



ANNO SEPTIMO

GEORGIIV. REGIS.

Cap. cvi.

An Act for constructing a Bridge across *Sutton Wash*,
otherwise called *Cross Keys Wash*, between the
Counties of *Lincoln* and *Norfolk*.

[26th May 1826.]

WHEREAS the lower Part of the Outfall of the River *Nene*,
or Channel called *Sutton Wash* otherwise *Cross Keys Wash*,
between the Parish of *Long Sutton* otherwise *Sutton-in-*
Holland in the County of *Lincoln*, and the Parishes of *Walpole Saint*
Andrew and *Walpole Saint Peter* in the County of *Norfolk*, being
subject to the Flux and Reflux of the Tide, is fordable only at Low
Water for Carriages, Carts, and Horses, and at no Time for Persons
on Foot, without great Risk and Danger; and the Passage over or
across the same, during certain Periods in the Winter Season, is
entirely impeded and stopped, and is at all Times inconvenient and
dangerous, and the Construction of a Bridge, together with proper
Quays and Banks at each End of the said Bridge, over or across the
said Outfall or Channel, at or near the public Slipway or Entrance
into the said Wash, on the *Lincolnshire* Side thereof, in the Hamlet
of *Sutton Saint Mary* in the said Parish of *Long Sutton*, from the
Western Shore of the said Wash, in the same Hamlet, unto the Eastern
or opposite Shore of the said Wash, in the said Parishes of *Walpole*
Saint Andrew and *Walpole Saint Peter*, will at all Times not only secure
a safe and direct Communication between the said Counties of *Lincoln*
and *Norfolk*, but promote the Trade and Intercourse of the same, and
be of great Utility to the Public at large: But as the several Purposes

[*Local.*]

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aforesaid

Company
incorporated.

Their Style.

The whole of
the Estimate
to be sub-
scribed before
the Works
are begun.

The Com-
pany may
raise among
themselves
a Sum of
Money, not
exceeding
45,250*l.* for
the Purposes
of this Act.

aforesaid cannot be effected without the Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable Lord *William Cavendish Bentinck* commonly called Lord *William Cavendish Bentinck*, Sir *William John Henry Browne Folkes* Baronet, Sir *Andrew Hammond* Baronet, Sir *Montague Cholmeley* Baronet, Sir *Charles Brown* Knight, the Mayor, Aldermen, and Burgesses of the Borough of *Lenne Regis* commonly called *King's Lynn* in the County of *Norfolk*, *Thomas William Coke*, *George Bentinck*, *Thomas Hoseason*, *William Bagge*, *Edward Everard*, *Edmund Rolfe*, *Daniel Gurney*, *John Prescott Blencowe*, *George Prest*, and *Charles Hursthouse*, together with such other Person or Persons, Bodies Politic, Corporate, or Collegiate, as now are or at any Time or Times hereafter shall be possessed of One or more Share or Shares in the Undertaking to be established by this Act, shall be and they are hereby united into a Company, for making, completing, and maintaining the said Bridge, Banks, Ways, and other Works hereby authorized to be made, according to the Provisions herein-after expressed, and are and shall for that Purpose be one Body Politic and Corporate, by the Name and Style of "The Company of Proprietors of the *Cross Keys Bridge*," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued; and that the said Company of Proprietors shall have full Power and Authority to purchase and hold Lands and Hereditaments for the Purposes of this Act, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

II. And whereas the probable Expences of building the said Bridge, and making the said Banks and Approaches thereto, will, according to an Estimate thereof made, amount to the Sum of Forty-five thousand two hundred and fifty Pounds, and the Sum of Thirty-seven thousand Pounds, being more than Four Fifth Parts of such Expences, has already been subscribed for defraying such Expences by several Persons, under a Contract binding them, their Heirs, Executors, and Administrators, for Payment of the several Sums so subscribed by them respectively; be it therefore further enacted, That the whole of the said Sum of Forty-five thousand two hundred and fifty Pounds shall be subscribed in like Manner before any of the Powers and Provisions given by this Act shall be put in force.

III. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute, in manner herein-after mentioned, and in such Proportions as they shall think proper, any Sum or Sums of Money not exceeding in the whole the said Sum of Forty-five thousand two hundred and fifty Pounds, which said Sum or Sums of Money shall be applied in discharging the Expences of obtaining this Act, and of the Surveys, Plans, and Estimates, and other incidental Expences relating thereto, and making, completing, and maintaining the said Bridge, Banks, Ways, and other Works hereby authorized to be made, and for otherwise carrying the several Purposes of this Act into Execution; and the said Sum of Forty-five thousand

two hundred and fifty Pounds shall be divided into Shares of Fifty Pounds each; and that the said Shares shall be vested in the several Persons, and Bodies Politic, Corporate, or Collegiate, subscribing for the same, and their several and respective Executors, Administrators, Successors, and Assigns, proportionably to the Sums they shall severally contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be called for and demanded by virtue of this Act, towards constructing the said Bridge, Banks, Ways, Works, and other Purposes of this Act, shall be entitled to and receive an equal proportionate Part, according to the Money so by them respectively paid, of the Profits and Advantages that shall arise by the Tolls and other Sums of Money to be raised or received by the said Company of Proprietors by the Authority of this Act, in manner herein directed; and every Body Politic, Corporate, and Collegiate, and Person, having such Property in the said Undertaking, shall bear and pay a proportionable Sum towards carrying on the same in manner herein also directed.

