



ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. clix.

An Act for repealing and amending an Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, called “The *British Electric Telegraph Company’s Act, 1850.*” [4th *August 1853.*]

WHEREAS an Act was passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act for forming and regulating the British Electric Telegraph Company, and to enable the said Company to work certain Letters Patent*: And whereas by Letters Patent under the Great Seal of the United Kingdom of *Great Britain and Ireland*, bearing Date at *Westminster* on or about the Twenty-fifth Day of *January* in the Eleventh Year of the Reign of Her present Majesty, and in the Year of our Lord One thousand eight hundred and forty-eight, Her said Majesty did grant unto *Henry Highton and Edward Highton*, their Executors, Administrators, and Assigns, the sole Privilege of making, using, exercising, and vending their Invention of “Improvements in Electric Telegraphs” in *England, Wales*, and the Town of *Berwick-upon-Tweed*, the Islands of *Jersey, Guernsey, Alderney*

13 & 14 Vict.
c. lxxxvi.

[*Local.*]

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Alderney

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Alderney, Sark, and Man, and in all Her Majesty's Colonies and Plantations abroad, (save and except the Provinces of *Canada, Nova Scotia,* and *New Brunswick*, and the Island of *Prince Edward* in *North America*,) during the Term of Fourteen Years thence next ensuing, a Specification of which said Invention was duly enrolled in Chancery: And whereas by Letters Patent under the Seal kept and used in *Scotland* instead of the Great Seal formerly used there, and sealed at *Edinburgh* on or about the Thirty-first Day of *July* One thousand eight hundred and forty-eight, Her said Majesty did grant unto the said *Henry Highton* and *Edward Highton*, their Executors, Administrators, and Assigns, the sole Privilege of making, using, exercising, and vending their said Invention of "Improvements in Electric Telegraphs" in *Scotland* aforesaid, during the Term of Fourteen Years thence next ensuing, a Specification of which said Invention was also duly enrolled in Chancery: And whereas by certain other Letters Patent under the Great Seal of *Ireland*, bearing Date at *Dublin* on or about the Eighth Day of *November* One thousand eight hundred and forty-eight, Her said Majesty did grant unto the said *Henry Highton* and *Edward Highton*, their Executors, Administrators, and Assigns, the sole Privilege of making, using, exercising, and vending their said Invention of "Improvements in Electric Telegraphs" in *Ireland* aforesaid, during the Term of Fourteen Years thence next ensuing, a Specification of which said Invention was duly enrolled in Chancery: And whereas under and by virtue of the said recited Act the said Company have purchased the several Letters Patent herein-before recited, and also certain other Letters Patent for Improvements in Electric Telegraphs: And whereas the said Company have proceeded to put the said recited Act into execution, but in order that the Public may derive the Advantage of a more extensive Use of the said Inventions, it is expedient that further and more extensive Powers should be granted to the Company, and that they should be empowered to raise a further Sum of Money: And whereas the Objects aforesaid might be more conveniently effected if the said recited Act were repealed, and further Powers and Provisions granted and made instead thereof; but the 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 Queen'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,

Recited Act
repealed, and
Company in-
corporated
dissolved

I. That the said recited Act shall be and the same is hereby repealed, and the *British Electric Telegraph Company* incorporated by the said recited Act shall be and is hereby dissolved: Provided always, that all Offences which shall have been committed, and all Penalties and Forfeitures which shall have been incurred, previously to the

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the Commencement of this Act, shall and may be punishable and recoverable respectively under the said recited Act as if the same had not been repealed, and that all Acts, Matters, and Things made, done, or executed under or by virtue of and in accordance with the Provisions of the said recited Act prior to the Commencement of this Act, shall be good, valid, and effectual to all Intents and Purposes.

II. That from and immediately after the passing of this Act the several Persons and Bodies Corporate who immediately before the passing of this Act were Proprietors of Shares in the Joint Stock or Fund of the said dissolved Company, or who may become the Proprietors of any Share or Shares in the Company hereby incorporated under the Provisions of this Act, and the several Persons and Bodies who have already subscribed or who shall hereafter subscribe thereto, and their Executors, Administrators, Successors, and Assigns respectively, shall be and they are hereby united into a Company for the Purposes of the Undertaking according to the Provisions of this Act, and for working the several Inventions in this Act comprised or mentioned, and for other the Purposes herein and in the Acts incorporated herewith contained or authorized; and for the several Purposes aforesaid such Company shall be incorporated by the Name of "The *British Electric Telegraph Company*," and by that Name shall be a Body Corporate with perpetual Succession, and shall have Power to purchase and hold Lands, Works, and Premises for the Purposes of the Undertaking, within the Restrictions herein and in the said incorporated Acts contained.

Re-incorporation of Company.

III. That from and immediately after the passing of this Act, all Electric and other Telegraphs, Wires, Posts, Pipes, Tubes, and other Works, and all Lands, Tenements, Hereditaments, Buildings, Easements, Patents, Patent Inventions, prescriptive and other Rights, Powers, and Privileges whatsoever, of or to which the said dissolved Company, or any Person in trust for them, were or are seised, possessed, or entitled at Law or in Equity immediately before the passing of this Act, and all Rents, Rates, and Monies due or accruing to, and all Securities, Books, Accounts, Documents, Choses in Action, Effects, and Property belonging to the said Company hereby dissolved at the Time of the passing of this Act, shall be and the same are hereby well and effectually vested in and shall belong to the *British Electric Telegraph Company* hereby incorporated, for their absolute Use and Benefit, to hold to them and their Successors for the Purposes of this Act, and for such and the same Estates, Terms, and other Interests as under the said recited Act the said dissolved Company, or any Persons in trust for them, immediately before the passing of this Act, had or would have continued to have had therein if the said recited Act had not been repealed, subject nevertheless to such Charges, Interests, and

Existing Works vested in the Company.

Liabilities

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Liabilities as at the Time of the passing of this Act the same Premises were and are respectively subject to.

Agreements,
Deeds, &c.
to remain in
force, and
Company
liable to
Debts, &c.

IV. That all Conveyances, Assurances, Leases, Demises, Grants, Mortgages, Bonds, Covenants, Agreements, Contracts, Awards, Securities, and other Instruments made, executed, or entered into by or between any Person or Persons and the said dissolved Company, or to, with, in favour of, or by or for any such Person or Persons and the said dissolved Company respectively, shall and the same are hereby declared to be, remain, and continue in full Force and Effect; and the Company hereby incorporated, and all such Person and Persons, shall respectively be bound by and liable to execute and perform the same, and no Action, Suit, Prosecution, Information, or other Proceeding commenced or pending by, with, or against the said dissolved Company, shall become invalidated, or made void, discharged, abated, discontinued, prejudiced, or affected by the Repeal of the said recited Act, but the same and each of them shall continue and remain in full Force and Effect by, with, or against the Company hereby incorporated, and the Company hereby incorporated shall be liable to all Debts and Engagements to which the Company hereby dissolved was or is liable at the Time of the Repeal thereof.

