



ANNO DECIMO

GEORGIIV REGIS.

Cap. xcviii.
An Act for establishing a Ferry across the River Tyne, between North Shields in the County of Northumberland and South Shields in the County of Durham, and for opening and making proper Roads, Avenues, Ways, and Passages to communicate therewith. [1st June 1829.]

WHEREAS there is at present no convenient Means of Conveyance or Communication across the River Tyne, between the Towns of North Shields in the County of Northumberland and South Shields in the County of Durham; And whereas from the greatly increased and still increasing Population of the said Two Towns of North and South Shields, there is much Necessity for convenient Means of Intercourse between the Inhabitants thereof; and it would greatly contribute to the Advantage, Accommodation, and Safety of such Inhabitants, and be of great public Utility, to have a convenient Ferry established for Carriages, Horses, Cattle, Goods, Wares, Merchandize, and other portable Articles, and Foot Passengers, over the said River Tyne, between North and South Shields aforesaid; and to have a good Road, Avenue, Way, or Passage from such Ferry at North Shields aforesaid to and into the Main Street of the Low Town of North Shields called [Local.]

Proprietors.

Duke Street, and also to have a good Road, Avenue, Way, or Passage from such Ferry at *South Shields* aforesaid to and into the Street called *Dean Street*, communicating with the Market Place in *South Shields* aforesaid: And whereas the several Persons herein-after named are willing and desirous of undertaking the Execution of the Purposes aforesaid, and of being united into a Company for that Purpose: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Robert Anderson, Richard Barker, William Barras, Richard Beall, William Beall, Thomas Bowlby, William Brown, James C Byram, Frederick Chapman, John Chapman, William Chapman, Charles Cockerill, John Crawford, John Crawford junior, Henry Dale, John Dale, John Davison, Thomas Davison, William Davison, John Fenwick, Nicholas Fenwick, Thomas Fenwick, Myles Birkitt Foster, Robert Green, Roger Hall, Joseph Harrison, John Carlen Heath, Matthew Hodgson, Thomas Rock Jones, James Laing, John Leybourne, Christopher Lumley, John Matthews, Solomon Mease, Henry Mitcalfe, William Mitcalfe, Mary Ann Millner, Robert Ormston junior, John Oyston, Thomas B Oyston, George Potts, John Reed, John Henry Richardson, Thomas Richardson, William Richardson, Richard Robson, Alexander Russell, John Sadler, Richard Shortridge, Briton Smallman, John Hart Smallman, Anthony H Smith, Robert Spence, George Thompson, John Twizell, Benjamin Cowle Tyzack, John Twizell Wawn, and William White*, and all and every such other Person and Persons, Body and Bodies Politic, Corporate, or Collegiate, as shall from Time to Time become a Subscriber or Subscribers to the said Undertaking, and be duly admitted a Proprietor or Proprietors as herein-after mentioned, their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for making, establishing, and maintaining a Ferry across the River *Tyne*, between *North* and *South Shields* aforesaid, for Carriages, Horses, Cattle, Goods, Wares, Merchandize, and other portable Articles, and Foot Passengers, with proper Roads, Avenues, Ways, or Passages to and from such Ferry, according to or consistently with the Rules, Orders, and Directions herein-after contained, and for that Purpose shall be one Body Politic and Corporate, by the Name and Style of "*The North and South Shields Ferry Company*," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or any Offence indictable by the Laws of this Realm; and shall and may have Power and Authority from Time to Time and at all Times to purchase and hold to them, and their Successors and Assigns, any Lands, Tenements, and Hereditaments for the Use of the said Undertaking, in manner by this Act directed, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and also to sell and convey any of the Lands, Tenements, and Hereditaments so purchased in manner by this Act directed.

Powers of the Company.

II. And

II. And be it further enacted; That it shall and may be lawful for the said Company, and they are hereby authorized and empowered, to establish, keep, and maintain a Ferry, consisting of One or more Steam or other Boat or Boats, Barge or Barges, Float or Floats, Raft or Rafts, or such other Vessel or Vessels as shall be sufficient and proper, for the Conveyance and Passage of Horses, Carriages, Cattle, Goods, Wares, Merchandize, and other portable Articles, and Foot Passengers, over and across the said River *Tyne*, between *North Shields* and *South Shields* aforesaid; and to erect and build Ferry Houses and proper Offices on each Side of the said River for the Habitation and Use of the Ferrymen having the Care and Management of the said Ferry so to be established as aforesaid, and for the Convenience of Persons using the same, and to make and keep in repair proper Causeways at the Landing Places of the said Ferry so to be established as aforesaid on each Side of the said River, and from Time to Time to do or cause to be done all other Things necessary and convenient for establishing, maintaining, regulating, and managing the said common Ferry, and making the same as useful and advantageous as may be; and all Persons with Carriages, Horses, Cattle, Goods, Wares, Merchandize, and other portable Articles, and all Foot Passengers, shall have free Liberty to pass over the said Ferry so to be established as aforesaid, (upon Payment of the respective Tolls hereinafter granted,) without any Hindrance or Interruption of or by any Person or Persons whomsoever.

Power to
establish a
Ferry.

III. And be it further enacted, That it shall not be lawful for the said Company, on establishing, keeping, and maintaining the said Ferry, or in making and keeping in repair the Causeways at the Landing Places of the same, or otherwise in the Execution of this Act, to do any Act, Matter, or Thing whereby the Navigation of the said River *Tyne*, or the flowing or reflowing of the Waters therein, may be impeded or obstructed.

Navigation of
River *Tyne*
not to be
injured.

IV. And be it further enacted, That it shall and may be lawful to and for the said Company to make or cause to be made a proper and commodious Road, Way, Avenue, or Passage from such new Ferry to be established by virtue of this Act, on the North Side of the said River *Tyne*, to and into the Main Street of the Low Town of *North Shields* aforesaid called *Duke Street*, and One other proper and commodious Road, Way, Avenue, or Passage from such Ferry to be established as aforesaid, on the South Side of the said River *Tyne*, to and into the Street called *Dean Street*, communicating with the Market Place in *South Shields* aforesaid; and that it shall and may be lawful to and for the said Company, for the Purpose of making the said Roads, Ways, Avenues, or Passages, and for their Agents and Workmen, to enter into and upon the Lands, Tenements, or Hereditaments belonging to any Person or Persons, Bodies Politic or Corporate or Collegiate whatsoever, through which the said intended Roads, Ways, Avenues, or Passages are to pass, and to set out and ascertain, subject to the Powers and Directions of this Act, such Parts thereof as they shall think necessary and proper for the making the said Roads; and when and so soon as the same shall be so set out and ascertained, and Compensation to the Parties interested shall

Roads to be
made.

have

of two
children
1780

Plan and
Book of Re-
ference de-
posited with
the Clerk of
the Peace to
remain, and
be open to
Inspection.

Company not
to deviate
from Plan
born

Omissions in
the Book of
Reference
not to impede
the Act.

Company re-
strained from
pulling down
Dwelling
Houses, &c.

have been agreed upon or made or tendered, as herein-after mentioned, by the said Company, then it shall be lawful for the said Company to fence off and separate the Lands, Tenements, or Hereditaments so intended for the said Roads, Ways, Avenues, or Passages, from the adjoining Lands, Tenements, or Hereditaments, with Posts and Rails, or otherwise as shall be found necessary and convenient; and the same Roads, Ways, Avenues, or Passages shall be made and at all Times afterwards maintained and repaired at the proper Costs and Charges of the said Company by and out of the Tolls by this Act granted.

And whereas a Map or Plan describing the Line of the said Roads, Ways, Avenues, or Passages, and the Lands, Tenements, or Hereditaments through which the same is to be carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Tenements, or Hereditaments, have been deposited at the Offices of the several Clerks of the Peace of the Counties of Northumberland and Durham, and the Town and County of Newcastle-upon-Tyne; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the respective Clerks of the Peace for the said Counties and Town and County, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom, paying the said Clerks of the Peace One Shilling for every such Inspection, and after the Rate of Sixpence for every Hundred Words of such Copies or Extracts; and the said Company, in making the said Roads, Ways, Avenues, or Passages, shall not deviate from the Line described in the said Map or Plan without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands, Tenements, or Hereditaments such Deviation shall be made.

VI. Provided always, and be it further enacted, That it shall and may be lawful for the said Company to make the said Roads, Ways, Avenues, or Passages into, through, across, or over the several Lands, Tenements, or Hereditaments of any Person or Persons who is or are or may be Owner or Owners or reputed Owner or Owners of Lands, Tenements, or Hereditaments over which the said Roads, Ways, Avenues, or Passages are set out and described in the said Map or Plan as last aforesaid, and to take and use the Buildings, Yards, Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, although the Name or Names of such Person or Persons may happen to be erroneously described or omitted in the said Books of Reference or Schedule, in case it shall appear to any Two or more Justices of the Peace for the said Counties of Northumberland or Durham, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake or was not wilful.

VII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower or authorize the said Company to take or pull down any Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Paddock, Park,

Lawn,

Lawn, Shrubbery, planted Walk, or Avenue to a House, or inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent of Owner. without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first obtained, other than and except such as are mentioned or intended so to be in the Schedule to this Act annexed.

VIII. And be it further enacted, That in case the said Company shall at any Time or Times hereafter think proper to widen, turn, or alter any Part or Parts of the said Roads, Ways, Avenues, or Passages, either for shortening or rendering the same more commodious to Passengers, then and so often they the said Company shall have full Power and Authority from Time to Time to widen any Part or Parts of the said Roads, Ways, Avenues, or Passages, and to divert, turn, or alter the Course or Direction of any Part or Parts thereof, or to make a new and more convenient Road, Way, Avenue, or Passage, through or over any private Lands, Tenements, or Hereditaments, with the Consent in Writing of the Owner or Owners thereof. Roads may be widened, altered, &c.

IX. And be it further enacted, That it shall be lawful for the said Company to treat, contract, and agree with such Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay respectively, as shall be or be deemed to be the Owner or Owners of or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments which may be necessary for the Purposes of this Act, or of or in any Ferry or Ferries across the River *Tyne*, for the Purchase thereof respectively, or for any Loss or Damage such Owner or Owners, or any of them, or any other Person or Persons, shall or may sustain by reason of the Execution of any of the Purposes of this Act. Company empowered to treat with Bodies Politic, &c.

X. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons, and to and for all Femmes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever, who is or are or shall be seised, possessed of, or interested in any such Lands or Grounds, Messuages, Tenements, Hereditaments, or other Property, through or over which the said Roads, Ways, Avenues, or Passages shall be made, widened, diverted, or altered, or upon which any such Ferry Houses and Conveniences shall be erected or made, or of or in any Ferry or Ferries across the River *Tyne*, to contract and agree with
[Local.] 25 H

with the said Company for the Satisfaction to be made for the same, or for any Losses or Damages to be sustained by the Execution of any of the Purposes of this Act, and to sell and convey or transfer to the said Company all or any such Lands or Grounds, Messuages, Tenements, Hereditaments, or Property, or any such Ferry or Ferries, as Occasion shall require; and all such Contracts, Sales, and Conveyances or Transfers shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; (namely,)

Form of
Conveyance
to the Com-
pany.

‘ I of in consideration of the Sum
‘ of to paid by the *North and South*
‘ *Shields* Ferry Company, do hereby grant, release, assign, and con-
‘ firm unto the said Company and their Successors all [*describe the*
‘ *Premises to be conveyed*], and all Right, Title, and Interest of, in,
‘ and to the same and every Part thereof, to hold unto the said
‘ Company and their Successors for ever, according to the true
‘ Intent and Meaning of an Act passed in the Tenth Year of the
‘ Reign of His Majesty King *George* the Fourth, intituled [*here set*
‘ *forth the Title of this Act*]. In witness whereof have
‘ hereunto set Hand and Seal, this Day of
‘ in the Year of our Lord

And all such Contracts, Agreements, Sales, Conveyances, Transfers, and Assurances as aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes, and shall operate and enure as and be a Merger of all outstanding Terms of Years, and be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, and be held and enjoyed absolutely freed and discharged therefrom.

Satisfaction
to be made
for Lands,
&c. taken.

XI. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons, who is or are seised, possessed of, or interested in any Lands or Grounds, Messuages, Tenements, or Hereditaments which may be required for the Purposes of this Act, or in any Ferry or Ferries which may be sold or transferred in pursuance of this Act, may accept and receive Satisfaction for the Value of such Lands or Grounds, Messuages, Tenements, or Hereditaments, Ferry or Ferries, and for the Losses or Damages to be sustained by the Execution of any of the Purposes of this Act, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company.