IV. And be it further enacted, That the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and other Person and Persons, of and in the said Undertaking, shall be deemed to be Personal Estate, and transmissible as such.

Shares to be Personal Estate.

V. And be it further enacted, That each Body Politic, Corporate, or Collegiate, or other Person, who shall, by virtue of this Act, have subscribed 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 deemed a Proprietor and constituent Member of the said Corporation hereby created, and shall have a Vote for every such Share, in every General or other Assembly to be held as herein-after appointed, which Vote may be given by him, her, or them, or by his, her, or their Proxy or Proxies duly constituted as herein-after mentioned.

Subscribers to have a Vote for every Share, by themselves or Proxies.

VI. And be it further enacted, That every Body Politic, Corporate, or Collegiate, holding any Share in the said Undertaking, shall be entitled to the same Vote or Votes in respect thereof as any Person of full Age would have been entitled to; and such Vote or Votes shall be given by a Proxy to be appointed by Writing under the Seal of such Body respectively.

Corporations to be entitled to Votes, which shall be given by Proxy.

VII. And whereas the Master, Fellows, and Scholars of the College of *Saint John the Evangelist*, in the University of *Cambridge*, have subscribed for a Number of Shares of and in the said Undertaking; be it further enacted, That the Bursar for the Time being of the said College of *Saint John the Evangelist* shall be deemed a Proprietor and constituent Member of the said Company hereby incorporated, in lieu of the Master, Fellows, and Scholars of the said College, and shall be entitled to the same Vote or Votes in respect of the Shares subscribed for or held by the Master, Fellows, and Scholars of the said College,

As to the Shares subscribed for by Saint John's College.

as

as the said Master, Fellows, and Scholars themselves would be entitled to, and which Vote may be given by him or his Proxy to be appointed in Writing under his Hand.

Guardians of
Infants, &c.
to be entitled
to vote by
Proxy.

VIII. And be it further enacted, That if the Holder of any Share in the said Undertaking shall be an Infant or Lunatic, the Guardian or Guardians of such Infant, or the Committee or Committees of such Lunatic respectively, shall be entitled to the same Vote or Votes in respect of each Share of such Infant or Lunatic respectively, as the Holder thereof respectively would have been entitled to, if of full Age and of sane Mind ; and such Vote or Votes may be given by Proxy to be appointed by Writing under the Hand or Hands of such Guardian or Guardians, Committee or Committees respectively.

Females may
vote by
Proxy.

IX. And be it further enacted, That every Female holding any Share in the said Undertaking shall be entitled to give the Vote or Votes she may be entitled to in respect thereof by a Proxy appointed by Writing under her Hand.

Form of
Appointment
of Proxy.

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

‘ I, _____ Proprietor [or Guardian of
‘ a Proprietor] of one [or more] Share or Shares in the *Cross
‘ Keys Bridge*, do hereby nominate _____ to be my Proxy
‘ [or Proxy of the said _____] in my [or his or her] Name
‘ to assent or dissent to or from any Business, Matter, or Thing relat-
‘ ing to the said Undertaking, which shall be proposed at any Meet-
‘ ing of the said Company, or any Adjournment thereof, until I [or
‘ the said _____] shall revoke this Appointment by Notice
‘ in Writing to the Clerk of the said Company. In witness whereof
‘ I have hereunto subscribed my Name, this _____ Day
‘ of _____’

Appoint-
ments of
Proxies to
be entered in
a Book.

No Proxy to
give more
than Six
Votes.

Proprietors
not entitled
to vote, un-
less possess-
ed of their
Shares One
Calendar
Month.

And every such Appointment shall be produced to the Clerk of the said Company, and entered in a Book to be kept for that Purpose, before any Vote shall be given in respect of such Appointment, which Book shall be sufficient Authority for any Proxy to give his Vote or Votes without Production of his Appointment at the Time of voting, until the same is revoked : Provided always, that no Person shall give as Proxy more than Six Votes : Provided also, that after the First General Meeting to be held under this Act, no Proprietor shall be entitled to vote by Proxy or in Person, at any Meeting of the Proprietors, in respect of any Share or Shares, unless his, her, or their Name or Names shall have been entered in the Book herein-before directed to be made for the Space of One Calendar Month next preceding such Meeting respectively ; and no Proprietor shall vote unless he, she, or they be entitled in his, her, or their own Right, nor unless the Sums of Money to be called for by the Committee of Management for the Time being, and due and payable at or before any such Meeting, in respect of each Share of such Proprietor, and all Arrears thereof, shall have been duly paid to the Treasurer of the said Company.