Debts due by
dissolved
Company
may be re-
covered
either from
dissolved
Company or
the new
Company.

V. That, notwithstanding the Repeal of the said recited Act, the Payment of all Debts due and owing by the said dissolved Company previously to the passing of this Act shall and may after the passing of this Act be recovered and enforced from and against the several Persons who were Shareholders in the said dissolved Company immediately before the passing of this Act, as fully and effectually as they could have been recovered and enforced if this Act had not been passed.

Monies due
to the dis-
solved Com-
pany to be
paid to new
Company.

VI. That all Monies which immediately before the passing of this Act shall be due and payable to the said dissolved Company, or if this Act had not been passed would have accrued due and payable, shall continue and be due and payable to the Company hereby incorporated.

Certificates
and Trans-
fers to re-
main in force.

VII. That all Certificates, Sales, Transfers, and Dispositions before the passing of this Act made or executed of or in respect of any Share or Shares in the Joint Stock of the said dissolved Company, under or in pursuance of the said recited Act, shall remain in full force and virtue, and shall be and continue available in all respects whatsoever.

Officers'
under former
Act to ac-
count.

VIII. That all Officers and Persons who at the Time of the passing of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, Securities, Goods, Chattels, or other Effects, under or by virtue of any of the Provisions
of

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of the said recited Act, shall account for and deliver up all such Money, Books, Documents, Papers, Writings, Securities, Goods, Chattels, and other Effects to the Company hereby incorporated, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed and had become possessed of such Money, Books, Documents, Papers, Writings, Securities, Goods, Chattels, or other Effects under the Provisions of this Act.

IX. That all Officers and Persons appointed under the recited Act shall continue in their respective Offices and Employments, according to their respective Appointments, until removed therefrom, according to the Provisions of this Act; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages; and all such Officers and Persons, and all Sureties, shall be liable to the same Conditions, Penalties, Obligations, Restrictions, and Regulations as if such Officers and Persons had been appointed and such Sureties had become bound under this Act.

Officers under recited Act to continue until removed.

X. That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act: Provided always, that nothing in this Act, or the said incorporated Acts, shall authorize the Company to purchase or take any Lands without the Consent of the Owners and Occupiers thereof.

Certain Provisions of 8 & 9 Vict. cc. 16. & 18. incorporated with this Act.

XI. That "The Companies Clauses Consolidation (*Scotland*) Act, 1845," and "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall, so far as respects the Property, Rights, Remedies, Liabilities, Affairs, Acts, and Proceedings of the Company in *Scotland*, be incorporated with and form Part of this Act: Provided that nothing in this Act or the said Two last-mentioned Acts contained shall authorize the Company to purchase or take any Lands in *Scotland* without the Consent of the Owners and Occupiers thereof.

Certain Provisions of 8 & 9 Vict. cc. 17. & 19. incorporated with this Act.

XII. That the Business of the Company shall be the acquiring, erecting, maintaining, working, supplying, and using of Telegraphs and Apparatus connected therewith, the using of Patent Rights relating to Telegraphs or Apparatus connected therewith, the transmitting and giving effect to Intelligence or Messages, whether transmitted exclusively by the Telegraphs or Apparatus of the Company, or partly by the Telegraphs or Apparatus of the Company, and partly by any other Telegraph or Apparatus, or otherwise howsoever, and generally the transacting of all Business and the Performance of Services con-

Business of the Company.

[*Local.*]

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nected therewith and with Telegraphic Communications which they may be required and willing to perform.

Act not to restrict Liability of Shareholder.

XIII. That nothing herein or in the said incorporated Acts contained shall in anywise restrict the Liability of any of the Shareholders of the Company under any Judgment, Decree, Order for Payment of Money, or other Proceeding which shall be had or obtained against the Company in any Action, Suit, or Proceeding prosecuted by or against the Company in any Court of Law or Equity, but every such Shareholder shall continue liable for or in respect of all such Monies, and every such Judgment, Decree, Order, and Proceeding, in the same Manner as he would have been if the Company had not been incorporated by this Act.

Effect of Judgments against the Company and Shareholders.

XIV. That every Judgment and every Decree or Order which shall be at any Time obtained against the Company in any Action, Suit, or other Proceeding prosecuted by or against the Company in any Court of Law or Equity, shall and may take effect and be enforced, and Execution or Diligence thereon be issued, not only against the Property and Effects of the Company, but also, if due Diligence shall have been used to obtain Satisfaction of such Judgment, Decree, or Order, by Execution or Diligence against the Property and Effects of the Company, then against the Person, Property, and Effects of any Shareholder for the Time being, or any former Shareholder of the Company, in his natural or individual Capacity, until such Judgment, Decree, or Order shall be fully satisfied: Provided, in the Case of Execution against any former Shareholder, that such former Shareholder was a Shareholder of the Company at the Time of the entering into or committing the Contract or Tort for or in respect of which such Judgment, Decree, or Order may have been obtained, or became a Shareholder during the Time such Contract or Tort was unexecuted or unredressed, or was a Shareholder at the Time of the Judgment, Decree, or Order being obtained; provided also, that in no Case shall Execution or Diligence be issued on any such Judgment, Decree, or Order against the Person, Property, or Effects of any former Shareholder of the Company after the Expiration of Three Years next after the Person sought to be charged shall have ceased to be a Shareholder.

Reimbursement of Shareholders against whom Execution issued.

XV. That every Person against whom or against whose Property or Effects Execution or Diligence upon any Judgment, Decree, or Order obtained as aforesaid shall have been issued as aforesaid, or who shall have paid any Monies on account of the Company, on any Judgment, Decree, or Order obtained or made against the Company, shall be entitled to recover against the Company all Loss, Damages, Costs, and Charges which such Person may have incurred or paid, by reason or in consequence of any such Execution or Diligence, either by Action

of

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of Debt or Assumpsit for Money paid to the Use of the Company, or by any other legal or equitable Action, Suit, or Proceeding applicable or convenient for that Purpose; and also that after due Diligence used to obtain Satisfaction thereof against the Property and Effects of the Company, such Person shall be entitled to Contribution for so much of such Loss, Damages, Costs, and Charges as shall remain unsatisfied from the several other Persons against whom Execution or Diligence upon such Judgment, Decree, or Order obtained against the Company might also have been issued under the Provision in that Behalf aforesaid; and that such Contribution may be recovered from such Persons as aforesaid either by Action of Debt or Assumpsit for Money paid to the Use of such Persons, or by any other legal Action, Suit, or Proceeding applicable or convenient for that Purpose.

Contribution
by other
Shareholders.

