



ANNO DECIMO SEXTO & DECIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## *Cap. cciii.*

An Act for granting further Powers to “The Electric Telegraph Company,” and to enable such Company to make Arrangements for the working of Telegraphs adjoining their Works.

[15th August 1853.]

**W**HEREAS by the Electric Telegraph Company’s Act, 1846, a Company was incorporated for the Purposes therein mentioned by the Name of “The Electric Telegraph Company,” and by such Act the Company was authorized to raise Six hundred thousand Pounds in Six thousand Shares of One hundred Pounds each: And whereas by “The Electric Telegraph Company’s Amendment Act, 1851,” further Power was given to the Company, and they were authorized to call in and cancel any Share upon which the Amount called on such Share had been paid, and in lieu thereof to create and issue to the Proprietor of such Share Four Shares of Twenty-five Pounds each in Manner therein mentioned: And whereas, in pursuance of the Power contained in such last-mentioned Act, the Six thousand Shares created by the first-mentioned Act have been called in and cancelled, and

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9 & 10 Vict. c. xliv.  
14 & 15 Vict. c. lxxxvi.

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Twenty-four thousand Shares of the Amount of Twenty-five Pounds each have been created and issued instead thereof: And whereas it is expedient that the Company should be authorized to increase their Capital, and that some of the Powers and Provisions of the recited Acts should be altered and enlarged: And whereas, in order to avoid Inconveniences arising from several private Acts relating to the same Undertaking being in force at the same Time, it is expedient that the recited Acts should be repealed, and that some of the Powers and Provisions thereof be amended and re-enacted or continued by this Act: And whereas such several Purposes cannot be effected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, as follows; (that is to say,)

Short Title.

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The Electric Telegraph Company's Act, 1853."

As to the Word "Street."

II. That in this Act the Term "Street" shall include any Square, Court, or Alley, Highway, Lane, Road, Bridge, Thoroughfare, or public Passage or Place, not being a Railway or Canal.

Recited Acts re-pealed.

III. That the recited Acts shall be repealed.

Company in-corporated.

IV. That on the Repeal of the recited Acts the Company shall, for the Purposes of this Act, be incorporated by the Name of "The Electric Telegraph Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, hold, and dispose of Lands and other Property for the Purposes and within the Restrictions of this Act.

Company to remain en-titled to their Property.

V. That, notwithstanding such Repeal, the existing Share Capital of the Company incorporated by the first-recited Act shall continue to be the Share Capital of the Company, and the Company shall remain and be seised and possessed of and entitled to all the Estates, Monies, Property, Patents, Patent Rights, Effects, Claims, and Demands whatsoever, of or to which the Company incorporated by the first-recited Act were, by virtue of the recited Acts, or either of them, or otherwise howsoever, immediately before the passing of this Act, seised, possessed, or in any way entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if the recited Acts had not been repealed.

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VI. Provided always, That anything in this Act contained shall not extend to relieve or discharge the Proprietors of or Subscribers to the Company respectively from any Responsibility, Contract, Duty, or Obligation, which they were subject or liable to prior to the Repeal of the recited Acts.

Act not to relieve any Proprietors from existing Liabilities.

VII. That, notwithstanding such Repeal, all Purchases, Sales, Conveyances, Assignments, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, Orders, Resolutions, Proceedings, and other Acts and Things before such Repeal made, done, entered into, executed, or instituted, under or by virtue or with reference to the Purposes of the recited Acts, or either of them, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Company, as if the recited Acts had not been repealed, and may be enjoyed, proceeded on, and enforced accordingly.

Conveyances, &c. to remain in force.

VIII. That, notwithstanding the Repeal of the recited Acts, the several Clauses whatsoever in favour of, relating to, or affecting the Company incorporated by the first-recited Act, or their Directors, Officers, or Servants, of any Act or Acts besides the repealed Acts, and which immediately before the passing of this Act were in force, shall, on and from the passing of this Act, apply to the Company and their Directors, Officers, and Servants, and shall continue and be in full force accordingly; and the Company and their Directors, Officers, and Servants may and shall accordingly, and for the Purposes of this Act be entitled to, and have, exercise, and enjoy under or by virtue of those Clauses and Provisions respectively all such Rights, Interests, Powers, Authorities, and Privileges whatsoever, as if this Act had not been passed, the Company incorporated by the first-recited Act and their Directors, Officers, and Servants, respectively, under or by virtue of the same, might be entitled to, have, exercise, or enjoy.