XI. And

XI. And be it further enacted, That in case the said Company shall be desirous of raising a further Sum of Ten thousand Pounds, or any Part thereof, by Mortgage or by way of Annuity, then it shall be lawful for the said Company to borrow all or any Part of such further Sum, not exceeding Ten thousand Pounds, either by way of Mortgage of the said Bridge and the Tolls thereof, or by granting Annuities to be payable out of the said Tolls during the Life or Lives of the Purchaser or Purchasers, or of his, her, or their Nominee or Nominees, with or without Benefit of Survivorship, and for that Purpose to assign or charge the Property of the said Undertaking, and the Tolls or Sums of Money arising therefrom, as a Security for any Sum or Sums of Money so to be borrowed, with Interest for the same, or for the due and regular Payment of the said Annuity or Annuities, by Deed or Mortgage under the Common Seal of the said Company; and every Security to be given by way of Mortgage shall be in the Form or to the Effect following; (that is to say,)

Further Sum
may be raised
by way of
Mortgage.

WE, the Company of Proprietors of the *Cross Keys Bridge*, in consideration of the Sum of _____ to us paid by _____ of _____ do, by virtue of an Act of Parliament passed in the Seventh Year of the Reign of King George the Fourth, intituled *[set forth the Title of this Act,]* bargain, sell, and transfer unto the said _____ Executors, Administrators, and Assigns, the said Bridge, and all and singular the Tolls arising by virtue of the said Act, and all the Right, Title, and Interest of us the said Company of Proprietors of, in, and to the same, to hold unto the said _____ Executors, Administrators, and Assigns, until the said Sum of _____ together with Interest for the same after the Rate of _____ per Centum per Annum, shall be fully paid and satisfied. Given under our Common Seal, the _____ Day of _____ in the _____ Year

Form of
Mortgage.

And every Security to be given for an Annuity to be granted as herein-before is mentioned, shall be made in the Words or to the Effect following; (that is to say,)

Form of
Grant of
Annuity.

BY virtue of an Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth, intituled *An Act, &c. [here set forth the Title of this Act,]* we, the *Cross Keys Bridge Company*, incorporated by the said Act, in consideration of the Sum of _____ to us paid by _____ of _____ do grant unto the said _____ Successors or Executors, Administrators or Assigns, out of the Tolls and Duties of the said Bridge and Works, One Annuity or yearly Sum of _____ to be paid and payable to the said _____ Successors or Executors, Administrators or Assigns, during the Life of _____ or the Lives of _____ *[if more than One,]* and the Life of the Survivor of them, *[as the Case may be,]* and a proportionable Part of the said Annuity up to the Day of the Decease of the said _____ or to the Day of the Decease of the Survivor of them, *[as the Case may be.]* Given under our Common Seal, this _____ Day of _____ in the _____ Year

[Local.]

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And

Securities for
Mortgages
and Annuities
to be inserted
in the Com-
pany's Books.

And a Copy of every Security to be made for any Sum of Money borrowed, or for any Annuity as aforesaid, or an Entry or Memorial thereof, containing the Date, Names of the Parties, and Sum of Money paid, and the Amount of the Interest or Annuity, shall be made in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Company, which Book or Books shall be perused at all seasonable Times by any of the Proprietors of the said Company, without Fee or Reward.

Mortgages
and Annuities
may be trans-
ferred.

XII. And be it further enacted, That every Security to be made for any Sum of Money borrowed, and the Interest thereof, or for any Annuity as aforesaid, may from Time to Time be transferred by the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, to whom the same respectively shall be made as aforesaid, or shall be transferred as herein is mentioned, his, her, or their Successors, Executors, or Administrators, personally or by Attorney thereunto lawfully authorized, to any other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, by an Indorsement on such Security respectively, or by some separate Instrument in Writing, to be signed and sealed, or sealed (as the Case may require,) in the Presence of One credible Witness, who shall subscribe his Name and Place of Abode thereto, and in the Words or to the Effect following; (that is to say,)

Form of
Transfer.

I [or We,] in consideration of the Sum of
paid by of
do hereby transfer the within Security, and all my [or our] Right,
Title, and Interest in and to the same, and all Benefit and Advantage
to arise therefrom, unto the said Successors or
Executors, Administrators or Assigns. Witness my Hand and Seal
[or our Hands and Seals, or our Common Seal], this Day
of in the Year

Entries of
Transfers to
be made in
the Com-
pany's Books.

And every Transfer shall, within Thirty Days next after the Date thereof, be left with the Clerk or Clerks to the said Company, who shall, within Ten Days then next following, cause an Entry or Memorial to be made thereof, in like manner as of the original Securities; and after such Entry made, but not before, all Bodies Politic, Corporate, or Collegiate, and Persons, to whom such Transfer respectively shall be made, their respective Successors, Executors, Administrators, and Assigns, shall be entitled to such Securities respectively, and the future Payments thereon, and to all Benefit and Advantage thereof; and for the Entry of such original Security, and of every such Transfer, the said Clerk or Clerks shall be paid, by the Party to whom such Security or Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more.