If Parties are
they may
dissatisfied,
&c., a Jury
to be im-

XII. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or any Feoffee or Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Trustees, Committees of or for any Idiot or Lunatic, or any

any Feme Covert, or any Person, whether Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or any other Person or Persons, so interested or entitled as aforesaid, cannot agree with the said Company respecting the Purchase or Transfer of any Lands, Tenements, or Hereditaments, Ferry or Ferries, or the Satisfaction to be made for any Losses or Damages that may be sustained from Time to Time by him, her, or them by or in consequence of the making or maintaining of the said Ferry, or Roads, Ways, Avenues, or Passages, or any Part or Parts thereof, or of any of the Works to be made and maintained by virtue of this Act, and shall give Notice in Writing to the Clerk or Clerks of the said Company, requiring a Jury to be summoned for the Purpose of determining such Purchase Money or Satisfaction; or if any such Body Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Trustee, or Committee, Tenant for Life or in Fee Tail, General or Special, or for Years, or any Person or Persons, so interested or entitled as aforesaid, shall, upon Notice in Writing given by the Clerk or Clerks to the said Company to the principal Officers of any such Body Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee of or for any Idiot, Lunatic, or any Feme Covert, or to such Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or other Person or Persons, so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands, Tenements, or Hereditaments, Ferry or Ferries, to be made use of for the Purposes of this Act, for the Space of Thirty Days next after such Notice, neglect or refuse to treat or shall not agree with the said Company, or by reason of Absence or otherwise shall be prevented from treating, or through Disability or Nonage, Coverture or other legal Impediment, cannot treat for themselves or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not, within the before-mentioned Space of Thirty Days, produce and fully disclose the State of the Title to the Premises which he, she, or they respectively is, are, or shall be in Possession of, and the Interest which he, she, or they respectively may claim therein; then and in every such Case the said Company shall and they are hereby empowered and required to issue a Warrant under their Common Seal, directed to the respective Sheriffs of either of the said Counties of *Northumberland* or *Durham*, as the Case may be, thereby requiring him or them to impanel, summon, and return a Jury, and such Sheriff is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four honest and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Time and Place as in such Warrant shall be appointed, such Time not being less than Fourteen or more than Twenty-eight Days after such Warrant shall be served upon the Sheriff, and Ten Days Notice at the least in Writing under the Hands of the said Company is hereby required to be given to the Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons

pannelled to
decide the
Matter in
Dispute.

as

as aforesaid interested in any such Lands, Tenements, or Hereditaments, Ferry or Ferries, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the head Officer or Officers of such Corporations, or at the House of the Tenant in Possession of such Lands, Tenements, or Hereditaments, Ferry or Ferries, of the Time and Place of the said Jury being so impannelled, summoned, and returned; and the said Sheriff is hereby required out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve of them, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid,) to make up the said Jury to the Number of Twelve; and it shall be lawful for all Persons concerned by themselves, their Counsel and Solicitors, to attend and be heard and to adduce Evidence before the said Sheriff; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is hereby empowered and required, by a Summons or Notice to be signed by him, either previous to or at the Time of any such Meeting or Meetings, to call before him all and every Person or Persons who shall be though necessary and proper to be examined as a Witness or Witnesses upon Oath touching or concerning the Premises; and the said Sheriff may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Premises in question, if there be Occasion, and to use all other Ways and Means as well for his own as for the Jury's better Information in the Premises, as the said Sheriff shall think fit; which Jury, upon their Oaths, (which Oaths, as well as the Oaths of such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, Tenements, or Hereditaments, Ferry or Ferries, or what Losses or Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Occupiers, or Person or Persons interested, for or on account of the taking such Lands, Tenements, or Hereditaments, Ferry or Ferries, by virtue of this Act, or of turning any Part or Parts of the said Roads or Accesses to the said Ferry into, over, or through the same Lands, Tenements, or Hereditaments, and shall assess separate Damages for the same; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Company to the said Owners or Occupiers of or other Person or Persons interested in the said Lands, Tenements, or Hereditaments, Ferry or Ferries, according to such Verdict or Inquisition of the said Jury, and give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, and shall be binding, final, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail,

Tail, for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Court, any Law or Statute to the contrary thereof notwithstanding.

XIII. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, and Person or Persons, requesting a Jury to be summoned, shall (before such Warrant shall be issued for that Purpose) enter into a Bond, with Two sufficient Sureties, to the Clerk or Treasurer of the said Company, in a Penalty of One hundred Pounds, with Condition to pay and bear the Costs and Expences of summoning such Jury as they respectively are by this Act directed to pay, and taking such Verdict in case the same shall be given for no greater or for a less Sum than had been offered by or on behalf of the said Company before the impannelling, summoning, and returning the said Jury or Juries, for the Purchase of or as a Recompence for any Lands, Tenements, or Hereditaments, Ferry or Ferries, or as a Compensation for any Losses or Damages, or in case no Verdict shall be found for Damages, where the whole Dispute was whether any Damages were or were not done as aforesaid.

Persons
requesting
Juries to
enter into
Bonds.

XIV. And be it further enacted, That if any Sheriff or Sheriffs shall make Default in the Premises, they shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster* by the said Company, or by such other Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons interested in the Matter in question; and if any Person so impannelled, summoned, and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act; and if any Person or Persons summoned to give Evidence before the said Jury touching the Premises shall neglect or refuse to appear after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, or shall not allege a sufficient Excuse to the said Sheriff for not appearing, or appearing shall refuse to be sworn and examined or to give Evidence; then and in every such Case such Person so offending, upon Proof thereof made before One or more of His Majesty's Justices of the Peace for the said respective Counties of *Northumberland* or *Durham*, upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice or Justices; and in case any such Penalty shall not forthwith be paid, it shall and may be levied, by virtue of any Warrant

Penalty on
Sheriffs,
Jury, or
Witnesses
for Default.

under the Hand and Seal of the said Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty as shall be paid by or recovered from any Person who shall be impannelled, summoned, and returned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice or Justices to be injured by Default of such Persons.

For punishing Persons giving false Evidence.

XV. And be it further enacted, That all and every Person or Persons who in any Examination to be taken upon Oath by virtue of this Act shall wilfully give false Evidence or otherwise forswear themselves before any such Jury, or before any Justice or Justices of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Company not to take Notice of any Complaint unless previous Notice given to their Clerk.

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

Expences of Juries.

XVII. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money as a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or any Person or Persons unknown, or as Compensation for any Losses or Damages done or to be done to any Lands, Tenements, Hereditaments, or other Property, than had been previously offered by or on behalf of the said Company, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, or where no Compensation or a smaller Sum than shall be given by such Verdict had been previously offered or tendered in respect thereof by or on behalf of the said Company, or where by reason of Absence in Foreign Countries, or other Impediments or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation from the said Company as herein-before mentioned, then and in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled by such Sheriff, and defrayed by the said Company; and in case such Costs shall not be paid by the said Company within Thirty Days after the same shall be demanded,

the same shall and may be levied, by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting in and for the said Counties of *Northumberland* or *Durham*, as the Case may be, by Distress and Sale of the Goods and Chattels of the said Company, in whatever County such Goods and Chattels may be; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the said Company, or for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to or receive Compensation from the said Company by any Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, in which Case such Costs and Expences shall be paid by the said Company,) the Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled in like Manner by the said Sheriff so impannelling, summoning, and returning such Jury and taking such Verdict, and be borne and paid in the Manner following; (that is to say,) one Moiety or Half Part of such Costs and Expences shall be borne and paid by the said Company, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons with whom the said Company shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, Spiritual or Lay, Ecclesiastical or Civil, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

XVIII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, for the Purchase or Transfer of any such Lands, Tenements, or Hereditaments, Ferry or Ferries, or as a Compensation for Losses or Damages as herein-before mentioned, to the Proprietor or Proprietors of such Lands, Tenements, or Hereditaments, Ferry or Ferries, or to such other Person or Persons as shall be interested therein or entitled to receive such Purchase Money or Compensation respectively, or to his, her, or their Agent or Agents, or depositing the same in the Bank of *England* in manner by this Act directed, as the Case may be, it shall be lawful for the said Company, and their

Lands to vest in the Company on Payment or Tender of the Value.

Agents,

Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, or Hereditaments, Ferry or Ferries respectively, and then and thereupon such Lands, Tenements, or Hereditaments, Ferry or Ferries, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company for the Purposes of this Act for ever; and such Tender, Payment, or Deposit shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion, Remainder, Expectancy, or otherwise, to his, her, or their Issue, and of all and every other Person and Persons interested therein: Provided nevertheless, that before such Payment, Tender, or Deposit as aforesaid shall be made, it shall not be lawful for the said Company, or any Person or Persons acting under or by virtue of their Authority, to dig or cut or otherwise affect any Lands, Tenements, or Hereditaments of the Person or Persons entitled to such Payment, for the Purpose of establishing the said Ferry or making Causeways thereto, or of making the Roads, Ways, Avenues, or Passages in pursuance of this Act, without the Leave and Consent of such Person or Persons respectively.

Verdicts of
Juries to be
recorded.

XIX. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the respective Clerks of the Peace or other Person or Persons having the Custody of the Records of the Quarter Sessions of the Peace of the said Counties of *Northumberland* or *Durham*, and shall be deposited with and be deemed to be Records of such Quarter Sessions to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so on in proportion for any greater or less Number of Words.

Application
of Purchase
Money when
amounting
to 200*l.*

XX. And be it further enacted, That all Sum and Sums of Money which are to be paid to any Bodies Politic, Corporate, Collegiate, Spiritual, Lay, Ecclesiastical, or Civil, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, acting as Guardians, Committees, or other Trustees, for or on behalf of any Lunatics, Idiots, Femes Covert, or other Cestuique Trusts, or to any Person or Persons whose Lands or Hereditaments, Ferry or Ferries, are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, for the Purchase or Transfer of or for the Damage to be done to any such Lands, Tenements, or Hereditaments, Ferry or Ferries, by virtue or in consequence of the Powers in this Act contained, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant-General of the Court of Exchequer, to be placed to his Account *ex parte* the Company under this Act, pursuant to the Method

Method prescribed by an Act made in the First Year of the Reign of King George the Fourth, intituled *An Act for the better securing 1 G. 4. c. 35.* *Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, according to the General Orders of the said Court, without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, Ferry or Ferries, in the Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, Ferry or Ferries, or affecting other Lands, Tenements, or Hereditaments, Ferry or Ferries, standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such Uses, Trusts, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, Ferry or Ferries, which shall be so purchased, taken, used, or injured as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Proceeds of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, Ferry or Ferries, so hereby directed to be purchased, in case such Purchase and Settlement were made.

XXI. Provided always, and be it further enacted, That if any Money so agreed and awarded to be paid for any Lands, Tenements, or Hereditaments, Ferry or Ferries, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under Disability or Incapacity as aforesaid, or on account of any Damage to be done or occasioned to any such Lands, Tenements, or Hereditaments as herein-before mentioned, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Ferry or Ferries, so purchased, taken, used, or injured, in respect whereof the same shall be paid, or of his, her, or their Guardian or

Application of Purchase Money when less than 200*l.*, and amounting to 20*l.*

[*Local.*]

25 K

Guardians,

Guardians, Committee or Committees, in case of Infancy or Lunacy, Trustee or Trustees, Receiver or Receivers, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Company, (such Nomination and Approbation to be signified in Writing under the Hands of the Parties nominating such Trustees, and under the Common Seal of the said Company,) in order that such Principal Money and the Dividends arising thereon may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application
when less
than 20l.

XXII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last above-mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Ferry or Ferries, in respect whereof the same shall be paid, in such Manner as the said Company shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Company shall direct the same to be paid shall be sufficient Discharges for the same.

Directing
how Money
is to be paid
in case of
Failure of
Title, &c.

XXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, or in case the Person or Persons entitled to such Lands, Tenements, or Hereditaments, Ferry or Ferries, be not known or discovered, then and in such Case it shall and may be lawful to and for the said Company to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, Ferry or Ferries, (describing them,) subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be placed out and invested in the Public Funds, or to order Distribution thereof, or Payment of the

Dividends

Dividends thereof, according to the respective Estate, Title, or Interest of the Person or Persons making claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of the Lands, Tenements, or Hereditaments, Ferry or Ferries, or of any Estate, Right, or Interest in the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased in pursuance thereof, or to the Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, Ferry or Ferries, in respect whereof such Money shall have been so paid, at the Time of passing this Act, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Ferry or Ferries, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, or that such Person or Persons was or were not lawfully entitled to such Lands, Tenements, or Hereditaments, Ferry or Ferries, or to some Estate or Interest therein.

Where any Question shall arise as to the Title to Money, the Person who shall be in Possession of the Lands, &c. to be deemed entitled thereto.

XXV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Company out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXVI. And be it further enacted, That every Tenant of the Lands, Tenements, or Hereditaments, Ferry or Ferries, to be purchased

Tenants to deliver Possession after

Three
Months
Notice.

chased or taken for the Purposes of this Act, shall deliver up the Possession of the same to the said Company, or to such Person or Persons as they shall appoint to take Possession thereof, upon receiving Three Calendar Months Notice to quit such Possession from the Clerk or Clerks to the said Company, or from the Person or Persons so authorized by them to take such Possession; and the Person or Persons in Possession shall at the End of the said Three Calendar Months, whether such Notice be given with reference to the Time or Times of such Tenant's holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Company, or to the Person or Persons authorized by them to take Possession thereof (such Authority being signified under the Hand of the Clerk of the said Company): Provided always, that the said Company shall make such Recompence and Satisfaction to the said Tenants or Occupiers as the said Company shall think fit and reasonable; and in case of any Dispute concerning the same, such Recompence and Satisfaction shall be settled and ascertained in such and the like Manner as the Recompence and Satisfaction to be made by the said Company for the Purchase of any Lands, Tenements, or Hereditaments, Ferry or Ferries, for the Purposes of this Act, are herein directed to be ascertained and settled; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, (all such reasonable Satisfaction being first made and tendered,) it shall be lawful for the said Company to issue their Warrant or Warrants under their Common Seal to the Sheriff of the said Counties of *Northumberland* or *Durham*, as the Case may be, to deliver Possession of the said Premises to such Person or Persons as shall in such Warrant or Warrants be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the Issuing and Execution of such Warrant or Warrants on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Power to
purchase
without Con-
sent to de-
termine in
Five Years.

XXVII. Provided always, and be it further enacted, That after the Expiration of Five Years from the passing of this Act the said Company shall not be at liberty to purchase any Lands, Tenements, or Hereditaments, without the Consent of the Owner or Owners thereof; and in case any Purchase or Purchases shall be so made with the Consent of the Owner or Owners, such Purchases shall be completed, subject to the Regulations and Provisions of this Act, in the same Manner as if the same had been made before the Expiration of the said Five Years.

Enabling the
Company
to sell Lands
not wanted.

XXVIII. And whereas, by means of the Purchases which the said Company are empowered or authorized to make by virtue of this Act, they may happen to be seised of more Land, Tenements, or Hereditaments than will be necessary for effecting the Purposes of this Act, or may not use the Land, Tenements, or Hereditaments purchased for the Purposes of this Act; be it therefore further enacted, That it shall and may be lawful for the said Company to sell and dispose of any Piece or Pieces of such Land, Tenements,

Tenements, or Hereditaments, either together or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same; and all such Sales and Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary thereof notwithstanding: Provided always, that the said Company, before they shall sell and dispose of any such Piece or Pieces of Land, Tenements, or Hereditaments, shall first offer to sell the same to the Person or Persons being the Proprietor or Proprietors of the adjoining Lands, Tenements, or Hereditaments; and such Person or Persons, in case he, she, or they shall be desirous of purchasing the same, shall signify such his, her, or their Desire and Intention in that Behalf to the said Company, through their Clerk, within Ten Days after such Offer of Sale shall have been made; and in case such Person or Persons shall refuse or decline to avail himself, herself, or themselves of such Offer, or shall neglect or omit to signify his, her, or their Desire and Intention to purchase such Lands, Tenements, or Hereditaments, or Piece or Pieces thereof, for the Space of Ten Days, then and in every such Case an Affidavit made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said Counties of *Northumberland* or *Durham*, by some Person or Persons not interested in such Lands, Tenements, or Hereditaments, stating that such Offer was made by or on behalf of the said Company, and that such Offer was refused or declined or was not accepted or agreed to by the Person or Persons to whom the same was made within the said Space of Ten Days from the Day or Time of making the same, shall in all Courts whatever be sufficient Evidence and Proof that such Offer was made, and was refused or declined or was not accepted and agreed to within the Time aforesaid by the Person or Persons to whom such Offer was made, as the Case may be; and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they, and the said Company, shall differ or shall not agree with respect to the Price thereof, then and in such Case the Price or Prices thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Premises wanted by the said Company for the Purposes of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in and by this Act is directed with respect to Purchases made by the said Company, *mutatis mutandis*.

Lands intended to be resold to be first offered to Proprietors of adjoining Lands.

XXIX. Provided always, and be it further enacted, That upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, it shall be lawful for the Person or Persons acting as Treasurer or Treasurers for the Time being to the said Company to sign and give Receipts for the Money for which the same shall be sold; which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received;

Treasurers upon Payment of Money to give Receipts.

[*Local*.]

25 L

and

and such Purchaser or Purchasers shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof, whether or not such Treasurer or Treasurers shall have been duly appointed to such Office, or shall be duly qualified according to the Directions of this Act.

Whole of
Expence to
be subscribed
before Ferry
is com-
menced.

XXX. And whereas the probable Expence of making and establishing the said Ferry will amount to the Sum of Nine thousand nine hundred and fifty Pounds, and more than Four Fifths thereof have been already subscribed by several Persons under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it further enacted, That the whole of the said Sum of Nine thousand nine hundred and fifty Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

If Ferry, &c.
not com-
pleted in
Five Years,
Power to
cease, except
as to such
Part, if any,
as shall be
completed.

XXXI. Provided always, and be it further enacted, That in case the said intended Ferry, with the Roads, Openings, and Avenues thereto, and other Works, shall not have been completed and made within the Space of Five Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Five Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said intended Ferry, Roads, Openings, Avenues, and other Works as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said Counties of *Northumberland* and *Durham* respectively assembled at any Quarter Sessions of the Peace to be holden in and for the said Counties, at any Time before the Expiration of the Term of Five Years, or within Six Calendar Months next after the Expiration thereof; and it shall be lawful for such Justices to inquire respecting the Premises upon the Evidence of One or more Witness or Witnesses upon Oath or Affirmation, and such Justices shall declare and certify the same accordingly.

Empower-
ing the Com-
pany to raise
a Capital or
Joint Stock.

XXXII. And be it further enacted, That it shall and may be lawful for the said Company to raise and contribute amongst themselves a competent Sum of Money for making and completing the said Ferry, Roads, Openings, Avenues, and other Works, not exceeding in the whole the Sum of Nine thousand nine hundred and fifty Pounds; and the Money so to be raised and contributed shall be and is hereby declared to be the Joint Stock or Fund of the said Company, and shall be laid out and applied, in the first place, for and towards Payment, Discharge, and Satisfaction of all Fees and Disbursements for obtaining and passing this Act, and for making the Surveys, Plans, and Estimates preparatory and incident thereto, and all other Expences relating to the same; and all the Residue and Remainder thereof shall be used and applied in, for, and towards the making and completing the said Ferry and other Works, and in carrying on the said Undertaking, and for other the Purposes of this Act, and to and for no other Use, Intent, or Purpose whatsoever.

XXXIII. And

XXXIII. And be it further enacted, That the said Capital or Joint Stock shall be divided and distinguished into equal Parts and Shares of Fifty Pounds each, and such Shares shall be numbered in numerical Progression; and such Shares shall be and are hereby vested in the said several and respective Subscribers, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Behoof respectively; and all Persons, and Bodies Politic, Corporate, and Collegiate, and their several and respective Executors, Administrators, Successors, and Assigns, who shall severally subscribe for One or more such Share or Shares, and who shall pay the said Sum of Fifty Pounds *per* Share, or such Sum or Sums as shall be demanded in lieu thereof, for or towards the carrying on and completing the said Undertaking and other the Purposes of this Act, and other Persons who shall be or become legally possessed of any such Share or Shares, shall be deemed to be Proprietors or a Proprietor of the said Undertaking and of the Capital or Joint Stock of the said Company, and shall be entitled to and shall receive, after the said Ferry and other Works shall be completed, a proportionate Part of the Profits and Advantages that shall and may arise and accrue by the Rates and other Sums of Money to be raised, recovered, and received by or under the Authority of this Act, according to the Number of Shares so respectively paid for or possessed; and every Body Politic, Corporate, and Collegiate, or Person or Persons, having or holding any such Share or Shares as aforesaid, shall bear and pay an adequate proportionable Sum of Money towards carrying on the said Undertaking, in manner herein enacted, directed, and appointed.

The Money
to be divided
into Shares.

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

Shares to be
Personal
Property.

XXXV. And be it further enacted, That the several Persons, and Bodies Politic, Corporate, or Collegiate, who have subscribed for or agreed to advance, or who shall hereafter subscribe for or agree to advance, any Money for or towards any of the Purposes of this Act, shall and they are hereby required to pay the Sum or Sums of Money by them respectively so subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company or their Committee under and by virtue of the Powers and Directions of this Act, to such Person or Persons, and in such Manner, and at such Times and Places as shall be directed by the said Company or their Committee in manner herein-after mentioned; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in manner required for that Purpose, it shall and may be lawful for the said Company to sue for and recover the same, with legal Interest thereon from the Time appointed for the Payment thereof, and with full Costs of Suit, in any Court of Law or Equity.

For compel-
ling Payment
of Subscrip-
tions.

XXXVI. And

Power to
raise Money
by Mortgage.

XXXVI. And be it further enacted, That in case the said Company shall be desirous to raise Money by Mortgage of the said Ferry and Undertaking, for completing or carrying on the same, then and in such Case it shall be lawful for the said Company to borrow and take up at Interest of and from any Person or Persons who shall be willing to advance and lend the same, upon the Credit of the said Undertaking, any such Sum or Sums of Money, not exceeding the Sum of Five thousand Pounds, as to them shall seem meet and convenient; and they are hereby authorized and empowered to assign and make over the said Ferry and Works, and the Rates and Tolls to arise by virtue of this Act, or any Part thereof, as a Security for any Sum or Sums of Money so to be borrowed, with Interest, to the Person or Persons who shall advance the same, or to his, her, or their Trustee or Trustees, by Deed of Mortgage according to the Form following; (that is to say,)

Form of
Mortgage.

‘ WE, the Company of Proprietors of the *North and South Shields*
‘ Ferry, in consideration of the Sum of
‘ to us paid by *A. B.* of do hereby, by virtue of an
‘ Act passed in the Tenth Year of the Reign of King *George* the
‘ Fourth, [*set forth the Title of this Act,*] bargain, sell, and transfer
‘ unto the said *A. B.* all and singular the Rates and Tolls arising by
‘ virtue of the said Act, and also the said Ferry, and all the Right,
‘ Title, and Interest of us the said Company of, in, and to the same,
‘ to hold unto the said *A. B.*, his Executors, Administrators, and
‘ Assigns, until the said Sum of , together with
‘ Interest for the same after the Rate of *per Centum*
‘ *per Annum*, shall be fully paid and discharged. Given under our
‘ Seal the Day of .’

And all and every Person and Persons to whom such Mortgage or Mortgages shall be made shall be equally entitled as Mortgagee or Mortgagees to his, her, or their Proportion or Proportions of the said Rates, Tolls, and Premises, according to his, her, or their respective Sums in such Mortgages mentioned to be advanced, without any Preference by reason of the Priority of Date of any such Mortgage, or on any other Account whatsoever; and the Money so to be borrowed is hereby directed and appointed to be laid out and applied for and towards the making, completing, and maintaining the said Ferry, and other the Purposes of this Act, and to no other Use or Purpose whatsoever; and an Entry or Memorial of every such Mortgage, containing the Date thereof, and an Account of the Name or Names of the Party or Parties, with their proper Additions, to whom the same shall have been made, and of the Sum of Money borrowed, together with the Rate of Interest to be paid thereon, shall within Forty Days next after the Date thereof be written and inserted (*gratis*) in One or more Book or Books to be kept for that Purpose by the Clerk to the said Company; which Book or Books shall and may be perused at all seasonable Times by the Proprietors and Creditors of the said Ferry, without Fee or Reward; and every such Mortgagee or Mortgagees, and all and every Person and Persons to whom any such Mortgage or Mortgages shall be transferred or assigned, or shall be entitled to the Money thereby secured, may from Time to Time assign and transfer his, her, or their Right, Title, Interest, or Benefit

to his, her, or their Mortgage or Security, to any Person or Persons whomsoever; which Transfer shall and may be made according to the Form following; (that is to say,)

‘ I *A. B.* of in consideration of the Sum of
 ‘ paid by *C. D.* of do hereby transfer a certain
 ‘ Mortgage made by the Company of Proprietors of the *North* and
 ‘ *South Shields* Ferry, Number being dated the
 ‘ Day of for securing the Principal Sum of
 ‘ and the Interest now due and hereafter to become due thereon,
 ‘ and all my Right and Property therein, to the said *C. D.*, his
 ‘ Executors, Administrators, and Assigns. In witness whereof I have
 ‘ hereunto set my Hand and Seal, this Day of
 ‘ in the Year of our Lord .’

