

navigable Cut for the Transit and Passage of such Ships and other Vessels from a certain Part of the said River *Wensum*, otherwise *Yare*, near to a certain Place called or known by the Name of *Reedham Hills*, and situate in the said County of *Norfolk*, to a certain Part of the River *Waveney* near and to the South of a certain Bridge called or known by the Name of *Saint Olave's Bridge* in the County of *Suffolk*; and which said Cut is intended to pass in and through the Parishes of *Reedham* and *Raveningham* aforesaid, and the several Parishes of *Chedgrave*, *Loddon*, *Thurlton*, *Toft Monks*, *Thorpe next Hadiscoe*, and *Hadiscoe*, or some of them, in the said County of *Norfolk*; and the deepening, widening, varying, altering, and improving the Navigation of a certain Part of the said River *Waveney*, beginning at the said last-mentioned Part thereof, near *Saint Olave's Bridge* aforesaid, and ending at the Junction of the said River *Waveney* with a certain Stream called *Oulton Dyke*, in the said County of *Suffolk*, and which said Part of the said River *Waveney* passes in and through the Parish of *Hadiscoe* aforesaid, and the several Parishes of *Aldeby*, *Wheatacre All Saints*, and *Burgh Saint Peter*, otherwise *Wheatacre Burgh*, or some of them, in the said County of *Norfolk*, and in and through the several Parishes of *Herringfleet*, *Somerleyton*, *Blundeston*, and *Oulton*, or some of them, in the said County of *Suffolk*, in order to make the same navigable and passable for such Ships and other Vessels; and the deepening, widening, varying, altering, and improving the Navigation of the said Stream called *Oulton Dyke*, and of a certain Broad called *Oulton Broad*, and of a certain Lake called *Lake Lothing*; and of the Communication between the said Broad and Lake respectively; and which said Dyke, Broad, and Lake, are respectively situate in, or pass in and through the Parish of *Oulton* last aforesaid, and the several Parishes of *Carlton Colville*, *Kirkley* otherwise *Kirtley*, and *Lowestoft* aforesaid, or some of them, in the said County of *Suffolk*, in order to make the same navigable for the Transit and Passage of such Ships and other Vessels; and the cutting, making, and maintaining a like navigable Cut for the Transit and Passage of such Ships and other Vessels from the said last-mentioned Lake, called *Lake Lothing*, to the Sea at the said Parish of *Lowestoft*, in the said County of *Suffolk*, and which said last-mentioned Cut is intended to pass in and through the said Parish of *Lowestoft* in the said County of *Suffolk*; and the making and maintaining a Port or Harbour on the Sea Shore there, in the said Parishes of *Carlton Colville*, *Kirkley* otherwise *Kirtley*, and *Lowestoft*, or one of them, with proper Piers, Jetties, Breakwaters, Basins, Docks, Locks, Quays, Wharfs, Landing Places, Warehouses, and other Works, for the greater and more convenient Use of the said Rivers, New Cuts, New Haven and Harbour, with fit Roads, Ways, Avenues, and Approaches to the same, will open a new and beneficial Communication for Vessels employed in the Coasting and other Trades, and for the Conveyance of Goods, Wares, and Merchandize to and from the said City of *Norwich* and County of the same City, and to and from divers Parts of the said Counties of *Norfolk* and *Suffolk*; and such Port or Harbour will afford Shelter to Ships and Vessels in the Stress of Weather, and may be the Means of preserving the Lives and Property of many of His Majesty's Subjects; and the said Undertaking will generally be of great Public Utility; but the several Purposes aforesaid cannot be

be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *George Abbott, Thomas Amey, Thomas Amyott, Richard Aldous Arnold, George Arundell, Alfred Austin, George Barker, Martha Barker, John Barker, James Back, Edward Barnard, Richard Batley, John Bateman, John Barwell, L. R. Beck, Augustus Adolphus Hamilton Beckwith, Maria Bedford, Sarah Bedford, Mary Ann Bedford, Charles Bedford Junior, James Bennett, William Bircham, Dodshon Blake, H. W. Blake, Robert Blake, Samuel Blyth, Henry Bolingbroke, John Bolton, Edward Temple Booth, Charles Boutell Clerk, James Brooks Junior, Arthur Bronne, James Brown Clerk, Harry Bronne, John Brownley, William Brownley, William Bunn, Thomas Fowell Buxton, P. Buxton, H. Buxton, C. Buxton, F. Buxton, Robert John Bunyan, John Campbell, Caroline Candler, Henry Carter, Walter Carver, John Challis Junior, W. B. Chamberlain, C. John Chapman Clerk, Sarah Chapman, Elizabeth Chapman, Benedict Chapman Clerk, William Chase, Jabuz Chittock, Thomas Vere Chute, John Hammond Cole, J. A. Clarke, John Cockerell, George Coleman, Samuel Coleman, John Norton Valentine Cooper, John Gann Cousins, Thomas Crompton, John Green Cross, John Culley, John Culley, Benjamin Cundall, Danger, Jeremiah Davey, William Davey, Emma Davey Junior, Elizabeth Davey, William Davy, Rebecca Davis, William Davey, Thomas Starling Day, Edward Day, Robert De Carle Junior, Thomas Eaton, John Edwards Clerk, Henry Edwards, William Elliott, William Esam, William Creasy Ewing, Hannah Farr, Robert Farrand, Hannah Farr Junior, Hannah Farr, Charlotte Farr, William Fellgate, Mary Ann Finch, William Freeman, Elizabeth Finch, Peter Le Neve Forster, Edward Forster, William Foulger, John Fountain, Thomas Foyson, Henry Francis, Frances Finch, John Pigney Garrard, William Geary, Steed Girdlestone, Glover, William Greenfield, Charles Griffin, William R. Griffith, Henrietta Gurney, Luke Hansard, Charles Hardy, James Harding, John Harvey, Robert John Harvey, Kerrison Hervey, Robert Gidolph Harvey, John Cressey Hall, James Hall, Robert Harrison, Ann Heasett, D. Hetherington, John Michael Hill, Ephraim Hinde, George Howes, John Howlett, William Hunt, Jacob Johnson, George Juler, John Keeler, Hammond King, John Kitson, Roger Kitson, George Knights, Richard Lacey, William Ladell, Stephen Lancaster, G. G. D. Larpent, Edward Lawes, Barnabas Lemon, P. L. Lister, Samuel Lovick Junior, Samuel Lovick, William Lumley, Sarah Mackie, John Marshall, Harcourt Masters, Philip Meadows Martineau, Henry Martineau, Thomas Massey, Edward Massey, Jonathan Matchett, Charles Morton, Charles Meyes, Charles Middleton, William Salter Millard, Robert Mills, William Moore, Ann Moneyment, R. D. Moss, W. P. Murray, Henry Newton, Francis Newton, Saville Onley Onley, Charles Saville Onley, William Osborne, Edward Oxley, Joseph Park, Samuel Parkinson, William W. Parkinson, John Staniforth Pattison, Francis Peacock, George Pearce Clerk, John Pilgrim, John Powell, Stephen Powell, Matthew Rackham, John Raven, John Reynolds, William Riches, John Ringer, Henry Rix, George Rix, James Robinson, Harriet Rudrum, J. D. Salmon, John Scott, George Seppings, John Sharpe,*

Proprietors.

Sharpe, Richard Shaw, Robert Sheppard, William Simpson, John Skippers, Joanna Smith, William Spelman, William Spratt, William Spratt, Richard Day, Squire, Matthew Squire, Christopher Stannard Clerk, Joseph Stannard Junior, J. Tertius Stannard, Thomas Sudbury Junior, Seth William Stevenson, Swann Tabrum, John Tayler, Philip Tayler, John Tayler, Edward South Thurlow, William Tomlinson, Edward Trundall, Charles Turner, James B. Turner, Edward Varnish, John Newman Waite Junior, Robert Warde, William Ward, Ann Wells, William Wilde, William Wilcombe, Thomas R. Wiley, Thomas C. Williams, John Wing, William Wilson, Isaac Wiseman, William Whitbread, Benjamin Wood, Philip Woodgate, Henry John Wright, John Wright, John Wright, John Wright, John Harrison Yellop, John Youngs, and their respective Successors, Executors, Administrators, and Assigns, or such of them as shall from Time to Time be possessed of any Share or Shares in the Navigation and Undertaking hereby authorized to be made and carried on, and also all such other Person or Persons as shall from Time to Time be possessed of any Share or Shares therein in manner hereinafter provided, and their respective Successors, Executors, Administrators and Assigns, shall be and they are hereby united for the making, maintaining, completing, and carrying on the said intended Navigable Communication for Ships and other Vessels, and the said Port or Harbour, and other Works hereby authorized to be made, according to the Powers and Authorities, Rules, Orders, and Directions hereinafter set forth and expressed for that Purpose, and shall be One Body Politic and Corporate, by the Name of "The Company of Proprietors of the *Norwich and Lowestoft* Navigation," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall also have full Power and Authority to purchase and hold Lands, Tenements, and Hereditaments, to them, their Successors and Assigns, for the Use of the said Undertaking, without incurring any of the Forfeitures or Penalties of the Statutes of Mortmain.

Corporate
Name.

Purposes of
the Act.

II. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and others, to improve, cleanse, scour, enlarge, embank, deepen, widen, vary, alter, and render more straight the said Rivers *Wensum*, *Wensum* commonly called *Yare* and *Wensum*, otherwise *Yare*, for improving the Navigation thereof from a certain Bridge called or known by the Name of the *Foundery Bridge*, situate in the City of *Norwich* and County of the same City, in and through the several Parishes, Hamlets and Places following; that is to say, the Parishes of *Saint Peter per Mountengate*, *Saint Julian*, *Saint Ethelred*, and *Saint Peter Southgate*, in the aforesaid City of *Norwich* and County of the same City, the Hamlets of *Thorpe Carrow*, *Bracondale*, and *Trowse Millgate*, in the County of the same City, and in and through the several Parishes of *Trowse Newton*, *Thorpe next Norwich*, *Whittingham*, *Kirby Bedon*, *Bramerton*, *Postwick*, *Great Plumstead*, *Witton*, *Surlingham Saint Mary*, *Surlingham Saint Saviour*, *Brundall*, *Bradestone*, *Strumpshaw*, *Rockland*, *Claxton*, *Carleton*, *Buckenham*, *Hassingham*, *Langley*, *Cantley*, *Limpenhoe*, *Southwood*, *Hardly*, *Reedham*, *Norton Subcorse*, and *Raveningham*, or some or

one of them, in the said County of *Norfolk*; and also to form and maintain One or more Basin or Basins, with proper Reservoirs, Quays, Wharfs, Landing Places and Warehouses adjoining thereto, near the *Foundery Bridge* aforesaid, in the said Hamlet of *Thorpe*, in the said City of *Norwich* and County of the same City; and also to make and maintain a new Cut or Entrance to the said Basin or Basins on the East Side of a certain Bridge crossing the said River *Wensum*, called the *Carrow Bridge*, in the said Hamlet of *Thorpe*, in the said City and County of *Norwich*; and also to erect, make, and maintain a Bridge where the said new Cut will cross the Road leading from the City of *Norwich* aforesaid to the said Parish of *Thorpe* next *Norwich*, in the County of *Norfolk* aforesaid; and also to make and maintain another Cut from a certain Part of the said River *Wensum*, otherwise *Yare*, from just below or near unto a certain Place on the said River called *Reedham Hills End*, in the said County of *Norfolk*, across a Level of Marshes to a certain Part of the said River *Waveney*, near and to the South of a certain Bridge called or known by the Name of *Saint Olave's Bridge*, in the said County of *Suffolk*, and which said last-mentioned Cut is intended to pass in and through the said several Parishes of *Reedham*, *Raveningham*, *Chedgrave*, *Loddon*, *Thurlton*, *Toft Monks*, *Thorpe* next *Hadiscoe*, and *Hadiscoe*, or some or one of them, in the said County of *Norfolk*; and also to erect, make, and maintain a Bridge where the said last-mentioned Cut will cross the Turnpike Road leading from *Saint Olave's Bridge* aforesaid to *Beccles*, in the said County of *Suffolk*; and also to improve, cleanse, scour, enlarge, embank, deepen, widen, vary, and alter a certain Part of the said River *Waveney*, for improving the Navigation thereof from the last-mentioned Part thereof near *Saint Olave's Bridge* aforesaid, and ending at the Junction of the said River *Waveney* with a certain Stream called *Oulton Dyke*, in the said County of *Suffolk*, and which said Part of the said River *Waveney* passes in and through the said several Parishes of *Hadiscoe*, *Aldeby*, *Wheatacre All Saints*, and *Burgh Saint Peter*, otherwise *Wheatacre Burgh*, or some or one of them, in the said County of *Norfolk*, and in and through the said several Parishes of *Herringfleet*, *Somerleyton*, *Blundeston*, and *Oulton*, or some or one of them, in the said County of *Suffolk*; and also to improve, cleanse, scour, enlarge, embank, deepen, widen, vary, alter, render more straight, and maintain the said Dyke called *Oulton Dyke*, a certain Broad called *Oulton Broad*, and a certain Lake called *Lake Lothing*, and the Communication between the said Broad and Lake respectively, and which said Dyke, Broad, and Lake are respectively situate in, or pass in and through the said Parishes of *Oulton*, *Carlton Colville*, *Kirkley* otherwise *Kirtley*, and *Lowestoft*, or some or one of them, in the said County of *Suffolk*; and also to erect, make, and maintain, at or near the Point or Place where the said Broad and Lake communicate with each other, situate in the said Parishes of *Oulton* and *Carlton Colville* in the said County of *Suffolk*, a Lock or Sluice, with proper and sufficient Stop Gates, to prevent the fresh Waters of the said Broad, Dyke, and Rivers from flowing into the said Lake, and also to prevent the tidal Waters of the Sea from flowing into the said Broad, Dyke, and Rivers, or unto any of the Lands adjoining thereto respectively; and also to erect, make, and maintain a Bridge across the Communication between the said Broad and Lake at or near the

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Place

Place where a certain Bridge called or known by the Name of *Mutford Bridge* now stands, situate in the said Parishes of *Oulton* and *Carlton Colville*, or one of them, in the said County of *Suffolk*; and also to make and maintain an Entrance Cut from the said Lake called *Lake Lottling*, unto and through the Sea Shore into the Sea at or near the said Parish of *Lowestoft* in the said County of *Suffolk*, and which said last-mentioned Entrance Cut is intended to pass in and through the said Parish of *Lowestoft* in the said County of *Suffolk*; and also to erect, make, and maintain all such proper and sufficient Embankments, Bridges, Locks, Weirs, Sluices, Harbour, Flood and other Gates, as may be deemed necessary and requisite, at or near the Place where such last-mentioned Entrance Cut will open and communicate with the said Lake in the said Parishes of *Kirkley* otherwise *Kirtley*, and *Lowestoft*, or one of them, in the said County of *Suffolk*; and also to form and maintain one or more Basin or Basins, with proper Reservoirs, Quays, Wharfs, Landing-places, and Warehouses adjoining thereto, in or near the said Lake called *Lake Lottling*, in the said Parishes of *Oulton*, *Carlton Colville*, *Kirkley* otherwise *Kirtley*, and *Lowestoft*, or some or one of them, in the said County of *Suffolk*; and also to make and maintain at or upon the Sea Shore or Coast, at the Point or Place at and from which the said last-mentioned Entrance Cut is to commence and open, a Port or Harbour, with proper Piers, Jetties, Breakwaters, Basins, Locks, and other necessary Works respectively, as may be necessary for the Entrance of the said last-mentioned Cut, and the Passage of Ships and Vessels resorting thereto into and from the Sea, and for the better enabling such Ships and Vessels to come into, and go out of, and pass through the same, and there to lie and continue; and to make all such convenient Tram or Rail Roads, Ways, Roads, and Passages of Communication with all Turnpike Roads or Highways already made, or to be made within One hundred Yards of the said several Basins, Reservoirs, Quays, Wharfs, Warehouses, Rivers, Haven, Cuts, New Haven or Harbour, as may be requisite for giving necessary Access to the same, and the Carriage of Goods and all other necessary Purposes at, in, and upon, and to and from the same; and to erect and make Wharfs, Quays, Landing-places, and other Conveniences for the Purposes of Loading and Unloading, Shipping and Unshipping, Landing and Conveyance of Goods to and from the said River, Haven, Cuts, New Haven and Harbour, and to supply the said Cuts and New Haven whilst making, and at all Times for ever after the same shall be made, with Water from all Rivers, Brooks, Springs, Streams, Rivulets, and Watercourses adjacent thereto, or which shall flow into, or which shall be found in digging or making the said Cuts and New Haven or any of them; and the said Company of Proprietors are hereby authorized and empowered, by themselves and their Deputies, Agents, Officers, and Workmen, to make, for the Purpose of supplying the said Rivers, Cuts, Dyke, Broad, Lake, and New Haven, or any Part or Parts thereof, with Water, such and so many Soughs, Tunnels, Culverts, Feeders, Aqueducts, and Channels, as they shall think fit for supplying the said River, Cuts, Dyke, Broad, Lake, and New Haven with Water; and also for effectuating the Purposes of this Act, to enlarge, widen, divert, alter, or vary any Roads or Ways, and the Course of such Brooks, Streams, or Watercourses, which are or shall be situate with-

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in the Line or Track of the said Rivers, Cuts, Dyke, Broad, Lake, or New Haven, or which shall or may hinder, prevent, or otherwise obstruct the making of the said Works; and for the Purposes aforesaid, or any of them, the said Company of Proprietors, and their Deputies, Servants, Agents, and Workmen, are hereby authorized and empowered to enter into and upon the Lands and Grounds of any Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same, or of any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary and proper for making the said Cuts and the other Works and Conveniences hereby authorized to be made, and there to bore, dig, cut, trench, and excavate, and also to remove, take, carry away, and lay any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got in making, or which may hinder, prevent, or obstruct the making, carrying on, maintaining, or repairing the said Cuts and other Works respectively, according to the true Intent and Meaning of this Act; and also to make Carriage Roads and other Ways, as well for the carrying and conveying of all Manner of Materials necessary or intended for the making, erecting, finishing, altering, repairing, widening, enlarging, or improving the said Rivers, Cuts, Dyke, Broad, Lake, New Haven, and other Works hereby authorized to be made, as also for the Purposes of the said intended Navigation, and for the carrying and conveying of Goods, Wares, Merchandize, and other Things to and from the said Rivers, Cuts, Dyke, Broad, Lake, or New Haven; and also to make, build, drive, erect, and set up, in or upon the said Rivers, Cuts, Dyke, Broad, Lake, or New Haven, or in or upon the Lands adjoining thereto respectively, such and so many Bridges, Piers, Arches, Tunnels, Soughs, Aqueducts, Culverts, Sluices, Locks, Floodgates, Weirs, Banks, Embankments, Dams, Pens of Water, Water Tanks, Reservoirs, Basins, Wharfs, Quays, Houses, Warehouses, Toll-houses, Watch-houses, Landing-places, Weighing-beams, Cranes, Dry Docks and other Docks, Steam Engines, Machines, and other Works, Ways, Roads, Gates, Fences, and Conveniences, for the Purposes of the said intended Works, as and where the said Company of Proprietors shall think requisite and convenient; and also from Time to Time to alter, repair, amend, or discontinue the same or any of them, and to place, lay, work, or manufacture any Materials on the Lands or Grounds adjoining to the Place or Places where the said Works or any of them shall be carrying on; and also to make, set out, and appoint such Banks, Roads, and Ways, for the haling or drawing of Ships, Boats, Barges, and other Vessels passing upon the said Rivers and Cuts, Dyke, Broad and Lake, with Men, Horses, or otherwise, and such convenient Places for Ships, Boats, Barges, and other Vessels and Rafts to turn, lie, or pass each other in, as the said Company of Proprietors shall think proper and expedient; and also to dig, take, and carry away any Soil, Clay, Gravel, Sand, or Stone, which shall be proper, requisite, or convenient for the making, maintaining, and repairing the several Works aforesaid, or any of them, in or from the Grounds of any Person or Persons adjoining thereto; and also from Time to Time to make, build, erect, construct, and keep in repair any Piers, Arches, Aqueducts, and other

other Works, in, upon, over, or across any Roads, Rivers, Brooks, or Valleys, for making, carrying on, using, maintaining, and repairing of the said Cuts, Dyke, Broad, and Lake; and also to construct, erect, make, and do all other Matters and Things which they shall think convenient and necessary for the making, effecting, extending, preserving, improving, completing, and using the said Rivers, Cuts, Dyke, Broad, Lake, New Haven and Harbour, and other Works, in pursuance of and according to the true Intent and Meaning of this Act; they the said Company of Proprietors, their several Deputies, Agents, Officers, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making Satisfaction, in manner hereinafter mentioned, to the Owners and Proprietors of, and other Persons interested in any Lands, Tenements, or other Hereditaments, Waters, Watercourses, Brooks or Rivers respectively, which shall be taken, used, removed, diverted, or prejudiced, for all Damages to be by them sustained in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company of Proprietors and their Deputies, Agents, Officers, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject to such Provisoes and Restrictions as are hereinafter mentioned.

Company
not to divert
the Waters
of the Wen-
sum.

III. Provided always, and be it enacted, That nothing in this Act contained shall authorize or enable, or be deemed or taken to authorize or enable, the said Company of Proprietors, their Agents, Servants, or Workmen, to divert or abstract any of the Waters of the said Rivers *Wensum*, otherwise *Yare* and *Waveney*, or either of them, or any of the Waters, Streams, or Springs connected with such Rivers or either of them (save and except the Waters of *Lake Lothing*), for any Purposes or Purpose whatsoever, other than and except for the Purpose of supplying the said intended Cuts with Water, and for the Purpose of locking Ships or Vessels from or into the said Lake, called *Lake Lothing*, and for such other locking of Ships or Vessels as may at any Time be required in any other Part or Parts of the said intended Navigation.

Regulating
Locks on the
Wensum.

IV. And be it further enacted, That if at any Time hereafter it shall happen, that by or by reason or means of the said Navigable Cut from the said River *Wensum*, otherwise *Yare*, to the said River *Waveney* having been made and being maintained, the Waters of the said Rivers, or either of them, shall be diverted from their ancient Course or Channel, so that any Detriment or Injury shall at any Time arise to the Navigation of the said Rivers, or either of them, as it now exists, then and in such Case the said Company of Proprietors shall and will forthwith erect, and from Time to Time thereafter maintain, as occasion shall require, good and sufficient regulating Locks across the said Navigable Cut at or near the Junction thereof with the said Rivers respectively, or adopt such other Measures as shall effectually prevent any such Detriment or Injury; provided that such regulating Locks or other Measures shall be erected or adopted under the Inspection and to the Satisfaction of some Engineer to be appointed by the Justices of the Peace for the Counties of *Norfolk*
or

or *Suffolk* at their General Quarter Sessions, according as the Detriment or Injury complained of may from Time to Time occur in either of the said Counties; which Appointment the said Magistrates are hereby empowered and required from Time to Time to make.