No Prefer-
ence in Mort-
gages and
Annuities.

XIII. And be it further enacted, That the several Persons to whom any such Mortgages or any such Grants of Annuities shall have been made as aforesaid, shall be severally entitled, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, and the annual Amount of the said Annuities, to the Tolls and Revenues of the said Company, without any Preference by reason of the

the Priority in Date of any such Security, or any other Account whatever.

XIV. And be it further enacted, That the Interest of the Money which shall be borrowed on Mortgages as aforesaid, and the several Annuities to be granted as aforesaid, shall be paid half-yearly to the several Parties entitled thereto respectively, in preference to any Dividends or Distribution to the Proprietors of the said Company, or any of them, and shall be duly provided for and set apart before any such Dividend or Distribution shall be made or declared.

Interest on
Mortgages
and Annuities
to be paid
half-yearly.

XV. And be it further enacted, That no Mortgagee or Annuitant, or his or her Assignee, shall be deemed to be a Proprietor of any Share, or be capable of acting or voting by virtue of his or her Mortgage or Annuity.

Mortgagees
not to be
considered as
Proprietors.

XVI. 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, in the Manner and according to the Rate prescribed by Three 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*; one other in the Forty-ninth Year of His said late Majesty, intituled *An Act to amend an Act passed in the last Session of Parliament, for enabling 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 Annuities*.

For prevent-
ing improvi-
dent Grants
of Annuities.

48G.3. c.142.

49G.3. c.64.

52G.3. c.129.

XVII. And be it further enacted, That in case the said Company shall at any Time or Times be able to borrow any Sum of Money at a lower Rate of Interest than shall be payable upon any of the existing Securities by virtue of this Act, it shall be lawful for the said Company from Time to Time to borrow and secure to be paid, with such lower Rate of Interest in manner aforesaid, any Sum or Sums of Money, which shall be applied in paying off and discharging any of the said existing Securities bearing a larger Rate of Interest.

Money may
be borrowed
at a lower
Rate of
Interest, to
pay off exist-
ing Securities.

XVIII. Provided always, and be it further enacted, That no Sum of Money advanced on Mortgage shall be paid off and discharged, except with the Consent of the Person or Persons advancing the same, his, her, or their Executors, Administrators, or Assigns, unless Six Calendar Months previous Notice, under the Common Seal of the said Company, shall have been given to the Person or Persons entitled thereto, or left at his, her, or their last or usual Place of Abode, of such Intention to pay off and discharge the same.

Notice to be
given of
paying off
Money.

XIX. And be it further enacted, That if the said Company or their Committee of Management for the Time being shall deem it expedient,

The Com-
pany may
buy up
out
Shares.

out of any surplus Monies or otherwise, to buy up any Share or Shares in the said Undertaking which shall be offered for Sale, then and in such Case it shall be lawful for the said Company either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company in trust for the said Company; and such Share or Shares may in such last-mentioned Case, at any Time thereafter, be sold for the Benefit of the said Company, and for the raising of any Sum of Money which may be wanted for constructing or repairing the said Bridge or Works, or any other necessary Purpose of this Act.

First and
other General
Assemblies.

XX. And be it further enacted, That the First General Assembly of the said Company shall be held at the Guildhall in *King's Lynn*, in the said County of *Norfolk*, upon the *Wednesday* Fortnight next after the passing of this Act, or as soon after as conveniently may be, at the Hour of Eleven in the Forenoon; and all future General Assemblies of the said Company (except as herein-after mentioned) shall be held on the First *Wednesday* in the Months of *April* and *October* in each Year, at the Hour of Eleven in the Forenoon, at such Place as the said Company at their preceding General Assembly shall from Time to Time direct or appoint; of which future General Assemblies Fourteen Days previous Notice at the least shall be given by the Clerk to the said Company, or by Three or more Proprietors, by public Advertisement, to be inserted in some Newspaper usually circulated in the said County of *Lincoln*, and also in some Newspaper usually circulated in the said County of *Norfolk*, or in such other Manner as the said Company shall direct; and in case no Place or Places shall have been so appointed, then such General Assembly shall be holden where the last General Assembly was holden; and at such General Assemblies it shall be the Duty of the Committee of the said Company to report to the Proprietors at large the State of the said Undertaking, and their Proceedings in carrying this Act into Execution, which Report shall be fairly entered into a Book or Books of the said Company of Proprietors, to be kept for that Purpose by their Clerk, and a Copy of the same shall be left at the Clerk's Office for the Perusal of the Proprietors, who shall have Access thereto at all seasonable Hours.

Chairman of
General As-
semblies to
be appointed.

XXI. And be it further enacted, That the said Company at their respective General and Special General Assemblies shall appoint a Chairman, who shall not only vote as a Proprietor or Proxy, but in case of an Equality of Votes shall have the casting Vote.

Committee
to be ap-
pointed.