Provisions of other Acts to remain in force.

IX. That, notwithstanding such Repeal, any Action, Suit, Prosecution, or other Proceeding, commenced either by or against the Company incorporated by the first-recited Act, shall not abate or be discontinued, or be prejudicially affected by such Repeal, but, on the contrary, the same respectively shall continue and take effect both in favour of and against the Company in like Manner in all respects as the same would have continued and taken effect if the recited Acts had not been repealed; and all Offences against the Provisions of the recited Acts or either of them, committed before the passing of this Act, may be prosecuted, and all Penalties incurred by

Actions not to abate.

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by reason of such Offences may be sued for in like Manner in all respects as if those Acts had not been repealed.

Debts due to and by the Company to be paid to and by them respectively.

X. That, notwithstanding such Repeal, all Persons who immediately before the passing of this Act owed any Sum of Money to the Company incorporated by the first-recited Act, or to any Person on behalf of such Company, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Company; and all Debts and Monies which immediately before the passing of this Act were due or owing by or recoverable from the Company incorporated by the first-recited Act, or for the Payment of which such Company were or but for such Repeal would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Company.

Shareholders to pay Calls.

XI. That, notwithstanding such Repeal, the several Persons who immediately before the passing of this Act were Shareholders in the Company incorporated by the first-recited Act, their Heirs, Executors, Administrators, and Assigns, respectively, shall pay the Amount subscribed by them respectively, or so much thereof as at the Time of the passing of this Act had not been paid, with all Interest (if any) due or to accrue due thereon, unto the Company, when and as the same shall be called up or otherwise demanded by the Company.

Directors and Auditors of Company to remain in Office.

XII. That, notwithstanding such Repeal, the several Persons who at the Time of the passing of this Act were the Directors and Auditors of the Company incorporated by the first-recited Act shall remain in Office, and shall retire from Office in the same Rotation and Manner as that in which they would have retired if this Act had not passed.

Present Officers to continue.

XIII. That, notwithstanding such Repeal, every Officer and Servant appointed by virtue of or acting under the Authority of the recited Acts, or either of them, shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, until he be removed from such Office and Employment, and every such Officer and Servant of the Company shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains and Penalties, in all Respects whatsoever, as if he had been appointed under this Act.

Books to remain Evidence.

XIV. That, notwithstanding the Repeal of the recited Acts, all Books and Writings which, if those Acts respectively were not repealed,

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pealed, might be admitted in Evidence, shall be admissible in Evidence in all Courts of Law and Equity and otherwise, as if this Act had not passed.

XV. That "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act: Provided always, that the Incorporation with this Act of "The Lands Clauses Consolidation Act, 1845," shall not enable the Company to take Lands otherwise than by Agreement. 8 & 9 Vict. cc. 16. & 18.;

XVI. 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 always, that the Incorporation with this Act of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall not enable the Company to take any Lands otherwise than by Agreement. and 8 & 9 Vict. cc. 17. & 19. incorporated with this Act.

XVII. 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 connected therewith and with Telegraphic Communications which they may be required and willing to perform. Business of the Company.

XVIII. That nothing herein or in the said incorporated Acts contained shall in any wise 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 Moneys, 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. Act not to restrict the Liability of Shareholders.

XIX. 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 Effect of Judgments against the Company and Shareholders.

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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.

Contribution by other Shareholders.

XX. 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 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.

XXI. That

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XXI. 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 Executions, 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.

XXII. 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

Memorials  
of Names  
of Share-  
holders to  
be enrolled.

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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 *primâ 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.

XXIII. 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.

XXIV. 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.

XXV. That the Capital of the Company shall be Six hundred thousand Pounds, divided into Twenty-four thousand Shares of Twenty-five Pounds each, and such further Capital as is from Time to Time raised by Shares and otherwise under the Powers by this Act granted to the Company.

Power to borrow Money on Mortgage.

XXVI. That the Company may from Time to Time borrow on Bond, including any Sum already borrowed on Mortgage or Bond, not exceeding One hundred and fifty thousand Pounds.

Existing Mortgages and Bonds to have Priority.

XXVII. Provided always, That all Mortgages and Bonds granted by the Company before and in force at the passing of this Act, shall, until paid off, have Priority over all Bonds granted under this Act.