V. Provided also, and be it further enacted, That nothing in this Act contained shall authorize or empower, or be deemed or taken to authorize or empower, the said Company of Proprietors to erect, build, make, or set up in or upon the said Rivers *Wensum*, otherwise *Yare* and *Waveney*, or either of them, any Bridge, Pier, Arch, Lock, Sluice, Wier, Floodgate, Embankment, or other Obstruction whatsoever, whereby the Navigation of the said Rivers, or of either of them, shall or may be in any Manner impeded, hindered, or obstructed.

Navigation of the River Wensum not to be obstructed.

VI. Provided always, and be it further enacted, That the said Company of Proprietors shall, and they are hereby required, to complete all the Works proposed to be erected at or near to *Mutford Bridge* of proper Materials, and in a substantial and workmanlike Manner, and so that the same shall form a sufficient Barrier to protect the marsh and low Lands situate in, upon, and near the Line of the proposed Navigation between *Mutford Bridge* and the City of *Norwich* from Injury, by being overflowed with Salt Water, before they shall be allowed to commence any other Part of the Works of the intended Navigation between *Mutford Bridge* and the River *Yare*.

Protection for Lands between Mutford Bridge and Norwich.

VII. And be it further enacted, That the Lands or Grounds to be taken or used for the said Cuts and Navigation hereby authorized to be made respectively, and the Ditches, Drains, and Fences to separate the same from the adjoining Lands, shall not exceed One hundred Yards in Breadth, measured horizontally, except in such Places where any Dock, Basin, Reservoir, or Recess for the lying of Ships, Boats, Barges, or other Vessels out of the Line of the said Cuts and Navigation hereby authorized to be made, or a Pen of Water shall be made; or where the said Cuts and Navigation, or any Part thereof, shall be raised higher or cut above Fifteen Feet deeper than the present Surface of the Land; and except in such Cases where it shall be judged necessary for Ships, Boats, Barges, and other Vessels to turn, lie, or pass each other; or where any Warehouse, Crane, or Weigh-beam may be erected, or where any Wharf or other Place may be set out and appropriated for the Reception of any Coals, Lime, Limestone, or other Minerals, Timber, or other Goods, Wares, Merchandize, and Things which shall be conveyed on the said Cuts and Navigation hereby authorized to be made; nor in any Place more than Two hundred Yards in Breadth, without the Consent of the Owner or Owners of any Lands or Grounds through which the said Cuts and Navigation will pass, signified in Writing under his Hand, or the Hand of his Agent lawfully appointed thereto: Provided always, that it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized, to make and complete the necessary Docks and Basins for the Purpose of communicating from and into the said Port or Harbour of Entrance, in the Places, and in the

Breadth of the Cuts.

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Manner,

Manner, and of the Breadth and Width specified and contained in the Plan or Book of Reference hereinafter mentioned.

VIII. And whereas Maps or Plans describing the Line of the said Cuts and Navigation, and of the said Reservoirs and their Feeders above particularly described, and the Lands and Grounds through which the same are intended to be carried by virtue of this Act, together with Books of Reference, containing the List of the Names of the Owners or reputed Owners and Occupiers of such Lands and Grounds, have been deposited at the respective Offices of the respective Clerks of the Peace for the said City of *Norwich*, and County of the same City, and for the said Counties of *Norfolk* and *Suffolk*; be it therefore further enacted, That the said Maps or Plans, and Books of Reference, shall remain in the Custody of the several Clerks of the Peace for the said City of *Norwich* and County of the same City, and for the said Counties of *Norfolk* and *Suffolk* respectively; and all Persons interested in any Manner therein, shall at all seasonable Times have Liberty to inspect and peruse the same, and to make Copies thereof, or Extracts therefrom, at all seasonable Times, paying to the said Clerks of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies or Extracts of such Book of Reference, and so in proportion for any greater Number of Words; and the said Maps or Plans and Books of Reference, or true Copies thereof, or of so much thereof which shall relate to any Matter which may be in question, shall be and are hereby declared to be Evidence in all Courts of Law or elsewhere; and the said Company of Proprietors in making the said Cuts and Navigation, and the said Reservoirs, and their Feeders, specified as aforesaid, and hereby authorized to be made, shall not deviate more than Fifty Yards from the respective Lines or Courses so described thereof in the said Maps or Plans and Books of Reference respectively as aforesaid; Provided always, nevertheless, that it shall be lawful for the said Company of Proprietors, and they are hereby authorized, to deviate from the Line or Course, Lines or Courses of the said Cuts and Navigation, Reservoirs, and their Feeders, Aqueducts, and other Works hereby authorized to be made, to any Distance not exceeding Fifty Yards from the Lines or Courses, or any of them, as described in the said Maps or Plans.

IX. Provided always, and be it further enacted, That no Advantage shall be taken of or against the said Company of Proprietors, or any Interruption be given to the making of the said Cuts and Navigation, Feeders and Reservoirs, and any other Works hereby authorized to be made, or any of them, on account of any Error or Omission in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace acting for the said City of *Norwich* and County of the same City, or for the said Counties of *Norfolk* or *Suffolk* (as the Case may be), and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

X. And be it further enacted, That nothing herein contained shall authorize or empower the said Company, or any other Person or Persons,

Plans and Books of Reference to be left with Clerks of Peace.

No Advantage to be taken of any Error or Omission therein.

Houses and Gardens.

Persons, to take, use, injure, or damage, for the Purposes of the said Cuts and Navigation, or other Works hereby authorized to be made, or any of them, any House or Building which was erected or built before the First Day of *January* One thousand eight hundred and twenty-six, or any Land or Ground which, on or before the said First Day of *January* One thousand eight hundred and twenty-six, was set apart and used as and for any Garden, Orchard, Yard, Park, planted Walk or Avenue to a House, without the Consent in Writing of the Owner and Proprietor thereof first had and obtained: Provided always, that if the said Company shall not, within the Space of Five Years from the passing of this Act, agree for, or cause to be valued or paid for, as hereinafter mentioned, the several Houses, Buildings, Lands, Tenements, or Hereditaments, which they are hereby empowered to purchase as aforesaid, or so much thereof as the said Company shall deem necessary or proper for the Purposes of this Act, then and from thenceforth those Powers which are granted to them for such Purposes shall cease, determine, and be utterly void.

XI. And be it further enacted, That after any such Part or Parts of the said Lands, Grounds, or Hereditaments shall be set out and ascertained as aforesaid, for making the said Cuts and Navigation, and the Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, or any Part or Parts thereof, and for providing and constructing all other Works and Conveniences hereinbefore mentioned, or any of them, it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands and Guardians of such Tenants for Life or in Tail, or of Tenants in Fee Simple, Trustees and Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees or Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, 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 for every other Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any Lands, Grounds, or Hereditaments, which shall be set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of Proprietors and their Successors; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, so conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she, or they, or any of them, shall respectively make, by virtue or in pursuance of this Act; and all such Contracts, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors.

Bodies Politic, &c. empowered to convey.

XII. And

XIV. And whereas, in pursuance of the Provisions of this Act, the said Company of Proprietors may purchase Lands and Buildings not necessary to be made use of for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company of Proprietors, by Indenture under their Common Seal, to grant and convey, by Way of absolute Sale, for a Consideration in Money, such Part or Parts of the Lands or Buildings which shall be so purchased by and conveyed to them as aforesaid as shall not be wanted for the Purposes of this Act, and Conveyances from the said Company of Proprietors shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands or Buildings, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Company of Proprietors to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands or Buildings shall be so sold, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money or any Part thereof.

Company empowered to resell Lands not wanted.

XV. Provided always, and be it enacted, That the said Company of Proprietors, before they shall sell and dispose of such Lands or Buildings, shall first offer to resell the same to the Owner or Owners of the adjoining Lands; and the Price at which the same shall be resold, shall, in case of Difference or Dispute as to the Value thereof, be adjusted and settled by a Jury, in like manner as the Price for any Land to be taken in pursuance of this Act is herein directed to be settled in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree, or shall refuse to purchase the same, it shall be lawful for any Person or Persons not interested in the Premises to make an Affidavit, to be sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the City or County where such Lands or Buildings shall be situate, stating that such Offer was made by or on Behalf of the said Company of Proprietors, and that such Person or Persons did not agree or did refuse to purchase such Lands or Buildings, as the Case may be; and such Affidavit shall in all Courts be sufficient Evidence and Proof that such Offer was made, and not agreed to, or was refused.

Owners of adjoining Lands to have first Offer of Land resold.

XVI. And be it further enacted, That if any Contract, Agreement, Bargain or Sale of or concerning any Lands, Tenements, or Hereditaments, to be purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, shall be made and entered into, of any Lands, Tenements, or Hereditaments which shall be Copyhold, or of the Nature of Copyhold, the same shall be executed and completed by Surrender thereof in the Court of the Manor of which the same is or are holden, according to the Custom of the Manor; and such Lands, Tenements, or Hereditaments shall continue subject to the same Fines, Rents, and Services as are due and payable, and

For adjusting the Mode of settling Contracts respecting Copyholds.

of Right accustomed, in the same Manner as if this Act had not been made, unless the Lord or Lords, Lady or Ladies of the Manor for the Time being shall be willing or desirous to enfranchise the same; in which Case, such Lord or Lords, Lady or Ladies, is and are hereby empowered so to do, notwithstanding he, she, or they shall be seised of or entitled to the same Manor or Manors for a less Interest than an Estate of Inheritance in Fee Simple; but inasmuch as the vesting and continuing of such Copyhold Premises in the said Company as a Body Corporate would prevent such Lord or Lords, Lady or Ladies, from receiving the Benefits of Fines, Heriots, and other Services, due upon Death, Descent, or Alienation, in like manner as he, she, or they would have done in case such Copyhold Premises had continued to be the Property of Individuals, the said Lord or Lords, Lady or Ladies of the said Manor or Manors, in case he, she, or they shall decline to enfranchise the respective Parcels of Copyhold Lands, Tenements, and Hereditaments, held of the said Manor, which shall be so purchased by or vested in the said Company hereby incorporated for the Purposes aforesaid, shall be entitled to and shall be paid by the said Company a reasonable Recompence and Satisfaction for the Loss that will arise to him, her, or them, in respect of such Fines, Heriots, or other Services, the Enjoyment of which will be diminished or lost by the vesting and continuing such Copyhold Premises in a Body Corporate, which Recompence and Satisfaction, if not settled by Agreement between the Parties, shall be adjusted and settled by a Jury, in like manner as the Price of any Land to be taken in pursuance of this Act is directed to be settled in case of Difference or Dispute as to the Value thereof.

Conveyance by Lords of Manors of Lands taken from Commons to be sufficient.

XVII. And be it further enacted, That in all Cases where there shall be occasion to cut through, take, or use Part of any Common or Waste Grounds for the Purposes of this Act, the Conveyance thereof by the Lord or Lady for the Time being of the Manor wherein the same shall be situate, shall be a good and sufficient Conveyance to the said Company of Proprietors for the Purpose of vesting in them the Fee Simple and Inheritance thereof, as fully and effectually as if any Person having Right of Common upon such Commons or Waste Grounds had joined in and executed such Conveyance; and the Compensation to be paid for any Right of Common upon any such Commons or Waste Grounds as aforesaid, shall be paid by the said Company of Proprietors to the Churchwardens of the respective Parishes wherein such Commons or Waste Grounds shall be, and shall be by such Churchwardens received and applied for such general and public Purposes within such Parishes respectively as a Vestry of every such Parish, to be convened by such Churchwardens for that Purpose, shall direct, except as shall be herein otherwise provided.

Satisfaction to be made.

XVIII. Provided always, and be it further enacted, That all and every Body or Bodies Politic, Corporate, and Collegiate, Trustees, and other Persons hereinbefore capacitated to sell and convey Lands and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands or other Hereditaments through, in, or upon which the said Cuts, Basins, Reservoirs, and their Feeders, Quays, or other Works hereby authorized are intended to be

made, or any of them, or of any Mills or other Works from which any Water to supply the said Cuts and Navigation hereby authorized to be made, or either of them, may or shall be diverted, may accept and receive Satisfaction for the Value of such Lands and Grounds, Mills, and other Works and Hereditaments, and for the Damage to be sustained in making and completing the said Works as hereinafter mentioned; and from and immediately after the Time of making and executing such Sale and Conveyance, or any Contract or Contracts for the same, the said Company of Proprietors may and shall be at liberty to enter upon, and from thenceforth for ever to have, take, and enjoy the said Lands, Grounds, and Hereditaments, for the Use and Maintenance of the said Cuts respectively, and for supplying the same with Water; and in case the said Company of Proprietors, and the said Parties interested in such Lands and Grounds or other Hereditaments, cannot, or do not agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Verdict of a Jury in all Respects in manner hereinafter directed.

XIX. And for settling the Differences which may arise between the said Company and the several Owners of or Persons interested in any Lands, Grounds, Tenements, Mills, Mines, Waters, or other Hereditaments, which shall or may be taken, used, effected, or prejudiced by reason of the Execution of any of the Powers hereby granted; be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any other Person or Persons so interested, for and on his, her, or their Part or Parts, or for or on the Part of his, her, or their Cestuique Trusts, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money, or Recompence, or Compensation as shall be offered by them the said Company, or their Agent by or on their Behalf, and shall give Notice thereof in Writing to the said Company within Fourteen Days next after such Offer shall have been made, and the Party or Parties giving such Notice as aforesaid shall therein request that the Matter or Matters in dispute may be submitted to the Determination of a Jury; or if any Body Politic, Corporate, or Collegiate, or any other Person or Persons seised or possessed of or interested in any such Lands, Mills, or other Hereditaments as aforesaid, shall refuse to treat or agree, or shall not agree, or by reason of Absence or Disability cannot agree with the said Company, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found or known, or shall not produce or evince a clear Title to the Premises they may be in Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Company, or of the Person or Persons authorized by them; then and in every such Case, the Directors of the said Company, or any Three or more of them, shall, and they are hereby empowered and required, from Time to Time, to issue a Warrant, under their Hands and Seals, to the Sheriffs or Sheriff of the City or County wherein such Lands, Tenements, or Hereditaments shall be, or the Matter in Question or Dispute shall arise; or in case such Sheriffs or Sheriff, or their or his Under-sheriff, shall happen to be one of the said Company of Proprietors, or shall enjoy any Office of Trust or Profit under them, or shall be

Differences
to be settled
by a Jury.

be otherwise interested in the Matter or Matters in question, then to the senior Coroner of the said City or County; and in case he shall be so interested, then to the next Coroner of such City or County in point of Seniority, who shall not be so interested as aforesaid; and in case all the Coroners of the said City or County shall be so interested, then to the last Persons and Person who filled the Office of Sheriffs and Sheriff of such City and County, who shall not be so interested as aforesaid, requiring such Sheriffs or Sheriff, or Coroner or other Person, and the said Sheriffs or Sheriff, or Coroner, or such other Person, is hereby empowered and required to empanel, summon, and return not less than Twenty-four, nor more than Forty-eight substantial and indifferent Persons, qualified according to Law to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be empanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the said Sheriffs, Sheriff, Under-sheriff, Coroner, or other Person, at such Time and Place as in such Warrant shall be directed and appointed, such Time not being less than Seven Days nor more than Fourteen Days after such Warrant shall be served upon the said Sheriffs, Sheriff, Under-sheriff, Coroner, or other Person, and Three Days' Notice at the least, in Writing, under the Hands of the said Directors, or any Three or more of them, is hereby required to be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in any such Lands or Hereditaments, 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 Tenants in Possession of such Lands or Hereditaments, of the Time and Place of the said Jury being so impanelled, summoned, and returned; and the said Sheriffs, Sheriff, Under-sheriff, Coroner, or other Person, are and is hereby required, out of the Persons so empanelled, summoned, and returned, or out of such of them as shall appear, to swear or cause to be sworn Twelve, who shall be the Jury for the Purpose aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriffs, Sheriff, Under-sheriff, Coroner, or other Person, shall return other substantial, honest, and indifferent Men of the Byestanders, or of others who can be speedily procured to attend that Service (being qualified as hereinbefore required), to make up the said Jury to the Number of Twelve; and all Parties concerned may 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 Sheriffs, Sheriff, Under-sheriff, Coroner, or other Person, are and is hereby empowered and required to summon and call before them or him any Witnesses touching the Matters in question, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matters or Things in Controversy, and to use all other lawful Ways and Means, as well for his as for the Jury's better Information in the Premises, as the said Sheriffs, Sheriff, Under-sheriff, Coroner, or other Person, shall think fit; and it shall be lawful for all Parties concerned, by themselves, their Counsel and Solicitors, to attend and be heard, and to adduce Evidence before the said Sheriffs, Sheriff, Under-sheriff, Coroner, or such other Person respectively;

respectively; and such Jury shall, upon their Oaths (which Oaths, as well as the Oaths to such Witnesses, the said Sheriffs, Sheriff, Under-sheriff, Coroner, or other such Person, is hereby empowered and required to administer,) inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands and Grounds, Mills, Mines, Waters, and Hereditaments, and the Compensation which shall be made for the Damages sustained as aforesaid; and the said Sheriffs, Sheriff, Under-sheriff, Coroner, or such other Person, shall give Judgment for such Purchase Money, Recompence, or Compensation so assessed by such Jury; which said Verdict, and the Judgment thereupon, shall be signed by the said Sheriffs, Sheriff, Under-sheriff, Coroner, or such other Person, and shall be binding and conclusive to all Intents and Purposes upon all Bodies Politic, Corporate, and Collegiate, and upon all Persons whomsoever.

XX. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on Behalf of the said Company of Proprietors, as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, empannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Company of Proprietors out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Fourteen Days after Demand made thereof from the said Company, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Company, or of any Goods or Chattels of the Treasurer or Treasurers of the said Company (unless such Treasurer or Treasurers shall pay such Costs and Charges out of any Monies received by him by virtue of this Act), which he is hereby authorized to do, under a Warrant to be issued for that Purpose by any Justice of the Peace for the City, County, or Place in which such Lands, Tenements, or Hereditaments shall be situate, which Warrants any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Persons entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on Behalf of the said Company of Proprietors, as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Company; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Company, the Costs and Charges so incurred shall be borne by the said Company in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be ascertained and settled by

By whom
Expences of
Jury shall be
paid.

any Justice of the Peace for such City, County, or Place as aforesaid, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Company as aforesaid, the Amount thereof, having been first paid by the said Company, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Company from the Party or Parties liable to the Payment thereof by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

Jurymen not to be Owners of Lands to be taken for the Cuts.

XXI. Provided always, and be it further enacted, That no Person shall be summoned or chosen to be of such Jury who shall be an Owner or Occupier of any such Lands, Grounds, Mills, Waters, Tenements, or other Hereditaments, which shall be required for any of the Purposes of the said Cuts or Navigation, or any of the Works hereby authorized to be made.

Parties requesting Juries to enter into Bonds to prosecute.

XXII. Provided always, and be it further enacted, That all and every Person or Persons making Complaint and requesting a Jury to be summoned, shall (before the said Company of Proprietors shall issue their Warrant for that Purpose) enter into a Bond, with Two sufficient Sureties, to the Treasurer of the said Company of Proprietors, in a Penalty of One hundred Pounds, with Conditions to prosecute his, her, or their said Complaint, and to bear and pay the Costs and Expences of summoning such Jury and taking such Verdict, in case the same shall be given for no greater or for a less Sum or Rent than had been offered by or on the Behalf of the said Company, before the summoning and returning the said Jury or Juries, for the Purchase of or as a Recompence for any Lands, Grounds, Mills, or Hereditaments, or as a Compensation for any Damages, or in case no Verdict shall be found for Damages, where the whole Dispute was whether any Damage was or was not done as aforesaid.

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

XXIII. And be it further enacted, That the said Company of Proprietors shall not, nor shall any Jury to be summoned by virtue of this Act, be allowed 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, unless Notice in Writing, stating the Particulars of such Injury or Damage, and the Amount of the Compensation claimed in respect thereof, shall have been given by or on Behalf of such Person or Persons to the said Company of Proprietors, within the Space of Three Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

XXIV. And

XXIV. And be it further enacted, That if any Sheriffs or Sheriff, Under-sheriff, Coroner, or other Person so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Two hundred Pounds; and if any Person so summoned and returned as aforesaid upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence shall not appear, after having been paid or tendered a reasonable Sum for his or her Costs, Charges, or Expences, or appearing shall refuse to be examined or to give Evidence, every Person so offending, having no reasonable Excuse (to be allowed by the said Sheriffs or Sheriff, Under-sheriff, Coroner, or other Person,) shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the City or County in which the same shall be, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty so recovered from any Person who shall have been so summoned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Party who shall appear to the said Sheriffs or Sheriff, Under-sheriff, Coroner, or other Person, to be injured by the Default of such Person.

Penalty on Sheriffs, &c. neglecting to summon Juries.

XXV. And be it further enacted, That the said Jurors shall award all Determinations, Judgments, and Verdicts which they shall respectively make and give in the Execution of the Powers hereby vested in them, concerning the Value of Lands, Mills, and other Hereditaments, separately and distinctly from any Damages sustained or to be sustained as aforesaid, and shall distinguish the Value set upon the Lands and other Hereditaments, and the Money assessed or adjudged for such Damages as aforesaid, separately and apart from each other; and also shall settle what Shares and Proportions of the Purchase Money or Compensation for Damages shall be allowed to any Tenant, or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interest therein.

Verdict for the Price of Land and Damage to be assessed separately.

XXVI. And be it further enacted, That all the said Judgments and Verdicts, (being first signed by the said Sheriffs or Sheriff, Under-sheriff, Coroner, or other Person, at the taking of such Verdicts or pronouncing of such Judgments respectively,) shall be kept by the respective Clerks of the Peace amongst the Records of the Quarter Sessions of the said City of *Norwich* and County of the same City, and of the said Counties of *Norfolk* and *Suffolk* respectively, as the Case shall require, and shall be deemed to be Records of the said Quarter Sessions, to all Intents and Purposes whatsoever; and the same or true Copies thereof shall be allowed to be good Evidence, and all Persons shall have liberty to inspect the same, paying for such

Verdict to be recorded.

such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in Proportion for every less Number of Words.

Power to enter on Payment or Tender of the Purchase Money.