XXII. And be it further enacted, That the said Company shall at their First General Assembly, or at any Adjournment of the same, elect by Ballot Twelve Persons from the said Company to be a Committee for the Management of the Concerns of the said Company until their next General Assembly to be holden on the First *Wednesday* in the Month of *October* then next ensuing, when the Power of the said Committee shall cease and determine; but the said Company shall at their said next General Assembly either re-elect in manner aforesaid the Persons then forming the said Committee, or elect some other Person or Persons from the said Company to the Number aforesaid, to be the Committee of Management of the Concerns of the said Com-
pany

pany until the next General Assembly of the said Company, and so on for ever; but no Person shall be capable of being elected upon such Committee unless he shall hold and be possessed of Six Shares at least in the said Undertaking: Provided always, that no Person holding any Place, Office, Employment, or Contract under the said Company shall be capable of being elected or of serving upon such Committee during the Time of his Continuance in such Place, Office, Employment, or holding such Contract.

XXIII. And be it further enacted, That in case any Person or Persons elected upon the said Committee shall die, or refuse or become incapable to act in the Execution of this Act, or shall cease to be entitled to Six Shares at the least in the said Undertaking, or shall hold any Place, Office, Employment, or Contract under the said Company, then and in every such Case it shall be lawful for the said Company to elect, at the next General Assembly, or at some Special General Assembly of the said Company to be called for that Purpose, some Person or Persons, qualified as aforesaid, to be a Member or Members of the Committee of the said Company in the Stead of the Member or Members so dying, or refusing or becoming incapable to act, or ceasing to be qualified, or holding any Place, Office, Employment, or Contract under the said Company; and every Person so elected shall have the like Powers and Authorities, and shall be subject to the like Rules, Regulations, and Restrictions, as the Person in whose Stead he shall be so elected; and shall continue in Office as a Member of the Committee for such Time and no longer as the Person in whose Stead he shall be so elected would have continued in Office.

Subsequent Appointment of the Committee in the Room of those who shall die, &c.

XXIV. And be it further enacted, That the Persons composing the said Committee shall at every Meeting by them held appoint a Chairman, and that no Member of the said Committee shall have more than One Vote upon any Question, except in case of an Equality of Votes, and in that Case the Chairman shall have the casting Vote, although he may have given one Vote before.

Committee to appoint a Chairman.

XXV. And be it further enacted, That the said Company shall at their First General Assembly, or at any Adjournment of the same, elect by ballot Two Persons from the said Company to be Auditors of the Accounts of the said Company, and such Persons shall continue in Office until the next General Assembly to be holden on the First *Wednesday* in the Month of *October* then next ensuing; but the said Company shall at their said next General Assembly either re-elect in manner aforesaid the said Auditors, or elect Two other Persons to be the Auditors of the Accounts of the said Company until the then next General Assembly of the said Company, and so on for ever; but no Person shall be capable of being elected or of serving as such Auditor, unless he shall be possessed of Six Shares at least in the said Undertaking: Provided always, that no Person holding any Place, Office, Employment, or Contract under the said Company shall be capable of being elected or of serving as Auditor of Accounts during the Time of his Continuance in such Place, Office, Employment, or holding such Contract.

Auditors to be appointed.

[*Local.*]

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XXVI. And

No Commit-
teeman to be
an Auditor.

XXVI. And be it further enacted, That no Person shall be a Committeeman and an Auditor of the said Company at one and the same Time.

Power of
General
Assemblies.

XXVII. And be it further enacted, That the said Company shall have Power and Authority, at any General Assembly or Special General Assembly convened for that Purpose, to remove and displace any Member or Members of the Committee or Auditors or Auditor appointed by virtue of this Act, and thereupon to elect any other Person or Persons in his or their Stead; and it shall be lawful for the said Company, at any General or Special General Assembly convened for that Purpose, to order and dispose of the Custody of their Common Seal, and the Use and Application thereof, and to make such Rules, Bye Laws, Orders, and Regulations for the good Government of the said Company, and of the said Committee and Auditors, and of their Servants, Agents, and Workmen, and for the complete and total Superintendence and Management of the said Undertaking, and from Time to Time to alter and repeal the said Rules, Bye Laws, Orders, and Regulations, or any of them, and to impose and inflict such reasonable Fines and Forfeitures (not inconsistent with the general Statutes of this Kingdom), upon all Persons who shall offend against such Rules, Bye Laws, Orders, and Regulations, as to such General or Special General Assembly shall seem meet, not exceeding the Sum of Five Pounds for any one Offence; and all such Rules, Bye Laws, Orders, and Regulations, being reduced into Writing under the Common Seal of the said Company, shall be printed, and shall be binding upon and be observed by all Persons concerned in the said Undertaking, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same; and such Rules, Bye Laws, Orders, and Regulations, shall be subject to Appeal in manner herein directed; and the said Company shall have Power to adjourn from Time to Time to such Place or Places as shall at such General or Special General Assembly be thought proper and convenient.

General
Assemblies
for choosing
Committee
to consist of
100 Shares.