XVI. That in the Cases provided by this Act for Execution or Diligence on any Judgment, Decree, or Order in any Action or Suit against the Company, to be issued against the Person or against the Property and Effects of any Shareholder or former Shareholder of the Company, or against the Property and Effects of the Company, at the Suit of any Shareholder or former Shareholder, in satisfaction of any Monies, Damages, Costs, and Expenses paid or incurred by him as aforesaid, in any Action or Suit against the Company, such Execution or Diligence may be issued by Leave of the Court or of a Judge of the Court in which such Judgment, Decree, or Order shall have been obtained upon Motion, Rule, Summons, or other Form of Application consistent with the Practice of the Court, without any Suggestion or Scire facias in that Behalf; and that it shall be lawful for such Court or Judge to make absolute, or grant or allow, discharge, refuse, or dismiss, any such Motion, Rule, Summons, Petition, or Application (as the Case may be), and to direct the Costs of the Application to be paid by either Party, or to make such other Order therein as to such Court or Judge shall seem fit; and in all such Cases such Forms of Execution, Diligences, and Processes shall be sued out of the Courts of Law and Equity respectively for giving effect to the Provision in that Behalf aforesaid, as the Judges of such Courts respectively shall from Time to Time think fit to order, and the Execution of such Writs shall be enforced in like Manner as Writs of Execution are now enforced: Provided that any Order made by a Judge as aforesaid may be discharged or varied by the Court on Application made thereto by either Party dissatisfied with such Order; provided also, that no such Motion shall be made nor Summons granted for the Purpose of charging any Shareholder or former Shareholder until Ten Days Notice thereof shall have been given to the Person sought to be charged thereby.

Proceedings
in execution
against the
Person or
Property of
a Share-
holder.

XVII. That

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Memorials of Names of Shareholders to be enrolled.

XVII. That a Memorial of the Names and Descriptions of the several Shareholders of the Company, in the Form or to the Effect for that Purpose given or expressed in the Schedule to this Act annexed, shall, within Six Months after the passing of this Act, be verified by the Declaration of some Director, Secretary, or Officer for the Time being of the Company, made before some Officer competent to take Declarations, and, when so verified, enrolled in the High Court of Chancery in *England*, and that the like Memorial of the Name and Description of every such Shareholder for the Time being of the Company, in such Form as aforesaid, shall, in the Month of *January* One thousand eight hundred and fifty-five, and in the Month of *January* in every succeeding Year, or within Twenty-one Days thereafter, be verified by such Declaration as aforesaid, and also enrolled in the said High Court of Chancery; and when any Person shall cease to be a Shareholder, or when any Person shall become a Shareholder, a Memorial of his Name and Description, verified in manner aforesaid, shall or may be forthwith enrolled in manner aforesaid, in the Form or to the Effect expressed in the said Schedule for that Purpose; and if any Declaration which shall be so made as aforesaid shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor; and the Enrolment of every such Memorial shall be sufficient *prima facie* Evidence that every Person named in such Memorial was at the Date thereof such Shareholder as in such Memorial mentioned, or had ceased to be such Shareholder as in such Memorial mentioned.

No Action to be brought before Enrolment of a Memorial.

XVIII. That until such Memorial as firstly herein-before mentioned shall have been enrolled in manner aforesaid, no Action or Suit shall be brought or commenced by or on behalf of the Company, and every Shareholder whose Name shall be expressed in the Enrolment of the first Memorial, or any annual Memorial, to be enrolled in manner aforesaid, shall continue liable to all Judgments, Decrees, and Orders against the Company, until the Enrolment of the then next annual Memorial, to be enrolled in manner aforesaid, or until a Memorial of his having ceased to be a Shareholder shall have been enrolled in manner aforesaid.

Penalty for not enrolling Memorial within due Time.

XIX. That if within the Period before limited any such Memorial as aforesaid be not enrolled as aforesaid, then, on Conviction of any such Default, the Company shall be liable to pay a Sum not exceeding Twenty Pounds.

Capital of the Company.

XX. That the Capital of the Company shall be One hundred and ninety thousand Pounds, including the Capital for which Shares have been taken up in the said dissolved Company; and each and every Person and Corporation who immediately before the passing of this Act

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Act was entitled to One or more Share or Shares in the Capital or Joint Stock of the said dissolved Company, shall, immediately after the passing of this Act, become entitled to a Share or Shares of the like nominal Value in the Company hereby incorporated as he or they were previously entitled to in the Capital or Joint Stock of the said dissolved Company.

XXI. That the Capital shall be divided into Shares of Twenty Pounds each, except so much of the Capital for which Shares shall have been already issued for a different Amount by the said dissolved Company. Shares.

XXII. That it shall be lawful for the Company to commute all or any of the Shares issued by the said dissolved Company into Shares of Twenty Pounds each, and for that Purpose to issue new Shares in lieu of such Shares so issued by the said dissolved Company as aforesaid. Power to commute existing Shares into Shares of 20l.

XXIII. That Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between each Call; and the aggregate Amount of Calls shall not exceed Three Fourths of the Amount of such Share in any Year. Prescribed Amount of Calls.

XXIV. That it shall be lawful for the Company to borrow on Mortgage or Bonds such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Company, but the aggregate Amount of such Sums so to be borrowed or due from the Company shall not at any Time exceed One Sixth of the Capital of the Company for the Time being; and for securing the Repayment of the Money so borrowed, with Interest, it shall be lawful for the Company to mortgage the Works and Profits of the Company, and any Lands of the Company, and, if they think fit, the future Calls upon the Shareholders of the Company, or to give Bonds in manner mentioned in "The Companies Clauses Consolidation Act, 1845;" but no further Part of such Sums shall be borrowed until the whole of the Capital of the Company for the Time being shall have been subscribed for, and One Half thereof shall have been actually paid up. Company may borrow Money on Mortgage, &c.

XXV. That all Mortgages and Bonds granted by the said dissolved Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages and Bonds to be created by virtue of this Act. Former Mortgages to have Priority.

XXVI. That it shall be lawful for the Mortgagees or Bond Creditors of the Company to enforce the Payment of the Principal and Interest Arrears may be enforced by Appoint-

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Monies

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ment of a
Receiver.

Monies due to them respectively upon their respective Mortgages and Bonds by the Appointment of a Receiver: Provided always, that the Amount of the Principal Monies due to the Mortgagees or Bond Creditors by whom Application shall be made for that Purpose shall not be less than the Sum of Five thousand Pounds.

Quorum of
General
Meetings.

XXVII. That the Quorum of every General Meeting of the Company shall be any Number of Shareholders holding in the aggregate not less than Two hundred Shares in the Undertaking.

General
Meetings to
be held
yearly.

XXVIII. That the First General Meeting of the Company shall be held within Three Calendar Months from the passing of this Act, and the future General Meetings shall be held in the Month of *August* in each Year, or at such other stated Periods as shall be appointed for that Purpose by an Order of a General Meeting.

Extraordi-
nary Meet-
ings.

XXIX. That the Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be Ten or more Shareholders holding in the aggregate not less than Four hundred Shares in the Undertaking.

Number and
Qualification
of Directors.

XXX. That the Number of Directors shall be Three, and the Qualification of a Director shall be the Possession in his own Right of Shares in the Undertaking of the nominal Value of not less than Five hundred Pounds.

Power to
vary the
Number
of Directors.

XXXI. That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twelve, and that the reduced Number be not less than Three.

Directors
may declare
Dividends
half-yearly.