XXVII. And be it further enacted, That upon Payment or Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury or Juries, for the Purchase of any such Lands, Waters, Mills, Tenements, or other Hereditaments, as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages, as hereinbefore mentioned, to the Proprietor or Proprietors of any such Lands or other Hereditaments, or such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation in manner hereinbefore provided respectively, within One Calendar Month after the same shall have been so agreed for, determined, or awarded; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to such Lands, Tenements, or Hereditaments, to the Satisfaction of the Directors of the said Company of Proprietors, or shall refuse to execute a Conveyance or Conveyances of such Lands, Tenements, or Hereditaments, which shall be required for the Purposes of this Act, under the Powers and Authorities herein contained; then, upon Payment of the said Sum or Sums of Money into the Bank of *England*, as hereinafter directed and required, (in case the same shall be requisite) for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Company of Proprietors and their Agents, Servants, and Workmen, immediately to enter upon and into such Lands, Grounds, Mills, Tenements, and other Hereditaments respectively; and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company of Proprietors for the Purposes of this Act for ever, and such Tender, Payment, or Investment 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 shall extend to and be deemed, taken, and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates, in Reversion and Remainder, of his, her, and their Issue, and of any and every other Person or Persons whomsoever therein: Provided nevertheless, that before such Tender, Payment, or Investment as aforesaid, it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut into such Lands or Grounds for the Purpose of making the said Cuts and Navigation, Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, or any of them, unless upon the Leave and Consent of the respective Parties, Owners or Occupiers thereof interested as aforesaid, in Writing under their respective Hands, first had and obtained; and in case any Person or Persons shall enter upon any such Premises for the Purposes of this Act until such Payment shall have been made, every Person or
Persons

Persons so offending shall forfeit and pay the Sum of Ten Pounds for every Day he or they shall remain on the said Premises.

XXVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any Disability or Incapacity as hereinbefore mentioned, such Money shall, in case it shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* "The Company of Proprietors of the *Norwich* and *Lowestoft* Navigation," together with the Name or Names of such Person or Persons as any Three of the Directors of the said Company shall by Writing signed by them appoint, 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 Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled 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 Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which shall be purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the mean time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased in case such Purchase or Settlement were made.

Application of Compensation, when exceeding 200*l.*

XXIX. And be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as

When less than 200*l.* and above 20*l.*

[Local.]

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aforesaid,

aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees; in case of Infancy or Lunacy, to be signified by 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 to be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Three Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Directors, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

Where under 20/.

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

In case of not making out a good Title.

XXXI. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises to the Satisfaction of the Directors of the said Company, or any Three of them, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons so entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Directors, or any Three or more of them, to order the said Sum or Sums so awarded 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 (describing them), subject to the Order, Controul, and Disposition of the said Court, 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 said Court shall seem meet, to order the same

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

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

Where any Question shall arise touching the Title to any Money.

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

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

XXXIV. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments, to be taken or used for the Purposes of this

Mortgagees to assign and convey.

this Act, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money by the said Company of Proprietors, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Company of Proprietors, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, (to be computed from the Day of giving such Notice,) then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company of Proprietors hereby incorporated, or to such Person or Persons as shall be appointed, in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained, settled, and adjusted by a Jury as aforesaid, then the said Company of Proprietors shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any Mortgagee shall neglect or refuse to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England* at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like manner as hereinbefore directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person or Persons in Trust for him, her, or them, shall vest in the said Company of Proprietors, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages: And in case any Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments, than those which shall be so purchased or taken by the said Company of Proprietors, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained as the Value of the said Lands, Tenements, or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, or Hereditaments to the said Company of Proprietors, or to such Person or Persons as shall be appointed in Trust for them; and in Default of their so doing, and on Payment of such Money into the Bank of *England*, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as aforesaid, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand

mand of the said Mortgagee or Mortgagees, and of all and every Person or Persons in Trust for them, in the Lands, Tenements, or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company of Proprietors, and they shall be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees, by virtue of such Mortgage or Mortgages.

XXXV. And be it further enacted, That the First General Assembly of the said Company of Proprietors for carrying this Act into execution shall be held at the Guildhall within the said City of *Norwich*, upon the first *Tuesday* in the Month of *July* next after the passing of this Act, of which Place and Time Fourteen Days previous Notice at the least shall be given by Advertisement in Two public Newspapers published in the City of *London*, and in One such Newspaper published in the said City of *Norwich*; and there shall be held in each and every Year One General Assembly of Proprietors, to be convened on the first *Tuesday* in the Month of *July* in every Year, at the Guildhall in the City of *Norwich* aforesaid; of which General Annual Assembly, and all other Assemblies of Proprietors, Fourteen Days previous Notice shall be given by Advertisement in Two at least of the *London* Newspapers, and in One such Newspaper published in the said City of *Norwich*, at the Discretion of the Directors for the Time being, or in such Manner as any General Assembly shall direct.

First and other General Assemblies.

XXXVI. And be it further enacted, That at such First and each and every succeeding General Meeting of Proprietors, the Proprietors then present, or their Proxies, shall proceed to elect, by the Majority of Votes, out of such Proprietors as at the Time of such Election shall respectively be possessed, in their own Right, of not less than Five Shares in the said Undertaking, Twenty-one Directors to manage the Affairs of the said Company of Proprietors as hereinafter directed; and such Directors shall continue in Office from the Time of their Appointment until the General Assembly of the Company to be holden on the first *Tuesday* in the Month of *July* then next ensuing, and until others shall be chosen in their Stead, unless any of such Directors shall die, or refuse to act, or cease to be entitled to Five Shares for his Qualification in the said Company, or shall hold any Place, Office, Employment, or Contract under the said Company, or be concerned or interested therein directly or indirectly; in any of which Cases it shall be lawful for the Directors to fill up the Vacancy or Vacancies so occasioned, with a Proprietor or Proprietors duly qualified, and not disqualified, for the Remainder of the current Year, and so from Time to Time as Occasion may require; and the said first Assembly, or any other General Assembly of Proprietors, may fix and appoint any other Half-yearly or other General Assembly of Proprietors to be held periodically or otherwise, such Assembly to be fixed, appointed, and convened in like manner as hereinbefore provided; and the said Company of Proprietors shall have Power and Authority at

Appointment of Directors.

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any such General Assembly, whether Annual, Half-yearly, or other General Assembly convened under the Powers and Authorities of this Act, to remove and displace any Person or Persons who shall have been chosen and appointed an Officer or Officers under them, and to make and constitute, or to revoke, alter, amend, or change any of the Rules and Directions herein prescribed and laid down with regard to their Proceedings among themselves, as to them shall seem meet, and shall have a Power to make such Rules, Bye-laws, and Orders for the good Government of the said Company of Proprietors, and the Directors, and their Servants, Agents, and Workmen, and for the whole, complete, and total Superintendence and Management of the said Undertaking, and of the Boatmen and others who shall carry any Goods, Wares, or Merchandize upon any Part of the said Undertaking, or shall use any of the Works by this Act authorized to be made, as to the said General Assemblies shall seem meet and fitting, and to impose or inflict such reasonable Fines or Forfeitures upon all Persons who shall offend against any such Rules, Bye-laws, or Orders, as to such General Assembly shall seem meet, not exceeding the Sum of Five Pounds for any one Offence; which said Rules, Bye-laws, and Orders, being reduced into Writing, under the Common Seal of the said Company of Proprietors, shall be binding upon and observed by all the Parties using or in any way concerned in the said Works, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that they be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to the Provisions and Directions in this Act contained, or to any of them; and all such Rules, Bye-laws, and Orders shall be subject to Appeal in manner hereinafter mentioned: Provided always, that Copies of all such Rules, Bye-laws, and Orders shall be painted on Boards in legible Characters, and be affixed and continued in some conspicuous Place or Places upon, or near, or adjoining to the said Cuts, Navigation, and other Works hereby authorized to be made, and renewed as often as the same shall be obliterated or defaced: Provided always, that nothing herein contained shall extend to affect any Person using the Navigation of the said River *Yare* or *Waveney* to or from the Port of *Great Yarmouth*.

General Assemblies may audit Accounts.

XXXVII. And be it enacted, That every such General Assembly shall have Power to call for, audit, and settle all Accounts of Monies received, laid out, and disbursed on account of the said Undertaking, by the Treasurers, Receivers, or Collectors of the Rates, and other Officers by them appointed, or by any other Person or Persons whomsoever employed by or concerned for or under them in and about the said Undertaking and the Works thereto belonging; and the said Company of Proprietors shall have Power to adjourn themselves from Time to Time to such Place or Places as shall at such General Assembly be thought meet and convenient.

General Assemblies for choosing Directors, &c.

XXXVIII. Provided always, and be it further enacted, That if at any such General Assembly there shall not be Persons present who shall be possessed of Fifty Shares at the least in the said Undertaking, either as Principals or Proxies, no Choice of any Directors, nor any

any Removal of any Person or Persons from the Direction, nor any Election of any Person or Persons in the Room of such of the Directors as shall die or be removed, shall be made at that Time, but in such Case there shall be another Assembly of the Proprietors of the said Undertaking at the same Place in the Week following, and on the same Day in that Week, and so from Time to Time until there shall be Persons present at such Assembly having such Number of Shares as aforesaid, and such Choice, Removal, or new Appointment of any Director shall then take place, and the Persons then chosen to be Directors shall have the same Powers which they would have had, and shall continue in such Offices until such Time as they would have done, had they been chosen by the First Assembly hereinbefore appointed.

XXXIX. And be it further enacted, That the said Directors so elected, or the Person or Persons elected in their Room or Stead by virtue of this Act, shall continue in Office until the first *Tuesday* in the Month of *July* next after such Election, and on such Day Seven of the said Directors shall go out of Office and cease to be Directors of the said Company; and in order to determine who of the said Directors shall go out of Office and cease to be Directors of the said Company, the Clerk of the said Company at the General Assembly to be holden on that Day, or some Adjournment thereof, shall and he is hereby required to write upon Twenty-one distinct Pieces of Paper of equal Size the Name of One of the said Directors on each of such Papers; and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box or Wheel, and Seven of such Papers shall then be drawn out of such Box or Wheel by such Clerk One by One, and those of the Directors whose Names shall be upon such Papers respectively so drawn shall then go out of Office and cease to be Directors of the said Company; and the said Clerk shall then in such Manner draw out of such Box or Wheel Seven others of the said Papers One by One, and those Seven of the Directors whose Names shall be upon such Papers respectively so secondly drawn, shall, at the General Assembly of the said Company which shall be holden on the first *Tuesday* in the Month of *July* in the next succeeding Year, or some Adjournment thereof, go out of Office and cease to be Directors of the said Company; and the Seven Directors whose Names shall be upon the Seven Papers remaining in the said Box or Wheel after such Drawing as aforesaid shall, at the General Assembly of the said Company which shall be holden on the first *Tuesday* in the Month of *July* in the next succeeding Year but One, or some Adjournment thereof, go out of Office and cease to be Directors of the said Company; and at every General Assembly of the said Company to be holden after the first General Assembly appointed by this Act on the first *Tuesday* in the Month of *July* in every Year, Seven Persons out of the Members of the said Company who shall severally be possessed of and entitled to Five Shares at the least in the said Undertaking shall be elected by Show of Hands, unless a Ballot be demanded, whereupon such Election shall be by Ballot, in the Room or Stead of the Seven Directors then going out of Office by Rotation or Efflux of Time; and such Persons so elected shall continue in Office

Subsequent Appointment of Directors by the Proprietors, in the Room of those going out of Office by Rotation.

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for the Space of Three Years, except in case of Death, or Refusal to act, or ceasing to be qualified in manner by this Act directed, or being removed or displaced at any General or Special Assembly of the said Company, and until other Persons shall be elected in their Room or Stead, and no longer: Provided always, that it shall be lawful for the said Company of Proprietors again to nominate and appoint any such Person or Persons so qualified as aforesaid and going out of Office, again to be a Director of the said Company.

If Directors are not appointed on the Day mentioned, another Meeting to be had for that Purpose.

XL. Provided also, and be it further enacted, That in case on any such first *Tuesday* in the Month of *July* in any Year no such Nomination and Appointment of such Seven Directors shall be made, then and in every such Case another Assembly of the said Company shall be holden on the *Tuesday* following, for the Purpose of making such Election; and in case no Nomination and Appointment shall be then made, then and in every such Case another Assembly of the said Company shall be holden on the *Tuesday* following, for the Purpose of making such Election, and so *toties quoties* until such Directors shall be chosen; but such Directors shall not continue in Office or be Directors for any longer Space of Time than if they had been elected on the first *Tuesday* in the Month of *July* as aforesaid; and until such Seven Directors shall be chosen, the Seven Directors going out of Office shall continue in Office, and shall enjoy the same Powers and Authorities as the other Directors.

Subscribers to have a Vote for every Share by themselves or Proxies, not exceeding 10 Shares.

XLI. And be it further enacted, That any Body and Bodies Politic, Corporate, or Collegiate, or other Person or Persons, who shall by virtue of this Act have subscribed or undertaken for One or more Share or Shares of and in the said Undertaking, and his, her, and their Successors, Executors, Administrators, and Assigns, shall be and be deemed an Owner or Proprietor, and constitute a Member of the said Company, and shall have a Vote for every such Share in every such General or other Assembly to be held as hereinafter appointed for the carrying on the said Undertaking, which may be given by him, her, or them, or by his, her, or their Proxy or Proxies, duly constituted under his, her, or their Hand or Hands, or under the Seal of any Corporation Aggregate; and such Vote or Votes by Proxy shall be as valid as if such Principal or Principals had voted in Person; and whatever Question or Questions, as to the Election of proper Officers, or the Determination of any other Matter or Thing, shall be proposed, discussed, or considered at any General or other Assembly of the said Company of Proprietors hereby incorporated to be held by virtue of this Act, the same shall be finally determined by the Majority of Votes and Proxies then present, in the Proportion following; for One Share, One Vote; for Two Shares, Two Votes; for Three Shares, Three Votes; for Four Shares, Four Votes; for Five Shares, Five Votes; for Six Shares, Six Votes; for Seven Shares, Seven Votes; for Eight Shares, Eight Votes; for Nine Shares, Nine Votes; for Ten Shares or upwards, Ten Votes: Provided nevertheless, that no Person shall give or deliver a Vote in respect of Proxies for more than Ten Proprietors; and the Appointment of every Proxy shall be made according to the Form following; that is to say,

or of Ten of them met together at every such Special Assembly, (provided such Ten Proprietors shall be possessed of Fifty Shares at least in the said Undertaking, either as Principals or Proxies,) shall be as valid with respect to the Matter specified in such Notice as if the same had been done at any ordinary General Assembly.

Directors to elect and appoint Officers.

XLIV. And be it further enacted, That it shall be lawful for the Directors of the said Company from Time to Time to nominate and appoint, by Writing under the Common Seal of the said Company, a Treasurer or Treasurers, and also One or more Clerk or Clerks to the said Company, and from Time to Time to remove and displace such Treasurer or Treasurers, and Clerk or Clerks, or either of them, or any other Person or Persons who shall be thereafter elected and appointed to their respective Offices; and the said Directors shall also from Time to Time elect, choose, and appoint, in manner aforesaid, any other Person or Persons to act as Treasurer or Treasurers, and Clerk or Clerks of the said Company, in the Room of such of the said Officers as shall happen to die, or to resign, or be removed from their respective Offices; and it shall be lawful for the said Directors to allow such Salaries or other Emoluments to the said Officers, or any of them, as at any of their Meetings shall from Time to Time be fixed upon and determined: Provided always, that the said Directors shall and they are hereby required to take a sufficient Security from all and every Person and Persons who shall be appointed Treasurers, or Receivers, or Collectors for any of the Purposes of this Act, and from such other Clerks, Officers, and Servants, to be employed in the said Undertaking, as to the said Directors shall seem reasonable, for the faithful Execution of their respective Offices, before they shall enter thereupon respectively.

Company to take Security from Treasurers, Collectors, &c.

Same Person not to be Clerk and Treasurer.

XLV. Provided always, and be it further enacted, That it shall not be lawful for the said Directors to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, 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 other Person in the Service or Employ of any such Treasurer, or of his Partner, the Clerk to the said Company of Proprietors; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any Treasurer, or of his Partner, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept 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 in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit,

Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XLVI. And be it further enacted, That the Orders and Proceedings of every Meeting, as well of the General and Special General Meetings of the Company as of the said Directors, shall be entered in a Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of each respective Meeting; and such Orders and Proceedings, when so entered and signed, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

Orders and Proceedings to be entered in a Book.

XLVII. And be it further enacted, That the said Company or their Directors shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Proprietors, or any Creditor or Creditors on the Tolls, Rates, or Duties by this Act granted, without Fee or Reward; and the said Proprietors or Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit any of the said Proprietors or Creditors to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Twenty Pounds, to be levied and applied in the same Manner as other Penalties are hereby directed to be levied and applied.

Books of Accounts to be kept, and to be open for Inspection.

XLVIII. And be it further enacted, That no Director shall have more than One Vote at any Meeting of the Directors, except the Chairman, and all the Powers and Authorities hereby vested in or directed to be exercised by the said Directors, may be done and exercised by the major Part of them present at their respective Meetings, the whole Number present not being less than Five; and the said Directors shall from Time to Time make Reports of their Proceedings to the General Assemblies of the said Company, and shall obey their Orders and Directions; and the said Directors shall (subject nevertheless at all Times to such Orders and Directions as aforesaid) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Time and Place as they shall think fit; and the said Directors shall have Power from Time to Time (subject nevertheless to the Directions and Controul of any such General Assembly) to appoint an Engineer or Engineers to inspect the Works of the said Navigation, an Architect or Architects for erecting or surveying any Wharfs or other Buildings to be erected by the said Company of Proprietors, and also a Land Surveyor or Land Surveyors for any Purpose relating to the Execution of this Act; and every

Powers of the Directors.

every such Engineer, Architect, and Land Surveyor shall be paid by the said Company such Salary or Allowance as the Directors shall appoint; and at any Meeting the said Directors shall have full Power and Authority to contract for and purchase Lands, Messuages, Tenements, Hereditaments, and Materials for the Use of the said Undertaking, and to employ, order, and direct the Workmen, place and displace Collectors, Under Officers, Clerks, Servants, and Agents, make all Contracts and Bargains touching the said Undertaking, and to execute and perform all other Matters and Things whatsoever necessary and expedient to be done in and about the said Navigation and Undertaking, and which the said Company are by this Act empowered to do, save and except such only as are hereby directed to be done by the Proprietors at their General Assemblies, as herein mentioned, and the said Directors shall and may appoint a Chairman and Deputy Chairman, who shall be chosen out of the said Directors.

Power to appoint Committees.

XLIX. And be it further enacted, That it shall be lawful for the Directors at any Meeting after their Election in every Year to nominate and appoint One or more Committee or Committees (every such Committee to consist of Seven Persons) out of such of the Proprietors of the said Navigation as shall be possessed in their own Right of Three Shares at the least; and such Committee shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever in and about the said Undertaking, which the said Directors shall from Time to Time entrust to the Management of such Committees; and such Committees shall meet at such Times and Places within their respective Divisions as they shall think proper; and all Powers hereby vested, or which shall be vested in such Committees by the Directors as aforesaid, shall be exercised by the major Part present at their respective Meetings, the whole Number of Persons present not being less than Five; and at all Meetings of such Committees respectively One of the Members present shall be appointed Chairman; and all Questions shall be decided by the Majority of Votes; and the Chairman shall, besides his own Vote, have the casting Vote in case of an equal Division, but no other Member shall have more than One Vote; and such Committees shall from Time to Time make Reports and send Copies of their Proceedings to the Directors, if required, and shall at all Times be subject to the Controul of the said Directors, and shall obey all their Orders and Directions in and about the Affairs of the said Company, so that such Orders and Directions be not contrary to the Laws and Statutes of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or to the Orders, Directions, Regulations, and Provisions contained in this Act.

Whole Expence to be subscribed before Work commenced.

L. And whereas the probable Expence of making the said Cuts, Navigation, and other Works hereby authorized to be made, will amount to the Sum of One hundred thousand Pounds, and more than Four Fifths of such Expences 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 therefore further enacted, That the

the Whole of the said Sum of One hundred thousand Pounds shall be subscribed in like manner before any of the Powers and Provisions given by this Act shall be put in force.

LI. And to the Intent that the said Company of Proprietors may be enabled to carry on and complete the said Undertaking, be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute by Subscription among themselves, in such Proportions as to them shall seem meet and convenient, a competent Sum of Money for making and completing the said Cuts and Navigation, and the Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, and all other the Works and Conveniences to the same belonging, or requisite and useful thereto respectively, so as that the same do not exceed the said Sum of One hundred thousand Pounds in the whole (except as hereinafter is mentioned); and the Money so to be raised is hereby directed and appointed to be laid out and applied, in the first Place, for and towards Payment, Discharge, and Satisfaction of all Fees and Disbursements in 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 of such Money shall be used and applied for and towards making, completing, and maintaining the said Cuts and Navigation and other Works respectively hereby authorized to be made, and for other the Purposes of this Act; and so much of the said Sum as shall be raised and contributed by Subscription shall be divided into Shares of One hundred Pounds each, which Shares shall be numbered in numerical Progression, and shall be deemed Personal Estate, and shall be transmissible as such, and not of the Nature of Real Property.

Company enabled to raise Money for carrying on the Undertaking.

LII. And be it further enacted, That the said Shares shall be and are hereby vested in the said several Subscribers and their several and respective Executors or Administrators, Successors, and Assigns, to their and every of their proper Use and Behoof, in proportion to the Number of Shares which they shall severally subscribe for and pay thereunto; and all and every the Bodies Politic, Corporate, and Collegiate, and every Person and Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe and pay in the Sum of One hundred Pounds for every whole Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said Navigation, shall be entitled to and receive, after the same shall be completed, the entire and net Distribution of a proportionate Part of the Profits and Advantages that shall and may arise and accrue, by virtue of the Sum and Sums of Money to be raised, recovered, or received by virtue of this Act, and so in proportion for any greater Number of Shares; and every Body Politic, Corporate, or Collegiate, Person or Persons, having One Share in the said Undertaking, and so in proportion as aforesaid, shall bear and pay an adequate proportionate Sum of Money towards carrying on the said Undertaking, in manner hereafter directed and appointed.

Shares to be vested in Subscribers.

[Local.]

9 P

LIII. And

Names of Proprietors, and Number of their Shares, to be entered in a Book.

LIII. And for the better Security of the several Owners and Proprietors of the said Undertaking as to their respective Shares therein, be it further enacted, That the said Company of Proprietors or their Directors shall, and they are hereby required, as soon as conveniently may be after the passing of this Act, to cause the Names and proper Additions of the several Persons who shall then be entitled to any Share or Shares in the said Undertaking, with the Number of Shares which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by the Clerk to the said Company of Proprietors, and after such Entry made, to cause their Common Seal to be affixed thereto; and every Owner or Proprietor requiring the same, may have a Certificate of such Entry for each Share, certified under the Hands or Hand of the Clerks or Clerk to the said Company, on paying to the Clerk Two Shillings and Sixpence, and no more, for every such Certificate; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Owner or Proprietor, his, her, or their Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Certificate shall not hinder or prevent the Owner or Proprietor of any of the said Share or Shares from selling or disposing thereof, and in case any such Certificate shall become defaced, worn out, or damaged, or shall be ascertained to have been lost or destroyed, then and in such Case another Certificate shall be made out and delivered by the Clerk on the same Terms and Conditions as aforesaid.

Directors to make Calls.