XXVIII. And be it further enacted, That if at any General Assembly there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled to at least One hundred Shares in the said Undertaking, no Choice of any Committee shall be made at that Time; but such General Assembly shall be adjourned to that Day Three Weeks, to be holden at the same Place, and so from Time to Time until there shall be such Persons present having such Number of Shares as aforesaid, and such Choice of such Committee shall then take place, and not before; and of every such Adjourned Meeting Fourteen Days Notice in Writing shall be given by the Clerk of the said Company to the absent Proprietors; and in case of Failure of the assembling of a sufficient Number of Proprietors, as Principals or Proxies, having such Shares at such General Assembly, every Proprietor or Proprietors who shall not attend such Second or Adjourned General Assembly in Person or by Proxy, and who shall have received such Notice as aforesaid, shall forfeit and pay to the said Company for every Share which he, she, or they shall possess in the said Undertaking the Sum of Ten Shillings, to be deducted out of his, her, or their

For enforcing
Attendance at
General As-
semblies.

their next succeeding Payment of Interest or Dividends of the Profits of the said Undertaking (as the Case may happen); and in case no Interest or Dividends shall be payable to such Person or Persons making Default as aforesaid, within Six Calendar Months next after the making of such Default, then and in every such Case such Penalty and Forfeiture of Ten Shillings shall and may be levied and recovered by such Ways and Means as any other Penalty or Forfeiture imposed by this Act may be levied and recovered.

XXIX. And be it further enacted, That the said Company shall at some General Assembly from Time to Time nominate and appoint, under their Common Seal, a Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Tolls by this Act allowed to be demanded and taken, and such other Officers as to the said Company shall seem proper, and from Time to Time remove any such Officers, and may nominate and appoint other Persons in their Stead in manner aforesaid, taking such Security from every such Officer for the due Execution of his respective Office, and granting to each of them respectively such Salary and Compensation as the said Company shall think proper; and such Clerk or Clerks shall, in a proper Book or Books to be provided by the said Company for that Purpose, enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons who shall from Time to Time become Owners and Proprietors of or entitled to any Share or Shares therein, and all Acts, Proceedings, and Transactions of the said Company and Committee respectively; and each of the said Proprietors shall at all reasonable Times have recourse to and peruse and inspect such Books *gratis*, and may demand and have Copies thereof, or of any Part thereof, paying for every One hundred Words and Figures so to be copied the Sum of Sixpence, and so in proportion for any less Number of Words and Figures; and if any such Clerk or Clerks to the said Company shall refuse to permit, or shall not permit, any Proprietor or Proprietors, so interested as aforesaid, to inspect such Book or Books of Accounts and Proceedings at all convenient Times, or refuse to make any such Copy or Copies at the Rate or Price aforesaid, within Five Days after Demand made thereof, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

General
Assemblies
to appoint
Officers.

XXX. And be it further enacted, That it shall be lawful for the said Company, at any General or Special General Assembly as aforesaid, to suspend or remove any Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Company, on account of any Negligence, Misconduct, or Inability; and in case any such Officer or Servant of the said Company shall die, be removed from, or quit the Service of the said Company or of the said Committee, then and in every such Case it shall be lawful for the said Company, at their next General or Special General Assembly, to appoint any other fit Person or Persons to execute such Office in the Place of the Person or Persons who shall so die, be removed from, or quit the Service of the said Company or of the said Committee; and it shall be lawful for the said Committee to remove any such Officer or Servant

Removal of
Officers.

For Appoint-
ment of Offi-
cers in case
of Vacancies.

vant

vant of the said Company for any Negligence, Misconduct, or Inability, and to appoint any other fit Person or Persons in the Stead of the Person or Persons so removed from the Service of the said Company; but in case such Removal or new Appointment shall be made by the said Committee, the same shall continue only until the next General or Special General Assembly of the said Company, when the said Removal of such Person or Persons from such respective Office or Offices shall either be confirmed or annulled; and in case such Removal shall be confirmed, it shall be lawful for the said Company, at such General or Special General Assembly for that Purpose, to discharge such Person or Persons so removed by the said Committee; and to confirm any new Appointment which shall or may have been made by the said Committee, or to appoint such other fit Person or Persons to succeed to such Office or Offices as the said Proprietors at such General or Special General Assembly for that Purpose may think proper.

Clerk not to
act as Trea-
surer, and
vice versâ.

XXXI. And be it further enacted, That it shall not be lawful for the said Company, to appoint the Person or Persons who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to appoint any Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, the Clerk or Clerks to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any other Place or Office of Profit or Trust under the said Company, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds, to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Officers, &c.
to account.