Form of
Transfer.

And every such Transfer shall within Forty Days after the Date thereof be produced and certified to the Clerk to the said Company, who shall thereupon cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sums of Money thereby transferred, in the said Book or Books to be kept for entering the said original Mortgages, for which last-mentioned Entry such Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry made, every such Assignment shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and it shall not be in the Power of any Person or Persons who shall have made any such Assignment or Assignments at any Time afterwards to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; and the Interest of the Money to be so borrowed by Mortgage as aforesaid shall be paid from Time to Time to the several Persons entitled thereto, in preference to any Interest or Dividends due and payable by virtue of this Act to the said Company, or to any of them.

The Interest
of the Money
borrowed to
be paid in
preference to
Dividends.

XXXVII. And be it further enacted, That it shall be lawful for the said Company to borrow of and from the Commissioners for carrying into execution an Act of Parliament made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on public Works and Fisheries; and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, such Sum or Sums of Money as the said Company may deem expedient for the Purposes of this Act, upon Mortgage or Assignment of the said Undertaking and of all Tolls authorized to be collected and received by this Act; subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said Act of the Third Year of His present Majesty, and the Acts therein recited and referred to, and in such Form as the said Commissioners for the Issue of Exchequer Bills shall direct and appoint.

To enable
Company to
borrow Ex-
chequer Bills
on the Credit
of the Act.

XXXVIII. And be it further enacted, That any Mortgage or Assignment which shall be given by the said Company to the said
 [Local.] 25 M Commissioners

Exchequer
Bill Com-
missioners to

**have Priority
over Securities
granted
by Company.**

Commissioners for the Issue of Exchequer Bills shall have Priority over and shall precede all other Mortgages or Securities granted by the said Company, any thing in this Act, or in any Mortgage or Security which shall hereafter be granted as aforesaid, to the contrary in anywise notwithstanding.

First and other General Meetings.

XXXIX. And be it further enacted, That the said Company shall hold their First Meeting at some convenient Place within the Town of *North Shields* aforesaid on the Third *Friday* after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten in the Morning and Two in the Afternoon; and the Proprietors of the said Undertaking then and there assembled shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time and from Place to Place as they shall think fit; and from and after the said First General Meeting there shall be a General Meeting of the said Company on the Second *Friday* in the Month of *June* in each and every Year, or on some other Day within the Space of Fourteen Days next following, in case the Company shall at any Time or Times appoint such other Day; and it shall also be lawful to hold such and so many Special General Meetings of the said Proprietors as shall be called as herein-after provided; and of all such General Meetings (except General Meetings held on the said Second *Friday* in the Month of *June*), and of all Special General Meetings, public Notice shall be given, Ten Days at least before the Day of holding the Meeting, Once at least by Advertisement in some Newspaper published in the Town and County of *Newcastle-upon-Tyne* or in the Counties of *Northumberland* or *Durham*, and which Notice of every Special General Meeting shall specify the Purpose for which any such Special General Meeting is called; and all such General Meetings and Special General Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and all and every the Proprietors of the said Undertaking shall be entitled to vote at every such Meeting, and to give One Vote for and in respect of each and every such Share (not exceeding Five Votes to each Proprietor); which Vote or Votes shall and may be given by him, her, or them personally, or by his, her, or their Proxy or Proxies duly constituted under the Common Seal of any Corporation, or under the Hand of any other such Person or Persons, or in case of the Infancy or Lunacy of any such Person or Persons, then under the Hand or Hands of his, her, or their Guardian or Guardians, Committee or Committees, as the Case may be, every such Proxy being a Proprietor of the said Undertaking; and every such Vote by Proxy shall be as good and valid to all Intents and Purposes as if such Principal or Principals had voted in person; the Appointment of which Proxies may be made according to the Form or Effect following:

Form of Proxy.

I of being
a Proprietor of Share [or of
Shares, as the Case may be,] in the Capital or Joint Stock of the
North and South Shields Ferry Company, do hereby nominate, con-
stitute, and appoint of
to be my Proxy, in my Absence to vote or give my Assent or Dis-
8 sent

‘ sent to any Business, Matter, or Thing relating to the Affairs of the
 ‘ said Company which shall be mentioned or proposed at any Meeting
 ‘ of the said Company, in such Manner as the said
 ‘ shall think proper, according to his Opinion and Judgment, for the
 ‘ Benefit of the said Company or their Undertaking or any thing
 ‘ appertaining thereto. In witness whereof I have hereunto set my
 ‘ Hand, the Day of
 ‘ in the Year of our Lord One thousand eight hundred and .’

And every Election of Committees and Officers, and every Question, Matter, and Thing whatsoever which shall be proposed, discussed, or considered in any General or Special Meeting of the said Company to be held by virtue of this Act, shall be finally determined by the Majority of Votes then present by Principals and Proxies, computing One Vote for every Fifty Pounds Share; but no Proprietor shall be entitled to give more than Five Votes on any One Question, although such Proprietor may be possessed of or entitled to more than Five Shares in the Undertaking; and no Person shall be Proxy for more than Five absent Proprietors nor for more than Twenty Shares; and at every such Meeting One of the Proprietors then present shall be appointed Chairman, who shall not only be entitled to vote according to his Number of Shares as a Proprietor and as a Proxy, but in case of an Equality of Votes upon any Question shall also give and be entitled to give as such Chairman another or the decisive and casting Vote: Provided always, that for the Purpose of constituting a Meeting as aforesaid there shall be Proprietors present (as Principals or Proxies) who together shall be possessed of One hundred Shares at the least.

All Questions
to be decided
by the Ma-
jority of
Votes.

XL. And be it further enacted, That the said Company at their First General Meeting, or at some Adjournment thereof, or at any Special General Meeting, shall or may choose, elect, and appoint Seven or more Members of the said Company to be the first Committee of Directors for managing the Affairs of the said Company, Five of which shall be a Quorum.

Committee
of Directors
to be ap-
pointed.

XLI. And be it further enacted, That the several Persons so elected and appointed the first Committee of Directors shall continue in Office and be respectively Members of the said Committee until the General Annual Meeting of the said Company which shall be held in the Month of *June* in the Year of our Lord One thousand eight hundred and thirty, or within Fourteen Days thereof as aforesaid, and until other Proprietors of the said Undertaking shall be appointed in their or any of their Stead as herein-after mentioned; and at such General Annual Meeting of the said Company, and also at every succeeding General Annual Meeting, or at some Adjournment thereof respectively, Seven Proprietors of the said Undertaking shall be elected and appointed to be the Committee of Directors for the ensuing Year for managing the Affairs of the said Company; and the respective Members of every such Committee shall continue in their Offices until the ensuing General Annual Meeting of the said Company, in case they shall so long continue Proprietors of the said Undertaking, and also until others or another shall be duly elected into

Committee
to serve until
the next
General
Yearly
Meeting.

Committee
to be annu-
ally elected.

into their or any of their Places, in case they shall continue Proprietors respectively; but every or any Member of any such Committee whose Office shall have expired shall nevertheless be re-eligible and may be re-elected a Member of the Committee of Directors for the ensuing Year: Provided always, that no Person holding any Office, Place, or Employment, or being concerned in any Contract or Contracts, under the said Company, shall be capable of being chosen to serve or of serving on any such Committee.

For supply-
ing Vacan-
cies in Com-
mittee.

XLII. And be it further enacted, That when and so often as any Member of the Committee of Directors to be elected by virtue of this Act shall die or be otherwise disqualified from acting as a Member of such Committee, or shall by Writing under his Hand, delivered to the Clerk of the said Company, decline or refuse to act, it shall be lawful for the said Committee of Directors, or for the remaining Members thereof, to elect some other Proprietor to be a Member of such Committee; and every such Proprietor so elected to fill any such Vacancy shall continue in his Office as a Member of the said Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued had he lived or continued a Proprietor of a Share in the said Undertaking.

General
Meetings
for choosing
Committees
to consist of
One hun-
dred Shares.

XLIII. Provided always, and be it further enacted, That if at any General Meeting there shall not be Proprietors present who together shall be possessed of or entitled to One hundred Shares or upwards in the said Undertaking, either as Principals or Proxies, no Choice of a Committee shall be made, nor shall any Order, Bye Law, Rule, or Regulation be made or altered at that Time, but in such Case such General Meeting shall stand adjourned to that Day Fortnight, to be held at the same Place; and if a sufficient Number of Proprietors, as Principals or by Proxies, shall not then attend, then such General Meeting shall stand adjourned to that Day Fortnight, and so on from Time to Time as often as it shall so happen, and until at any such General Meeting there shall be a sufficient Number as aforesaid of Proprietors or Proxies present, and such Choice of such Committee shall then take place and not before; and the Committee last appointed shall continue to act, and have the same Powers as they had and were possessed of, until a new Committee shall be appointed as aforesaid.

Special
Meetings of
Proprietors
may be con-
vened.

XLIV. And be it further enacted, That One Fifth or more in Number of the said Proprietors of the said Undertaking may at any Time, by Writing under their Hands left at the Office of the said Company, or given to any Member of the said Committee of Directors, or their Clerk or Clerks, or left at his or their last or usual Place of Abode, require the Committee of Directors to call a Special General Meeting of the said Company, and such Requisition shall fully express the Objects for which such Special Meeting is required to be called; and the said Committee of Directors shall thereupon call such Meeting by Advertisement in some Newspaper published or circulated in the Town and County of *Newcastle-upon-Tyne* or either of the Counties of *Northumberland* or *Durham*, specifying that such Meeting will be held on some Day within Twenty-one Days after the Date of Publication

Publication of such Newspaper ; and in case of Neglect or Refusal of the said Committee for the Space of Ten Days to call such Meeting by Advertisement as aforesaid, then it shall and may be lawful for such One Fifth or more Proprietors to call such Special General Meeting by Advertisement in some Newspaper published or circulated in the said Town and County or Counties, specifying the Objects for which such Special General Meeting is so called, and appointing the same to be held within Twenty-one Days after the Date of Publication of such Newspaper ; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors of the said Undertaking as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters only specified in such Notice as aforesaid ; and all such Acts of the Proprietors, or the major Part of them, assembled at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

XLV. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any such General or Special Meeting as aforesaid, to make such Orders, Bye Laws, and Rules as to the Proprietors assembled thereat shall seem right and proper for the good Government of the said Undertaking, and for regulating the Proceedings of their Committee of Directors, and for the Regulation of all Officers, Workmen, and Servants to be employed in or about the Affairs of the said Company, and for the well and orderly Superintendence, Conduct, and Management of the said Ferry, and other Works and Conveniences belonging or requisite thereunto, and for regulating the Commencement, Continuance, Suspension, Cessation, Time, and Order of the passing and repassing of the Boats, Barges, or other Vessels to be employed in such Ferry, and the Structure, Dimensions, Form, and Manner of building and constructing such Boats, Barges, and other Vessels as shall be from Time to Time used on such Ferry, and of the Oars, Poles, Wheels, Engines, and other Implements to be used about or with the same respectively, and for the Superintendence and Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Orders, Bye Laws, and Rules or Regulations, or any of them, and to make others, and to impose and inflict any reasonable Fines and Forfeitures upon all Persons offending against the same, not exceeding the Sum of Five Pounds for any One Offence, such Fines and Forfeitures to be levied and recovered by such Ways and Means as are herein-after mentioned ; which said Orders, Bye Laws, and Rules, or such of them as shall concern or relate to the using of the said Ferry, and the Works and Conveniences and the Roads and Ways belonging thereto, or to the Conduct and Behaviour of Boatmen, Watermen, Bargemen, Ferrymen, and others conveying Goods thereby, or to the Conduct or Behaviour of any Officers, Servants, or other Persons employed in or about the said Ferry, or of the Persons resorting to or making use thereof, being reduced into Writing under the Common Seal of the said Company, and printed and published and painted on Boards in large Characters, shall be hung up and

General Meetings may make Bye Laws, &c.