LIV. And be it further enacted, That the said Directors shall have full Power and Authority from Time to Time to make such Call or Calls for Money from the several Proprietors of the said Undertaking, to the Amount of the several Sums of Money by them respectively subscribed thereto, in order to defray the Expences of, or carry on the same, as the said Directors shall from Time to Time find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds for or in respect of every Share of One hundred Pounds in the said Navigation and Undertaking, and so that no such Call be made but at the Distance of Three Calendar Months at the least from each other; all which Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers of the said Company, to be issued, paid, and applied in such Manner as the Directors shall from Time to Time order and direct.

Compelling Subscribers to pay their Subscriptions.

LV. Provided always, and be it further enacted, That the respective Persons who have subscribed or agreed to advance, or who shall hereafter subscribe or agree to advance any Money towards the said Undertaking, or shall be Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall and they are hereby required to pay the Sum or Sums by them respectively subscribed or agreed to be advanced, or such Parts and Proportions thereof as shall from Time to Time be called for by the Directors of the said Company of Proprietors, by virtue of the Powers and Directions of this Act, at such Times and Places, and in such Manner as shall be

directed by the said Directors; and in case any of such Subscribers shall neglect or refuse to pay the same at the Time and Place and in the Manner so required for that Purpose, the said Company of Proprietors are hereby empowered to sue for and recover the same in any Court of Law or Equity.

LVI. And be it further enacted, That in all Actions brought by the said Company of Proprietors against any Person or Persons who hath or have subscribed, or who shall hereafter subscribe or advance any Sum of Money for or towards the said Undertaking, or against any Owner or Owners, Proprietor or Proprietors 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 an Owner or Owners, 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 be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matters; and on the Trial of such Action, it shall be only necessary to prove in manner hereinbefore set forth, or some other lawful Manner, at the Option of the said Company, so being Plaintiff in such Action or Suit, that the Defendant or Defendants at the Time of making such Call or Calls was or were an Owner or Owners, 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 was given thereof as is directed by this Act, without proving the Appointment of such Directors, or any other Matter or Thing whatsoever, and the said Company shall thereupon be entitled to recover what shall appear due, and no Wager of Law shall be allowed in any such Action.

Directing
Proceedings
in Actions
for Calls.

LVII. And for the better enforcing the Payment of such Calls, be it further enacted, That if any Person or Persons upon whom any Call or Calls for Money shall or may hereafter be made under or by virtue of this Act, for or in respect of any Share or Shares in the said Undertaking, shall neglect or refuse to pay his, her, or their rateable or proportionable Share or Shares of the said Money to be called for and raised by virtue of this Act, for the Space of Fourteen Days after such Call or Calls shall have been made as aforesaid, then and in every such Case it shall be lawful for the said Company, at such General or Special Assembly to be held after such Neglect or Refusal to pay such Call or Calls as aforesaid, to declare all and every or any of the Share or Shares of such Person or Persons so neglecting or refusing as aforesaid to be forfeited, and from thenceforth the Share or Shares so declared to be forfeited shall be vested in the said Company, their Successors and Assigns, to and for the Uses and Purposes hereinafter mentioned: Provided always, that no Share or Shares of and in the said Undertaking shall vest in or accrue to the said Company, until Notice in Writing thereof shall be given by the
Treasurer,

Manner of
enforcing
Calls.

Treasurer, or by the Clerk or Clerks of the said Company, to the Person or Persons, or to the Clerk or Clerks or other Head Officer or Officers of the Body or Bodies Politic, Corporate, or Collegiate, in whose Name or Names such Share or Shares shall, at the Time of giving such Notice, stand registered in the Books of the said Company, or left at his, her, or their Dwelling-house, or usual or last known Place of Abode Seven Days at least before such Share or Shares shall vest in or accrue to the said Company; or until Notice be published in the *London Gazette*, and also in some Newspaper or Newspapers published in the said City of *Norwich*, in case such Person or Persons cannot be found; and in such Notices respectively shall be contained a Statement and Account of how much Money is due from such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for his, her, or their Call or Calls, in respect of his, her, or their Share or Shares in the said Undertaking; and no such Share or Shares shall be forfeited to or vested in the said Company if the Owner or Owners of such Share or Shares shall pay what shall appear by such Statement to be due, together with legal Interest on the same, and all Expences attending the Application for the same, within the Time specified in such Notice; any thing contained in this Act to the contrary in anywise notwithstanding.

If Purchase Money of Shares shall be more than sufficient to pay the Arrears, the Surplus to be paid to the Owner.

LVIII. 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 Call 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 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.

Company empowered to sell Shares that become vested in them by Default.

LIX. And be it further enacted, That when any Share or Shares of the said Undertaking shall, by virtue of this Act, have become forfeited to or vested in the said Company as aforesaid, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors or their Directors for the Time being, and they are hereby authorized and empowered from Time to Time to sell or cause to be sold by Public Auction or by Private Contract, and by Writing under the Common Seal of the said Company to assign and transfer, such and so many of the Share or Shares of such Defaulter or Defaulters as the said Company or their Directors shall from Time to Time find necessary and direct to be sold, to such Person or Persons as shall become the Purchaser or Purchasers thereof,
his,

his, her, or their Executors, Administrators, and Assigns; and such Assignment and Transfer shall be good, valid, and effectual against the Owner or Owners of every such Share or Shares so forfeited to or vested in the said Company and sold as aforesaid, and all Persons claiming under him, her, or them.

LX. Provided also, and be it further enacted, That nothing herein contained shall empower the said Company of Proprietors to sue the original Owner or Owners, Proprietor or Proprietors of any Share or Shares which shall be declared to be forfeited in Manner, and according to the Tenor, true Intent and Meaning of this Act, for any Call or Calls for Money subsequent to the Declaration of such Forfeitures, but when any such forfeited Share or Shares shall be sold, the Purchaser or Purchasers thereof shall be liable to the future Calls, in the same Manner as if he, she, or they had been the original Owner or Owners, Proprietor or Proprietors, of such Share or Shares, and such original Owner or Owners, Proprietor or Proprietors, shall, in respect of such Share or Shares, be absolutely discharged and acquitted from all further Liability in respect of the same.

Company not to sue for Calls on forfeited Shares.

LXI. And be it further enacted, That it shall be lawful for the several Owners or Proprietors of the said Undertaking, and their respective Successors, Executors, or Administrators, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Transfer of which Share or Shares shall be in the Form or to the Effect following; (that is to say),

Shares may be sold.

‘ I of , in con-
 ‘ sideration of paid to me by
 ‘ of , do hereby bargain, sell, assign, and
 ‘ transfer to the said Share [or Shares]
 ‘ of the Navigation called “ The *Norwich* and *Lowestoft* Naviga-
 ‘ tion,” being Number of the
 ‘ Shares in the said Navigation, to hold to the said
 ‘ his Executors, Administrators, and Assigns,
 ‘ subject to the same Rules, Orders, and Restrictions, and on the
 ‘ same Conditions that I held the same immediately before the
 ‘ Execution hereof; and I the said
 ‘ do hereby agree to accept and take the said Share,
 ‘ subject to the same Rules, Orders, Restrictions, and Conditions.
 ‘ As witness our Hands and Seals, the Day
 ‘ of

Form of Transfer.

And on every such Sale the said Transfer (being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares, in the Presence of One or more credible Witness or Witnesses,) shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk or Clerks to the said Company of Proprietors hereby incorporated shall have registered in a proper Book or Books, to be provided by the said Company and kept for that Purpose, a Memorial of such Transfer and Sale for the Use of the said Company, and shall have testified and indorsed the Registry of such Memorial on the said Transfer, for which no more than Two

No Title till Registry.

[Local.]

9 Q

Shillings

Shillings and Sixpence shall be paid; and the said Clerk or Clerks is or are hereby required to register such Memorial accordingly; and until such Memorial shall have been registered as above directed, such Purchaser or Purchasers shall have no Part of the Profits of the said Undertaking, nor any Vote in respect thereof as an Owner or Owners or Proprietor or Proprietors of the said Undertaking.

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

LXII. And be it further enacted, That after any Call of Money shall have been made by such Directors as aforesaid, no Person or Persons shall sell or transfer any Share or Shares, which he, she, or they shall possess in the said Undertaking, upon Pain of forfeiting his, her, or their respective Share or Shares therein to the said Company, in Trust for the Benefit of all the said Proprietors, unless he, she, or they, at the Time of such Sale or Transfer, shall have paid and discharged to the Treasurer of the said Company of Proprietors the whole and entire Sum of Money which shall have been called for upon each Share so sold and transferred, such Forfeiture nevertheless to be declared at a General Assembly in manner before directed.

Regulations as to the Acquisition of Shares.

LXIII. And whereas much Inconvenience may arise by the frequent Transfer of the Right and Title to the Shares of and in the said Undertaking by the Marriage and Death of Proprietors, and it may be difficult in such Case to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid and do belong; be it therefore enacted, That before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking in Right of Marriage shall be entitled to receive the same, an Affidavit, containing a Copy of the Register of such Marriage, or the Effect of such Register, shall be made and sworn to by some credible Person, before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk or Clerks of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the Clerk or Clerks for the Entry of Transfers and Sales of Shares in the said Undertaking; and before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking by virtue of any Bequest or Will, or in a Course of Administration, shall be entitled to receive the same, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shewn to the said Clerk or Clerks, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator shall be made and sworn to by any Executor or Executors of such Will before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and also shall be transmitted to the said Clerk or Clerks, who shall file and enter the same in the Manner hereinbefore mentioned; and in all Cases, other than is hereinbefore mentioned, where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Proprietor thereof to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof as herein directed, an Affidavit shall be made and sworn to by Two credible Persons before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such

such other Person or Persons, and such Affidavit shall be transmitted to the Clerk or Clerks of the said Company of Proprietors, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Registry Book or List of Proprietors in the said Undertaking; and in all or any of the said Cases it shall be lawful for the said Company of Proprietors, at a General or Special Assembly, after Three Calendar Months Notice shall have been given by the said Clerk or Clerks to the Person or Persons claiming to be Owner or Owners thereof, and such Person or Persons shall not have paid his, her, or their Proportion of the Money become payable by virtue of any Call or Calls as aforesaid, and after Notice thereof shall have been given Three Times at the Intervals of Seven Days between each Advertisement in One *London* Newspaper, and in some Newspaper or Newspapers usually circulated in the said City of *Norwich*, and in each of the said Counties of *Norfolk* and *Suffolk*, to declare the same Share or Shares forfeited, and in such Case the same shall be and become forfeited, and sold and disposed of in manner hereinbefore directed.

LXIV. And be it further enacted, That in case the said Company of Proprietors shall be desirous to raise a further Sum by way of Mortgage of the said Navigation and Undertaking, then and in such Case it shall be lawful for the said Company to borrow and take up at Interest, from any Person or Persons who shall be willing to advance and lend the same upon the Credit of the said Navigation, any such further Sum or Sums of Money, not exceeding in the whole the Sum of Fifty thousand Pounds, as to them shall seem most fit and convenient; and they are hereby authorized and empowered to assign and make over the said Navigation, and all the Works thereunto appertaining, and the Rates to arise by virtue of this Act, or any of them, 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, under the Common Seal of the said Company, according to the Form following; that is to say,

Power to
raise Money
by Mort-
gage.

‘ WE, “ The Company of Proprietors of the *Norwich* and *Lowestoft* Navigation,” in consideration of the Sum of
‘ to us paid by
‘ of do hereby, by virtue
‘ of an Act passed in the Eighth Year of the Reign of King *George*
‘ the Fourth, intituled [*here set forth the Title of this Act*], bargain,
‘ sell, and transfer unto the said
‘ all and singular the Rates, Tolls, or Sums of Money arising
‘ by virtue of the said Act, and also the said Navigation and
‘ Undertaking, and all Right, Title, and Interest of us the said
‘ Company of Proprietors of, in, and unto the same, and to hold
‘ unto the said 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 off
‘ and discharged. Given under our Hands and Seals this
‘ Day of

Form of
Mortgage.

And

And all Persons to whom such Mortgages shall be made, shall be equally entitled to their Proportion of the said Tolls, Rates, and Premises, according to 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 Navigation and Works hereby authorized to be made, 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 Number and 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 Fourteen 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 of the said Company of Proprietors, which Book or Books shall and may be perused at all seasonable Times by the Proprietors or Creditors of the said Undertaking, without Fee or Reward; and all and every Person or Persons to whom any such Mortgage shall have been made, or who shall be entitled to the Money thereby secured, may from Time to Time assign or transfer his, her, or their Right, Title, Interest, or Benefit therein to any Person or Persons whomsoever; which Transfer may be made according to the Form following; that is to say,

Form of
Transfer of
Mortgages.

‘ I of in consideration
 ‘ of the Sum of paid by
 ‘ of do hereby transfer a certain Mortgage made
 ‘ by “ The Company of Proprietors of the Norwich and Lowestoft
 ‘ Navigation,” Number , bearing Date 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
 ‘ his Executors, Administrators, and Assigns.
 ‘ In witness whereof I have hereto set my Hand and Seal this
 ‘ Day of in the Year of our Lord
 ‘

And every such Transfer shall within Fourteen Days after the Date thereof be produced and notified to the Clerk or Clerks of the said Company of Proprietors, who shall thereupon cause an Entry or Memorial to be made thereof, containing the Dates and Names of the Parties, 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 Six pence, 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 the Person or Persons who shall have made such an 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.

LXV. And be it further enacted, That in case the said Company or their Directors shall think it more advisable and proper to raise the Sum of Fifty thousand Pounds, hereby authorized to be raised as aforesaid, or any Part or Parts thereof, by granting Annuities, payable out of the Rates and Tolls and other Revenue, or out of the Monies to be raised by virtue of this Act, then and in every such Case it shall be lawful for the said Company to raise any such Sum by the granting of any such Annuity or Annuities as aforesaid, redeemable or otherwise, to or for the Use of the Person or Persons who shall contribute, advance, or pay into the Hands of the Treasurer or Treasurers to the said Company any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable for any Term or Number of Years, or for or during the natural Life of any such Contributor, or such other Person as shall be nominated by or on Behalf of such Contributor at the Time of Payment of his or her Contribution and Purchase Money, and either with or without Benefit of Survivorship, and redeemable upon such Terms and Conditions as shall be agreed upon; and the said Company are hereby authorized and empowered to grant all and every such Annuity or Annuities so to be purchased as aforesaid, out of the Rates and Tolls or other Revenue of the said Undertaking, or out of the Monies to be raised by virtue of this Act, to the Person or Persons who shall agree to purchase the same, or to his, her, or their Trustee or Trustees.

Or by Annuities

LXVI. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, and according to the Rate prescribed by Two several Acts, One made in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other made in the Fifty-second Year of His said Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

Rates of Annuities to be according to Acts of 48 & 52 G. 3.

LXVII. And be it further enacted, That the Grant of every such Annuity as aforesaid shall be by Deed under the Common Seal of the said Company, and according to the Form or to the Effect following; that is to say,

WE, "The Company of Proprietors of the *Norwich and Lowestoft Navigation*," in consideration of the Sum of
to us paid by
or if intended to be granted with Benefit of Survivorship, by
, do hereby, by virtue of an Act passed
in the Eighth Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act*], grant unto the said
and his or her Assigns, or if by Survivorship, unto
the said and to the Survivors and Survivor of
them, One Annuity or yearly Sum of
[Local.] 9 R to

Form of Grant of Annuity.

And every such Transfer shall, within Fourteen Days after the Date thereof, be produced and notified to the Clerk of the said Company, who shall thereupon cause an Entry or Memorial to be made thereof in the said Book, containing the Date and Names of the Parties, and the Annuity or Annuities thereby transferred, for which 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 Grant, and it shall not be in the Power of the Person or Persons who shall have made any such Transfer at any Time afterwards to make void, release, or discharge the said Annuity, or any Part thereof; and the said Annuities so to be granted as aforesaid shall be paid to the several Persons entitled thereto in preference to any Interest or Dividends due and payable by virtue of the said recited Act to the said Company.

LXVIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to borrow of and from the Commissioners for carrying into Execution an Act passed in the Third Year of the Reign of His present Majesty King George the Fourth, 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, not exceeding in the whole the said Sum of Fifty thousand Pounds, as the said Company of Proprietors may deem expedient for the Purposes of this Act, upon Mortgage or Assignment of the Undertaking; subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said last hereinbefore mentioned Act, and the Acts therein recited or referred to, and in such Form as the said Commissioners shall direct and appoint.

Power to borrow Money of Commissioners for carrying on Public Works.

LXIX. And be it further enacted, That any and every Mortgage or Assignment which shall be given or made by the said Company of Proprietors to the said Commissioners for the Issue of Exchequer Bills, shall have Priority over and shall precede all other Mortgages and Securities which shall be granted by the said Company under or by virtue of this Act; any thing contained in this Act, or in any Mortgage or Security which shall be granted under the Powers thereof, to the contrary in anywise notwithstanding.

Mortgages to the Commissioners to have Priority.

LXX. And be it further enacted, That the Interest of the Money which shall be borrowed or raised by way and means of Mortgages, Annuities, or Promissory Notes, in manner hereinbefore authorized, or any or either of them, shall be paid to the several Persons entitled thereto, in preference to any Interest or Dividends due or payable to the said Company of Proprietors, or to any or either of them, and shall from Time to Time be fully paid, discharged, or provided for, before the yearly or other Interest or Dividends shall be made or divided to or among all or any of the said Owners or Proprietors.

Interest of Money borrowed to be paid in Preference to Dividends.

LXXI. Pro-

Directors
may pur-
chase Shares.

LXXI. Provided also, and be it further enacted, That if the said Directors of the said Company of Proprietors shall deem it expedient, out of any Funds of the said Company or otherwise, to buy up any Shares which may be offered for Sale by any of the said Proprietors, then and in such Case it shall be lawful for the said Directors either to order and appoint that any such Share so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company, or such other Person or Persons as they may appoint in Trust for the said Company; and such Shares may in such 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 for the Purpose of carrying this Act into Execution.

For fencing
off Reser-
voirs, and
making
Bridges.

LXXII. And be it further enacted, That the said Company of Proprietors shall, at their own proper Costs and Charges, after the said Cuts or other Works hereby directed to be made shall be dug out and formed, divide and separate, and keep constantly divided and separated, the Reservoirs to be made by virtue of this Act, or such Part or Parts thereof respectively as shall be declared necessary by any Two or more Justices of the Peace of the City or County wherein such Reservoirs respectively shall be situate, from the adjoining Lands or Grounds, by Posts and Rails, Hedges, Ditches, Trenches, Banks, or other Fences, sufficient to keep off Sheep and other Cattle, to be set out and made on the Lands or Grounds which shall be purchased by, conveyed to, or vested in the said Company of Proprietors; and the said Company shall, at their own proper Costs and Charges, from Time to Time, make, maintain, and support good and sufficient Watering Places for Cattle, for the Benefit of the Owners and Proprietors of the Lands near or adjoining to the said Cuts and other Works, or any of them, and also the said Posts, Rails, Hedges, Ditches, Trenches, Banks, and other Fences so set up and made as aforesaid; and also shall, at their like Costs and Charges, make, erect, and set up, and from Time to Time maintain and support such and so many convenient Swivel Bridges or Draw Bridges, or other Bridges adequate and adapted to the Purposes of the said Navigation, and the Passage of such Ships and Vessels as shall use the same, across the said Cuts hereby directed to be made, or any Aqueduct, Conductor, or Watercourse leading into the same, as the Case may require; and the said Company of Proprietors shall not make the said Cuts or Feeders of the said Reservoirs, or any Part thereof, or any Trench or Watercourse belonging to the same, in or across any common Highway or public Bridleway, until they shall, at their Costs and Charges, have made and provided a good and sufficient temporary Road for the Accommodation of all Persons whomsoever, and until a good and sufficient Bridge or Bridges, Passage or Passages, Arch or Arches, Subway or Ways, Tunnel or Tunnels, over, across, or under the said Highway; or in the case of a Bridgeway or Footpath, some sufficient Ferry Boat or Puntage, as the Case may require, shall be made and perfected; and all such Bridges, Arches, and other Works and Conveniences so to be made as aforesaid, shall, from Time to Time thereafter, be supported, maintained, and kept in sufficient Repair by the said Company.

LXXIII. And

LXXIII. And be it further enacted, That in case the said Company of Proprietors or their Agents shall refuse or neglect to divide and separate, and to keep divided and separated, the said Reservoirs in manner hereinbefore directed, or to make, erect, and set up such Bridges, Subways, Arches, Tunnels, or Archways, Culverts, Drains, or other Passages, or to make such Watering Places for Cattle as hereinbefore directed, for the Use and Convenience of the respective Owners and Occupiers of the Lands, Mills, or Hereditaments adjoining or near to the said Cuts and Navigation hereby directed to be made, or to maintain and support such Bridges, Arches, Tunnels, Passages, and Watering Places, when erected, set up, and made, of such Dimensions and in such Manner as aforesaid, for the Space of Thirty Days next after the Times to be appointed by the said Justices as aforesaid, or after Notice shall have been given by or on the Behalf of the Owners or Occupiers of any such Lands, Mills, or other Hereditaments, who shall find themselves aggrieved by any such Bridges, Arches, Passages, or Watering Places not being kept in good and sufficient Repair and Condition, to the Clerk or Clerks of the said Company, then and in every such Case it shall be lawful for every or any of the Owners or Occupiers of the said adjacent Lands, Grounds, Mills, or Hereditaments, who shall find himself, herself, or themselves aggrieved by such Neglect or Refusal, to make, erect, and set up all such Bridges, Subways, Tunnels, Archways, Arches, Passages, Ferry Boats, and Puntages, Watering Places and other Conveniences as shall be necessary, and shall have been directed or appointed by the said Justices to be made, erected, and set up by the said Company as aforesaid, and to maintain, repair, and support the same from Time to Time as occasion shall require; so that in making and maintaining such Works the said Navigation, or the Banks thereof, or the Feeders or Aqueducts belonging thereto, shall not be stopped or injured for any longer Space of Time, or in any other Manner, than shall be necessary for the doing thereof; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices, shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, Grounds, Mills, or other Hereditaments, who shall have so erected and made, repaired or maintained such Works as aforesaid, by the said Company of Proprietors, to be recovered, if not paid on Demand, by Distress and Sale of the Goods and Chattels of the said Company in manner hereinafter mentioned.

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

LXXIV. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered to take down, or cause to be taken down, at their own Expence, a certain Brick and Stone Bridge, or Part thereof, called *Mutford Bridge*, over the Communication between the said Broad called *Oulton Broad* and the said Lake called *Lake Lothing*, situate in the said Parishes of *Oulton* and *Carlton Colville*, or one of them, in the said County of *Suffolk*, and to remove all the Materials thence arising, and to convert the same to such Use or Uses as the said Company of Proprietors shall think proper: Provided always, that the said Company of Proprietors and their Successors shall and do, and they are hereby authorized, empowered, and required, with all possible Speed, to erect and set up a Bridge in the Place of such as shall be taken down by them by virtue of this Act.

Powers of the Company to take down Mutford Bridge, and to erect another in its Place, &c.

[Local.]

9 S

LXXV. And

Power for
the Company
to take down
Carrow
Bridge, and
to erect an-
other in its
Place.

