboy of Vitriol or Oil	0 0 1
	For every Corpse	0 5 0
	Organ	0 5 0
	Pianoforte, Harpsichord, or Harp	0 1 0
	For every Ton of Copper, Pewter, Brass, and other Metals, except Iron	0 0 6
	For Bale Goods, and all other Articles, Wares, or Merchandize, not specified in this Schedule, according to the Amount of Freight, at per Cwt.	0 1 6

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1825.