XXXII. That it shall be lawful for the Directors, without the Direction or Sanction of a General Meeting, from Time to Time to declare and pay in the Interval between any Two Ordinary Annual General Meetings, a Half Year's Dividend out of the Profits of the Company to the Shareholders, but the Directors shall not make any Dividend whereby the Capital of the Company will be reduced.

First Direc-
tors of the
Company.

XXXIII. That the several Persons who were Directors of the said dissolved Company immediately before the passing of this Act shall be the First Directors of the Company hereby incorporated, and they shall go out of Office in rotation, and other Directors shall be appointed in their Place, in the same Order as would have happened under the Provisions of the said Companies Clauses Consolidation Act, in case the said recited Act had not been repealed.

XXXIV. That

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- XXXIV. That the Quorum of a Meeting of Directors shall be Three. Quorum of Directors.
- XXXV. That the Quantity of Land to be held by the Company at any One Time (over and above the Land which may be occupied in the Lines of their Posts, Wires, and Tubes) shall not exceed One hundred Acres. Quantity of Land to be held by Company limited.
- XXXVI. That nothing in this Act contained shall be construed to give greater Force or Validity to the said recited Letters Patent, or any other Letters Patent purchased by or assigned to the Company under the Powers of the recited Act, than they would legally have possessed if the same had not been assigned to the Company. This Act not to give Validity to Patents.
- XXXVII. That in case the Company shall at any Time hereafter, in pursuance of an Act of Parliament passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act to amend the Law touching Letters Patent for Inventions*, or of the Patent Law Amendment Act, 1852, or of any Act or Acts of Parliament, obtain the Leave of Her Majesty's Attorney General or Solicitor General for *England* or *Ireland*, or of Her Majesty's Lord Advocate or Solicitor General for *Scotland*, or other lawful Authority, to enter, file, or make, according to the Laws for the Time being applicable to the Case, any Disclaimer of any Part of either the Title of the Invention mentioned or comprised in any Letters Patent or Patent Privileges of or belonging to the Company, or of any Part of the Specification of any such Invention, or to enter, file, or make as aforesaid a Memorandum of any Alteration in any such Title or Specification as aforesaid, then and in every such Case such Disclaimer or Memorandum of Alteration shall or may be made under the Seal of the Company, and when so made shall or may be filed or otherwise dealt with according to Law, and no Acknowledgment of any such Disclaimer or Memorandum of Alteration shall be necessary. Disclaimers, &c. made under 5 & 6 W. 4. c. 83., &c., shall be made under Seal of the Company.
- XXXVIII. That it shall be lawful for the Company from Time to Time, by any Writing under the Seal of the Company and the Hands of any Two of the Directors of the Company, to grant any Licence to any Person to use, exercise, or vend the Invention or Inventions comprised in any Letters Patent from Time to Time belonging to the Company, either generally, or under or subject to such Payments, Conditions, Limitations, or Restrictions as to the said Company shall seem fit. Power to Company to grant Licences.
- XXXIX. And whereas the speedy Communication of Intelligence between *Great Britain* and *Ireland* and Foreign Countries might be greatly promoted, and the Public thereby benefited, if the Company Company empowered to make Arrangements
were

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to facilitate
Telegraphic
Communica-
tions with
other Coun-
tries.

were empowered to make such Arrangements with Parties in Foreign Countries as would promote the mutual working and sending Telegraphic Communications: Be it therefore enacted, That it shall be lawful for the Company to enter into such Arrangements or Agreements with Foreign Governments, or with Companies or other Parties out of *Great Britain*, for working, using, or constructing Electric and other Telegraphs abroad, as shall be mutually agreed on between the Parties: Provided nevertheless, that it shall not be lawful for the Company to appropriate or expend any Monies of the Company for any of such Purposes, without an Order of a General Meeting for that Purpose.

Works below
High-water
Mark not to
be executed
without Con-
sent of the
Admiralty.

XL. That it shall not be lawful for the Company to construct below High-water Mark at ordinary Spring Tides, or on the Seashore or Bank of any navigable River, any Work, Wires, Pipes, or Tubes, or any Buoy, or erect any Sea Mark, or alter the same at any Time or Times, without the previous Consent of the Lords of the Admiralty, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lords of the Admiralty may approve of, such Approval being signified as last aforesaid; and if any such Work, Pipes, or Tubes, or any Buoy or Sea Mark, shall be commenced or completed, laid down or erected, or altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lords of the Admiralty to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly, with Costs of Suit.

Admiralty
may order a
local Survey
at Expense
of Company.

XLI. That if, after Working Drawings of any of the Works hereby authorized shall have been submitted to the Lords of the Admiralty, it shall be deemed expedient by them to order a local Survey and Examination of such Works, or of the intended Site thereof, the Company shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Works
affecting ti-
dal Waters
abandoned
by Company
may be re-
moved by
Admiralty

XLII. That if any Work to be constructed by the Company in or across any tidal Water or navigable River, or if any Portion of the Work which affects any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lords of the Admiralty to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem

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deem fit and proper, and to restore the Site thereof to its former Condition at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit. at Expense of Company.

XLIII. That all Works to be executed under the Authority of this Act, in or connected with the River *Thames* or the Towing-path thereof, within the Jurisdiction of the Corporation of *London*, shall be executed according to a Plan to be approved of by the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, and to be deposited at the Office of the Town Clerk of the said City; and such Works shall be executed and performed to the Satisfaction of the Engineer for the Time being employed in the *Thames* Navigation. Works affecting the River *Thames* to be approved of by Corporation of *London*.

XLIV. That, notwithstanding anything herein-before contained, the Company shall not construct any Works whatsoever upon or under, or otherwise interfere with, any Part of the Bed or Shores of the Sea or of any navigable River below High-water Mark at ordinary Spring Tides, belonging to Her Majesty in right of Her Crown, or upon or under any other Land, Soil, Tenements, or Hereditaments belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby empowered to give, upon Payment of such Compensation in Money, or upon such other Terms and Conditions, as they or he shall think fit. Works below High-water Mark not to be executed without the Consent of the Commissioners of Woods, &c.

XLV. That it shall be lawful for the Company, under such Superintendence as is herein-after specified, from Time to Time to open and break up the Soil and Pavement of any Street, and to lay down, and place under, over, along, or across any Street, any Wires, Pipes, Tubes, Standards, and other Apparatus which shall or may be necessary or convenient for the Purposes of any Electric or other Telegraph, or intended Electric or other Telegraph, and from Time to Time to alter, repair, amend, and reinstate the same, the Company doing as little Damage as may be, and making Compensation for all Damage to be caused thereby to the Parties who shall have sustained such Damage: Provided always, that it shall not be lawful for the Company to suspend any Wires on Posts fixed in the Ground, in any Street in any Town, without the Consent in Writing of the Persons having the Control of such Street, or their Officer, for that Purpose first had and obtained; and provided further, that it shall not be lawful for the Company to carry, take, or place any such Wires, Pipes, Tubes, or other Apparatus, otherwise than underground, through or Power to break up Streets, &c., under Superintendence.