LXXV. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered to take down, vary, and alter, or cause to be taken down, varied, and altered, at their own Expence, a certain Iron, Brick, and Stone Bridge, or Part thereof, called *Carrow Bridge*, over the said River *Wensum*, commonly called *Yare*, situate in the Hamlets of *Carrow* and *Thorpe* aforesaid, in the County of the City of *Norwich* aforesaid, and to remove all the Materials thence arising, and to convert the same to such Use or Uses as the said Company of Proprietors shall think proper: Provided always, that the said Company of Proprietors, and their Successors, shall and do, and they are hereby authorized, empowered, and required, with all possible Speed, to erect and set up a Bridge in the Place of such as shall be taken down by them by virtue of this Act.

Regulations
as to Ascent
to Bridges,
and Height
of adjoining
Fences.

LXXVI. Provided always, and be it further enacted, That in all Places where it may be necessary to erect or build any Bridge or Bridges to communicate with any public Carriage Road, the Ascent to every such Bridge for the Purpose of such Road shall not be more than One Foot in Thirteen Feet, and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Company to
make Bridges
where they
cross any
Turnpike
Road.

LXXVII. Provided always, and be it further enacted, That where the said Company of Proprietors shall make the said Cuts and Navigation, or the Reservoirs and Feeders, or either of them, or any Trench or Watercourse belonging to the same, in or across any Turnpike Roads, the said Company shall at their own Costs and Charges make, set up, and erect, and from Time to Time maintain and support, a good and sufficient Bridge, of at least Twelve Feet wide, across the said Cuts and Navigation, or the Feeders of the said Reservoir, or any Trench or Watercourse belonging to the same, such Bridges across the said Cuts and Navigation to be made in the most convenient Manner, by means of Swivels or otherwise, to allow of the Passage of Ships and other Vessels navigating the said Cuts and Navigation to pass through the same, or otherwise to make and construct, and from Time to Time maintain and support, a good and sufficient Subway, Tunnel, or Archway adequately lighted, and in all respects provided for the making, keeping, and maintaining a sufficient and adequate Passage or Communication through and along the same, and shall at their own Expence and Charge make good the Road on each Side and over such Bridge, or on each Side and through such Subway, Tunnel, or Archway, as the Case may be, with good and proper Materials; such Bridge to be of such an Acclivity as, and the said Subway, Tunnel, or Archway not to be of a greater Declivity than, the Trustees of such Turnpike Road shall direct and appoint; and if the said Company of Proprietors shall neglect or refuse to make good the Road on the Side or Sides of any such Bridge or Bridges, Subway or Subways, Tunnel or Tunnels, Archway or Archways, or any of them, in manner aforesaid, or to repair any such Bridge or Bridges, Subway or Subways, Tunnel or Tunnels, Archway or Archways, or any of them, by the Space of Seven Days after Notice in Writing by Two or more of such Trustees, it shall be lawful
for

for the Surveyor or Surveyors of such Turnpike Roads to cause the same to be done, and the Expences thereof shall thereupon be paid to such Surveyor or Surveyors, or to the Treasurer, or to such Trustees, by the said Company; and in Default thereof the same may be recovered by Distress and Sale of the Goods and Chattels of the said Company, in manner hereinafter mentioned: Provided always, that the said Company of Proprietors shall not be liable to repair or amend any Part of the Roads over the Approaches to any of the Bridges, or of the Subways, Tunnels, or Archways to be made across, over, or under the said Cuts and Navigation, or the Feeders of the said Reservoirs, after the Roads to such Approaches shall have been first made and put into good Repair by or at the Expence of the said Company, otherwise than so much thereof respectively as shall belong and be directly connected with, and be deemed and taken to be and made Part of such Bridges or Subways, Tunnels or Archways, or any of them respectively, and as shall extend to the Distance of One hundred Yards at each End thereof.

LXXVIII. Provided always, and be it further enacted, That if the said Company of Proprietors, or any of their Servants or Workmen, or other Persons employed by them, shall at any Time or Times hereafter cut, turn up, or prostrate, or in any Way destroy, injure, or damage, any private Roads, Ways, or Paths whatsoever, or the Posts, Rails, or other Fences belonging to the same, then and in every such Case it shall and may be lawful for the Surveyors or Overseers of the Highways, Commissioners of the Pavements, and all and every other Persons who are by Law empowered in the several Districts where such Destruction or Damage may occur, to restore, repair, or amend the same; and the Costs, Charges, and Expences attending the same shall be paid to the several Parties who shall have borne and incurred the same by the said Company of Proprietors; and also the said Company shall, from Time to Time, and at all Times hereafter, when the same shall be necessary, well and sufficiently repair and amend all and every the new Roads and Ways, Subways, Tunnels, and Archways which the said Company shall, in pursuance of the Powers and Authorities herein contained, open and make, and cause to be opened and made, in pursuance of the Powers of this Act; and if such new Roads and Ways, or Subways, Tunnels or Archways, or any of them, shall at any Time or Times hereafter become out of Repair, so that any Presentment or Indictment of or respecting the same shall be made, or whereby the Inhabitants of any Hamlet, Parish, or Place shall or may be put to any Expence in or about defending such Presentment or Indictment, or by means of any Judgment to be pronounced thereon, or in anywise relating thereto, then the said Company, upon Notice of such Expence, to be given by the Surveyors of the Highways, or of the Vestry or Directors, Trustees or Guardians of the Poor of any such Hamlet, Parish, or Place for the Time being, to the Treasurer or Clerk of the said Company, shall forthwith pay all such Sum or Sums of Money to the said Owners, Surveyors, Vestry or Directors, Trustees or Guardians, for the Use of the Poor of such Parish, Hamlet, or Place respectively; and the Receipt or Acknowledgment of such Overseers, or Surveyors, or Clerks of such Vestry, Directors, Trustees, or Guardians, shall be a full

Company to pay all Damages done by them to private Roads.

a full and sufficient Acquittance to the said Company to all Intents and Purposes whatsoever, and against all Persons whomsoever; and if any or either of the Sums of Money hereinbefore mentioned shall not be paid within Ten Days next after Notice and Demand thereof from the said Company, by the Parties respectively entitled to receive the same, or their Clerks or Agents, then every such Sum or Sums of Money shall be recovered from the said Company by Action of Debt to be brought in any of His Majesty's Courts of Record at *Westminster*.

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

LXXIX. And be it further enacted, That if the Owners or Occupiers of any Lands, Mills, Tenements, or other Hereditaments through which the said Cuts and Navigation, or the Feeders of the said Reservoirs, or any or either of them, shall be made, do or shall at any Time or Times hereafter choose to erect other Bridges, Passages, Arches, Tunnels, Drains, Back Drains, Trenches, or other Passages, Watering Places, and other Conveniences respectively, than such as the said Justices shall have so directed and appointed to be made by the said Company, then and so often, or in any such Case, it shall be lawful for all or any such Owners or Occupiers, with the Consent and Approbation of the Directors of the said Company, to make, fix, and erect, at their own Costs and Charges, One or more Bridge or Bridges, Passages, Arches, Watering Places, or other Conveniences, of the same and the like Construction with others made and erected by the said Company in, over, or near to the said Cuts and Navigation, in such Places as the said Owners or Occupiers shall judge most necessary and convenient for the better Use, Cultivation, Improvement or Occupation of such Lands and other Hereditaments, and to repair and support the same at their own like Costs and Charges as occasion shall require, so as that the Navigation of, in, or upon the said Cuts and Navigation hereby directed to be made, or any or either of them, be not prevented or obstructed thereby for any longer Space of Time or in any other Manner than the same would necessarily have been if such Bridges, Passages, Arches, Watering Places, or other Conveniences had been made or erected by the said Company of Proprietors as aforesaid.

Power to divert Roads on making others, and vesting old Roads in the Company.

LXXX. And whereas the said Company of Proprietors, in improving, making, and forming the said Rivers, Cuts, Navigation, new Haven, and Harbour, may have occasion to divert and turn several Roads and Ways at a considerable Expence, and make other more or equally convenient Roads and Ways; be it therefore enacted, That where it shall appear necessary that any Road or Way shall be diverted or turned in the Line or Track of the said Cuts, Navigation, new Haven, and Harbour, then and in such Case it shall and may be lawful to and for the said Company of Proprietors to divert and turn such Road or Way, an Order in Writing from any Two or more of His Majesty's Justices of the Peace for the City, County, or Place within which the Road or Way to be turned shall be situate (which Order such Two or more Justices are hereby authorized and enabled at their Discretion to grant) being first obtained for that Purpose, and the said Company of Proprietors first making a new Road or Way of not less Width than the former; and when such new Road or Way shall

shall be completed and finished, the Part of the old Road or Way so to be diverted and turned shall be and become vested in Fee Simple in the said Company of Proprietors, with full Power for them to sell or dispose of the same in such Manner and Form, and under such Regulations as are hereinbefore directed with respect to Lands which shall be purchased by the said Company of Proprietors and not found necessary to be made use of for the Purposes of this Act, or as near thereto as the Circumstances of the Case will admit; and the Land constituting the new Road or Way shall from thenceforth for ever be vested in or belong to such Person or Persons, and be subject and liable to such and the same Laws, Rules, and Regulations in every Respect, as the old Road, or Way so to be diverted or turned shall have been subject and liable to immediately prior to such Diversion or Turning.

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

Roads not to be turned without Notice of Appeal.

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

If old Roads are destroyed, others to be made.

LXXXIII. Provided always, and be it further enacted, That wherever the Course of any Road or Way shall be altered in pursuance of this Act, and a new Road or Way opened and made in and upon the adjoining Land, the Offer of the Purchase of such old Road or Way shall be first made to the Owner or Owners of the adjoining Land, and in the next Place to his, her, or their Lessee or Lessees; and in case such Owner or Owners, or his, her, or their Lessee or Lessees, shall be desirous of becoming the Purchaser or Purchasers of such old Road or Way, and shall not agree with the said Company of Proprietors, or with their Directors, for the Price to be paid for the Purchase of the same, then and in such Case the Value thereof shall be settled and ascertained in such and the like Manner as the Price for any Land to be taken in pursuance of this Act is hereinbefore directed to be settled and ascertained; and such Owner or Owners, or his, her, or their Lessee or Lessees, shall be deemed the Purchaser or

Owner of adjoining Land to have the first Offer of the old Road.

[Local.]

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Purchasers

Purchasers thereof, at the Sum to be ascertained by a Jury; and in case such Owner or Owners, or his, her, or their Lessee or Lessees so purchasing, shall refuse to pay such Money upon Demand made thereof by the Clerk to the said Company of Proprietors, and Tender of the Conveyance of such old Road or Way, the same shall and may be recovered by the said Company of Proprietors, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*; and in case any such Owner or Owners, or his, her, or their Lessee or Lessees, shall not agree, or shall refuse to purchase any such old Road or Way for the Space of Twenty-eight Days next after the Offer thereof shall be made to him, her, or them, it shall and may be lawful to and for any Person or Persons not interested in the Premises, to make an Affidavit to be sworn before a Master or Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the City, County, or Place where such old Road or Way shall lie, stating that such Offer has been made by or on Behalf of the said Company of Proprietors, and that such Owner or Owners, or his, her, or their Lessee or Lessees, has or have not agreed, or has or have refused to purchase such old Road or Way (as the Case may be); and such Affidavits shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and not agreed to, or refused by such Owner or Owners, or his, her, or their Lessee or Lessees.

Enabling
Company to
get Materials
for repairing
Works da-
maged by
Floods, &c.

LXXXIV. And whereas it may happen from Floods or some unexpected Accidents, that the Locks, Weirs, Floodgates, Dams, Banks, Feeders, Reservoirs, Trenches, or other Works of the said Navigation, may be injured or destroyed, and the adjacent Lands may thereby suffer Damage, and it may be necessary that the same should be immediately repaired or rebuilt, to prevent further Damage, be it therefore enacted, That when and as often as any such Case shall happen, it shall be lawful for the said Company of Proprietors from Time to Time, or for their or any of their Servants, Agents, or Workmen from Time to Time, without any Delay or Interruption from any Person or Persons whomsoever, to enter into any Lands, Grounds, or Hereditaments adjoining or near to the said Cuts and Navigation, Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, or any of them, (not being the Ground whereon any House or other Building stands, or an Orchard, Park, Paddock, planted Walk, Nursery for Trees, or Avenue to a House,) and to dig for, work, get, and carry away and use all such Stones, Gravel, and other Materials as may be necessary for the Purposes aforesaid, without any previous Treaty whatsoever with the Owner or Owners, Occupier or Occupiers of, or other Person or Persons interested in such Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereto as the Nature of the Case will admit, and making Recompence for the same to the Owners and Occupiers of or other Persons interested in such Lands, Grounds, or Hereditaments, within the Space of One Calendar Month next after the same shall be demanded; which Damages, and the Recompence to be made in respect thereof, shall be settled and determined or assessed by the Ways and Means hereinbefore prescribed and directed with respect to

to other Damages to be done by making and completing the said Navigation.

LXXXV. And be it further enacted, That it shall not be lawful for any Commissioners of Sewers to prevent, impede, or obstruct, or in any Manner to controul or interfere with the making of the said Cuts and Navigation hereby authorized to be made, or any of the Works thereto belonging, or to take away, divert, use, or draw off any of the Water of the said Cuts and Navigation, or of the Works thereunto belonging, or to let, carry, or bring into the same any Water, without the Consent of the said Company, or in any Manner to controul or interfere with the Management thereof, or to injure the said Cuts and Navigation, or any of the Works belonging thereto: Provided always, that the said Company of Proprietors shall not take or make use of, for any of the Purposes of this Act, any Stream or Streams whatever accustomed to flow down or come into any of the Sewers of or belonging to any Commissioners of Sewers, but that the said Company shall at their own proper Costs and Charges, from Time to Time, make good all Sewage of or belonging to the said Commissioners which shall at any Time or Times be disturbed, or in anywise interfered with in making and maintaining the said intended Cuts and Navigation, or any of the Works thereof, so as that such Sewage across the Line of the said intended Cuts and Navigation shall at all Times be or remain as complete and perfect as at present, and the said Company shall, at their own proper Costs and Charges, subject to the Inspection and Approbation of the Surveyors for the Time being of such Commissioners of Sewers, erect and make, or cause to be erected and made, such and so many Culverts, Sluices, Drains, Arches, and other Works as shall be necessary for the Purposes aforesaid; and all such Culverts, Sluices, Drains, Arches, and other Works shall at all Times thereafter be kept, maintained, and repaired at the proper Costs and Charges of the said Company, but the same shall be under the Management, Controul, and Jurisdiction of the said Commissioners of Sewers.

Commissioners of Sewers not to interfere with making Cuts.

Company not to use any Stream belonging to Commissioners of Sewers.

LXXXVI. And be it further enacted, That if at any Time hereafter the Streams, Watercourses, Ditches, or Drains belonging to any Owner or Occupier of Lands adjoining or lying contiguous to the said Cuts and Navigation, Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, or any of them, shall, by reason of their not being sufficiently cleansed or opened, hinder and obstruct the free Passage of Water from the Dams, Culverts, and Passages belonging to the said Navigation, and if the same shall not be perfectly cleansed and opened within Seven Days after Notice in Writing shall have been given thereof to, or left at the Place of Abode of such Owner or Occupier, by the Clerk or any Agent of the said Company of Proprietors, it shall then be lawful for the said Company (an Order in Writing for that Purpose having been first obtained from any Two or more of the Justices for the City or County wherein any such Stream, Watercourse, Ditch, or Drain shall be situated), from Time to Time, as often as there shall be occasion, to open and cleanse, or cause to be opened and cleansed, the said Streams, Watercourses, Ditches, or Drains; and the reasonable

Enabling Company to cleanse adjoining Watercourses at Land Owner's Expence.

able Expences thereof, when ascertained and allowed by the said Justices, or any Two of them, shall be repaid to the said Company by the Owners or Occupiers of such Lands and Grounds to which the said Streams, Watercourses, Ditches, and Drains so opened and cleansed shall belong; and in case of Refusal to satisfy the same for the Space of Three Calendar Months after Demand shall have been made thereof from the respective Owner or Owners, Occupier or Occupiers, of such Lands and Grounds as aforesaid, or in case he, she, or they not being to be found so as to be personally served, then after Demand in Writing shall have been made and left at the Dwelling House, or if no Dwelling House, then at the most conspicuous Place on the Property near such Stream, Watercourse, Ditch, or Drain so cleansed, such Charges shall and may be recovered in such Manner as Forfeitures and Penalties are hereinafter directed to be recovered.

Drains to be made to convey Water from Lands adjoining, and Watering Places for Cattle.

LXXXVII. And to the Intent that the said Navigation may be carried on with as little Damage to private Property as possible, be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their own proper Costs and Charges, to make or cause to be made Arches, Tunnels, Culverts, Drains, or other Passages, over, under, by the Side of, or into the said Cuts and Navigation, and the said Reservoirs, and their Channels or Feeders, and the Trenches, Streams, and Watercourses communicating therewith, of such Breadth, Depth, and Dimensions as shall be sufficient at all Times to convey the Water clear from the Lands adjoining or lying near to the said Cuts, Reservoirs, and Feeders, without obstructing or impounding the same, and likewise to make, or cause to be made, such Back Drain or Drains as may be necessary and shall be sufficient to carry off any Water which may come or pass through any of the Banks of the said Cuts and Navigation, Reservoirs, and their Feeders, Docks, Basins, and other Works ~~to be~~ authorized to be made, or either of them, to the Prejudice of any of the Lands or Grounds contiguous thereto, and also to make proper Watering Places for Cattle in all Cases where, by means of the said Cuts and Navigation, Reservoirs, and their Feeders, or either of them, the Cattle of any Person or Persons occupying Lands adjacent to the said Cuts and Navigation, Reservoirs, and their Feeders, or other Works, or any or either of them, shall be deprived of their ancient Watering Places, and to supply the same at all Times with Water; and all such Bridges, Arches, Tunnels, Culverts, Drains, and other Passages, shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good and sufficient Repair by the said Company; and if at any Time, after Twenty Days Notice in Writing shall, by or on Behalf of the said Owners or Occupiers of Land adjoining or lying near to the said Cuts and Navigation, Reservoirs, and their Feeders, Docks, Basins, and other Works hereby directed to be made, or any of them, be given to the said Company, that the said Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, or any of them, is or are not made, cleansed, maintained, and repaired, according to the true Intent and Meaning of this Act, it shall be lawful for any Person or Persons to apply for and maintain an Order in Writing from any Two or more Justices of the Peace

for the City, County, or Place within which such Lands shall be, from Time to Time, as often as there shall be Occasion, and the said Justices are hereby authorized and required, at their Discretion, to grant such Order as aforesaid, enabling such Person or Persons to cleanse and repair such Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages accordingly, and the reasonable Expences thereof (to be ascertained by the said Justices) shall be defrayed by the said Company of Proprietors; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Ten Days after Demand thereof made upon the said Company, such Expences shall and may be recovered and levied in such Manner as any other Money is by this Act directed to be recovered from the said Company: Provided always, that such Owner or Occupier of the said contiguous or adjoining Lands shall, at the Time of making such Complaint, have his or her respective Ditches, Drains, and Passages for Water, and Watercourses leading to or from the Drains, Culverts, and Passages of the said Cuts and Navigation, Reservoirs, and their Feeders, Docks, Basins, and other Works hereby directed to be made, and each and every of them, sufficiently cleansed and opened to convey Water into and along the same; and provided also, that nothing in this Act contained shall extend to enforce the admitting of any Water arising from Floods into the said Cuts and Navigation, Reservoirs, and their Feeders, Basins, and other Works hereby directed to be made, or any of them, which may injure the said Navigation hereby directed to be made.

LXXXVIII. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their own Costs and Charges, and with all convenient Speed, and with the least possible Inconvenience to the Public, make good, reinstate, and fully repair, amend, and put into good and perfect Condition, all such, so much, and such Part and Parts of any Turnpike Roads, or other Public Roads or Highways, as they the said Company, or their Engineer, Workmen, or others by or under their Authority, Command, or Direction, or by the Authority of this Act, shall break up, disturb, or in anywise affect, in the carrying any Tunnel, Headway, Feeder, Pipes, or any other Work or Works of the intended Navigation through, under, over, or along any Part of such Turnpike Roads, or other Public Roads or Highways; and if at any Time or Times hereafter it shall become necessary to add to, alter, or repair the Pipes, Drains, Feeders, or any other of the Works of or belonging to the said Company on or under the said Turnpike Roads, or other Public Roads or Highways, or if from Accident, or otherwise any Obstruction or Injury shall be occasioned by the said Company to the Road or Roads aforesaid, by any Addition, Alteration or Repair of any of the Works belonging to the said Company, such Additions, Alterations, or Repairs shall be made and done, and such Obstructions removed, and such Injury made good, and such Part or Parts of the Road or Roads aforesaid put into good and perfect Condition, by and at the Costs and Charges of the said Company, and with the least possible Inconvenience to the Public; and the said Company shall and will at their like Costs and Charges defray, reimburse, and make good to the Trustees of such Turnpike Roads, and the Surveyors of the other Public Roads

Company to
make good
all Damage
done by them
to the Public
Roads.

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or Highways, all Loss, Costs, Charges, Damages, and Expences which they the said Trustees, or the Surveyors, shall or may by any Means bear, pay, suffer, or be put unto for or by reason or means of the said Company, or their Engineer, Workmen, or others, under the Authority aforesaid, so breaking up, disturbing, or anywise affecting the Road or Roads aforesaid; and in Cases of Emergency or Neglect on the Part of the said Company to make good, reinstate, repair, amend, and put into good and perfect Condition such Turnpike and other Public Roads or Highways, all such Repairs, Obstructions, and Injuries shall be done, removed, and made good by the Trustees or Surveyors of such Road or Roads respectively, and all reasonable Charges and Expences attending the same shall be paid and reimbursed by the said Company, within Ten Days after such Charges and Expences shall be demanded; and in Default thereof, the same shall be recovered by Distress and Sale of the Goods and Chattels of the said Company, by Warrant under the Hand and Seal of any Justice of the Peace of the said County.

Land Owners may make Wharfs; but in Default thereof, Company may make same.