[Local.]

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affixed

affixed on the Front of the several Toll Houses to be erected on each Side of the said Ferry, in some conspicuous Place or Places upon or near or adjoining to the principal Roads and Ways leading to the said Ferry, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated, defaced, or destroyed; and such Orders, Bye Laws, and Rules shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall, in the Execution of this Act, act under the same; provided that such Orders, Bye Laws, and Rules be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or to any Directions in this Act contained; and all such Orders, Bye Laws, and Rules shall be subject to Appeal in manner herein-after mentioned.

Appointment
of Treasurer
and Clerk.

Treasurer to
give Security.

XLVI. And be it further enacted, That the said Company shall, at their First General Meeting, or at some Adjournment thereof, and afterwards from Time to Time, when necessary, at any future General Meeting, elect and choose and under their Common Seal appoint a Treasurer or Treasurers to the said Company, and also a Clerk or Clerks, and shall take good and sufficient Security from such Treasurer or Treasurers for the due and faithful Execution of his or their Office or Offices; and whenever any such Treasurer or Clerk shall die or quit the Service of the said Company, it shall be lawful for the Committee of Directors from Time to Time to appoint some other Person in the Place of the Treasurer or Clerk so dying, being removed, or quitting, until the next General Meeting of the said Company, when the Appointment of such Clerk, Treasurer or Treasurers, by the Committee of Directors, shall be confirmed under the Common Seal of the said Company, or some other Clerk, Treasurer or Treasurers, shall be elected and appointed as aforesaid; and it shall be lawful for the said Company in any such General Assembly to remove or displace any Person or Persons who shall have been chosen an Officer or Officers by virtue of this Act, and to appoint another or others in his or their Stead.

Same Person
not to be
Clerk and
Treasurer.

XLVII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer,

or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XLVIII. And be it further enacted, That it shall and may be lawful for the said Company or their Committee of Directors, or any Five or more of them, and they are hereby authorized, empowered, and required, from Time to Time to nominate and appoint a Superintendent or Superintendents of the Works of the said Company, when they shall think it expedient and necessary so to do, and such Engineers, Surveyors, Collectors of the Tolls, Rates, and Duties, or other Officers or Servants, (except such as are directed to be appointed only by General Meetings of the said Company,) as they shall think proper for the better carrying the Purposes of this Act into execution, (taking good and sufficient Security from all Collectors and other Officers or Servants who shall have the Care and Custody of any Money to be raised or received by virtue of this Act, for the faithful Discharge of the Trust reposed in them,) and also from Time to Time to discharge and dismiss any such Superintendents, Engineers, Surveyors, Collectors, or other Officers or Servants, and appoint others in their Stead, as there shall be Occasion; and that all such Superintendents, Engineers, Surveyors, Collectors, or other Officers or Servants who shall at any Time quit or be dismissed from the Service of the said Company, and their Executors and Administrators, and the respective Executors and Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Company or their Committee of Directors, or to such Person or Persons as they shall direct, all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody or Power of such Superintendents, Engineers, Surveyors, Collectors, or other Officers or Servants, Executors or Administrators respectively, in anywise relating to the said Undertaking; and the said Company or their Committee of Directors, or any Five or more of them, shall have full Power and Authority, and they are hereby required, when and as often as they shall think fit, to call for, audit, and settle all Accounts of Monies received, paid, laid out, and disbursed for or on account of the said Company or the said Undertaking by the Treasurer or Treasurers, Collectors, and other Officers or Servants so to be appointed as aforesaid, or by any other Person or Persons to be employed on behalf of the said Company in or about the same Undertaking.

Appointment
of Superin-
tendents and
other Officers,
Collectors,
&c.

XLIX. And

If discharged Collector or Warehouseman, Wharfinger or other Officer, in Possession of Houses or Buildings of the Company, refuse to quit, any Justice may remove the Party.

XLIX. And be it further enacted, That in case any Collector of the said Tolls, Rates, or Duties, or any Wharfinger, Keeper, or other Officer, Agent, or Servant of the said Company, who shall quit or be dismissed from such Offices, shall refuse to deliver up the Possession of any Countinghouse or Offices, or any Dwelling Houses, Buildings, and Appurtenances, or any Books, Papers, or other Matters and Things, belonging to the said Company, in his Possession, Custody, or Power, in right of his or their Appointment or Appointments to such Office or Offices, within Ten Days after Notice given to him or them, or left at any such Buildings or Dwelling Houses, or at his or their Dwelling House, under the Hand of the Clerk of the said Company, by Direction of the said Company or their Committee of Directors; or if the Widow or any of the Family of any such Collector, Wharfinger, Warehousekeeper, or other such Officer, Agent, or Servant who shall so die as aforesaid, or any other or others who shall be in Possession of the Premises by any means whatsoever, shall refuse to deliver up such Houses or Offices, Dwelling Houses and Appurtenances, Books, Papers, and other Matters and Things, within Ten Days after Notice shall have been given or left on the Premises, signed as aforesaid; then and in every or any such Case or Cases it shall and may be lawful for any Justice of the Peace for the County, Liberty, or Place wherein the Premises shall be situate, or where such Books, Papers, and other Matters and Things shall then be, to order any Constable or other Peace Officer, with such Assistants as shall be necessary, to enter such Countinghouses or other Offices, Dwelling Houses, Buildings, and Premises, with the Appurtenances, in the Day-time, and thereout and therefrom to remove all Persons whomsoever who shall be found therein, together with their Goods and Chattels, and take Possession of all Books, Papers, Matters, and Things which shall be found therein belonging to the said Company, and to deliver Possession thereof to the said Company, or to whom they shall appoint to receive the same.

Treasurer and other Officers to account and pay over Balances.

L. And be it further enacted, That every such Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector, and every other Officer and Person so to be appointed as aforesaid shall, under their Hands, at such Time or Times and in such Manner as the said Company or their Committee of Directors, or any Five or more of them, shall appoint, deliver to the said Company or their Committee of Directors, or to such Person or Persons as they shall name or appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and also all Monies which shall have been by such Officers and Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay over all such Balances or Sums of Money as shall remain in their respective Hands to the said Company or their Committee of Directors, or to such Person or Persons as they shall appoint; and if such Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector, Officer, or Person shall refuse to produce and deliver up such Receipts or Vouchers, or to make Payments as aforesaid, or shall

Remedy in case of Default.

shall not deliver to the said Company or their Committee of Directors, or to such Person or Persons as they shall appoint, within Twenty-one Days after being thereunto required by the said Company or their Committee of Directors, or any Five or more of them, all Books, Papers, and Writings in his or their Custody or Power relating to the said Ferry, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Company or their Committee of Directors, or as they shall order or appoint, then and in any of the Cases aforesaid the said Company may and are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officers or Persons respectively; or if Complaint shall be made by the said Company or their Committee of Directors, or any Five or more of them, or any Person or Persons to be by them appointed for that Purpose, of any such Refusal or Neglect as aforesaid, to any One or more of the Justices of the Peace for the County, Liberty, or Place wherein the said Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector, or other Officer or Person so neglecting or refusing shall be or reside, such Justice or Justices may and he and they is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Officer or Person so neglecting or refusing to be brought before him or them; and upon the Appearance of the Party or Parties, or upon his or their having been summoned and not appearing, without giving some reasonable Excuse for such Nonappearance to the Satisfaction of such Justice or Justices, or not being to be found, the same Justice or Justices shall and may hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any One or more credible Witness or Witnesses upon Oath, or, being of the Society of Quakers, upon solemn Affirmation, (which Oath or Affirmation such Justice or Justices is and are hereby empowered to administer,) it shall appear to such Justice or Justices that any of the Monies which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justice or Justices may and is and are hereby authorized, empowered, and required, upon Nonpayment thereof, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers or Person or Persons respectively; and if no Goods or Chattels of the Person or Persons against whom such Warrant or Warrants shall be granted can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying such Distress, or if such Officer or Officers, Person or Persons, shall persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Company or their Committee of Directors, or as they shall appoint, then and in any of the Cases aforesaid such Justice or Justices shall commit any such Offender to the Common Gaol or House of Correction for the County or Place where such Offender shall be or reside, at the Discretion of such Justice or Justices, there to remain, without Bail

[*Local.*]

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or

or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Company, and shall have paid such Composition in such Manner as the said Company or their Committee of Directors, or any Five or more of them, shall appoint, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company or their Committee of Directors: Provided always, that no Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector, Officer, or Person so committed for Want of sufficient Distress shall be confined or detained in Prison by virtue of this Act for any longer Space than Six Calendar Months.

General
Powers of
Committee
of Directors.

LI. And be it further enacted, That the said Committee of Directors, or any Five or more of them, shall from Time to Time, and at all Times when necessary, have full Power and Authority to meet and adjourn; and at all Meetings of the said Directors One of the Members present shall be appointed Chairman; and on all Matters, Questions, and Proceedings which shall be discussed by the said Committee of Directors, each individual Director present in Person shall have One Vote, and, in case of an Equality of Votes, the Chairman shall have the casting Vote; and all Acts and Proceedings of any Five or more of the said Committee of Directors in execution of the Powers or Provisions of this Act shall be as valid and effectual as if all the Members of the said Committee had concurred in and assented to the same; and at any such Meeting the said Directors shall have full Power and Authority to contract for and purchase all such Lands, Tenements, or Hereditaments which shall or may be wanted for making or maintaining the said Ferry and other Works, or for any of the Purposes of this Act, and to treat and agree with any Person or Persons whomsoever touching the Compensation to be made for any Damage to be done in the Exercise of the Powers of this Act, and to enter into and make such Contracts, Bargains, or Agreements with any Engineer or Engineers, Surveyors, Agents, Workmen, Servants, or other Persons, for maintaining or improving the said Ferry and other Works, and for making, erecting, or constructing any Works necessary for maintaining or improving the said Ferry and other Works, or for any Purposes whatsoever touching the same, or the Execution of this Act, as they shall think fit, and to order and direct how the several Works shall from Time to Time be carried on, and also from Time to Time to use the Common Seal of the said Company in such Manner and for such Purposes as they shall think fit, (by which Use thereof the said Company shall be bound,) and generally to direct and manage all the Business and Affairs of the said Company, and to exercise and perform all Acts, Matters, and Things which the said Company are by virtue of the Powers and Provisions of this Act authorized and empowered to do, save and except only such as are hereby expressly directed to be done by the Proprietors at large present at any General or Special Meetings of the said Company to be held as herein mentioned.

Power of
Committee
to make
Calls.

LII. And be it further enacted, That the Committee of Directors of the said Company shall be and they are hereby empowered from Time to Time to make such Call or Calls of Money from the Subscribers

scribers to and Proprietors of Shares in the said Undertaking, their Heirs, Successors, Executors, Administrators, and Assigns, to defray the Expences of or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds at any One Time upon any One Share which any Person or Persons shall or may be possessed of or entitled unto in the said Undertaking, and so that such Calls shall not be made but at the Distance of Three Calendar Months at the least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in some Newspaper published or usually circulated in the Town and County of *Newcastle-upon-Tyne*, or in either of the said Counties of *Northumberland* or *Durham*; and every Owner or Proprietor of any Share or Shares in the said Undertaking, or his, her, or their Heirs, Successors, Executors, Administrators, or Assigns, shall pay his, her, or their respective rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons and at such Time and Place or Times and Places as the said Committee shall from Time to Time direct and appoint; and if any Person or Persons shall neglect or refuse to pay his, her, or their respective rateable or proportionable Part or Share of the said Money so called for as aforesaid, at the Time and Place to be appointed as aforesaid, it shall be lawful for the said Company to sue for and recover the same in any of His Majesty's Court of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, or more than One Impar lance, shall be allowed; or the said Company may and they are hereby authorized at a General Meeting to declare the Shares belonging to any Person refusing or neglecting to pay any such Call in manner as aforesaid to be forfeited to and for the Use and Benefit of the other Proprietors of the said Undertaking; and all Shares which shall or may be so forfeited shall be vested in the said Company, and be sold at a public Sale by the said Company for the most Money that can be gotten for the same, and the Produce thereof shall be applied and disposed of in manner by this Act directed: Provided always, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until Notice in Writing, under the Hand of the Clerk or Treasurer of the said Company, shall have been given or sent by the Post to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, nor until the same Share or Shares shall have been declared to be forfeited at some General Annual Meeting of the said Company or at some Special General Meeting which shall be held after the End of Thirty Days from the Day on which such Notice of Forfeiture shall have been given; and every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, and their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls; and every Share so sold shall be transferred to the Purchaser or Purchasers thereof by the said Company under their Common Seal; and the Proprietor or Proprietors of such Shares so sold and transferred shall be and be deemed a Member or Members of the said Company to all Intents and

In case of Neglect to pay Calls, Committee may sue for the same, or declare the Shares to be forfeited.