XXVIII. That



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XXVIII. That, in addition to the Capital of Six hundred thousand Pounds, it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present in Person, or by Proxy, at an extraordinary Meeting, to raise, by the Creation of Shares, any further Sum or Sums that they may think proper, not exceeding in the whole the Sum of Five hundred thousand Pounds.

Power to raise additional Capital by Creation of Shares.

XXIX. That whenever any Shares are newly created for augmenting the Capital of the Company, pursuant to the Provisions of this Act, they shall be offered to the then Proprietors of Shares in Proportion, as nearly as can conveniently be done, to the Shares held by them respectively.

Additional Capital to be offered in the first place to existing Shareholders.

XXX. That such Offer shall be made by Letter, under the Hand of the Secretary of the Company, given to or sent by Post to each Proprietor, or left at his usual or last known Place of Abode, or addressed to his last Address appearing in the Shareholder's Address Book by the said Companies Clauses Consolidation Act required to be kept, of which Letter having been so given or sent the Certificate of such Secretary shall be conclusive Evidence; and such newly created Shares shall vest in and belong to the Proprietors who shall accept the same and pay to the Company the Price at which the same were allotted to them, at such Times, and in such Manner, and by such Instalments as shall be fixed by the Directors.

How Offer to be made, and Shares to vest in Persons accepting Offer and paying Costs.

XXXI. That if any Proprietor fail for One Month after such Offer of newly created Shares to accept the same, or to pay any of the Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares to any Party willing to become the Purchaser thereof, for such Sum as the Company can obtain for the same, or otherwise, as they think proper.

As to Disposal of Shares not taken by the Proprietors.

XXXII. That Five Pounds shall be the greatest Amount of any Call on any One Share which the Company may make in respect of any existing Shares or on any Shares which may be created under this Act, and that Two Months at the least shall intervene between successive Calls, and the aggregate Amount of Calls to be made on any Share in any One Year shall not exceed Half of the Amount of such Share.

Call.

XXXIII. [Whereas under the Power contained in the secondly recited Act Shares in the Company of Twenty-five Pounds each have been created and issued, and upon some of such Shares Twenty Pounds each has been credited, and upon other of such Shares Five

Regulating the Calls to be made on certain Shares.

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Pounds

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Pounds each has been credited, therefore the Company shall not make any Call on any Share upon which Twenty Pounds is credited until Money to the Amount of Twenty Pounds has been paid or called up on all the Shares in the Company: Provided always, that the Owner of any Share upon which a less Amount than Twenty Pounds has been credited or paid may from Time to Time pay such further Amount upon such Share as he may think proper until Twenty Pounds has been credited or paid up thereon; and in respect of every such further Amount such Owner shall receive the same proportionate Amount of Dividend thereon as shall be paid on any other Amount credited or paid on such Share; and when any Call shall be made in respect of such Share such Payment in advance shall be placed to the Credit of the Owner of such Share in respect of such Call: Provided also, that a Copy of this Provision shall be sent to every Shareholder of the Company within One Month after the passing of this Act.

Quorum of  
General  
Meetings.

XXXIV. That in order to constitute a Meeting (whether ordinary or extraordinary) there shall be present either personally or by Proxy Five Shareholders, holding in the Aggregate not less than One Twentieth Part of the Capital of the Company.

Extraordi-  
nary Meet-  
ings.

XXXV. That the Number of Shareholders on whose Requisition an extraordinary Meeting may be required to be convened shall be Five or more Shareholders, holding in the Aggregate not less than One Twentieth Part of the Capital of the Company.

Number and  
Qualification  
of Directors.

XXXVI. That the Number of Directors shall be Ten, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Power to  
vary the  
Number of  
Directors.

XXXVII. That it shall be lawful for the Directors from Time to Time to increase or reduce the Number of Directors, provided that such increased Number do not exceed Thirty, and that the reduced Number be not less than Four.

Quorum of  
Directors.

XXXVIII. That the Quorum of a Meeting of Directors shall be Three.

Land to be  
held by  
Company  
limited.