LXXXIX. And be it further enacted, That any Owner or Owners of any Lands or Grounds lying and being between the aforesaid Bridge called the *Foundery Bridge*, and the aforesaid Bridge called the *Carrow Bridge*, and the Owner or Owners of any Lands or Grounds adjoining to the said Lake called *Lake Lothing*, and through or in which the said Port or Harbour, Locks, Basins, and Works hereby authorized to be made, or any of them, shall be made by virtue of this Act, may make, build, and construct for his or their own Use, or for the Use of the said Navigation, any Wharfs, Quays, Landing Places, Cranes, Weigh-beams or Warehouses, in or upon his, her, or their respective own proper Lands and Grounds adjoining or near the Port or Harbour, Locks, Basins, and Works hereby authorized to be made, in any or either of them; and that if any such Owner or Owners of the Lands and Grounds aforesaid shall not make, build, and construct such proper and sufficient Wharfs, Warehouses, and other Conveniences as aforesaid, for the Use of the said Navigation, as the said Company or their Directors shall think necessary, upon such Lands or Grounds, within Three Calendar Months after Notice shall have been given to him or them for that Purpose by the said Directors, then and in such Case the said Company of Proprietors shall have full Power and Authority, without any Hinderance or Restraint, to make use of any such Lands or Grounds (not being the Ground whereon any House or other Building stands, or any Orchard, Park, Paddock, Planted Walk, Nursery for Trees, or an Avenue to any House,) for making, erecting, and constructing proper and sufficient Wharfs, Warehouses, Buildings, and other Conveniences aforesaid, and keeping the same in repair, and for laying out and making necessary and convenient Roads through any Part of the Lands or Grounds aforesaid to and from the said Port or Harbour, Locks, Basins, and Works hereby authorized to be made, or any of them respectively, they the said Company first giving Satisfaction for the same in such Manner as hath been heretofore directed with respect to other Lands & Grounds which shall be taken or used for the Purposes of this Act; and in case any such Owner or Owners shall make such Wharfs, Warehouses, and other Conveniences, and shall suffer them to be out of repair, and

and shall not repair the same within Fourteen Days after Notice from the said Directors for that Purpose, it shall be lawful for the said Company to repair the same, and to charge the Expences thereof to such Owner or Owners, and to recover the same in such Manner as any other Sums of Money payable to the said Company is hereby directed to be recovered.

XC. And be it further enacted, That no greater Rate or Sum of Money shall be demanded or taken by any such Lord or Lady, or Land Owner, as or for Wharfage for any Minerals, Timber, or other Goods, Matters, or Things whatsoever, which shall be landed therefrom into, or discharged thereupon from any Boat, Barge, or other Vessel, and shall not be upon such Wharfs or Quays, or which shall not be thereon for a longer Space of Time than Twenty-four Hours, not exceeding the Rates and Charges in Schedules (B.) and (C.) to this Act annexed, and particularly specified and set forth.

Rates to be taken at such Wharfs.

XCI. And be it further enacted, That the said Company of Proprietors are hereby fully empowered, in such Parts of the said Cuts, Broad, and Lake hereby authorized to be made, or any or either of them respectively, as shall not be of sufficient Breadth for admitting a Ship or Boat, Barge or other Vessel to turn about or lie, whilst another Ship or Boat, Barge or other Vessel shall pass, to make and erect proper Spaces, Recesses, or Openings into the Lands adjoining the said Cuts, Broad, and Lake, at convenient Distances from each other, for the turning, lying, or passing by of any such Ships, Boats, Barges, or other Vessels; and all such Ships, Boats, Barges, and other Vessels which shall be hauled or navigated upon the said Cuts, Broad, and Lake, or any Part thereof, shall, upon meeting any other Ship, Boat, Barge, or other Vessel navigating thereon, stop at, or go back to, and lie in the said Spaces or Openings, in such Manner as the said Company or their Directors shall from Time to Time appoint; and if any Ship, Boat, Barge, or other Vessel shall be placed, or shall lie abreast in any Part of the said Cuts, Broad, and Lake, not being moored at both Ends or by the Middle, or if any Person or Persons shall obstruct the Navigation of the said Cuts, Broad, and Lake, or of any of them, by Means of the loading or unloading, implacing, or otherwise misconducting any Ship, Boat, Barge, or other Vessel, and shall not immediately, upon Request made, alter the Situation of such Ship, Boat, Barge, or other Vessel, or alter or lessen the Loading thereof, as the Case shall require, so as that the said Obstruction shall cease and be removed; or if any Person or Persons shall float any Timber upon the said Cuts, Broad, and Lake, or any Part thereof, or throw any Trees, Ballast, or other Things or Things into any Part of the said Cuts, Broad, and Lake, or the Reservoirs, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, or any or either of them, or shall obstruct the Navigation in any Part thereof; or if any Person or Persons shall load or unload any Ship, Boat, Barge, or other Vessel on the Sides of the said Cuts, Broad, and Lake, or any Part thereof, otherwise than at Quays or Wharfs built along the Sides of the said Cuts, Broad, and Lake, or at some Place assigned by the said Company, or without the Consent of the said Company, any Person in any such Case offending shall for every such

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

Obstructions to be removed.

such Offence forfeit any Sum not exceeding Ten Pounds; and it shall be lawful for the said Company to cause any such Ship, Boat, Barge, or other Vessel to be reloaded or unloaded if necessary, or to be removed, and also to remove such Timber, or other Thing or Things, in such Manner as shall be proper for preventing such Obstruction in and along the said Cuts, Broad, and Lake, and to keep and detain such Ship, Boat, Barge, or other Vessel, and the Loading thereof, or any Part of such Loading, until the Charges occasioned by such Reloading, Unloading, or Removal shall be paid, or otherwise to recover the Expences incurred thereby in like manner as any Penalty is hereby directed to be recovered.

Vessels sunk
to be weigh-
ed up.

XCII. And be it further enacted, That if any Ship, Boat, Barge, or other Vessel shall be sunk in any Part of the said Cuts and Navigation, Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, and the Person or Persons having the Care of such Ship, Boat, Barge, or other Vessel, shall not, without any Loss of Time, weigh or draw up the same, it shall be lawful for the Agents or Servants of the said Company, or any of them, to cause such Ship, Boat, Barge, or other Vessel to be weighed or drawn up, and to detain and keep the same until Payment shall be made of all the Expences thereby necessarily incurred and occasioned.

Duties on
Exports and
Imports.

XCIII. And be it further enacted, That there shall be paid to the said Company of Proprietors, or to such Person or Persons as they shall appoint to collect and receive the same, for and upon all Goods, Wares, and Merchandize conveyed inwards or outwards, or imported or exported to or from the said Harbour, or carried upon the said Rivers, Lake, Broad, Dyke, Cuts, and Navigation, in Sea-borne Vessels, such Rates or Duties as the said Company of Proprietors shall order or direct to be paid, not exceeding the Rates or Duties contained in the Schedule to this Act annexed, marked (A.), which said Rates and Duties shall be paid by the Master or Commander, or other Person or Persons having the Command or Charge of any Ship or Sea-borne Vessel, in which the same shall be imported, exported, or carried, or by the Merchant or Merchants, or other Person or Persons conveying, exporting, or importing, or carrying such Goods, Wares, and Merchandize, or into whose Custody or Possession the same shall be delivered, or by whom the same shall be shipped respectively, upon the Delivery or Shipping of the same respectively: Provided always, that where any Rates or Duties have been paid for Goods, Wares, and Merchandize brought or imported into the said Harbour, or for the Ship or Sea-borne Vessel carrying the same, such Rates or Duties shall not be again payable for the same Goods, Wares, and Merchandize being afterwards conveyed or carried on the said Rivers, Lake, Broad, Dyke, Cuts, and Navigation; and where any Rates or Duties have been paid for Goods, Wares, and Merchandize conveyed or carried on the said Rivers, Lake, Broad, Dyke, Cuts, and Navigation, such Rates or Duties shall not be again payable for the same Goods, Wares, and Merchandize being afterwards taken or carried from the said Harbour: Provided also, that One Sixth Part only of the Rates or Duties in this Clause directed to be paid and

payable to the said Company of Proprietors shall be paid or payable for or upon any Goods, Wares, or Merchandize conveyed or carried in Sea-borne Vessels upon the said River *Wensum*, *Wensum* commonly called *Yare* and *Wensum*, otherwise *Yare*, or upon the said River *Waveney*, or upon any Parts or Part of the said Rivers, or either of them, such Goods, Wares, and Merchandize not being conveyed or carried upon the said Lake, Broad, Dyke, or Cuts, or any or either of them, or any Parts or Part thereof, until the Expiration of a certain Act of Parliament passed in the Twelfth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for clearing, deepthning, repairing, maintaining, and improving the Haven and Piers of Great Yarmouth, and for deepthning and making more navigable the several Rivers emptying themselves into the said Haven, and for preserving Ships wintering therein from Accidents by Fire*; and that from and after the Expiration of the said Act of Parliament last hereinbefore referred to, unless the said Act be renewed, One Third Part of the Rates and Duties herein directed to be paid and payable to the said Company shall be paid and payable in lieu of the One Sixth Part of such Rates and Duties herein mentioned.

XCIV. And be it further enacted, That there shall be paid to the said Company of Proprietors, or to such Person or Persons as they shall appoint to collect and receive the same, for and upon all Goods, Wares, and Merchandize conveyed or carried upon the said Cut or Canal hereby authorized and intended to be made from a certain Part of the said River *Wensum*, otherwise *Yare*, from just below or near unto a certain Place on the said River called *Reedham Hills End*, in the said County of *Norfolk*, across a Level of Marshes, to a certain Part of the said River *Waveney*, near and to the South of *Saint Olave's Bridge* aforesaid, in the said County of *Suffolk*, in any Boat, Barge, Keel, Wherry, or other Vessel, such Rates or Duties as the said Company of Proprietors shall order or direct to be paid, not exceeding a Moiety of the Rates or Duties contained in the Schedule to this Act annexed, marked (A.); which said Rates and Duties shall be paid by the Master or Commander, or other Person or Persons having the Command or Charge of any such Boat, Barge, Keel, Wherry or Vessel in which the same shall be conveyed or carried, or by the Merchant or Merchants, or other Person or Persons conveying or carrying such Goods, Wares, and Merchandize, or into whose Custody or Possession the same shall be delivered, or by whom the same shall be laden respectively, upon the Delivery or Lading thereof respectively: Provided always, that the Rates or Duties hereby authorized to be taken shall not attach upon or be payable for or in respect of any Goods, Wares, and Merchandize which shall have been brought or imported into the said Harbour, and which shall have paid the Rates and Duties hereinbefore authorized to be taken in respect of Goods, Wares, and Merchandize imported therein; and that where any of the Rates or Duties by this Clause authorized to be taken shall have been paid for any such Goods, Wares, and Merchandize conveyed or carried on the said Cut or Canal, such Rates or Duties shall be deducted or allowed out of the Payment of the Amount of the Rates

Duties payable in respect of the Cut connecting the Rivers *Yare* and *Waveney*.

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or Duties payable for the same Goods, Wares, and Merchandize being afterwards carried into or exported from the said Harbour.

Rates to be paid by Lowestoft Fishing Boats using the Harbour during the Fishing Seasons.

XCV. Provided always, and be it further enacted, That notwithstanding any thing herein contained to the contrary, all and every decked Fishing Boat or Vessel, employed in the Fisheries, shall and may, at all Times during the Fishing Seasons, resort to, take refuge in, enter, and use the said Port or Harbour hereby authorized to be made and constructed for Protection and Refuge, and also for the fitting out and refitting the said Boats or Vessels, so far as such fitting out and refitting is necessary for the Purpose of Fishing only, and for the importing, landing, and delivering of White undried or unsmoked Fish, or for any other Purpose or Purposes whatsoever solely connected with the managing, conducting, and carrying on the said Fisheries as to White undried or unsmoked Fish, the Owner or Owners, or Master or Person having the Command of such Boats or Vessels paying therefore to the said Company of Proprietors, in lieu of all Tolls, Rates, and Duties hereinbefore respectively authorized to be taken by them, the Sum of Twenty Shillings and no more for every such Boat or Vessel for the Fishing Seasons in each and every Year in which such Boat or Vessel, Boats or Vessels, shall enter or use the said Port or Harbour for all or any or either of the Purposes aforesaid, the said Sum of Twenty Shillings to be payable and paid on the first Time in every Year that every or any such Boat or Vessel shall so enter or use the said Port or Harbour aforesaid; and provided also, that the Person or Persons having the Command of such Boat or Vessel, Boats or Vessels, shall and do in every other Respect, except as to the Tolls, Rates, and Duties hereinbefore authorized to be taken, obey and observe the Regulations and Provisions hereby directed and made for the Management of the said Port or Harbour.

Rates to be taken for Ships and Vessels entering the Harbour, and not using the Navigation.

XCVI. And whereas it may frequently happen that Ships and Vessels, not intending to pass through the said Lock intended to be made near *Mutford Bridge* aforesaid, may enter into the said Harbour or Port hereby authorized to be made and constructed at or near the Parishes of *Lowestoft, Carlton Colville, Oulton, and Kirtley* otherwise *Kirtley*, in the said County of *Suffolk*, and hereinbefore particularly specified, for Protection and Refuge: And whereas, by reason of the great Expence to be incurred by the said Company of Proprietors in constructing and maintaining the said Harbour and Port, with their Piers, Lights, Jetties, and other Works, and rendering them commodious and beneficial to the Navigation hereby authorized to be made, it is reasonable that the said Company should also have, take, and receive reasonable Port or Harbour Rates and Duties from such Ships and Vessels as shall resort to, take Refuge in, or in any manner enter or use the said Port or Harbour so to be made and constructed, by way of Compensation for the Expence of constructing and maintaining the same; be it further enacted, That it shall be lawful for the said Company of Proprietors to ask, demand, take, and receive to their own Use and Behoof, from such Ships and Vessels as shall enter the said Harbour or Port, or the Cut and Entrance between the same and the Sea, or any Part thereof, for Protection and Refuge, and not for the

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Purposes

Purposes of Trade, the Dues, Rates, Tolls, and Sums following; that is to say, any Rate, Toll, or Duty, not exceeding Three Pence *per* Ton, for every Ship or Vessel, whether the same shall be laden or in Ballast, according to the Custom House Register of the Burthen or Tonnage of every such Ship or Vessel; and all such Rates, Tolls, and Duties hereby authorized to be taken and collected for any Ships or Vessels entering the said Harbour or Port for Protection and Refuge as aforesaid, shall be paid by the Owner or Owners, Master or Person having the Command or Charge of such Ships or Vessels; and the said Company shall have the like Powers for enforcing the Payment thereof as are hereby given to them in respect of the Tolls, Rates, and Duties hereinbefore authorized to be taken by them.

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

Power to reduce Dues on Foreign Ships and Goods.

XCVIII. And whereas it may be expedient that Provision should be made for enabling Steam Vessels, or other Vessels belonging to His Majesty, or in His Majesty's Service, to avail themselves, when necessary, of the said Harbour; be it therefore enacted, That the said Company of Proprietors shall be, and they are hereby required and empowered to widen and improve the Lock and Entrance to the said Harbour from the Sea, in case they shall be at any Time during the Progress of the Works authorized by this Act be required so to do by the Lords Commissioners of His Majesty's Treasury, or any Three or more of them: Provided nevertheless, that no Part of the Expence of widening and improving the said Lock in manner aforesaid shall be borne or defrayed by the said Company of Proprietors.

Lock and Entrance from the Sea may be improved, if required by Lords of the Treasury.

XCIX. And be it further enacted, That upon the Completion of the said Harbour at *Lake Lothing*, the said Company of Proprietors shall and they are hereby required to put up, or cause to be put up, and afterwards to be continued, upon some conspicuous Part of the Works of the said Harbour, a Table, painted in distinct and legible Black Letters on a Board with a White Ground, containing a List of all the Tolls and Rates of Tonnage payable to the said Company, distinguishing the several Tolls and Rates to be paid by virtue of this Act, and to renew such Boards whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated: Provided always, that it shall not be lawful

Table of Tolls to be put up.

lawful for the said Company of Proprietors to demand or take, or cause to be demanded or taken, any Rates for or in respect of any Ship or Vessel, or of any Goods, Wares, or Merchandize, or other Things, but for and during such Time as the Board so painted as aforesaid shall remain so affixed.

Ships to be reported on arriving in the Harbour.

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

How Tonnage Duties for the Harbour shall be ascertained.

CI. And be it further enacted, That the Master or other Person having the Rule or Command of any Ship or other Vessel lying within the said Harbour, shall, and he is hereby required to produce and show on Demand to the Person or Persons appointed to collect the Rates and Duties aforesaid, the Custom House Register of the Burthen or Tonnage of such Ship or Vessel; and in case of Refusal, Failure, or Delay in producing and showing the same, or in case there be no such Register, or in case the said Company of Proprietors, or such Person or Persons appointed to collect the Rates and Duties aforesaid shall not be satisfied therewith, or shall entertain any Doubt of the Correctness thereof in regard to the Tonnage of such Ship or Vessel, it shall and may be lawful for the Person or Persons appointed to collect the Rates and Duties aforesaid, to detain and to enter, either alone or with any Person or Persons for his or their Assistance, into such Ship or Vessel, and admeasure the same in the Manner directed by an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the registering of British Vessels*, and which shall be deemed to give the true Contents of the Tonnage; according to which Rule or Method all Ships and Vessels using the said Harbour shall be measured, for computing, ascertaining, and collecting the said Rates or Duties of Tonnage, any Custom, Practice, or Usage to the contrary notwithstanding; and in case the same shall upon such Weighing, Measuring, or Gauging, appear to be of greater Tonnage than shall be set forth and contained in the Account which

which shall have been given thereof, then the Master or Person giving in such Account shall pay the Costs and Charges of such Weighing, Measuring, or Gauging; all which said Costs and Charges, upon Refusal of Payment thereof on Demand, shall and may be recovered and levied by such Ways and Means, and in such Manner as the said Rates are hereby appointed to be recovered and levied; but if any such Ship or other Vessel shall be found to be of the same or of less Tonnage than the same shall by such Account appear to be of, then the said Collector or Collectors, or such other Person or Persons respectively, shall pay the Costs and Charges of such Weighing, Measuring, or Gauging, and shall also pay such further Damages as shall appear to any One or more Justice or Justices of the Peace acting in and for the said City, County, or Place, on the Oath of any credible Witness, to have arisen from such Detention, and in Default of immediate Payment thereof by the Collector or Collectors, the same shall and may be recovered from the said Company of Proprietors by Distress and Sale of the Goods and Chattels of the Company, or of their Collector or Collectors; and if any Master, Commander, or other Officer of any Ship or Vessel, or any other Person or Persons, shall obstruct or hinder any Person or Persons so employed from weighing, measuring, or gauging any Ship or Vessel in pursuance of this Act, every such Master, Commander, or other Person, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds, over and above the said Rates.

Penalty on any Person obstructing such Measuring, &c.

CII. And for the more orderly Government of the said Harbour, and for the better preserving the same and the Works to be erected there from Injury or Damage, as well as for the Accommodation of Ships or Vessels coming into or going out of the said Harbour; be it enacted, That the said Company of Proprietors may, and they are hereby authorized and empowered to nominate and appoint such Person as they think proper to be a Harbour Master, with such annual Allowance or Salary, payable out of the Rates or Duties by this Act granted and made payable, as they shall think fit; and such Harbour Master shall from Time to Time order and require all and every Person having the Rule or Command of any Ship or other Vessel entering into, lying, being, or abiding within the said Harbour, to lie, anchor, moor and ballast, load and unload, such Ship or Vessel in such proper Place or Places within the same as such Harbour Master shall assign or direct for those Purposes (having due Regard that to the best of his Skill and Knowledge such Ship or other Vessel shall be ordered to lie, anchor, moor, ballast, load, or unload in a Place of Safety); and in case the Person or Persons having the Rule or Command of any such Ship or other Vessel shall refuse or neglect to obey the Orders so given, every Person so offending, for every such Refusal or Neglect, shall forfeit and pay any Sum not exceeding Ten Pounds to the said Company of Proprietors.

Power to regulate Vessels lying within the Harbour.

CIII. And for the better ascertaining, and more easy, effectual, and just Collection of the said Rates hereby directed to be paid to the said Company of Proprietors; be it further enacted, That the Person having the Care of every Ship or other Sea-borne Vessel navigating upon the said Cuts and Navigation, and the Reservoirs, Channels, [Local.] 9 Y Feeders,

Owners of Vessels to give an Account of their Lading.

Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made respectively, shall give to the Collector of the said Rates, or to any other Officer to be appointed for such Purpose, at the Place or Places where he shall attend for that Purpose, a just Account in Writing, signed by the Person or Persons sending or consigning such Goods and other Things as shall be embarked in each such Ship or other Sea-borne Vessel, or by his or her Clerk or Agent, which Account shall contain a Statement of the Quantities and Weight of such Goods and other Things, and of their Nature, Sort, or Kind, which shall be embarked in each such Ship or other Sea-borne Vessel, from whence brought, and where the same is intended to be landed; and if the Goods or other Things contained in any such Ship or other Sea-borne Vessel shall be liable to the Payment of different Rates, then such Account shall specify the Quantities liable to the Payment of each of the said Rates; and in case the Person having the Care of such Ship or other Sea-borne Vessel shall neglect or refuse to give such Account, or shall refuse to produce his or their Manifest and other Ship's Papers, and the Invoice and Bill of Lading, to the Officer demanding the same, or shall wilfully or knowingly give a false Account, or deliver any Part of such Lading or Goods at any other Place or Places than the Place or Places mentioned in that Account, or shall wilfully do any other Act whereby the Payment of the said Rates or any Part thereof shall be avoided, or if the Person or Persons sending or consigning such Goods or Things, or his or their Clerk or Agent, shall sign a false Account thereof, every Person so offending shall forfeit and pay the Sum of Twenty Shillings for every Ton of Goods or other Things, and so in proportion for any less Quantity than a Ton, which shall be in or be conveyed by such Ships or other Sea-borne Vessels respectively, over and above the Rates which shall be payable for the same by virtue of this Act.

What Quantity of Goods shall be deemed a Hundred Weight.

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

CIV. And be it further enacted, That the Tonnage of Timber and all other Goods, Wares, and Merchandize, Articles and Things whatsoever, conveyed inward or outward or coastwise, or imported or exported to or from the said Harbour, or conveyed upon and along the said Cuts or Navigation, shall be ascertained and charged according to the real Weight thereof, and that One hundred and twelve Pounds Weight Avoirdupois shall be deemed and taken as and for One Hundred Weight, any Usage to the contrary thereof notwithstanding; and if any Difference shall arise between any Collector of the said Rates and the Master or other Person having the Care or Charge of any Ship or other Sea-borne Vessel entering or leaving the said Harbour, or navigating the said Cuts or Navigation, or the Owner, Factor, Consignor or Consignee of any Goods, Wares, Merchandize, or other Things loaded or embarked therein, concerning the Weight or Quantities of the Goods, Wares, or other Matters or Things therein embarked or contained, it shall be lawful for any such Collector to stop and detain any such Ship or other Sea-borne Vessel, and to weigh or gauge, or cause to be weighed or gauged, such Ship or other Sea-borne Vessel, and all such Goods, Wares, and Merchandize, or other Matters or Things as shall be therein embarked or contained; and in case the same shall upon such Weigh-
ing

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

CV. And for the better ascertaining the Tonnage of Timber and of light Goods to be charged with the Payment of the Rates, Tolls, or Duties aforesaid; be it further enacted, That Fifty Cubic Feet of round, or Forty Cubic Feet of square Oak, Ash, Elm, or Birch Timber, and Forty Cubic Feet of Fir or Deal, Poplar or Birch, not cut into Scantlings, and Forty Cubic Feet of light Goods, shall be deemed, rated, and estimated as and for One Ton Weight.