No Advantage to be taken of Forfeiture of Shares, without Notice.

and Purposes whatsoever, and shall be entitled to all the same Privileges and Advantages, and be subject to all the same Liabilities, as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking.

If the Purchase Money be more than sufficient to pay the Arrears of Calls, Interest, and Expences, the Surplus to be paid to the Owner.

LIII. Provided also, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and lawful Interest thereon, with the Expences attending such Sale or Sales, the Surplus of such Money shall be paid, on Demand, to the Person or Persons to whom such Share or Shares shall have belonged; but the said Company shall not sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all such Calls, and the Interest and Expences as aforesaid, any Share or Shares so vested in such Company as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons, or his, her, or their Executors or Administrators, to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

Proceedings in Actions for Calls.

LIV. And be it further enacted, That in any Action to be brought by the said Company against any Proprietor or Proprietors or Owner or Owners of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to, for such and so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be), whereby any Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were a Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Call or Calls, or any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call exceeded Ten Pounds at any One Time upon any One Share, or was not made after the Interval of Three Calendar Months from the last preceding Call, or was made without Notice given in any Newspaper as aforesaid.

LV. And

LV. And be it further enacted, That no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking after any Call or Calls shall have been made by the said Committee for any Sum or Sums of Money in respect of such Share or Shares, unless he, she, or they, at the Time of such Sale or Transfer, shall have paid or discharged to the Treasurer of the said Company, or to such Person or Persons as the said Committee shall appoint to receive the same, the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred.

After a Call no Share to be sold until the Call is paid.

LVI. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares shall for the Purposes of this Act be deemed and taken to be the Proprietor or Owner of such Share or Shares; and all Notices hereby required to be given to the Proprietor or Owner of any Share or Shares in the said Undertaking shall and may be given or sent to such Person whose Name shall so stand first in the Books of the said Company; and such Notice to such Person shall be deemed and taken to be a sufficient Notice to all the Owners or Proprietors of such Share or Shares for all the Purposes for which such Notice is intended to be given; and such Proprietors or Owners shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, and whose Vote shall, either in Person or by Proxy, on all Occasions, be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

The Person whose Name stands first as a joint Proprietor with others, to be deemed the Owner, and be entitled to vote.

LVII. And be it further enacted, That in case any Proprietor or Proprietors entitled to vote at any such Meetings as aforesaid shall be a Lunatic or Lunatics or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee, or any One of such Committee, and such Minor or Minors shall and may vote by his, her, or their Guardians, or any One of such Guardians; provided that such Committee or Guardian may also vote in right of his own Shares as well as in the Character of Committee of any Lunatic or Lunatics, or of Guardian of any Minor or Minors, on the same Occasion.

Lunatics and Minors to vote by their Committees or Guardians.

LVIII. And be it further enacted, That no Proprietor in arrear for any Call shall at any Meeting be allowed to vote or give his Voice in the Agitation or Decision of any Question respecting the Concerns of the said Company, either personally or by Proxy, or as Proxy, until such Time as he shall have paid all such Arrears as may be due from him in respect of such Calls.

Proprietor in arrear not to vote at Meetings.

LIX. And, in order to ascertain the Amount of the clear Profits of the said Undertaking, be it further enacted, That the said Company or their Committee of Directors shall and they are hereby required to

Accounts to be made up annually, and Dividends of

[*Local.*]

25 P

cause

Profits declared at General Annual Meeting.

cause a true, exact, and particular Account to be kept, and annually made up and balanced Ten Days at the least before each General Annual Meeting, of the Money collected or received by the said Company or their Committee of Directors, or otherwise, for the Use of the said Company by virtue of this Act, and of the Charges and Expences attending the erecting, making, supporting, maintaining, and carrying on the said Ferry, Undertaking, and Works, and of all other the Receipts and Expenditure of the said Company or their Committee of Directors; and at the General Annual Meeting of the said Company to be from Time to Time holden as aforesaid, or at some Adjournment thereof, a Dividend shall be made out of the clear Profits of the said Undertaking, unless such Annual Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much *per Centum* upon the several Sums invested by the respective Proprietors in the Joint Stock of the said Company, as such Meeting or Meetings shall think fit to appoint and determine: Provided always, that no Dividend shall be declared or paid until the General Annual Meeting which shall be holden next after the Expiration of Twelve Calendar Months from the passing of this Act: Provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any degree reduced or impaired, nor shall any Dividend be paid in respect of any Share or Shares after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid.

Books of Account to be kept, and be open to Inspection.

LX. And be it further enacted, That proper Books of Account and other Matters relating to the said Ferry and Undertaking shall be kept, and the same shall be deposited, under the Direction of the said Company or their Committee of Directors, at such Place or Places as they shall from Time to Time appoint; and every Proprietor or Proprietors at all reasonable Times shall have free Access to the same, for his, her, or their Inspection, without Fee or Reward; and in One or more of such Book or Books to be provided by the said Company for that Purpose the Clerk to the said Company shall enter and keep a true and perfect Account of the Names and Places of Abode of the several Members of the said Company and Proprietors of the said Ferry and Undertaking, and of the several Persons who shall from Time to Time become Owners or Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company, and of all Receipts, Payments, and Disbursements under this Act; and each of the said Members and Proprietors shall and may at all convenient Times have Recourse to and peruse and inspect the same *gratis*, and may demand and have Copies thereof, or of any Part thereof, paying for every One hundred Words so to be copied the Sum of Sixpence; and if any such Clerk to the said Company shall refuse to permit any Proprietor or Person so interested as aforesaid to inspect or peruse such Book or Books of Proceedings, or refuse to make any such Copy or Copies, within Five Days after Demand thereof, at the Rate or Price aforesaid, he shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; and all Books of Account, and other Books, Accounts, Writings, and Papers whatsoever, which shall be in the Custody of any Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector,

and every other Officer and Person to be appointed as aforesaid, his Executors or Administrators respectively, in anywise relating to the said Ferry and Undertaking, shall be, and the same are hereby declared to be, and shall be construed, deemed, and taken to be, the Right and Property of the said Company.

LXI. And be it further enacted, That the said Company shall, as soon as the same can be done, cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Capital or Joint Stock, and the Number of Shares to which they shall be respectively entitled, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered into a Register Book to be kept by the Clerk of the said Company, and after such Entry to cause the Common Seal of the said Company to be affixed to such Entry; which said Book shall from Time to Time be altered and corrected, and new Books shall from Time to Time be sealed with the said Common Seal, as the Change of Proprietors and Transfers of Shares shall render necessary and expedient; and the said Clerk shall also cause as many Tickets or Instruments to be prepared as there shall be Shares in the said Capital or Joint Stock, bearing respectively the same Numbers as in the said Books, and the said Common Seal of the said Company to be affixed to each of such Tickets or Instruments, and thereupon to cause to be delivered to every Subscriber (whether by Securities as aforesaid or in Money) towards the said Undertaking, upon Demand, a Ticket or Tickets specifying the Share or Shares to which he or she is entitled in the said Joint Stock or Undertaking; and every such Subscriber shall pay to the Clerk of the said Company, or there shall be paid to the Clerk by the said Company out of the Joint Stock or Funds of the Company, Two Shillings and Sixpence, and no more, for every such Ticket or Instrument; and every such Ticket or Instrument shall be admitted as Evidence in all Courts whatsoever of the Title of such Subscriber, his or her Executors, Administrators, Successors, or Assigns, to the Share therein specified; but the Want of any such Ticket or Instrument shall not hinder or prevent the Owner of any Share from selling or disposing thereof, or from receiving annually or otherwise, as the Account shall be made up, his or her Share of the Profits of the said Ferry and Undertaking in respect thereof; which said Ticket shall be in the Words or to the Effect following; that is to say,

Names of Proprietors, and Number of Shares, to be entered in a Book, and Tickets for Shares to be delivered to Subscribers.

North and South Shields Ferry.

THESE are to certify, That _____ is [or are] a Member [or Members] of the Company of Proprietors of the *North and South Shields Ferry*, and is [or are] possessed of the Share or Number _____ in the said Ferry and Undertaking, subject to the Rules, Orders, and Regulations of the said Company, and that the said _____ his [her or their] Executors, Administrators, [or Successors,] or Assigns, is [or are] entitled to the Profits and Advantages of the said Share. Given under the Common Seal of the said Company, the _____ Day of _____ in the Year _____ of our Lord

Form of the Ticket.

LXII. And

The Persons
whose Names
appear in
the Books to
be deemed
Proprietors.

LXII. And be it further enacted, That the Bodies Politic and Corporate, and all and every Person and Persons, whose Name or Names shall at any Time hereafter stand in the Register Books of the said Company, either as a Proprietor or as Proprietors of One or more Share or Shares in the said Ferry and Undertaking, whether as original Subscribers, or as Successors, Executors, Administrators, or Assigns of original Subscribers, or as Creditor or Creditors on the said Ferry and Undertaking as aforesaid, shall be deemed and taken to be Proprietors of the several Shares standing in the said Books in his, her, or their respective Names, and as Creditors for the Sums mentioned therein, and shall be subject to such Rules, Orders, and Regulations to which Proprietors of Shares in or Creditors on the said Ferry and Undertaking are subject and liable to; and all Payments of Interest and Dividends due and to grow due on any such Shares, or on or in respect of any Securities on the said Ferry and Undertaking as herein-before mentioned, shall be made to such Persons as by the said Books shall so appear to be Proprietors thereof or Creditors thereon as aforesaid; and that no Assignment, Transfer, or Bargain and Sale of any Share or Shares, or other Instrument giving Title thereto, or to any Securities on the said Ferry and Undertaking, or the Monies thereby secured, which shall not have been brought to the said Clerk to be entered as directed by this Act, shall be given or admitted as Evidence to make the said Company liable to the Payment of any Interest or Dividends to any other Person or Persons than such as appear upon the said Books to be a Proprietor or Proprietors of such Shares or Holder or Holders of such Securities as aforesaid, but that in all such Cases, unless where it shall be expressly proved that the said Books are defective by reason of some Default or Neglect of the said Clerk, the said Books shall be considered as sufficient and conclusive Evidence of the Right and Title in and to the said Shares and Securities respectively.

For giving
new Shares
or Tickets
and Securities,
in case
of the old
ones being
damaged or
destroyed.

LXIII. And be it further enacted, That in case any Tickets or Transfers, Assignments or Instruments, denoting the Ownership of Shares or Securities, shall be worn out or damaged, then and upon the same being produced and shewn at some General Assembly of the said Company, such Tickets or Transfers, Assignments or Instruments, shall be cancelled and destroyed, and other original Tickets and Securities given under the Common Seal of the Company, of correspondent Numbers to the said original Tickets and Securities, to the Persons in whom the Property of such Shares and Securities shall be at any Time vested; and in case such Tickets, Transfers, Assignments, or Instruments shall be burnt or destroyed, then, upon satisfactory Proof thereof, like new or original Tickets and Securities shall be given to the Person or Persons who was or were the Owner or Owners of those so burnt or destroyed, so as that a due Entry of the same had been duly made by the Clerk of the said Company, and of any Transfers of the same (if any made in manner herein directed); for which the Sum of Two Shillings and Sixpence, and no more, shall be paid to such Clerk for each such new or original Ticket and Security.