XXXII. And be it further enacted, That every such Treasurer, Engineer, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the said Company, so to be appointed as aforesaid, shall, under his or their Hand or Hands, at such Time and Times and in such

such Manner as the said Company or such Committee shall direct, deliver to the said Company or to such Committee, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his and their Charge by virtue of this Act, and also of all the Monies which shall have been, by such Officer or Servant of the said Company and Person or Persons respectively, received by virtue and for the Purposes of this Act, and how much thereof hath been paid or disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments; and shall pay all such Monies as shall remain in his or their respective Hand or Hands to the said Company or to such Committee, or to such Person or Persons as they shall respectively appoint; and if any such Officer or Person shall refuse to produce and deliver up such Receipts or Vouchers, or to make Payments as aforesaid, or shall not deliver to the said Company or to such Committee, or to such Person or Persons as they shall respectively appoint, within Twenty-one Days after being thereunto required by the said Company or by such Committee, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands, to the said Company or to such Committee, or as they shall respectively direct and appoint; then and in either of the Cases aforesaid, the said Company may bring or cause to be brought any Action or Actions against the Officer or Person so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officer or Person respectively; or if Complaint shall be made by the said Company or by such Committee, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more Justices of the Peace of the County, Division, City, or Place wherein the said Officer or Person so neglecting or refusing shall be and reside, such Justices are hereby required, by a Warrant or Warrants under their Hands and Seals, to cause the Officer or Person so neglecting or refusing to be brought before them; and upon his or their appearing, or refusing or neglecting to appear without some reasonable Excuse, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justices that any of the Monies which shall have been collected, raised, or received by virtue of this Act shall be in the Hands of such Officer or Person, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same; or if such Officer or Person shall still persist in refusing or neglecting to deliver up all such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, to the said Company or to such Committee, or other Person or Persons as they respectively shall appoint, then and in any or either of the Cases aforesaid, such Justices shall com-

[Local.]

34 E

mit

mit such Offender to the Common Gaol for such County, Division, City, or Place, there to remain without Bail or Mainprize until he shall make and give a true and perfect Account and Payment as aforesaid, or until he shall deliver up such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company or to such Committee; but no Officer or Person so committed for Want of sufficient Distress shall be confined or detained by virtue of this Act for any longer Space of Time than Twelve Calendar Months.

Assemblies
of the Pro-
prieters may
be specially
convened.

XXXIII. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act in Execution a Special General Assembly of the said Company is necessary to be holden, it shall be lawful for any Seven or more of the said Proprietors who collectively may be possessed of and entitled to Forty Shares at the least in the said Undertaking, by a Notice under their Hands to be given to the Clerk of the said Company, to require the said Clerk to give Notice of such Special General Assembly; and the said Clerk shall and he is hereby required, within Fourteen Days from the Receipt of such Notice, to give Twenty Days Notice of such Special General Assembly in some Newspaper usually circulated in the said County of *Lincoln*, and also in some Newspaper usually circulated in the said County of *Norfolk*, or in such other Manner as the said Company shall direct and appoint, specifying in such Notice the Reason, Occasion, and Intention of requesting such Special General Assembly, and the Time when and Place where the same shall be holden, which Place shall be within Twelve Miles of the said Bridge, and the Proprietors are hereby authorized to meet pursuant to such Notice; and such of them as shall be present at such Special General Assembly shall proceed to the Execution of the Powers of this Act given to the said Company with respect to the Matters so specified in such Notice only; and all such Acts, Orders, or Determinations of the Proprietors or the major Part of them so met together at every Special General Assembly, (provided that the Proprietors present, either as Principals or Proxies, shall be possessed of at least One hundred Shares in the said Undertaking,) shall be as valid, with respect to the Matters specified in such Notice, as if the same had been done at any stated General Assembly: Provided always, that in case the said Clerk shall not, when so required, call the said Special General Assembly, or in case there shall be no Clerk, it shall be lawful for the Proprietors requiring such Special General Assembly, by a similar Notice, to call such Special General Assembly; which said Special General Assembly shall have the same Power, Privilege, and Authority, and be in all respects considered the same as if it had been called by the said Clerk.

Powers of the
Committee.

XXXIV. And be it further enacted, That all the Powers and Authorities by this Act vested in or directed to be exercised by the said Committee may be exercised by the major Part of the Persons present at their respective Meetings, the whole Number present not being less than Three; and every such Committee shall from Time to Time make report of their Proceedings to the said General Assemblies of the Proprietors, and shall obey their Orders and Directions; and the said Committee shall (subject nevertheless at all Times to such