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in any Street in any Town within the United Kingdom of *Great Britain and Ireland*, without the Consent in Writing of the Persons having the Control of such Street, or their Officer, for that Purpose first had and obtained; and such Wires, Pipes, Tubes, and other Apparatus, within any such Town, shall be laid down and maintained at such Depth as shall be approved of by such Persons or their Officer, or, in case of Dispute, as shall be determined by Two Justices.

Notice to be served on Persons having Control, &c. before breaking up Streets.

XLVI. That before the Company open or break up any Street, they shall give to the Persons under whose Control or Management the same may be, or to their Clerk, Surveyor, or other Officer, Notice in Writing of their Intention to open or break up the same, not less than Three clear Days before beginning such Work, except in Cases of Emergency arising from Defects in any of the Wires, Tubes, or other Works connected with the Electric or other Telegraphs of the Company, and then so soon as is possible after the Beginning of the Work, or the Necessity for the same shall have arisen; and nothing in this Act contained shall interfere with the Powers of the Metropolitan Commissioners of Sewers over any Streets as regards their Works and Operations or otherwise; and nothing herein contained shall authorize the Company to delay or affect any Repairs or Works of the same Commissioners in any Street, or prevent the same Commissioners from exercising all their Powers in and over any Streets as fully as if this Act had not passed.

Streets not to be broken up except under Superintendence of Persons having Control of the same.

XLVII. That no Street shall, except in the Cases of Emergency aforesaid, be opened or broken up, except under the Superintendence of the Persons having the Control or Management thereof, or of their Officer, and in such Manner, Course, and Direction as shall be approved by such Persons or their Officer, or in case of any Difference, then in such Manner, Course, and Direction as shall be determined by Two Justices; and such Justices may, on the Application of the Persons having the Control or Management of any such Street, or their Officer, require the Company to make such temporary or other Works as they may think necessary for guarding against any Inconvenience or Danger to the Public, or the Interruption of any Drain, or Water or Gas Pipe, during the Execution of any Works by the Company: Provided always, that if the Persons having such Control or Management as aforesaid, or their Officer, fail to attend at the Time fixed for the opening of any such Street, after having had such Notice of the Intention of the Company as aforesaid, or shall not approve of the Manner, Course, or Direction for breaking up or opening of the same, or shall refuse or neglect to superintend the Operation, the Company may perform the Work specified in such Notice without the Superintendence of such Persons or their Officer.

If Persons having the Control, &c. fail to superintend, the Company may perform the Work without them.

XLVIII. That

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XLVIII. That when the Company open or break up the Road or Pavement of any Street, they shall with all convenient Speed complete the Work for which the same shall be broken up, and fill in the Ground, and reinstate and make good the Road or Pavement so opened or broken up, and carry away the Rubbish occasioned thereby; and shall at all Times whilst any such Road or Pavement shall be so opened or broken up, cause the same to be fenced and guarded, and shall cause a Light, sufficient for the Warning of Passengers, to be set up and maintained against or near such Road or Pavement where the same shall be open or broken up, every Night during which the same shall be continued open or broken up; and shall, after replacing or making good the Road or Pavement which shall have been so opened or broken up, keep the same in good Repair for Three Months thereafter, and for such further Time, if any, not being more than Twelve Months in the whole, as the Soil so broken up shall continue to subside.

Streets broken up to be reinstated without Delay.

XLIX. That if the Company open or break up any Street without giving such Notice as aforesaid, or in a Manner different from that which shall have been approved of or determined as aforesaid, or without making such temporary or other Works as aforesaid when so required, except in the Cases in which the Company are hereby authorized to perform such Works without any Superintendence or Notice, or if the Company make any unnecessary Delay in completing any such Work, or in filling in the Ground or reinstating and making good the Road or Pavement so opened or broken up, or in carrying away the Rubbish occasioned thereby, or if they neglect to cause the Place where such Road or Pavement has been broken up to be fenced, guarded, and lighted, or neglect to keep the Road or Pavement in repair at any Time during the Space of Three Months next after the same is made good, or such further Time as aforesaid, they shall forfeit to the Persons having the Control or Management of the Street in respect of which such Default is made a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Five Pounds for each Day during which any such Delay as aforesaid shall continue after they shall have received Notice thereof.

Penalty for Delay in reinstating Streets, &c.

L. That if any such Delay or Omission as aforesaid take place, the Persons having the Control or Management of the Street in respect of which such Delay or Omission shall take place may execute the Work so delayed or omitted to be executed, and the Expense of executing the same shall be repaid to such Persons by the Company, and such Expenses may be recovered in the same way as Damages are recoverable under this Act.

In case of Delay, other Parties may reinstate and recover the Expenses, &c.

LI. That it shall not be lawful for the Company to raise, sink, or otherwise alter the Position of any Main or Pipe laid down by any Company,

Company not to alter Water or Gas Pipes

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without Con-
sent.

Company, Society, Commissioners, or Body Corporate, who may furnish the Inhabitants of any Town within the United Kingdom of *Great Britain* and *Ireland* with Water or Gás, without the previous Consent in Writing of the Company, Society, Commissioners, or Body Corporate having Control of such Main or Pipe, or One of their Officers, and then only under the Superintendence of the Company, Society, Commissioners, or Body having such Control, or their Officer.

Pipes not to
be laid in
City of Lon-
don without
Consent.

LII. Provided always, That it shall not be lawful for the Company to lay down any Wires, Pipes, or Tubes in, upon, or under any Street or public Way in the City of *London*, or the Liberties thereof, without the Consent in Writing of the Commissioners of Sewers of the City of *London*, and Liberties thereof, under the Hand of their Clerk first had and obtained for that Purpose.

Twenty-one
Days Notice
to be given
to Metro-
politan Com-
missioners
of Sewers
of interfering
with their
Works.

LIII. That before the Company open or break up or otherwise interfere with any Sewer, Drain, or Watercourse under the Management or Control of the Metropolitan Commissioners of Sewers, Notice in Writing of their Intention to open, break up, or otherwise interfere with the same shall be given to the Secretary of the said Commissioners, or left at his Office, or the Office of the said Commissioners, not less than Twenty-one clear Days before beginning such Work (except in Cases of Emergency arising from Defects in any of the Wires, Pipes, or Tubes of the Company, and then so soon as is possible after the Beginning of the Work, or the Necessity for the same shall have arisen); and no such Sewer, Drain, or Watercourse shall (except in Cases of Emergency as aforesaid) be opened, broken up, or interfered with, except under the Superintendence of the said Metropolitan Commissioners of Sewers, or of their Officer, and according to such Plan as shall be approved of by the said Commissioners or their Officer; and the said Company shall, in reference to laying down Pipes or doing any Works affecting or which would affect any Sewers, Drains, or Watercourses, abide by and comply with any Orders and Regulations which the said Metropolitan Commissioners shall make for guarding against Expense to them, or Injury or Impediment to the Sewers, Drains, and Watercourses under their Control: Provided that if after such Twenty-one Days Notice shall have been given the said Metropolitan Commissioners, or their Officer, shall not propose any Plan, or make any Order in the Premises, or shall refuse or neglect to superintend the Operation, the Company may perform the Work specified in such Notice without the Superintendence of the said Commissioners or their Officer.