XXXIX. That the Quantity of Land to be held by the Company at any One Time shall not exceed One hundred Acres.

Confirma-  
tions and  
Prolonga-  
tions may be

XL. That in case Her Majesty, Her Heirs or Successors, shall think fit, with the Advice of her or their Privy Council, to grant to the Company any Confirmation or Prolongation of any Letters  
Patent

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Patent or Patent Privilege, which shall or may at any Time hereafter be assigned unto or become otherwise vested in or in Trust for the Company, then and in every such Case, such Confirmation or Prolongation shall or may be granted to the Company, any Condition, Clause, Matter, or Thing in any such Letters Patent contained to the contrary thereof in anywise notwithstanding.

granted to  
the Com-  
pany.

XLI. 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 Privilege 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  
may be made  
under the  
Seal of the  
Company.

XLII. That it shall be lawful for the Company from Time to Time to lay down and place upon, along, across, or under any Street, any Pipes or Tubes not being of larger Size than Six Inches Bore, and any Wire or Apparatus which shall or may be necessary or convenient for the Purposes of any Electric Telegraph or intended Electric Telegraph, or for conveying the conducting and other Wires of such Telegraph upon, along, across, or under such Street, and from Time to Time to alter, repair, amend, and reinstate the same, and for such Purposes to break up or open the Pavement or Soil of any such Street, 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 carry, take, or place any such Pipe, Tube, Wire, or Apparatus otherwise than underground, through or 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.

Company  
empowered  
to lay Pipes  
along  
Streets.

XLIII. That

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

XLIII. That it shall not be lawful for the Company or any Person to construct or lay down below High-water Mark at ordinary Spring Tides, or on the Sea-shore 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 Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, 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 Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral may approve, such Approval being signified as last aforesaid; and where any such Work, Wires, Pipes, or Tubes, or any Buoy or Sea-mark shall have been constructed or laid down, it shall not be lawful for the Company or any Person at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work, Wires, Pipes, or Tubes, or any Buoy or Sea-mark shall be commenced, or completed, or altered, or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company or Person so acting contrary to this Act, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly with Costs of Suit.

Admiralty  
may order  
local Survey  
at Expense  
of Company.

XLIV. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral to order a local Survey and Examination of any Works of the Company under this Act, in, under, over, or across, or affecting any tidal Water or navigable River, or of the intended Site thereof, the Company or Undertakers of such Works shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company or the Undertakers of such Works, and if not paid upon Demand may be recovered as a Debt due to the Crown with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company or the Undertakers of such Works.

If Works  
affecting  
tidal Waters,  
&c. are

XLV. That if any Work to be constructed or laid down by the Company or any Person in, under, over, or across any tidal Water or navigable River, or if any Portion of any such Work which affects  
any

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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 Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition at the Cost and Charge of the Company or Person who may have constructed or laid down the same, and the Amount thereof shall be a Debt due from the Company or such Person to the Crown and be recoverable accordingly with Costs of Suit.

abandoned Admiralty may cause the same to be removed at the Cost of the Company.

XLVI. That nothing whatsoever contained in this Act or in any of the Acts herein recited or referred to shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or One of them 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 authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Provision as to the Rights of the Crown.

XLVII. Provided always, That it shall not be lawful for the Company to lay down any Pipes or Tubes 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.

Pipes not to be laid in City of London without Consent.

XLVIII. That before any Street shall be opened or broken up by the Company, they shall give to the Persons under whose Control or Management such Street may be, or their Clerk or Surveyor, Notice in Writing of their Intention to open or break up the same Three Days at least before the Commencement of such Operation.

Notice to be served before breaking up Streets.

XLIX. That every such Street shall be opened or broken up under the Superintendence of the Persons so having the Control or Management of the same as aforesaid, or their Officer, and according to such Plan as to the Depth, Course, and Direction of such Pipes or Tubes as shall be submitted by the Company to and shall be agreed upon between such Persons or their Officer, and the Company

Streets to be broken up under Superintendence.

*The Electric Telegraph Company's Act, 1853.*

or their Servants, or in case of any Difference respecting such Plan, then according to such Plan as shall be determined by a Justice; and such Justice is hereby required, on the Application of the Company, to determine the Plan according to which such Street shall be opened or broken up, provided that Three Days Notice of the Time and Place at which such Determination is to be made shall be proved to have been served on the Person having the Control or Management of the Street proposed to be broken up.

Streets broken up to be reinstated without Delay.