For ascertaining the Weight of Timber and light Goods.

CVI. And be it further enacted, That it shall be lawful for the said Company of Proprietors, at a General Assembly of Proprietors specially convened, to reduce or apportion all or any of the Rates, Tolls, Tonnage Dues and Duties taken in pursuance of this Act, and again from Time to Time to raise or consolidate the same to such Sum and Sums of Money as they shall think proper, not exceeding the Sums specified in this Act, as often as it shall be deemed advantageous and necessary: Provided, that no such Reduction, Variation, or Apportionment shall take place at any such Assembly, unless by a Majority of Votes equal to One hundred of the Shares represented at such Meeting; and provided also, that no such Reduction, Variation, or Apportionment shall be made so as to affect or prejudice any Lease of the Rates, Tolls, Tonnage Dues and Duties, or any Part thereof, to be made by virtue of this Act.

Rates may be varied.

CVII. Provided always, and be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates, Tolls, or Duties due, or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to detain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) until the

For settling Disputes concerning the Rates and Tolls.

The Amount of the Rates, Tolls, or Duties due, and the Charges of seizing, distraining, keeping, or selling such Distress, (as the Case shall happen,) shall be ascertained by Two or more Justices of the Peace of the County or Place where such Dispute shall arise, who, upon Application made to him or them for that Purpose, shall examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and determine the Amount of the Rates, Tolls, or Duties due; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the Parties to the other of them as he shall think just and reasonable; and in case of Nonpayment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand and Seal of such Justice.

Company
may lease
Tolls.

CVIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors, or their Directors, and they are hereby authorized and empowered, by Writing under their Common Seal, from Time to Time to let to farm the Tolls, Rates, Duties, Port or Harbour Dues hereby granted respectively, and each and every or any Part or Parts thereof, upon the Whole or on any Part or Parts of the said Navigation, and Port and Harbour, and to any Person or Persons, for any Time or Term they shall think proper, not exceeding Three Years from the Commencement of any Lease; or to contract with any Person or Persons for the Passage of his, her, or their Ships, or other Vessels and Cargoes; and every such Lease shall be valid and effectual; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Rates so let, shall during the Continuance of such Lease be deemed Collectors of the Rates so let, and shall have the same Powers and Authorities for collecting and recovering the same as if they had been appointed for that Purpose by the said Company of Proprietors: Provided that, except in the Case of contracting with any Person or Persons for the Passage of his, her, or their Ships or Vessels and Cargoes respectively, public Notice of the Intention to let the said Tolls or any Part thereof be given by Writing under the Hands of the Directors, or any Three or more of them, by Advertisement in One Newspaper usually circulating in the said City of *Norwich* and County of the same City, and in each of the said Counties of *Norfolk* and *Suffolk*, at least Twenty-one Days prior to the Day at which the said Rates or any Parts thereof are proposed to be let as aforesaid.

Wharfage
Duties to be
paid.

CIX. And be it further enacted, That if any Goods, Wares, Merchandize, or other Things, shall be brought upon any Pier or Piers, Jetty or Jetties, Wharf or Wharfs, Quay or Quays, Landing Place or Landing Places, or be deposited in any Warehouse or Warehouses belonging to the said Company of Proprietors, or their Lessees, then and in such Case there shall be paid to the said Company of Proprietors or their Lessees, or to the Collector or other Person or Persons whom they shall appoint to demand, receive, and recover the same, over and above the Rates and Duties hereinbefore granted and authorized to be taken, and in such and the same Manner as such Rates and Duties are hereby directed and appointed to be paid and recovered,

recovered, such Sum *per* Ton or otherwise as the said Company of Proprietors or their Directors shall from Time to Time fix and appoint, not exceeding the Rates and Charges in Schedules (B.) and (C.) to this Act annexed, and particularly specified and set forth.

CX. And be it further enacted, That the said Company of Proprietors or their Directors shall and may take, seize, and detain, for the Wharfage Dues hereby granted, and for Warehouse Rent, any Goods, Wares, or Merchandize deposited in any Warehouse or Warehouses, or in or upon any Wharf or Place belonging to the said Company, in respect whereof such Wharfage Dues or Warehouse Rent shall become payable; and in case of Nonclaim of such Goods, Wares, and Merchandize, or Nonpayment of such Wharfage Dues and Rent, within the Space of Twelve Calendar Months next after the same shall have been so deposited, to sell and dispose thereof by public Auction or private Contract, as they shall think best, and out of the Monies to arise by such Sale or Sales, pay and satisfy themselves the said Dues and Rent, and all Costs, Charges, and Expences attending such Sale and Sales, rendering the Overplus (if any be) upon Demand to the Owner or Owners thereof respectively, (Oath being first made in Writing, if required, by such Owner or Owners of his, her, or their Right and Title to the said Property so sold and disposed of, before such Justice or Justices of the Peace of and for the said City of *Norwich*, and County of the same City, or of and for the said Counties of *Norfolk* and *Suffolk*, or either of them, as the Case may be,) which Oath any such Justice is hereby duly authorized and required to administer.

Power to
distrain for
Wharfage,
&c.

CXI. And be it further enacted, That in case any Master or Commander, Owner or Owners of any Ship or other Sea-borne Vessel, charged and chargeable with any Rates or Charges allowed to be taken and demanded by this Act, shall refuse to pay the same, then and in such Case it shall be lawful for the Directors of the said Company, or such Person or Persons as they shall appoint to be their Collector or Collectors, Receiver or Receivers, or any or either of them, from Time to Time to go on board any such Ship or Vessel, to demand, collect, and receive the same, and on Nonpayment thereof to take and distrain every Ship or Vessel, and all her Tackle, Apparel, and Furniture, or any Part thereof, either on board or on shore, and the same to detain until he or they be paid and satisfied the said Rates and Charges; and in case of any Neglect and Delay in Payment thereof, then it shall be lawful for the said Directors, or such Person or Persons as they shall have appointed, and shall from Time to Time appoint as aforesaid their Collector or Collectors, Receiver or Receivers, to cause the same to be appraised by one or more Sworn Appraiser or Appraisers, or other sufficient Persons, and afterwards to sell the said Distress and Distresses, and therewith to satisfy himself or themselves, as well for and concerning the said Rates and Charges so neglected or delayed to be paid, and for which such Distress and Distresses shall be taken as aforesaid, as also for his or their reasonable Charges in taking, keeping, appraising, and selling such Distress, rendering to the Master, Commander, or Owner of the said Ship or Vessel, in, to, or from which such Distress shall be

Providing
for Cases
when Rates
are not paid.

[*Local.*]

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so taken or belong, the Overplus (if any there shall be) on Demand; and if any Owner, Consignor or Consignee respectively of any Coals, Timber, Goods, Wares, or Merchandize chargeable with any of the Rates or Charges mentioned in this Act, or allowed to be taken under the Provisions of this Act, shall neglect or refuse to pay any of the said Rates or Charges before such Coals, Goods, Timber, Wares, or Merchandize shall be shipped or removed from the Place where the same shall be landed (as the Case may be), it shall be lawful for the said Directors, or their Receiver or Receivers, Collector or Collectors, to detain the said Coals, Timber, Goods, Wares, and Merchandize, till the said Rates and Charges, together with the reasonable Costs and Charges of keeping the said Coals, Timber, Goods, Wares, and Merchandize, shall be paid and satisfied; and in case such Coals, Timber, Goods, Wares, and Merchandize, shall happen to be removed before the Rates or Charges payable for the same shall be fully paid, then it shall be lawful for the said Directors, or their Collector or Collectors, Receiver or Receivers, to distrain and take any Goods or Chattels of the Owner, Consignor or Consignee respectively, and to detain and sell the same in manner hereinbefore mentioned; or the said Company shall and may prosecute any Action or Actions at Law for Recovery of the said Rates or Charges.

Power to enforce the Payment of Rates from Vessels using the Navigation.

CXII. And be it further enacted, That when any Ship or Vessel shall enter into the said Port or Harbour, intending to pass through and along the whole Line of the said Navigation, it shall be lawful for the Directors of the said Company, by their Collector of the Rates, Clerk, or other Officer, to demand and require Payment of the Tolls, Rates, and Dues payable in respect of such Ship or Vessel passing along the said Navigation, at any Time or Place after such Ship or Vessel shall have entered the said Port or Harbour, from the Master, Captain, or other Person in Charge thereof; and in Default of Payment of the same, or Want of Satisfaction given to such Collector, Clerk, or other Officer, it shall be lawful for the said Company, by their Collector, Clerk, or Officer, and all other the Officers, Clerks, and Servants, and all others in their Employ, and on Behalf of the said Company, to stop and detain and prevent the said Ship or Vessel from proceeding and passing onwards or through and along the said Navigation, or from and out of the said Port or Harbour respectively, as the Case may be, with the same and the like Powers of Entry, Distress, and Sale, and with the same and the like Right of Action for enforcing Payment of such Rates, Tolls, and Dues, hereinbefore expressed and declared.

Punishing Persons avoiding the Tonnage Rate.

CXIII. And be it further enacted, That if any Act or Thing whatsoever shall be done in order to or with Intent to avoid the Payment of any of the Rates or Duties made payable to the said Company of Proprietors, every Person doing or causing to be done any such Act or Thing shall forfeit and pay to the said Company of Proprietors for every such Offence a Sum not exceeding Five Pounds, and also the Amount of the Rates or Duties which would have been payable to them as if such Act had not been done, such Forfeitures, and Rates or Duties, to be recovered in such or the like Manner as

Forfeitures or Penalties of the like Nature as the said Rates or Duties are hereby directed to be levied or recovered in other Cases.

CXIV. And be it further enacted, That if any Lock Keeper, Wharfinger, or other Servant belonging to the said Company of Proprietors, shall give any undue Preference, or shew any Partiality to any Ship, Boat, Barge, or other Vessel, in passing through any Lock or Locks on the said Cuts and Navigation, or other Works, or in loading or unloading any Goods, Wares, Merchandize, or other Commodities at any of the Wharfs, Warehouses, Weighbeams, Cranes, and other Machines belonging to the said Company of Proprietors, he shall forfeit and pay, for every such Offence, the Sum of Five Pounds.

To prevent Lock Keepers giving any Preference.

CXV. And be it further enacted, That if any Person or Persons shall wantonly or unnecessarily open or cause to be opened any Lock, Sluice, Floodgate, Paddle, Valve, or Clough belonging to the said Navigation hereby directed to be made, or any of the Works thereto belonging, or when necessarily emptying a Lock for the Purpose of passing into or entering the same shall neglect to shut the Top Gate or Gates thereof, and the Paddles, Valves, or Cloughs thereto belonging, before he shall draw the Paddles, Valves, or Cloughs of the Bottom Gates thereof, or any of them, or shall suffer any Ship, Boat, Barge, or other Vessel, to strike or run upon any of the Bridges or Locks thereof, or shall flush or draw off, or cause to be flushed or drawn off, the Water from any Part of the said Navigation, and the said Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, or shall leave any Gate or Gates, Paddle, Valve, or Clough of any Lock open and running, after any Ship, Boat, Barge, or other Vessel shall have passed through the same, (except in such Cases as are otherwise ordered,) or shall draw or cause to be drawn any Paddle, Valve, or Clough on the said Navigation, so as to misspend or waste the Water thereof, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act; every Person offending in any of the Cases aforesaid shall forfeit and pay, for every such Offence, any Sum not exceeding Twenty Pounds.

Penalties on Persons misusing the Locks, or doing other Damage to the Navigation.

CXVI. And be it further enacted, That if any Person or Persons shall wilfully and maliciously break, throw down, or destroy any Bridges, Locks, Tunnels, Banks, or other Works to be erected and made by virtue of this Act, or any Part thereof, every such Person shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person or Persons shall be tried, shall have Power and Authority to cause such Person or Persons to be punished by Transportation, or in such other Manner as any Felon may be punished by the Laws and Statutes of this Realm, or in Mitigation thereof such Court may award such Sentences as the Law directs in the Cases of Felony.

Penalty for destroying the Works.

CXVII. And be it further enacted, That in case any Person or Persons shall break, throw down, destroy, carry away, or damage any Gate, Stile, Post, Rail, or other Fence to be put up or placed under the Authority of this Act for the fencing of the said Cuts and Navigation,

Punishment of Persons damaging Fences.

and

and the Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made (such Offence or Offences not amounting to Felony), any Person so offending and being thereof convicted before any Justice of the Peace (not interested in the Premises) for the City or County where the Offence shall be committed, or the Offender shall be or reside, on the Confession of the Offender or Offenders, or on Proof of the Offence on the Oath of One or more credible Witness or Witnesses (which Oath such Justice is hereby empowered and required to administer), shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and no Person shall be deemed incompetent to give Evidence of such Offence by reason of his or her being a Proprietor of the said Navigation hereby directed to be made, or the Owner of such Gate, Stile, Post, Rail, or other Fence; and in case any such Offender or Offenders shall not immediately pay such Penalty or Penalties, or find Securities to the Satisfaction of such Justice for the Payment thereof at such future Day as he shall think proper to appoint, it shall be lawful for such Justice to cause the same to be forthwith levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under his Hand and Seal, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting such Penalty, and the Costs and Charges of such Distress and Sale; and One Moiety of such Penalty shall be paid to the said Company, or the Owner or Owners of such Gate, Stile, Post, Rail, or Fence so broken, destroyed, or carried away, and the other Moiety thereof shall go and be paid to the Informer or Informers; but if the Owner of such Gate, Stile, Post, Rail, or Fence shall be the Informer, and shall give Evidence of the Offence, then the Whole of such Penalty or Penalties shall be paid to the Overseers of the Poor of the Parish where such Offence shall be committed, for the Benefit of such Poor; and in that Case the Offender or Offenders shall (over and above the Payment of such Penalty last mentioned) make such Recompence and Satisfaction to the Owner or Owners of such Gate, Stile, Post, Rail, or Fence, for the Damage done thereto by such Offender or Offenders, as the Justice before whom he, she, or they shall be convicted of such Offence shall think fit to allow in respect thereof, such Allowance for Damage to be added to such Penalty or Penalties, and levied therewith in manner before mentioned; and for Want of such Distress, such Justice or Justices shall and may commit the Offender or Offenders to the House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months.

To prevent Nuisances.

CXVIII. And be it further enacted, That if any Person or Persons whomsoever shall throw, cast, or put any Ballast, Earth, Dust, Ashes, Stones, or other Things into or upon any of the Works made or to be made in pursuance of this Act, to the Prejudice thereof, or do any other Annoyance to the same or any Part thereof, and Complaint be made thereof upon Oath by the Clerk of the said Company, or other Officer, or any other Person, the same shall be examined into and determined by One or more of His Majesty's Justices of the Peace for the City or County wherein the Act or Acts so complained of shall have been done; and they are hereby authorized

authorized to impose upon the Offender or Offenders such Fine or Fines not exceeding Five Pounds for such Offence, as the said Justice or Justices shall think reasonable.

CXIX. And be it further enacted, That if any Person or Persons whomsoever shall take away, remove, overturn, or endeavour to take away, remove, overturn, or shall damage, injure, or deface, any Stones, Gravel, Sand, Clay, Rubbish, Timber, or other Materials whatsoever, which shall have been dug, got, or gathered by or by the Order of and for the Use of the said Company, in Waste Lands, Fields, or open Grounds, Sea-shore Lands, Rivers, or Brooks, for any of the Purposes of this Act, every Person so offending shall forfeit and pay for any such Offence any Sum not exceeding Five Pounds.

Penalty for taking away Materials to be used for the Works.

CXX. And be it further enacted, That where any Swivel Bridge or Draw Bridge shall have been laid over or across the said Cuts and Navigation, and the Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, or any or either of them, all and every Person or Persons opening any such Swivel Bridge or Draw Bridge shall and he is hereby required and directed, as soon as any Ship or Vessel shall have passed any such Bridge, to close, shut, or let down and fasten the same; and every Person neglecting so to do shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and in case any such Bridge shall be left open longer than necessary for the Passage of any Ship or Vessel, or if through the Neglect or Carelessness of any Person belonging to such Ship or Vessel, then the Master or Owner of such Ship or Vessel shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and if any Person or Persons shall wilfully open or cause to be opened any such Swivel Bridge or Draw Bridge when the same is not required for the Passage of any Ship or Vessel through the same, such Person or Persons shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds.

Swivel or Draw Bridges to be shut after Ships passed.

CXXI. And be it further enacted, That the Master or Owner of any Boat, Barge, or Vessel navigating or passing upon the said Navigation, shall be and he is hereby made answerable for all Damage, Spoil, or Mischief as shall be done by his Boat, Barge, or Vessel, or the Horses used in drawing the same, or by any of the Boatmen, Watermen, or others belonging to or employed in or about the same respectively, unto any of the Bridges, Weirs, Locks, Dams, Engines, Trenches, Sluices, or other Works in, upon, or belonging to the said Navigation, either by loading or unloading, or by navigating any such Boat, Barge, or Vessel, or by any other Means whatsoever, and also for any Trespasses or Damage that shall or may be committed or done to the Owners or Occupiers of any Buildings, Lands, or Tenements adjoining or lying near the said Navigation, by leaving open Gates or otherwise, and for any Trespass whatsoever contrary to the said several Directions and Restrictions in this Act contained, or any of them; and every such Master or Owner shall, upon Conviction before any One Justice of the Peace, either upon Confession or upon the Oath or Oaths of One or more credible Witness or Witnesses, (which

Owners of Boats, &c. to be answerable for Damage done by their Vessels, Horses, or Servants.

[*Local.*]

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Oath

Oath or Oaths such Justice is hereby empowered and required to administer,) pay the Person or Persons injured the Damage to be ascertained by such Justice, provided such Damages do not exceed the Sum of Twenty Pounds; and upon Nonpayment on Demand, the same shall be levied by Distress and Sale of the Goods and Chattels of such Master or Owner, in like manner as any other Penalties or Forfeitures are by this Act directed to be levied; or if the Damages shall exceed the Sum of Twenty Pounds, then the same may be sued for and recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*.

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

CXXII. And be it further enacted, That in case the Owner or Owners of any Ship, Boat, Barge, or other Vessel navigating upon the said Cuts and Navigation, and the Reservoirs, Channels, Feeders, Port or Harbour, Locks, Basins, and other Works hereby authorized to be made, shall be compelled to pay any Penalty, or to make any Satisfaction for any Damages by reason of any Neglect or Default done or committed by his or their Sailors, Servants, Boatmen, or Watermen, or any of them, contrary to the Provisions in this Act contained, such Sailors, Seamen, Servants, Boatmen, or Watermen, and each and every of them, shall be liable to repay such Penalty or Damages, with the Costs thereof, to such Owner or Owners; and in case of Nonpayment upon Demand thereof, and Oath made by such Owner or Owners of the Payment made by him or them of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him or them by such Sailors, Seamen, Servants, Boatmen, or Watermen, or any of them, although demanded, (such Oath to be made before any One Justice of the Peace for the City or County where such Penalty or Satisfaction shall have been recovered,) the Amount thereof shall be recovered in like manner as any Penalty is hereby directed to be recovered.

Penalty for destroying Ropes.

CXXIII. And be it further enacted, That in case any Person or Persons whomsoever shall wilfully or maliciously cut or break or in any Manner destroy any Rope or other Thing by which any Ship or other Vessel lying in the said Harbour or Port, Docks or Basins, or any of them, shall be moored or fastened, such Person or Persons shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds.

To prevent Accidents by Fire.

CXXIV. And for preventing Accidents by Fire in the said Port or Harbour, Docks or Basins, or other inclosed Works, be it further enacted, That no Persons whomsoever shall have or keep, or cause to be had or kept, any Fire, Candle, or Lamp lighted on board any Ship or other Vessel within the same, at any Time or Times whatsoever, between the First Day of *November* and the First Day of *March* in every Year, after the Hour of Five of the Clock in the Evening, or before the Hour of Six of the Clock in the Morning, nor at any Time or Times whatsoever, between the First Day of *March* and the First Day of *November* in every Year, after the Hour of Nine of the Clock in the Evening, or before the Hour of Four of the Clock in the Morning, under pain of forfeiting for every Offence a Sum not exceeding Ten Pounds.

CXXV. And

CXXV. And be it further enacted, That no Pitch, Tar, Rosin, Turpentine, Oil, or other combustible or inflammable Matter, shall at any Time hereafter be boiled or heated on board any Ship or other Vessel, Lighter, Craft, or Boat lying in the said Harbour or Port, Docks or Basins, or other Works, or any of them, nor in any Place or Places thereunto adjoining, (except in such Place or Places and in such Manner as shall be appointed by the said Directors or by their Agents for that Purpose).

To prevent Fire.

CXXVI. And be it further enacted, That in case any Dispute, Suit or Litigation shall arise touching or in anywise relating to the said Rates or Duties, or respecting any Matter or Thing relating to the said Navigation or Undertaking, no Person or Persons acting by or under the Authority of the said Company of Proprietors, or in the Service of the said Company, shall, for that Reason alone, be in any Manner disqualified or incapacitated from giving Evidence in, upon, and respecting of such Dispute, Suit, or Litigation.

Officers under this Act not to be incompetent Witnesses.

CXXVII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise for any Claim or Compensation against, or for or on Behalf of the said Company, and also in all Prosecutions commenced or instituted by or on Behalf of the said Company, and in all Arbitrations, References, or other Proceedings in, or consequent upon, or arising out of any such Actions and Suits or Proceedings, it shall be lawful for the Clerk for the Time being of the said Company in his own Name, for or on Behalf of the said Company, to make, sign, seal, execute, and deliver all and every such General or other Release or Releases as may be or be deemed to be necessary for the Purposes of exonerating, releasing, or discharging all and every or any Person or Persons, who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings as aforesaid, from all or any Claims or Demands which may be necessary to be released by the said Company in order to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceedings, which any Plaintiff or Defendant may do in any Suit, Action, or Prosecution, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, or Thing respectively, shall be as valid and effectual in all Respects, and to all Intents and Purposes whatsoever, as if the same were under the Seal of the said Company of Proprietors.

Clerk of the Company may grant Releases to Witnesses.