Directions
for laying
Wires under
the Metro-
polis Roads.

LIV. That, notwithstanding the Powers and Provisions in this Act contained, the Company shall not, either by themselves or by their Deputies, Agents, Officers, Servants, and Workmen, or by any of them, lay

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lay down or construct any Works in any Part of the public Roads, or of the Footpaths adjoining thereto, under the Charge of the Commissioners of the Metropolis Turnpike Roads North of the *Thames* (which public Roads are herein-after called the Metropolis Roads), other than in such Part, Line, and Direction as shall be pointed out by the said Commissioners, or by their General Surveyor for the Time being.

LV. That any Works connected with the Metropolis Roads shall not be in any Manner commenced under the Powers in this Act contained until the Expiration of Ten Days after Notice in Writing of the Intention to commence such Works shall have been left at the Office of the said Commissioners, or shall have been delivered to the said General Surveyor; and the opening of the said Roads, or any of them, for the Purpose of laying down or constructing any such Works, and the re-making of such Roads, and all other Works of every Description connected with the said Roads, at any Time hereafter to be performed by the Company, or by any Person authorized by them, shall be carried on and executed under the Direction and Superintendence and to the Satisfaction of the said General Surveyor.

All Works connected with the Metropolis Roads to be under the Superintendence of the General Surveyor.

LVI. That if in the laying down or Construction of the Works, or any of them, the Company shall do or cause any Injury or Damage to the said Metropolis Roads, or any of them, or to any Brick or other Drain, Sewer, Cesspool, Water Channel or other Convenience connected with the said Roads, or any of them, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the said General Surveyor, or if by reason of the laying down or Construction of any of the Works hereby authorized or required to be constructed or performed by the Company, any Alteration of the said Metropolis Roads, or of any of them, or of the Drains, Sewers, Cesspools, or Water Channels connected therewith, shall, in the Judgment of the said General Surveyor, be rendered necessary, then and in any of such Cases it shall be lawful for the said General Surveyor to cause all such Repairs or Alterations to be made as he in his Discretion shall think fit; and all Costs and Expenses of such Repairs and Alterations shall be paid on Demand by the Company, or, in default of Payment for Twenty-one Days after such Demand, may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action in any of Her Majesty's Courts of Record at *Westminster*.

Company to make good Damage to the Roads.

LVII. That the Company shall and they are hereby required at their own Expense to do and perform all such Acts and Things in the way of watching, lighting, and fencing, and all such other precautionary Measures during the Progress of laying down or constructing the Works hereby authorized, or of performing any other Works connected

Precautions required to be taken during the Performance of the Works on the Roads.

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nected with the said Metropolis Roads under the Powers of this Act as shall be necessary and requisite for the public Safety, Convenience, and Protection of the said Metropolis Roads, and of the Travellers thereon, and the Company shall be answerable and amenable for all Accidents and Damage which may happen by reason or in consequence of any of the Works of the Company.

Regulating
the Payment
to be made
for Damage
done to the
Roads.

LVIII. And whereas much Injury will be caused to the said Metropolis Roads, or the Footpaths thereof, in consequence of such Works, notwithstanding that the said Roads may be remade immediately after the laying down or Construction of such Works, inasmuch as a Continuance of Labour and Material will be necessary for a considerable Space of Time to restore the said Roads and Footpaths to their previous State and Condition: Therefore the Company shall and they are hereby required to pay on Demand to the said Commissioners such a Sum of Money, not exceeding One Shilling for every Superficial Yard of the said Roads, and not exceeding Fourpence for every Superficial Yard of the said Footpaths, removed or disturbed by reason or in consequence of the said Works of the Company, (and over and above all Costs of remaking or relaying the said Roads, and of Repairs and Alterations which may be incurred by the Company,) as the said Commissioners shall deem proper to be paid for the continued Labour and Supply of Material necessary to restore effectually the said Roads, and in default of Payment for Twenty-one Days after such Demand the same may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action in any of Her Majesty's Courts of Records at *Westminster*.

Power to
let or sell
Telegraphs.

LIX. That it shall be lawful for the Company to sell, let, demise, or otherwise dispose of every or any Electric or other Telegraph, and Part of Electric or other Telegraph of the Company, or any Right to use the same, subject to the same Regulations as the Company are subject to by this Act, upon such Terms and in such Manner as to the said Company shall seem fit.

7 & 8 Vict.
c. 85.

LX. And whereas by an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*, it is enacted, that where a Line of Electrical Telegraph shall have been established upon any Railway by the Company to whom such Railway belongs, or by any Company, Partnership, Person or Persons, otherwise than exclusively for Her Majesty's Service, or exclusively for the Purposes of the Railway, or jointly for both, the Use of such Electrical Telegraph for the Purpose of receiving and sending Messages shall, subject

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subject to the prior Right of Use thereof for the Service of Her Majesty and for the Purposes of the Company, and subject also to such equal Charges and to such reasonable Regulations as may be from Time to Time made by the said Railway Company, be open for the sending and receiving of Messages by all Persons alike without Favour or Preference: Be it enacted, That any Electric Telegraph laid down by the Company shall, subject to the prior Right of Use thereof for the Service of Her Majesty and for the Purposes of the Company, and subject also to such equal Charges and to such reasonable Regulations as may be from Time to Time made by the Company, be open for the sending and receiving of Messages by all Persons alike without Favour or Preference.

Electric Telegraphs, subject to prior Right of Her Majesty, to be open to the Use of the Public.

LXI. That in case the Lords of the Committee of Privy Council for Trade, or the Lords of the Admiralty, shall deem it necessary for Her Majesty's Service that any Electric Telegraph or Telegraphs should be constructed in any Part of Her Majesty's Dominions, or across any Portion of the Sea, and the Lords of the said Committee or the Lords of the Admiralty shall, by Notice in Writing given to the said Company, require the said Company to grant a Licence or Licences to any Person or Persons named or designated in such Notice for the Construction and Use of such Telegraph or Telegraphs, the said Company or their Assigns shall forthwith grant such Licence accordingly, upon Payment of such Sum, either annual or in gross, as may be agreed on by the Lords of the said Committee, or the Lords of the Admiralty, and the said Company, or in case of Difference of Opinion as may be fixed by Arbitration as herein-after is mentioned; and if the said Company shall in any Case refuse or neglect to grant such Licence within Twenty-one Days after such Notice, the said Company or their Assigns so refusing or neglecting shall forfeit for every Day after the said Period of Twenty-one Days, until such Licence shall be granted, the Sum of Ten Pounds: Provided always, that the Telegraphs to be from Time to Time constructed in pursuance of any such Licence shall be used exclusively for the Service of Her Majesty, and for no other Purpose.

Board of Trade may require Company to grant Licences to Persons for erecting Telegraphs for Her Majesty's Service.