L. That when the Pavement or Soil of any Street shall be opened or broken up by the Company, they shall with all convenient Speed complete the Work on account of which the same shall be broken up, and fill in the Ground and make good the Pavement or Soil so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the Meantime cause the Place where such Pavement or Soil shall be so opened or broken up to be fenced and guarded, and set up and maintain upon or against the Part of the said Pavement or Soil so broken up or opened a sufficient Light during every Night during which such Pavement or Soil shall be continued open or broken up.

Penalty for Delay in reinstating Streets.

LI. That if the Company shall fail to give such Notice of Intention to break up any Street as herein-before required, or shall break up any Street without having given such Notice, or before such Plan has been agreed upon or determined as herein-before provided, or contrary in any respect to such Plan, or shall make any Delay in completing any such Work, or in filling in the Ground, or making good the Pavement or Surface so opened or broken up, or in carrying away the Rubbish so occasioned as aforesaid, or in causing to be fenced, guarded, or lighted the Place where such Pavement or Surface shall have been broken up, they shall forfeit a Sum not exceeding Five Pounds for every such Offence, and a further Sum not exceeding Five Pounds for each Day during which such Delay shall continue.

Not to interfere with the Powers of the Metropolitan Commissioners of Sewers.

LII. That 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.

In case of Delay, other Parties may

LIII. That if any such Delay as aforesaid shall take place it shall be lawful for the Persons having the Control or Management of the Street

*The Electric Telegraph Company's Act, 1853.*

Street in respect of which such Delay shall take place to cause the Matter or Thing so delayed to be done, and the Expense of doing the same, together with the Costs of recovering such Expense, to be reinstated, and recover the Expenses. recovered from the Company by Action or otherwise; and the Money so recovered shall be applied by the Persons having the Control and Management of the Street for the Purposes of the same.

LIV. That it shall not be lawful for the Company to open, break up, or otherwise interfere with any Sewer, Drain, or Watercourse under the Management or Control of the Metropolitan Commissioners of Sewers, without the previous Consent of the same Commissioners; and if it should be thought necessary by the Company that any Work should be done by them which would interfere with any Sewer, Drain, or Watercourse, the said Company shall give to the Secretary of the said Commissioners, by leaving the same at the principal Office of the Commissioners, not less than Twenty-one Days Notice of such Desire, accompanied by full Plans and Particulars of the Mode of executing any such projected Work; and if the said Commissioners shall sanction such Breaking-up or Interference, the Works shall be done under the Control of their Officer, and the Company shall abide by such Orders and Regulations as the same Commissioners shall make, in order to secure the proper Execution of any Works by the Company, the guarding against any Injury to the Drainage, or Expense to the Public: Provided nevertheless, that if before the Expiration of such Notice the said Commissioners shall not have expressed any Dissent from the Proposal of the Company, or have made any Order in the Matter, the Company may perform such proposed Work as they would otherwise be entitled to do. Company not to interfere with the Metropolitan Sewers without Consent, &c.

LV. 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 the Commissioners of Sewers of the City of *London*.

LVI. 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 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 connected with the *Thames* to be executed under the Direction of the Corporation of *London*.

LVII. That

*The Electric Telegraph Company's Act, 1853.*

Saving  
Rights of the  
Corporation  
of London.

LVII. That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, 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.

Company  
not to alter  
Position of  
Gas or  
Water Pipes,  
except Ser-  
vice Pipes.

LVIII. That it shall not be lawful for the Company to raise, sink, or otherwise alter the Position of any Watercourse, Main, or Pipe used for supplying Water to the Inhabitants of any House adjoining or near to any Pipe, Tube, or other Apparatus of such Company, nor to remove or displace any of the Mains or Pipes (other than private Service Pipes), Syphon Plugs, or other Works belonging to any Body Corporate, Company, or Society authorized to supply Water or Gas, or to do anything whereby the Passage of Water or Gas into or through any such Watercourse, Main, or Pipe shall be impeded, without the previous Consent in Writing of the Body Corporate, Company, or Society having the Control and Management of such Watercourse, Main, or Pipe, or of One of their Officers, and then only under the Superintendence of the Body Corporate, Company, or Society; and if the Company shall offend against this Provision, they shall for every such Offence forfeit and pay a Penalty of Twenty Pounds.

Company to  
reinstate  
Service  
Pipes, make  
good all  
other Da-  
mage done  
by them, and  
pay Com-  
pensation.