LXIV. And

of Shares in the said Ferry and Undertaking; and before any Person or Persons who shall claim any Part of the Profits of the said Ferry and Undertaking by virtue of any Bequest or Will, or in Course of Administration, shall be entitled to receive the same or be entitled to vote in respect of any Shares, the said Will or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator or Intestate shall be made or sworn to or solemnly affirmed to by the Executor or Executors of the said Will, or the Administrator or Administrators of the Intestate, with the Will annexed, before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, and shall also be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; and in all Cases other than herein-before mentioned, when the Right and Property of any Share or Shares in the said Ferry and Undertaking shall pass from any Proprietor or Proprietors thereof to any Person or Persons by any other legal Means than by a Transfer and Conveyance thereof as herein directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or solemnly affirmed by One or more credible Person or Persons before a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors of the said Ferry and Undertaking: Provided always, that such and similar Entries shall be made in the Register Book of the said Company of all Acquisitions or Devolutions of Mortgages, Assignments, or Securities on the said Tolls, Rates, and Duties (if any), by Sale or Assignment, Marriages, Wills, Intestacy, or by any other Means as aforesaid, in order to ascertain the Parties who shall from Time to Time be Creditors on the said Ferry and Undertaking, and entitled to receive the Interest of or Dividends in respect of such Mortgages, Assignments, or Securities as aforesaid, as herein-before directed with respect to Shares in the Joint Stock of the said Company, *mutatis mutandis*; and the Clerk of the said Company shall be entitled to receive for each and every such Entry herein-before directed the Sum of Two Shillings and Sixpence, and no more.

The like as to
Mortgages or
Securities.

The Com-
pany may
buy up
Shares.

LXVI. And be it further enacted, That if the said Company or their Committee of Directors shall deem it expedient, out of any Surplus of Money or otherwise, to buy up any Share or Shares in the said Ferry or Undertaking which shall be offered to Sale, then and in such Case it shall be lawful for any General Meeting of the said Company either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company in Trust for the said Company; and such Share or Shares may in such last-mentioned Case at any Time thereafter be sold for the Benefit of the said Company, and for the raising of any Sum of Money which may be

wanted

wanted for or towards erecting, rebuilding, or repairing of any Buildings or Works requisite for or belonging to the said Ferry and Undertaking, or for any other Purpose necessary for carrying on, continuing, and maintaining the same.

LXVII. And be it further enacted, That the said Company, or such Person or Persons as the said Company shall for that Purpose authorize or appoint, are and is hereby empowered to contract with any Person or Persons for making, repairing, widening, or altering the said Ferry, and the Roads, Ways, Avenues, or Passages thereto, or any or either of them, and to do any other Work for the Purposes of this Act, in such Manner and for such Sum or Sums of Money as the said Company or the said Person or Persons so to be authorized or appointed as aforesaid shall think proper; and all Contracts in Writing entered into pursuant to any Order made at any Meeting of the said Company shall be binding on all Parties who shall sign the same, his, her, and their Executors and Administrators; and Actions and Suits may be maintained thereon, and Damages recovered against the Parties failing in the Execution thereof.

Company may contract for establishing, &c. the Ferry and making the Roads.

LXVIII. And be it further enacted, That if any Person shall wilfully or maliciously destroy or damage any Ferry House, Toll House, or Gate to be erected by virtue of this Act, or any Boat, Barge, Float, or Raft or other Vessel, or any Property belonging to the said Company, every Person so offending and being thereof lawfully convicted shall be subject and liable to the like Pains and Penalties as in case of Felony; and the Court by and before whom any such Person shall be tried shall have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or such Court may, in Mitigation of such Punishment, if such Court shall think fit, award such Sentence as the Law directs in Cases of Felony: Provided nevertheless, that no Owner or Owners of any Ship, Vessel, or Craft navigating the said River *Tyne*, nor any Person or Persons employed in the same, shall be liable to any Action or Prosecution at Law for any Damage that may accidentally happen by such Ship, Vessel, or Craft, unless it shall appear that such Damage was done wilfully and maliciously, any thing in this Act contained to the contrary notwithstanding.

For punishing Persons wilfully damaging the Ferry.

LXIX. And in order that a clear Passage along the said Avenues, Ways, or Passages to and from the said Ferry, and also the said Ferry, may at all Times for the Convenience of the Public be kept and maintained free and uninterrupted, be it further enacted, That if any Person or Persons shall do, or cause or permit to be done, any Act, Matter, or Thing whatsoever whereby or by means whereof the said Ferry or the Approaches thereto shall be interrupted or obstructed, impeded or prevented, and not show sufficient Cause in Extenuation, to be allowed by the Justice before whom Complaint of the Offences shall be made, every such Person or Persons whomsoever shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Penalty on Persons obstructing the Ferry without Cause.

LXX. And, in order to enable the said Company to carry this Act into execution, be it further enacted, That as soon as the said Ferry shall

Tolls to be taken at the Ferry.

shall be made fit for the Passage of Carriages, Horses, Cattle, Foot Passengers, and portable Articles, it shall and may be lawful for the said Company, or the Collector, to be appointed by them as aforesaid, from Time to Time and at all Times hereafter to demand, collect, and receive, before any Carriages, Horses, Cattle, Foot Passengers, or portable Articles shall be permitted to pass over the said Ferry, or through any Gate to be erected by virtue of this Act across the Approaches to the said Ferry, such Tolls as the said Company shall from Time to Time think proper, not exceeding the respective Sums following; (that is to say,)

For every Coach, Chariot, Chaise, Hearse, or other such like Carriage with Four Wheels, Two Shillings; and for every Horse or other Beast drawing the same, Eight-pence:

For every Chaise, Chair, or other such like Carriage with Two or Three Wheels, One Shilling; and for every Horse or other Beast drawing the same, Eight-pence:

For every Waggon, Wain, or Dray, or other such like Carriage with Four Wheels, Two Shillings; and for every Horse or other Beast drawing the same, Eight-pence:

For every Cart, Dray, or other such like Carriage with Two or Three Wheels, One Shilling; and for every Horse or other Beast drawing the same, Eight-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, One Shilling:

For every Ox, Cow, or Neat Cattle, One Shilling:

For every Calf, Hog, Pig, Sheep, or Lamb, One Halfpenny:

For every Passenger or Person, One Penny:

And for every Hundred Weight of Goods, Wares, Merchandize, portable Articles, Matters, or Things, not being in any Carriage drawn by any Horse or other Beast, or borne by any Horse or other Beast, Two-pence, and so in proportion for any less Weight:

All which Tolls shall be paid every Time of passing or repassing.

To prevent
Evasion of
Tolls.

LXXI. And be it further enacted, That all Persons shall be liable to the Payment of the Tolls hereby granted, notwithstanding such Person may be carried in or upon any Waggon, Wain, Cart, or other such Carriage, over and above and besides the Tolls payable for every such Waggon, Wain, Cart, or other such Carriage, and for every Horse, Mule, or Ass; excepting always the proper Driver or Drivers of every such Waggon, Wain, Cart, or other such Carriage, and the Person or Persons for whose proper Use every such Waggon, Wain, Cart, or other such Carriage may be *bonâ fide* employed when so passing; and excepting also the Person having the Charge of any Horse, Mule, or Ass not drawing.

Table of
Tolls to be
set up.

LXXII. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on the Ferry Houses and Toll House to be erected in pursuance of this Act, and the Name of each Ferry House and of the said Toll Gate shall be placed over the said Table of Tolls.

No Tolls to
be taken
whilst Boards
are not fixed.

LXXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to demand or take, or cause to be demanded

demanded or taken, any Tolls for or in respect of any Carriages, Horses, Cattle, Foot Passengers, or portable Articles at any Toll Gate, but for and during such Time as a Table of the Tolls payable under this Act shall remain affixed as aforesaid at such Ferry House or Toll House.

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

For enforcing
Payment of
Tolls.

LXXV. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed either by the said Company or by any such Lessee or Lessees to collect the Tolls by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Ferry House or Toll House, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and every such Collector shall place or cause to be placed on the Front of the Ferry House or Toll House at which such Collector shall be stationed the Board herein-before directed to be provided by the said Company, containing the usual Name of the Ferry and of the Toll Gate where the Board shall be fixed, and also the List of the Tolls payable at such Ferry and Gate and of the Ferry or Gate cleared by the Payment of Toll at the Ferry or Gate where such Collector shall be stationed as aforesaid; and if any Collector of the said Tolls shall not place such Board respectively as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the Company made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Boards respectively, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them, or shall refuse to give a Ticket denoting the Payment of Toll, or shall in answer to such Demand give a false Name or Names,

For prevent-
ing Toll Col-
lectors from
taking any
undue Tolls,
or misbehav-
ing them-
selves.

[Local.]

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or

or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing over the said Ferry or through the said Toll Gate, or shall make use of any scurrilous or abusive Language to any Proprietor, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned.

One Justice
may settle
Disputes con-
cerning
Tolls.

LXXVI. And be it further enacted, That if any Dispute or Disputes shall happen respecting the demanding or taking or the Payment of Toll, or about the Amount of the Toll due, or the Charges of making, keeping, or selling any Distress for Recovery of the said Tolls, such Dispute shall be settled and determined by some Justice of the Peace for the said Counties of *Northumberland* or *Durham* in which respectively such Dispute or Disputes shall happen, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses, (which Oath such Justice is hereby authorized to administer,) and shall determine the Amount of the Tolls due and other Matter in dispute between the Parties, and may also award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Distress and Sale of the Goods and Chattels of the Person or Persons awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Toll Col-
lectors not
to be deemed
incompetent
Witnesses.

LXXVII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Company, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation by reason of his, her, or their being so appointed or interested under such Appointment, or being paid to collect the Tolls, or acting or being paid to act under the Authority of the said Company.

The Royal
Family
exempted
from Toll.

LXXVIII. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll His Majesty or any Member of the Royal Family, or any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom.

General
Exemption
from Tolls.

LXXIX. Provided always, and be it further enacted, That no Toll whatever shall be demanded or taken for any Horse, Beast, Cattle, or Carriage of whatsoever Description employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses
1 under

under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriage attending them with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces; or for any Horse, Beast, Cattle, or Carriage travelling with Vagrants sent by legal Passes, or any Prisoner in Custody under any legal Warrant; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse, Mare, or Gelding furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Northumberland* or *Durham*, or either of them, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted for the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

LXXX. And be it further enacted, That no Persons owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any thing in this Act contained to the contrary notwithstanding.

Owners or Driver of Waggons employed in the Service of His Majesty's Forces not to be subject to Penalties for Overweight.

LXXXI. And be it further enacted, That upon Payment of the Tolls by this Act granted the Collector or Receiver thereof shall and he is hereby required to deliver *gratis* to the Person paying such Toll a Note or Ticket denoting such Payment, and which Note or Ticket

Tickets to be provided denoting Payment of Tolls.

Ticket shall be provided by the said Company, and there shall be printed thereon the Name of the Ferry House or Gate at which such Ticket shall be delivered, and the Name of the Ferry House or Gate freed by such Payment.

Penalty on
evading
Tolls.

LXXXII. And be it further enacted, That if any Person or Persons shall wilfully evade the Payment of the said Tolls, or any of them, or any Part thereof, or if any Person or Persons shall deliver to any other Person or Persons, or if any Person or Persons shall receive from any other Person or Persons, any Note or Ticket by this Act directed to be given by the Collectors or Receivers of the said Tolls, or if any Person or Persons shall alter or forge or counterfeit any such Note or Ticket, and the Payment of Toll shall be thereby evaded, or if any Person or Persons not having paid the Toll shall offer or produce or use any such Note or Ticket for the Purpose of evading the said Tolls, or any of them, or shall forcibly or fraudulently pass over the said Ferry or through the said Toll Gate to be erected by virtue of this Act, with any Horse, Carriage, Cattle, or Beast, without Payment of Toll, or shall take off or cause to be taken off any Horse, Beast, or Cattle from any Carriage, or after having passed over the said Ferry or through the said Toll Gate shall put on an additional Horse or Beast to any such Carriage, or shall leave or cause to be left upon or near to the said Ferry or Roads any Horse, Cattle, Beast, or Carriage, or shall unload or cause to be unladen any Goods, Merchandize, or other Things from or out of any Carriage, or put or cause to be put or placed any Goods, Merchandize, or other Things upon or in any Carriage, with Intent to evade Payment of any of the said Tolls, all and every such Person or Persons so offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and besides such Damages or Punishment as he, she, or they shall be otherwise liable to by Law.

Power for
Company to
let the Tolls.