LXII. And whereas it is expedient that Provision should be made by Law for the Conveyance of Intelligence for the Service of Her Majesty by the Electric Telegraphs of the Company at a reasonable Rate of Charge to the Public: Be it therefore enacted, That every Electric Telegraph already made or in progress or to be hereafter made within the United Kingdom, and for the Time being belonging to or possessed by the Company, their Licencees or Assigns, shall at all reasonable Times be open for the Transmission of Intelligence for Her Majesty's Service; and that the said Company, their Licencees and Assigns, shall receive, take, and convey, by every or any such

Electric Telegraphs to be open for the Service of Her Majesty at all reasonable Times.

Electric

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Electric Telegraph, all such Signals or Intelligence as shall from Time to Time be tendered to them, or any of their Officers, Servants, or Agents, by or on behalf of the Lords of the said Committee, or the Lords of the Admiralty, or otherwise, on or for Her Majesty's Service; and all Messages at any Time sent to any Station of the Company for Transmission and Delivery on or for Her Majesty's Service shall have Priority over all other Messages whatsoever; and that it shall be imperative on the Company, and their Officers and Servants, to transmit and deliver such Messages accordingly, and to suspend the Transmission of all or any other Messages from such Station until the said Messages on or for Her Majesty's Service shall have first been transmitted.

Company to be entitled to Remuneration, which shall be fixed between them and the Board of Trade.

LXIII. That the Company shall be entitled to such reasonable Remuneration for the Use of any Electric Telegraph for the Service of Her Majesty as aforesaid, and for the Assistance of the Company in respect thereof, as shall be fixed by Agreement between the Lords of the said Committee, or the Lords of the Admiralty, and the Company, or in case of Difference of Opinion between them, then as shall be determined by Arbitration in the Manner herein-after provided: Provided nevertheless, that the Services which may be required to be performed by the Company as aforesaid be not suspended, postponed, or deferred by reason of such Remuneration not having been then agreed on or determined.

In case of Differences of Mode of fixing Remuneration, the same to be referred to Arbitration.

LXIV. That in all Cases in which the Lords of the said Committee, or the Lords of the Admiralty, and the Company, shall not be able to agree on the Amount of Remuneration to be paid to the Company for the Use of any Electric Telegraph, and for the Services of the Company in respect thereof, the same shall be referred to the Award of Two Persons, One to be named by the Lords of the said Committee, and the other by the Company, if the Disagreement be between the Lords of the said Committee and the Company, or if such Disagreement be between the Lords of the Admiralty and the Company, then One of such Two Persons is to be named by the Lords of the Admiralty, and the other by the Company; and if such Two Persons cannot agree on the Amount of such Remuneration, then to the Umpirage of some Third Person to be appointed by such Two first-named Persons previously to their entering on the Inquiry; and the said Award or Umpirage shall be binding and conclusive on the Parties in Difference, and their Successors and Assigns.

Appointment of Arbitrator.

LXV. That in every such Reference each Party in Difference shall nominate his or their Arbitrator within Fourteen Days after Notice from the other Party requiring such Nomination, or in default it shall be lawful for the Arbitrator appointed by the Party giving Notice to
name

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name the other Arbitrator, and such Arbitrators shall proceed forthwith in the Reference, and make their Award therein, within Twenty-eight Days after their Appointment, or otherwise the Matter shall be left to be determined by the Umpire; and if such Umpire shall refuse or neglect to proceed, or shall not make his Award for the Space of Twenty-eight Days after the Matter shall have been referred to him, then a new Umpire shall be appointed by the Two first-named Arbitrators, who shall in like Manner proceed and make his Award within Twenty-eight Days, or in default be superseded, and so *toties quoties*.

LXVI. And whereas Emergencies may arise in which it may be expedient for the Public Service that the entire Control over the Operations of the Company and the Conveyance of Signals shall be vested in Her Majesty's Government: Be it therefore enacted, That at all Times hereafter, and whenever in the Opinion of One of Her Majesty's Principal Secretaries of State for the Time being such an Emergency as aforesaid shall have arisen, it shall be lawful for such Secretary of State, by Warrant under his Hand, to cause Possession to be taken of all the Telegraphs and Telegraphic Apparatus at the various Stations of the Company, their Licensees or Assigns, for the Space of One Week from the Date of such Warrant, for the Purpose of preventing any Communication being made, or Signals given, save such as shall be directed and authorized by any such Principal Secretary of State, and also by further successive Warrants to cause Possession of the said Telegraphs and Telegraphic Apparatus to be retained from Week to Week so long as any such Secretary of State shall deem such Possession expedient for the Public Service: Provided always, that for every Week during which Possession shall be so retained, the Company, their Licensees or Assigns, shall receive and be paid from and by the Lords Commissioners of Her Majesty's Treasury, the same Amount of Profits as the Company would have made in case they had continued the working of the said Telegraphs, such Profits to be computed upon an Average of the weekly Profits of the Company for Three Months immediately preceding the issuing of the first of the said Warrants.

Power to take Possession of the Telegraphs in case of public Emergency.

LXVII. That, on the Request of the Lords of the said Committee, or the Lords of the Admiralty, the said Company shall lay down, and from Time to Time keep in good working Order, such Lines of Wires proper for Electric Telegraphs, and in such Places (being Places where the said Company are empowered to lay down such Wires), as the Lords of the said Committee or the said Lords of the Admiralty shall appoint, for the exclusive Use of Her Majesty, and to be applied to such Purposes, whether for the immediate Service of Her Majesty or otherwise, as Her Majesty shall think fit; and the

Company, if required, to lay down Wires for the exclusive Use of Her Majesty.

[Local.]

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Remuneration

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Remuneration, in case of Difference, to be settled by Arbitration, or Board of Trade may lay down Wires ;

and exercise like Powers to those given to the Company.

Penalty on Officers of the Company for Neglect.

Power of Prosecution given to the Law Officers of the Crown.

Remuneration to be paid to the said Company for the Use of such Lines, whether in a gross Sum or by way of annual Payment, or both, shall be settled by Agreement between the Lords of the said Committee or the Lords of the Admiralty and the said Company ; or if the Lords of the said Committee or the said Lords of the Admiralty and the said Company shall not agree as to the Amount of such Remuneration, either the same shall be settled by Arbitration in manner herein-before mentioned, in case both Parties shall desire to enter into such Arbitration, or it shall be lawful for the Lords of the said Committee or the said Lords of the Admiralty to cause such Lines of Wires, together with all Conveniences for preserving and working the same, as they shall think fit, to be laid down in such Places (being Places where the said Company are hereby empowered to lay down such Wires) as they think fit, and in order thereto the Lords of the said Committee or the said Lords of the Admiralty may exercise all such and the like Powers for that Purpose as are herein given to the said Company, subject nevertheless to the like Restrictions and Conditions as are hereby imposed on the said Company, and without Prejudice to the Exercise by the said Company of the Powers hereby given to them.