LIX. That the Company shall, with as little Delay as possible, reinstate all private Service Pipes that may be removed or interfered with by them, and shall make good all Damage done by them to any of the Watercourses, Mains, Pipes, or other Property of any Body Corporate, Company, or Society, and shall also make full Compensation to all Parties for any Loss or Damage which they may sustain by reason of any Interference with any Watercourse, Main Pipe, or Work of any Body Corporate, Company, or Society as aforesaid, or with any private Service Pipe of any Person supplied by them with Water or Gas; and such Compensation shall be in addition to any Penalty that may have been incurred by the Company under the Provisions of this Act.

Directions  
for laying  
Wires under  
the Metro-  
polis Roads.

LX. 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 down or construct any Works in any Part of the public  
Roads,



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*The Electric Telegraph Company's Act, 1853.*

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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.

LXI. 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 remaking 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.

LXII. 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, Waterchannel, 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 Waterchannels 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 should 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.

LXIII. 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

Precautions required to be taken during the Performance

[*Local.*]

41 I

structing

*The Electric Telegraph Company's Act, 1853.*

of the Works  
on the  
Roads.

structing the Works hereby authorized, or of performing any other Works connected 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.

LXIV. 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 re-made 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 Record at *Westminster*.

Power to  
sell or let  
Telegraphs.

LXV. That it shall be lawful for the Company to sell, let, demise, or otherwise dispose of every or any Electric Telegraph and Part of Electric Telegraph of the Company, or any Right to use the same, upon such Terms and in such Manner as to the Company shall seem fit.

Use of Elec-  
tric Tele-  
graph to be  
open to all  
Persons  
without  
Favour.

LXVI. That the Use of any Electric Telegraph erected or formed under the Provisions of this Act for the Purpose of receiving and sending Messages shall, subject to the prior Rights of Use thereof for the Service of Her Majesty and for the Purposes of the Company, and subject also to such reasonable Regulations as may be from Time to Time made or entered into by the Company, be open for the sending and receiving of Messages by all Persons alike without Favour or Preference.

LXVII. That

*The Electric Telegraph Company's Act, 1853.*

LXVII. That in case the Lords of the Committee of Privy Council for Trade, or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland* for the Time being, shall deem it necessary for Her Majesty's Service that any Electric Telegraph 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 said Lord High Admiral, or the said Commissioners, shall, by Notice in Writing given to the Company, require the Company to grant a Licence to any Person named or designated in such Notice for the Construction and Use of such Telegraph, the Company or their Assigns shall forthwith grant such Licence accordingly, upon Payment for such Construction of such Sum, either annual or in gross, as may be agreed on by the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners and the Company, or, in case of Difference of Opinion, as may be fixed by Arbitration, as herein-after is mentioned; and if the Company shall in any Case refuse or neglect to grant such Licence within Twenty-one Days after such Notice, the 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 Licences 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.

LXVIII. That, on the Request of the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners, the Company shall lay down, and from Time to Time keep in good working Order, such Lines of Wire proper for Electric Telegraphs; and in such Places (being Places where the Company are empowered to lay down such Wires) as the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners, 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 Remuneration to be paid to the 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 said Lord High Admiral, or the said Commissioners, and the Company; or if the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners, and the Company shall not agree as to the Amount of such Remuneration, either the same shall be settled by Arbitration in Manner in this Act provided, in case both Parties shall desire to enter into such Arbitration, or it

Company, if required by Board of Trade or the Admiralty, shall lay down Lines of Wire for exclusive Use of Her Majesty;

*The Electric Telegraph Company's Act, 1853.*

for that Purpose Board of Trade, &c. to exercise like Powers to those given to the Company.

it shall be lawful for the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners, 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 Lord High Admiral, or the said Commissioners, may exercise all such and the like Powers for that Purpose as are by this Act given to the Company, subject nevertheless to the like Restrictions and Conditions as are by this Act imposed on the Company, and without Prejudice to the Exercise by the Company of the Powers by this Act given to them.

Electric Telegraphs to be open to the Use of Her Majesty's Government at all reasonable Times.

LXIX. 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 the Company, their Licencees and Assigns, shall receive, take, and convey by every or any such 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 said Lord High Admiral, or the said Commissioners, 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 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 first have been transmitted.