LXXXIII. And be it further enacted, That it shall and may be lawful for the said Company, at a public Meeting, to let to farm all or any of the Tolls by this Act granted, in the Manner herein-after mentioned; (that is to say,) the said Company shall cause Notice to be given of the Time and Place for letting the same, at least One Calendar Month before the Day to be appointed for that Purpose, by affixing such Notices upon the Church Doors of the said Parish Churches of *Tynemouth* and *South Shields*, and upon the Toll Gate to be erected by virtue of this Act, and also by Insertion thereof in some public Newspaper circulated in either of the said Counties of *Northumberland* or *Durham*, and specifying in every such Notice the Sum which the said Tolls produced in the preceding Year, clear of the Salary for collecting the same, in case any hired Collector was appointed, and that they will let such Tolls by Auction to the best Bidder on his producing sufficient Sureties for the Payment of the Money monthly or otherwise, (as in such Notice shall be specified,) and that they will be put up at the Sum which they were let for or produced in the preceding Year, clear of the Salary of the Collector; and to prevent Fraud or any undue Preference in the letting thereof, the said Company are hereby required to provide a Glass with as much Sand

Sand in it as will run from one End of it to the other in One Minute, which Glass, at the Time of letting such Tolls, shall be set upon a Table, and immediately after every Bidding the Glass shall be turned, and as soon as the Sand is run out it shall be turned again, and so for Three Times, unless some other Bidding intervenes, and if no other Person shall bid until the Sand shall have run through the Glass Three Times, the last Bidder shall be Farmer or Renter of the said Tolls at the Sum then bid, and shall forthwith enter into a proper Agreement for the taking thereof, and paying the Money at the Time specified in such Notice, and with such Surety or Sureties for Payment thereof and under such Conditions and in such Manner as the said Company shall think fit; and if the Person being the last Bidder shall not forthwith enter into such Agreement, it shall and may be lawful to put up the said Tolls again immediately for another Bidder, and in like Manner to continue putting up the same until a Bidder shall be found who shall enter into such Agreement; and if no Bidder shall be found who shall enter into such Agreement, or if no Bidder shall offer, or in any Case the same shall not be let at such Auction, it shall be lawful for the said Company to accept a private Tender for the same, and to demise or let to farm, or agree to demise or let to farm, all or any of such Tolls at any Sum not less than the Sum at or for which they shall have been last let; or the said Company may appoint a Collector of such Tolls, or fix some future Day for the letting thereof, as they shall judge most proper, upon giving such Notice thereof as aforesaid, and shall and may in that Case put them up at such Sum as they shall think fit; and if the Person or Persons who shall be the Farmer or Renter or Collector or Collectors of such Tolls shall take a greater or less Toll from any Person or Persons than what is authorized or directed by this Act, he or they shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and the said Agreement for renting the Tolls shall, if the said Company shall think fit to vacate the same, become and be null and void: Provided always, that at all such Lettings the said Company shall be entitled to bid for the Tolls so to be let, either by themselves or their Clerk or Treasurer, or any other Person by them authorized: Provided also, that no such Tolls shall be demised or leased for any longer Term than Three Years at any One Time.

LXXXIV. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered from Time to Time to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times as they the said Company shall think proper, and from Time to Time afterwards to advance any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the respective Tolls granted by this Act: Provided always, that it shall not be lawful for the said Company to lessen or reduce the said Tolls, or any of them, without the Consent of Four Fifths in Value of the Creditors on the said Tolls respectively; and no Toll shall be lessened, reduced, or advanced unless at a Meeting of the said Company, of which Twenty-one Days Notice shall be given in the same Manner as herein-before is directed relating to Notices of Meetings for the Election of a new Committee of Directors of the said Company under this Act.

Power to
lessen the
Tolls with
Consent of
Four Fifths
in Value of
Creditors.

[*Local.*]

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LXXXV. And

No other
Ferry to be
used within
a certain
Distance.

LXXXV. And be it further enacted, That from and after the said Ferry to be established by virtue of this Act shall be made fit for Carriages, Horses, Cattle, and Foot Passengers, no other Ferry shall be set up and used by any Person or Persons across the said River *Tyne*, within the Limits of the Parish of *Tynemouth* in the said County of *Northumberland*, and within the Limits of the Townships of *South Shields* and *Westoe* otherwise *Wivestoe* in the Parish of *Jarrow* in the said County of *Durham*; and if any Person or Persons (except the said Company or other Person or Persons acting under their Authority) shall use any Boat, Barge, Float, Raft, or other Vessel of the Burthen of Four Tons or upwards in ferrying or carrying any Carriage, Horse, Cattle, or Foot Passenger, for Hire, across the said River within the Limits aforesaid, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in manner herein-after mentioned.

Persons may
use Boats to
go to Vessels.

LXXXVI. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons whomsoever at all Times to use any Boat, Barge, or other Vessel in or upon or across the said River *Tyne* for the Purpose of aiding or assisting any Boat, Barge, Ship, or Vessel in navigating the said River, and for the Purpose of going to or from any such Boat, Barge, Ship, or Vessel, whether the same Boat, Barge, Ship, or Vessel be lying near the said River or going in or upon the same.

Compensa-
tion ordered
to be paid by
the Company
may be levied
by Distress
in case of
Default.

LXXXVII. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid by the said Company, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or any Person or Persons acting by or under their Authority or Direction, such Sum or Sums of Money, together with the reasonable Costs and Charges of hearing and determining the Matter, shall forthwith be paid by the Treasurer to the said Company, out of any Monies then in the Hands of such Treasurer, to the Party or Parties entitled to receive the same; and if the same shall not be so paid within Fourteen Days after Demand thereof in Writing shall have been made and delivered to the Clerk or Clerks or Treasurer to the said Company for the Time being, then and in such Case the Amount of such Compensation or Satisfaction and Costs as aforesaid shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or of the Goods and Chattels of their Treasurer for the Time being, together with the Costs also of such Distress and Sale, under a Warrant to be issued for that Purpose by any Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant upon Application made to him or them for that Purpose by the Party or Parties entitled to receive such Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as aforesaid.

Damages
and Charges,
in Cases of

LXXXVIII. And be it further enacted, That in all Cases where any Damages or Charges are by this Act directed to be paid, and the

Manner of ascertaining the Amount thereof shall not be specified or provided for, the Amount of such Damages and Charges, in case of Nonpayment or of any Dispute respecting the same, shall be settled, ascertained, and determined by some Justice or Justices of the Peace; and the Justice and Justices aforesaid is and are hereby authorized and required, on Nonpayment of the Amount of such Damages and Charges, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same in manner directed by this Act for levying of any Penalties or Forfeitures.

Dispute, to be settled by Justices, if not otherwise provided for.

LXXXIX. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

XC. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not otherwise herein directed,) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County, Liberty, or Place where the Offence shall have been committed (as the Case may require), either by the Confession of the Party offending or by the Oath or Affirmation of any credible Witness or Witnesses, (which Oath or Affirmation such Justice is in every Case hereby fully authorized to administer,) be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not forthwith be paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient

Recovery of Penalties and Forfeitures:

If Penalties cannot be levied, the Offenders to be committed for any Time not exceeding Six Months.

sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Liberty, or Place where the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Forfeitures, Penalties, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers to the said Company, and applied and disposed of for the Purposes of this Act.

Application
of Penalties.

For securing
transient
Offenders.

XCI. And be it further enacted, That it shall and may be lawful for any of the said Company, or their Collectors, Lessees, or Farmers of Tolls, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, (and which all Bystanders and other Persons, on Demand, are hereby required to give,) without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Company, Collectors, Lessees, Farmers, Surveyors, or other Officers,) who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the County, Liberty, or Place where the Offence or Offences shall be committed or such Offender or Offenders shall be seized or apprehended; and such Justice or Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of
Conviction of
Offenders.

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

Northumberland or } **BE** it remembered, That on the
Durham to wit. } Day of in the
Year of His Majesty A. B. is convicted before
me, one of His Majesty's Justices of the Peace for the said County
of Northumberland [or Durham], by virtue of an Act of Parliament
made in the Tenth Year of the Reign of His Majesty King George
the Fourth [*here set forth the Title of this Act, and specify the*
Offence, and the Time and Place when and where the same was
committed, as the Case may be]. Given under my Hand and Seal,
the Day and Year aforesaid.

XCIII. And

XCIII. And be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act (except in such Cases where the final Determination is directed by this Act), and for which no particular Method of Relief hath been hereby appointed, such Person may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden in and for the said Counties of *Durham* and *Northumberland* respectively, and within Four Calendar Months after such Cause of Complaint shall have arisen, the Person appealing first giving or causing to be given Fourteen Days Notice in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the said Company or other the Respondent or Respondents, and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties, conditioned to try such Appeal and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at the said General or Quarter Sessions, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as the said Justices shall think proper; and the Determination of the said Justices in their said General or Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

Persons aggrieved may appeal to the Quarter Sessions.

XCIV. Provided always, and be it further enacted, That no Order, Verdict, Judgment, or other Proceedings made touching or concerning any of the Matters aforesaid, or touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case; provided that no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, if sufficient Tender of Amends hath been made to him, her, or them by or on behalf of the Defendant or Defendants before such Action brought.

Proceedings not to be quashed for Want of Form.

XCV. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any thing done in pursuance of this Act, every such Action or Suit shall be commenced within Three Calendar Months next after the Fact

Limitation of Actions.

[*Local.*]

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committed,

General
Issue.

Treble Costs.

Service of
Notices, &c.
on the Com-
pany.

Provision
for Deficien-
cies of Land
Tax.

Saving the
Privileges of
the Duke of

committed, and not afterwards, and shall be laid and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases at Law.

XCVI. And be it further enacted, That in all Cases wherein it may be requisite or necessary under the Provisions of this Act, or otherwise, for any Person or Persons or Party or Parties to serve upon the said Company any Notice or Notices, Writ or Writs, or other judicial or legal Proceeding or Proceedings in Equity, the Service thereof upon any One of the Directors of the said Company, or upon the Clerk of the said Company, or left at the Office or usual Place of Abode of such Director or of such Clerk, or upon any Agent or Officer of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively upon the Company.

XCVII. And whereas by reason of making Alterations in pursuance of this Act there may be Deficiencies in the Assessments for Land Tax in the several Parishes herein mentioned; be it enacted, That for preventing the same the said Company shall from and after the said Company shall become seised and possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good to or in aid of any such Parish, out of the Monies to arise by virtue of this Act, all such Sum and Sums of Money as shall be deficient in the said several Assessments for Land Tax within such Parish by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings, or Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of passing this Act; and the Treasurer or Collector or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments.

XCVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to
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defeat,

defeat, lessen, or prejudice the Right, Title, and Interest of the Most Noble *Hugh* Duke and Earl of *Northumberland*, as Lord of the Manor of *Tynemouth*, and the Lord or Lady or Lords or Ladies of the said Manor for the Time being, of, in, and to the Seignories and Royalties incident or belonging to the said Manor; and further, that nothing in this Act contained shall extend or be construed to extend to defeat, lessen, or prejudice the Right, Title, and Interest of the Very Reverend the Dean and the Chapter of the Cathedral Church of *Durham*, as Lords of the Manor of *Westoe* otherwise *Wivestoe*, and the Lord or Lords of the said Manor for the Time being, of, in, or to the Seignories and Royalties incident or belonging to the said Manor; and also that nothing in this Act contained shall extend or be construed to extend to defeat, lessen, or prejudice the Right, Title, Power, Interest, and Authority of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of *Newcastle-upon-Tyne*, as Conservators of the River *Tyne*, or otherwise.

Northumber-
land, the
Dean and
Chapter of
Durham, and
the Corpora-
tion of New-
castle-upon-
Tyne.

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

Public Act.

SCHEDULE to which the Act refers.

Number on Plan.	Description of Property.	Parish, &c. where situate.	Owners Names.	Occupiers Names.
1.	A House - -	Township of North Shields, Parish of Tynemouth, and County of North-umberland	Ann Kirby; Widow	James Dennes.
	A House - -	Same - -	Same - -	John Harrison.
	A House and Block-maker's Yard -	Same - -	Same - -	John Johnson.
2.	A Stripe of Ground	Township of South Shields, Parish of Jarrow and County of Dur-ham - -	The Dean and the Chapter of Dur-ham - -	Isaac Cookson the elder, Esquire.
3.	A Messuage or Tenement, with a Stripe of Ground to the River -	Same - -	Same - -	Same.

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