LXVIII. That if any Person in the Employment of the Company shall wilfully or negligently omit or delay to transmit or deliver any Message or Signal, or shall wilfully or negligently do or omit to do any Matter or Thing whereby the Transmission or Delivery of any Message or Signal shall not take place, or shall be delayed or prevented, such Person shall for every such Offence forfeit a Sum of Money not exceeding Twenty Pounds.

LXIX. That whenever it shall appear to the Lords of the said Committee or the Lords of the Admiralty that any of the Provisions of this Act have not been complied with on the Part of the said Company or any of their Officers, and that it would be for the public Advantage that the due Performance of the same should be enforced, the Lords of the said Committee or the Lords of the Admiralty may certify the same to Her Majesty's Attorney General for *England* or *Ireland*, or to the Lord Advocate for *Scotland*, as the Case may require ; and thereupon the said Attorney General or Lord Advocate may, by Information, or by Action, Bill, Complaint, Suit at Law or in Equity, or other legal Proceeding, as the Case may require, proceed to recover such Penalties or Forfeitures, or otherwise to enforce the due Performance of the said Provisions : Provided always, that no such Certificate as aforesaid shall be given by the Lords of the said Committee until Twenty-one Days after they shall have given Notice of their Intention to give the same to the Company.

LXX. That

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LXX. That if any Person shall wilfully remove, destroy, or damage any Electric Telegraph which shall or may have been lawfully erected, or any Wire, Standard, Apparatus, or other Part of any such Telegraph, or any Works connected therewith, he shall be guilty of a Misdemeanor.

Penalty on wilfully injuring Telegraph.

LXXI. And with respect to the Offenders whose Names or Residences are not known, be it enacted, That any Officer or Servant of the Company, or any Constable or Servant of any Railway Company along or near to whose Railway any Electric Telegraph, or any of the Apparatus thereof, or any Part thereof respectively, shall or may be erected or placed, or any other Constable, and all Persons called by any such Officer, Servant, or Constable as aforesaid to his Assistance, shall or may seize or detain any Person who shall or may, in the Presence of such Officer, Servant, or Constable, have wilfully broken injured, or obstructed the working of any Electric Telegraph of or belonging to the Company, or any of the Wires, Standards, Instruments, Apparatus, or other Parts of any such Electric Telegraph, and whose Name or Residence shall be unknown to such Officer, Servant, or Constable, and shall or may convey such Offender with all convenient Speed before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Speed to the hearing and determining of the Complaint against such Offender.

Power to apprehend Offenders whose Names and Residences are unknown

LXXII. That if any Person shall wilfully or negligently break, throw down, damage, destroy, or injure any such Electric Telegraph as aforesaid, or any Wire, Standard, Apparatus, or other Part of any such Electric Telegraph, or any of the Works connected therewith, and shall not make sufficient Satisfaction for the Damage thereby done, then it shall be lawful for the Company to recover such Damages from the Person so offending as any Two Justices shall think reasonable.

Satisfaction for accidental Damage, how to be recovered.

LXXIII. That the Clauses of "The Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with and form Part of this Act.

Certain Provisions of 8 & 9 Vict. c. 20. incorporated with this Act.

LXXIV. That at any Time after the Expiration of Ten Years from the passing of this Act, the Regulations of the Company in regard to the Transmission of Messages and the opening of Streets shall be subject to the Revision of Parliament; and Parliament may then require and enforce the Adoption and Performance by the Company of such modified or other Regulations in regard to the Matters aforesaid

Power to Parliament to revise the Regulations of the Company.

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said as shall be deemed necessary for the Protection and Convenience of the Public.

Saving
Rights of
Commission-
ers of Sewers
of London.

LXXV. That nothing in this Act contained shall extend to prejudice, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers of the City of *London*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Saving
Rights of
Corporation
of London,
or the Lord
Mayor, as
Conservator
of the
Thames.

LXXVI. That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, or Franchises of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the said River *Thames* or otherwise, did or might lawfully claim, use, or exercise.

Domicile of
Corporation.

LXXVII. That, notwithstanding anything in this Act, or any of the said herein incorporated Acts, contained, the principal Place of Business of the Company, and its corporate Domicile, shall be in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*.

Interpreta-
tion of
Terms.

LXXVIII. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Expression "the Lords of the Admiralty" shall mean the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral:

The Word "Street" shall include every Highway, and other public Way, not being a Railway.

Short Title.

LXXIX. That in citing this Act in other Acts of Parliament, and in legal and other Proceedings and Instruments, it shall be sufficient to use the Expression "The *British Electric Telegraph Company's Act, 1853.*"

The British Electric Telegraph Company's Act, 1853.

The SCHEDULE referred to in the foregoing Act.

The British Electric Telegraph Company's Act, 1853.

Memorial made the _____ Day of _____ 18____, of the
Names and Descriptions of the present Shareholders of "The
British Electric Telegraph Company."

A.B. of
C.D. of
&c. &c.

I _____ of _____ One of the Directors [*or*
Secretary *or* Officer] of the said Company, do solemnly and sincerely
declare, that the above-written Memorial contains the Names and
Descriptions of the present Shareholders of the said Company, as the
same appear in the Books of the said Company; and I make this
solemn Declaration conscientiously believing the same to be true.

In case of Persons becoming Shareholders.

The British Electric Telegraph Company's Act, 1853.

Memorial made the _____ Day of _____ 18____, of
the Name and Description [*or* Names and Descriptions] of Persons
[*or* a Person] who have [*or* hath] become Shareholders [*or* a
Shareholder] of "The British Electric Telegraph Company."

E.F. of
G.H. of
&c. &c.

I _____ of _____ One of the Directors [*or*
Secretary *or* Officer] of the said Company, do solemnly and sincerely
declare, that the above-written Memorial contains the Names and
Descriptions [*or* Name and Description] of Persons [*or* a Person]
who have [*or* hath] become Shareholders [*or* a Shareholder] of the
said Company; and I make this solemn Declaration conscientiously
believing the same to be true.

The British Electric Telegraph Company's Act, 1853.

In case of Persons ceasing to be Shareholders.

The British Electric Telegraph Company's Act, 1853.

Memorial made the _____ Day of _____ 18 _____, of
 the Name and Description [*or* Names and Descriptions] of the
 Person [*or* Persons] who hath [*or* have] ceased to be a Share-
 holder [*or* Shareholders] of "The British Electric Telegraph
 Company" since the _____ Day of _____ 18 _____,
 being the Date of the last annual Memorial.

I.K. _____ of _____

L.M. _____ of _____

&c. &c.

I _____ of _____ One of the Directors
 [*or* Secretary *or* Officer] of the said Company, do solemnly and sin-
 cerely declare, that the above-written Memorial contains the Name and
 Description [*or* Names and Descriptions] of the Person [*or* Persons]
 as the same appear in the Books of the said Company, who hath [*or*
 have] ceased to be a Shareholder [*or* Shareholders] of the said Com-
 pany since the _____ Day of _____ 18 _____ [*the Date of*
the last annual Memorial]; and I make this solemn Declaration con-
 scientiously believing the same to be true.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
 Printers to the Queen's most Excellent Majesty. 1853,