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

LXX. 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 said Lord High Admiral, or the said Commissioners 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

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*The Electric Telegraph Company's Act, 1853.*

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aforesaid be not suspended, postponed, or deferred by reason of such Remuneration not having been then agreed on or determined.

LXXI. That in all Cases in which the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners 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 said Lords of the said Committee and the Company, or if such Disagreement be between the said Lord High Admiral or the said Commissioners and the Company, then One of such Two Persons is to be named by the said Lord High Admiral or the said Commissioners, 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 respective Successors and Assigns.

Mode of  
fixing Re-  
muneration.

LXXII. 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 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*.

Appoint-  
ment of  
Arbitrator.

LXXIII 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

Power to  
take Posses-  
sion of the  
Telegraphs  
in case of  
public Emer-  
gency.

*The Electric Telegraph Company's Act, 1853.*

to be taken of all the Telegraphs and Telegraphic Apparatus at the various Stations of the Company, their Licencees 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 Licencees 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.

Punishing  
negligent  
Officers of  
the Com-  
pany.

LXXIV. 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 any Matter or Thing whereby the Transmission or Delivery of any Message or Signal shall not take place or shall be delayed or prevented, or shall wilfully or negligently omit to do or perform any Act, Matter, or Thing, by reason whereof any Message or Signal shall not be transmitted or delivered or shall be delayed in its Transmission or Delivery, or shall improperly divulge the Purport of any such Message or Signal to any Person, every such Person shall for every such Offence forfeit a Sum of Money not exceeding Twenty Pounds.

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

LXXV. That whenever it shall appear to the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners, that any of the Provisions of this Act have not been complied with on the Part of the 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 said Lord High Admiral, or the said Commissioners, shall 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 shall, by Information, or by Action, Bill, Complaint, Suit at Law or in Equity, or other Legal Proceeding, as the Case may require, recover such Penalties or Forfeitures, or otherwise to enforce the due Performance of the said Provisions by such Means as any Person aggrieved by such Noncompliance or otherwise authorized to sue for such

*The Electric Telegraph Company's Act, 1853.*

such Penalties might employ under the Provisions of this Act: Provided always, that no such Certificate as aforesaid shall be given by the Lords of the said Committee, or the said Lord High Admiral, or the said Commissioners, until Twenty-one Days after they shall have given Notice of their Intention to give the same to the Company.

LXXVI. That if any Person shall wilfully remove, destroy, damage, or obstruct the working of 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.

Wilfully  
injuring an  
Electric  
Telegraph  
a Misdemeanor.

LXXVII. 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 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  
unknown  
Offenders.

LXXVIII. 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 acci-  
dental Da-  
mage, how  
to be reco-  
vered.

LXXIX. 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 *London or Westminster*.

Corporation  
Domicile.

LXXX. That

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*The Electric Telegraph Company's Act, 1853.*

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Power to  
Parliament  
to revise the  
Regulations  
of the Com-  
pany.

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



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*The Electric Telegraph Company's Act, 1853.*

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SCHEDULE referred to in the foregoing Act.

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The Electric Telegraph Company's Act, 1853.

Memorial made the \_\_\_\_\_ Day of \_\_\_\_\_ 185 , of the  
Names and Descriptions of the present Shareholders of "The  
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.

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*(In case of Persons becoming Shareholders.)*

The Electric Telegraph Company's Act, 1853.

Memorial made the \_\_\_\_\_ Day of \_\_\_\_\_ 185 , of  
the Name and Description [*or* Names and Descriptions] of Persons  
[*or* a Person] who have [*or* hath] become Shareholders [*or* a Share-  
holder] of "The 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.

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*The Electric Telegraph Company's Act, 1853.*


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(*In case of Persons ceasing to be Shareholders.*)

*The Electric Telegraph Company's Act, 1853.*

Memorial made the \_\_\_\_\_ Day of \_\_\_\_\_ 185 , of the  
 Name and Description [*or* Names and Descriptions] of the Person  
 [*or* Persons] who hath [*or* have] ceased to be a Shareholder [*or*  
 Shareholders] of "The Electric Telegraph Company," since the  
 Day of \_\_\_\_\_ 185 , 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 sincerely  
 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  
 Company since the Day of \_\_\_\_\_ 185 , [*the Date*  
*of the last Annual Memorial*], and I make this Declaration, con-  
 scientiously believing the same to be true.

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