CXXVIII. And be it further enacted, That if any Agent, Toll Collector, Wharfinger, Lock Keeper, or other Servant of the said Company of Proprietors, occupying any House, Offices, or Buildings belonging to the said Company, without paying Rent for the same, shall be discharged from his Office by or by Order of the said Company or their Directors, and shall not deliver up the Possession of such House, Offices, Buildings, and Appurtenances, together with the Books, Papers, and other Matters and Things belonging to the said Company,

Agents, Collectors, &c. to give Possession of Houses, &c. when removed.

pany, in his Custody, Power, or Possession, within Three Days after Notice of such Discharge shall be given to him, or left at such House, Offices or Buildings; or if the Wife or Family of any such Agent, Toll Collector, Wharfinger, Lock Keeper, or other Person who shall happen to die while in the Service of the said Company, shall refuse to deliver up the Possession of such House, Offices, Buildings, and Appurtenances as aforesaid, together with the Books, Papers, and other Matters and Things belonging to the said Company, in his, her, or their Custody, Power, or Possession, within Seven Days after another Person shall have been appointed in the Place and Stead of the Person so dying; then and in either of the said Cases it shall be lawful for any Justice of the Peace for the City or County where such House, Offices, and Buildings shall be, and he is hereby required, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House, Offices, and Buildings in the Day-time, and to remove the Persons who shall be found therein, together with their Goods and Chattels, out of such House, Offices, and Buildings, and to take Possession of all the Books, Papers, Matters, and Things belonging to the said Company which shall be found therein, and to deliver Possession of such House, Offices, and Buildings, together with the Books, Papers, Matters, and Things found therein belonging to the said Company, to the new-appointed Agent, Toll Collector, Wharfinger, Lock Keeper, or other Servant, or other such Person or Persons as the said Company or their Directors shall appoint to receive the same.

Damages and Charges, in case of Dispute, to be settled by Justices.

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

In case of Non-payment of Compensation for Damages, &c.

CXXX. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, 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, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Twenty-eight Days after Demand in Writing shall have been made from the Clerk to the said Company, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and

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, under a Warrant to be issued for that Purpose by such Justice or Justices; which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or been put unto by virtue of any such Warrant as aforesaid.

CXXXI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall and may 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 exhibited.

Justices
may proceed
by Summons
in the Reco-
very of Pe-
nalties.

CXXXII. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by any Rule, Order, or Bye-law made in pursuance thereof (the Manner of levying and recovering whereof is not otherwise particularly directed), may, in case of Non-payment thereof, be recovered in a summary Way by the Order and Adjudication of any Justice of the Peace for the City, County, or Place in which the Offence shall be committed, on Complaint to him for that Purpose exhibited upon the Oath of any Person or Persons, or on the solemn Affirmation of any Person or Persons being of the Society called *Quakers*, or on the Confession of the Party offending (which Oath or Affirmation such Justice is hereby authorized to administer); and in Default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted), and, except as herein or hereby is otherwise provided or directed, One Moiety thereof shall be paid to the Overseers of the Poor of the Parish or Place where

Recovery
and Applica-
tion of Pe-
nalties.

[*Local.*]

10 B

the

the Offence shall be committed, to be by them applied for the Use of the Poor of such Parish or Place, and the other Moiety thereof to the Informer; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, 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, her, or their Appearance before such Justice, or before some other Justice of the Peace for the said City, County, or Place in which the Offence shall be committed, 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 Fourteen Days from the taking of 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 Distress can be had whereupon to levy the said Penalty or Penalties, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid; or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit the Offender or Offenders to the House of Correction or Common Gaol for the said City, County, or Place, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture, together with the Costs and Charges attending such Proceedings as aforesaid, (to be ascertained by such Justice,) shall be sooner paid and satisfied, or such Offender or Offenders shall be otherwise discharged by due Course of Law.

For securing
transient
Offenders.

CXXXIII. And be it further enacted, That it shall be lawful for any Collector, Surveyor, or other Officer of the said Company, and such Person or Persons as he shall call to his Assistance, to seize and detain any Person or Persons, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence or Offences against this Act, and to convey him, her, or them, before any One or more Justice or Justices of the Peace for the City, County, or Place in which the Offence shall be committed, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

Convictions
to be drawn
in the follow-
Form.

CXXXIV. And for the more easy and speedy Conviction of Offenders against this Act, 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 according to the following Form, or in any other Form to the same Effect, as the Case shall happen; that is to say,

' to wit. } BE it remembered, That on [*Time of Conviction,*] at
 ' of [*Addition of Offender,*] was duly convicted before me, [*or us,*]
 ' [*Name and Style of convicting Justice or Justices,*] for that the said
 ' A. B. [*Name of Offender,*] on [*Time of committing Offence,*] at
 ' [*Place of committing Offence,*] did [*here state the Offence against this*
 ' *Act according to the Fact,*] contrary to the Form of the Statute made
 ' in the Eighth Year of the Reign of His Majesty King George the
 ' Fourth, intituled [*here set forth the Title of this Act,*] and I, [*or*
 ' we,] do therefore declare and adjudge that the said A. B. [*Name*
 ' of Offender,] hath forfeited for the said Offence the Sum of [*Fine,*]
 ' or shall be committed to [*Place of Imprisonment,*] for the Space of
 ' [*Time of Imprisonment.*] Given under my Hand and Seal, [*or our*
 ' Hands and Seals,] the Day and Year first above-written.'

Form of
Conviction.

CXXXV. And be it further enacted, That 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 shall the
 Party or Parties making the same be deemed a Trespasser or Tres-
 passers, on account of any Defect or Want of Form in the Information,
 Summons, Conviction, Warrant of Distress, or the Appointment of
 Collector or Collectors, Receiver or Receivers, or any other Agent
 of the said Company, or in any 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 be
 afterwards committed by the Party or Parties distraining; but the
 Person or Persons aggrieved by such Irregularities shall and may
 recover full Satisfaction for the special Damage which he, she, or
 they shall have sustained thereby, with usual Costs, in an Action of
 Trespass or on the Case.

Persons ag-
grieved by
Irregularity
in Distress,
to recover
only Special
Damages.

CXXXVI. And be it further enacted, That any Person or Persons
 thinking himself, herself, or themselves aggrieved by any Order or
 Judgment made or given in pursuance of any Rule, Bye-law, or Order
 of the said Company, or the Directors, or by any Order, Judgment, or
 Determination of any Justice or Justices of the Peace relating to any
 Matter or Thing in this Act mentioned or contained, may within Two
 Calendar Months next after such Order, Judgment, or Determination
 shall have been made or given, appeal to the Justices of the Peace
 at the General or Quarter Sessions of the Peace to be holden in or for
 the City or County in which the Cause of Appeal shall arise, first giv-
 ing Fourteen Days Notice in Writing of such Appeal, and of the Nature
 and Matter thereof, to the Person or Persons against whom such Appeal
 is intended to be made, or the Clerk to the said Company, and forth-
 with after such Notice entering into a Recognizance before some
 Justice of the Peace for such City or County, in the Sum of Forty
 Pounds, with Two sufficient Sureties in the Sum of Twenty Pounds
 each, conditioned to try such Appeal, and abide the Order and
 Award of the said Court thereon; and the said Justices shall, in a
 summary Way, either hear and determine the said Appeal at such
 General or Quarter Sessions, or, if they think proper, adjourn the Hear-
 ing thereof; and the said Justices may, if they see Cause, mitigate any
 Penalty,

Persons ag-
grieved may
appeal to
the Quarter
Sessions.

Penalty, Forfeiture, or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye-law, Order, or Determination, and may also order and award such further Satisfaction and Costs to be made and paid to either Party injured as they shall judge reasonable; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

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

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

Limitation
of Actions.

CXXXVIII. Provided always, and be it further enacted, That no Action or Suit shall be brought or prosecuted against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of this Act, after Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then after Three Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the City or County where the Matter in Dispute shall arise, and not elsewhere; and the Defendant and Defendants in every such Action or Suit shall and may, at his, her, or their Election, plead specially, or 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 it shall appear to have been so done, or if any such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given,

given, or after sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other City, County, or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law.

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

Compelling
Witnesses to
attend.

CXL. And be it further enacted, That all Persons who, upon any Examination to be taken upon Oath by virtue of this Act, shall wilfully and corruptly give false Evidence, or otherwise forswear themselves before any such Jury, or before any Justice 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 Perjury are by the Laws in being subject and liable to.

Punishing
Persons giv-
ing false
Evidence.

CXLI. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Persons or Party or Parties to serve any Notice or Notices, or any Writ or Writs, or other legal Proceedings, upon the said Company, Service thereof respectively upon any One of the Directors of the said Company, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent of or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Declaring
what shall be
good Service
of Notice on
the Com-
pany.

CXLII. And be it further enacted, That in case the said Canals and Navigation, and the several Works hereinbefore described and intended to be carried into Effect under the Authority of this Act,

Powers given
by this Act
to cease, if
Works not

[Local.]

10 C

shall

completed
within Five
Years.

shall not have been completed within the Space of Five Years from the passing of this Act, then and from thenceforth all the Powers and Authorities given by this Act shall cease and determine, as to all and such and so much of such Works as shall not have been completed within such Time, but without Prejudice to all or any of the Rights, Powers, and Privileges as to such and so much of the said Canals and Navigation, Port, Harbour, and Works, as shall have been completed within such Time, as can or may be made beneficial or available to the said Company; and also saving all such Matters and Things as shall have been transacted, and such Contracts and Agreements as shall have been made in pursuance of the Powers herein contained, and so that the said Company of Proprietors be not discharged from any Liability or Obligation to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, arising out of the Provisions herein contained.

Provision for
Deficiencies
of Land
Tax.

CXLIII. 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 therefore 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.

Saving
Rights of
the City of
Norwich and
Borough of
Great Yar-
mouth.

CXLIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, or to take away, lessen, or abate any Power, Right, Privilege, Immunity, Jurisdiction, or Authority granted or belonging to or enjoyed, or legally claimed by the Mayor, Sheriffs, Citizens, and Commonalty of the City of *Norwich*, or the Mayor, Aldermen, Burgesses, and Commonalty of the Borough of *Great Yarmouth*, in the said County of *Norfolk*, or by any Officer or Officers of or belonging to those Corporate Bodies respectively, all and every of them for the Time being, (except only in such Cases as are specially mentioned and contained in this Act).

Company
not to exhi-
bit or alter
Lights with-
out the

CXLV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors to exhibit or alter any Light or Lights for the Guidance of Ships and Vessels entering into
or

or departing from the said Harbour or Port, Cut or Entrance, without having from Time to Time first obtained Sanction in Writing of the Corporation of Trinity-House of *Deptford Strond*, as to the Description and Power of any such Light or Lights, and the Mode of exhibiting the same. Sanction of the Trinity House.

CXLVI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the Master, Wardens, and Assistants of the Trinity House of *Deptford Strond*. Saving of Rights of the Trinity House.

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

SCHEDULES to which this Act refers.

SCHEDULE (A.)

A SCHEDULE of HARBOUR and RIVER RATES ON CARGOES.

		£	s.	d.	
Corn and Seeds.	For every Quarter (containing Eight Bushels) of Wheat, Barley, Malt, Beans, Pease, Tares, Canary, Mustard, and other Seeds,	0	0	3	
	For every Quarter of Oats,	0	0	3	
	Sack containing Five Bushels of Flour,	0	0	2	
	Quarter of Meal, Middlings, and Sharps,	0	0	2	
	Ditto of Pollard and Bran,	0	0	2	
	Sack of Clover, Trefoil, and other heavy Seeds,	0	0	3	
	Ditto of Potatoes, Onions, &c.	0	0	1	
	Bushel of Apples, Pears, &c.	0	0	1	
	Bag of Hops,	0	0	6	
	Pocket of Hops,	0	0	3	
	Thousand of English Oil Cakes,	0	2	0	
	Ditto of Foreign ditto,	0	2	0	
	Pack of Wool, Cotton, &c. containing 240 Pounds,	0	0	4	
	Leather.	For every Hundred Weight of tanned Hides, and Calf Skins,	0	0	2
	Hides and Skins. }	Raw Hide,	0	0	1
Hundred of Pelts,		0	0	9	
Ton of Tan or Bark,		0	2	0	
Groceries.	For every Ton of Sugar, Fruits, Bacon, Cheese, Butter, Pork, Hams, Tongues, Salt, Salted Fish, Tallow, Soap, Candles, and all heavy Grocery Goods not here specified,	0	2	0	
	Hundred Weight of Tea, Coffee, and Spices,	0	0	3	
	Chest of Oranges, Lemons, &c.	0	0	2	
	Puncheon of Molasses,	0	1	0	

		£	s.	d.
Ale, Porter, Cider, Perry, Vinegar, and Oil.	For every Butt,	0	1	0
	Puncheon,	0	0	9
	Hogshead,	0	0	6
	Barrel,	0	0	4
	Kilderkin or Runlet,	0	0	2
Madder.	Per Dozen, in Hampers,	0	0	2
	At per Cask, per Cwt.	0	0	2
Spirits and } Wines. }	Pipe Clay, at per Ton,	0	2	0
	For every Pipe or Butt,	0	1	0
	Hogshead,	0	0	6
	Half ditto,	0	0	3
	Quarter ditto,	0	0	2
Coals, &c.	Under 20 Gallons, at per Gallon,	0	0	1
	Per Dozen, in Hampers,	0	0	2
	For every Four-wheeled Carriage,	0	7	0
	Two-wheeled Carriage,	0	3	6
	Horse, Mare, or Gelding,	0	7	0
	Other Beast,	0	3	0
	For every Chaldron (containing 36 Bushels) of Coal, Coke, Culm, Cinders, or Breeze,	0	2	0
Hay and Straw.	For every Ton of Hay, Cinquefoil, Clover, or Straw,	0	2	0
	Timber and } Deals. }	For every Load of Oak, Elm, Pine, Beach, and Fir Timber,	0	2
Load of Deals, Battens, and Lath- wood,		0	2	0
Mahogany, &c.	For every Cubic Foot of Mahogany, Teak- wood, or other valuable Woods,	0	0	1
	For every Ton of Hemp, Cordage, and Yarn, Barrel of Pitch, Tar, Grease, Rosin, &c.	0	2	0
	0	0	3	
Stone, } Slate, &c. }	For every Ton of Stone, Slate, Plaster of Paris, Alum, unwrought Iron, Bar Iron, Lead, &c.	0	2	0
	For every Cubic Foot of Marble,	0	0	3
	1000 of Gutter, Pan, Mathematical, and Plain Tiles,	0	3	0
	1000 of Bricks and Paving Tiles,	0	4	0
	Crate of Glass or Earthenware,	0	0	9
	Carboy of Vitriol or Oil,	0	0	3
	Corpse,	1	1	0
	Organ,	1	0	0
	Piano-Forte, Harpsichord, Harp, or Bass Viol,	0	5	0
	100 Pipe Staves,	0	2	0
	For every Ton of Copper, Pewter, Brass, or Metals,	0	2	0
	For every Ton of Ballast,	0	1	0
	For Bale Goods, and all other Articles, Wares, or Merchandize, not specified in this Schedule, according to the Amount of Freight, at per Cwt.	0	0	2

SCHEDULE (B.)

RATES of WHARFAGE at the HARBOUR and all other PLACES throughout the Line of Navigation respectively.

		For any Time not exceeding the First Twenty-four Hours.	
		£ s. d.	
Corn and Seeds.	For every Quarter (containing Eight Bushels) of Wheat, Barley, Malt, Beans, Pease, Tares, Canary, Mustard, and other Seeds,	0 0 0½	
	For every Quarter of Oats,	0 0 0½	
	Sack containing Five Bushels of Flour,	0 0 0½	
	Quarter of Meal, Middlings and Sharps,	0 0 0½	
	Ditto of Pollard and Bran,	0 0 0½	
	Sack of Clover, Trefoil, and other heavy Seeds,	0 0 0½	
	Ditto of Potatoes, Onions, &c.	0 0 0½	
	Bushel of Apples, Pears, &c.	0 0 0½	
	Bag of Hops,	0 0 1	
	Pocket of Hops,	0 0 0½	
	Thousand of English Oil Cakes,	0 0 6	
	Ditto of Foreign ditto,	0 0 6	
	Pack of Wool, Cotton, &c. containing 240 Pounds,	0 0 1	
	Leather.	For every Hundred Weight of tanned Hides, and Calf Skins,	0 0 0½
	Hides and Skins. }	Raw Hide,	0 0 0½
Hundred of Pelts,		0 0 2	
Ton of Tan or Bark,		0 0 4	
Groceries.	For every Ton of Sugar, Fruits, Bacon, Cheese, Butter, Pork, Hams, Tongues, Salt, Salted Fish, Tallow, Soap, Candles, and all heavy Grocery Goods not here specified,	0 0 4	
	Hundred Weight of Tea, Coffee, and Spices,	0 0 0½	
	Chest of Oranges, Lemons, &c.	0 0 1	
	Puncheon of Molasses,	0 0 3	
	Ale, Porter, Cider, Perry, Vinegar, and Oil. }	For every Butt,	0 0 3
		Puncheon,	0 0 2
		Hogshead,	0 0 1½
Barrel,		0 0 1	
Kilderkin or Runlet,		0 0 0½	
Madder.	Per Dozen, in Hampers,	0 0 0½	
	At per Cask, per Cwt.	0 0 0½	
Spirits and Wines. }	Pipe Clay, at per Ton,	0 0 4	
	For every Pipe or Butt,	0 0 6	
	Hogshead,	0 0 4	
	Half ditto,	0 0 3	
	Quarter ditto,	0 0 2	
	Under 20 Gallons, at per Gallon,	0 0 0½	
	Per Dozen, in Hampers,	0 0 0½	

[Local.]

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		For any Time not exceeding the First Twenty-four Hours.
Coal, &c.	For every Chaldron (containing 36 Bushels) of Coal, Coke, Culm, Cinders, or Breeze, - - - -	£ s. d. 0 0 3
Hay and Straw.	For every Ton of Hay, Cinquefoil, Clover, or Straw, - - - -	0 0 6
Timber and Deals. }	For every Load of Oak, Elm, Pine, Beech, and Fir Timber, - - - -	0 0 6
	Load of Deals, Battens, and Lathwood, - - - -	0 0 6
Mahogany.	For every Cubic Foot of Mahogany, Teakwood, or other valuable Woods, -	0 0 0½
	For every Ton of Hemp, Cordage, and Yarn, Barrel of Pitch, Tar, Grease, Rosin, &c. - - - -	0 0 2
Stone, Slate, &c. }	For every Ton of Stone, Slate, Plaster of Paris, Allum, Unwrought Iron, Bar Iron, Lead, &c. - - - -	0 0 6
	For every Cubic Foot of Marble - - - -	0 0 1
	1000 of Gutter, Pan, Mathematical and Plain Tiles, - - - -	0 0 9
	1000 of Bricks and paving Tiles, - - - -	0 1 0
	Crate of Glass or Earthenware, - - - -	0 0 3
	Carboy of Vitriol or Oil, - - - -	0 0 1
	Corpse, - - - - - - - -	0 5 0
	Organ, - - - - - - - -	0 5 0
	Piano-Forte, Harpsichord, or Harp, - - - -	0 1 0
	100 Pipe Staves, - - - -	0 0 6
	For every Ton of Copper, Pewter, Brass, and other Metals, (except Iron and Lead,) -	0 0 6
	For Bale Goods, and all other Articles, Wares, or Merchandize, not specified in this Schedule, according to the Amount of Freight, at per Cwt. - - - -	0 0 6

An Additional Rate or Duty to the same Amount for every Forty-eight Hours, beyond the first Twenty-four Hours, or for any shorter Period of Time after the first Twenty-four Hours, or after any One complete Term of Forty-eight Hours.

SCHEDULE (C.)

SCHEDULE of RATES on GOODS Warehoused in the WAREHOUSES at the HARBOUR or on the Line of Navigation.

		For any Time not exceeding the First Twenty-four Hours, and at per Week exceeding the First Twenty-four Hours.	
		£ s. d.	
Corn and Seeds.	For every Quarter (containing Eight Bushels) of Wheat, Barley, Malt, Beans, Pease, Tares, Canary, Mustard, and other Seeds,	0 0 1	
	For every Quarter of Oats,	0 0 1	
	Sack containing Five Bushels of Flour,	0 0 1	
	Quarter of Meal, Middlings and Sharps,	0 0 1	
	Ditto of Pollard and Bran,	0 0 1	
	Sack of Clover, Trefoil, and other heavy Seeds,	0 0 1	
	Ditto of Potatoes, Onions, &c.	0 0 1	
	Bushel of Apples, Pears, &c.	0 0 1	
	Bag of Hops,	0 0 2	
	Pocket of Hops,	0 0 1	
	Thousand of English Oil Cakes,	0 1 0	
	Ditto of Foreign ditto	0 1 0	
	Pack of Wool, Cotton, &c. containing 240 Pounds,	0 0 2	
	Leather.	For every Hundred Weight of tanned Hides and Calf Skins	0 0 1
	Hides and Skins. }	Raw Hide,	0 0 1
Hundred of Pelts,		0 0 4	
Ton of Tan or Bark,		0 0 8	
Groceries.	For every Ton of Sugar, Fruits, Bacon, Cheese, Butter, Pork, Hams, Tongues, Salt, Salted Fish, Tallow, Soap, Candles, and all heavy Grocery Goods not here specified,	0 0 8	
	Hundred Weight of Tea, Coffee, and Spices,	0 0 1	
	Chest of Oranges, Lemons, &c.	0 0 2	
	Puncheon of Molasses,	0 0 6	
	Ale, Porter, Cider, Perry, Vinegar, and Oil. }	For every Butt,	0 0 6
		Puncheon,	0 0 4
		Hogshead,	0 0 3
Barrel,		0 0 2	
Kilderkin or Runlet,		0 0 1	
Madder.	Per Dozen in Hampers,	0 0 1	
	At per Cask, per Cwt.	0 0 1	
Spirits and Wines. }	Pipe Clay, at per Ton,	0 0 8	
	For every Pipe or Butt,	0 1 0	
	Hogshead,	0 0 10	
	Half ditto,	0 0 6	
	Quarter ditto,	0 0 4	
	Under 20 Gallons, at per Gallon,	0 0 1	
	Per Dozen, in Hampers,	0 0 3	

		For any Time not exceeding the First Twenty-four Hours, and at per Week exceeding the First Twenty-four Hours.
Hay and Straw.	For every Ton of Hay, Cinquefoil, Clover, or Straw,	£ s. d. 0 0 4
Timber and Deals. }	For every Load of Oak, Elm, Pine, Beech, and Fir Timber,	0 0 4
	Load of Deals, Battens, and Lath-wood,	0 1 0
Mahogany.	For every Cubic Foot of Mahogany, Teak-wood, or other valuable Woods,	0 0 4
	For every Ton of Hemp, Cordage, and Yarn,	0 0 4
	Barrel of Pitch, Tar, Grease, Rosin, &c.	0 0 3
Stone, Slate, &c. }	For every Ton of Stone, Slate, Plaster of Paris, Allum, Unwrought Iron, Bar Iron, Lead, &c.	0 0 6
	For every Cubic Foot of Marble,	0 0 1
	1000 of Gutter, Pan, Mathematical and Plain Tiles,	0 0 6
	1000 of Bricks and Paving Tiles,	0 1 0
	Crate of Glass or Earthenware,	0 0 6
	Carboy of Vitriol or Oil,	0 0 2
	Corpse,	0 10 0
	Organ,	0 5 0
	Piano-Forte,	0 2 0
	Harpsichord or Harp,	0 2 0
	For every Ton of Copper, Pewter, Brass, and other Metals, except Iron,	0 1 0
	For Bale Goods, and all other Articles, Wares, or Merchandize, not specified in this Schedule, according to the Amount of Freight, at per Cwt.	0 0 6

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