such Orders and Directions as aforesaid) meet at such Times and Places as they shall think fit; and in order to defray the Expences of their said Meetings, the said Committee shall from Time to Time receive, out of the Capital Stock of the said Company, such Sum or Sums of Money as shall be directed, adjusted, and settled by the said Company at such General Assemblies; and the said Committee shall and may contract for and agree for the Purchase of the Lands, Tenements, and Hereditaments that may be taken or used for the Purposes of the said Bridge and other Works thereunto belonging, and shall and may, on the Part and Behalf of the said Company, settle, determine, and adjust all Matters, Questions, and Differences which shall or may arise between the said Company and the several Owners of and Persons interested in any Lands, Tenements, or other Hereditaments which shall or may be taken and damaged or affected by the Execution of any of the Powers hereby granted; and shall and may make Agreements, Contracts, and Bargains with the Workmen, Agents, Undertakers, and other Persons employed or concerned in making, continuing, and completing the said Bridge and other Works, and all and every Part or Parts thereof, or in supplying any Articles or Materials for the Use of the said Company; and the said Committee shall (subject nevertheless to the Orders and Directions of such General or Special General Assemblies as aforesaid) have full Power and Authority to direct and manage the Affairs of the said Company; and the said Committee shall, by themselves or the said Clerk or Clerks of the said Company, keep a full, correct, and true Account of all Monies disbursed and Payments made by the said Committee, and by all and every Persons and Person employed by or under them, and of all and every Sums and Sum of Money which they shall receive on behalf or in respect of the said Undertaking from any Collector or Collectors of the said Tolls, or from any other Officer or Officers, or from any Person or Persons to whom such Tolls shall be demised or leased by virtue of this Act, or from any other Person or Persons whomsoever employed in or having any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall enter in a Book or Books, to be from Time to Time provided at the Expence of the said Company, Notes, Minutes, or Copies (as the Case shall require) of every such Contract, Bargain, Receipt, and Disbursement, and of all their Orders and Proceedings; which Book or Books shall be deposited with and kept under the Care and Direction of the said Committee, or the Clerk or Clerks of the said Company as aforesaid; and it shall be lawful for the said Committee from Time to Time to make such Call or Calls for Money from the Proprietors, in order to defray the Expences of the said Undertaking, as they the said Committee from Time to Time shall find necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds in respect of every Share, and be made at a less Interval than Two Calendar Months from each other; and Twenty Days Notice at least shall be given of all such Calls as aforesaid, by Advertisement in some Newspaper usually circulated in the said County of *Lincoln*, and also in some Newspaper usually circulated in the said County of *Norfolk*, or in such other Manner as the said Company shall at any General Assembly direct and appoint; all which Money so to be called for shall be paid into the Hands of the Treasurer of the said Company, to be issued,
paid,

paid, and applied in such Manner as the said Committee shall from Time to Time order and direct.

For Recovery
of Monies
paid previ-
ously to the
passing of
this Act.

XXXV. And it is hereby further enacted, That all and every Sums and Sum of Money which shall previously to the passing of this Act have been paid or subscribed to the said Undertaking, for or on account of any Share or Shares therein, to any Person or Persons whomsoever, shall be accounted for by such Person or Persons to the said Company or their Committee, and shall be paid to the said Company or their Committee, or to such Person or Persons and at such Time or Times as they shall respectively appoint; and in case of Non-payment thereof, the same shall and may be recovered by the said Company from the Person or Persons to whom and on whose Account the same shall have been paid, in such and the like Manner, and by such Ways and Means, as if such Sum or Sums of Money had been advanced and paid by or received on account of the said Company.

Subscribers
to pay their
Subscription
on Calls by
the Com-
mittee, and
on failure
may be sued.

XXXVI. Provided always, and be it further enacted, That the respective Persons who have subscribed or who shall hereafter subscribe or advance any Money for and towards the said Undertaking, or shall be Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall, and he, she, and they is and are hereby required to pay the Sum or Sums by them respectively subscribed, or such Parts and Proportions thereof as shall from Time to Time be called for by the Committee of the said Company, agreeably to the Powers and Directions of this Act, at such Times and Places and in such Manner as shall be directed by the said Committee; and in case any such Subscriber or Subscribers shall neglect or refuse to pay the same at the Time and Place and in Manner so required for that Purpose, the said Company are hereby empowered to sue for and recover the same in any of His Majesty's Courts of Law or Equity; and in all Actions to be brought by the said Company against any Person or Persons who hath or have subscribed or who hereafter shall subscribe or advance any Money for and 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 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 happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of any such Action it shall be only necessary to prove that the Defendant or Defendants, at the Time of making such Call or Calls, was or were Owner or Owners, Proprietor or Proprietors of the Share or Shares in the said Undertaking upon which any Call or Calls shall be in arrear, and that such Call or Calls was or were in fact made, and that such Notice was given thereof as is directed by

by this Act, and the said Company shall thereupon be entitled to recover what shall appear to be due.

XXXVII. And for the further enforcing the Payment of such Calls, be it also enacted, That if any Person or Persons upon whom any Call or Calls for Money shall or may hereafter be made by virtue of this Act, 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 One Calendar Month after such Call or Calls shall have been made as aforesaid, then and in such Case it shall be lawful for the said Company, at some General or Special General 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 and Shares of such Person or Persons so neglecting or refusing as aforesaid to be forfeited, and from thenceforth the said 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 herein-after mentioned: Provided always, that no Share or Shares shall vest in or accrue to the said Company, until Notice in Writing thereof shall be given, by the Treasurer or by the Clerk or Clerks of the said Company, to the Person or Persons, or 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, Fourteen Days at the least before such Share or Shares shall vest in or accrue to the said Company, or until Notice be published in some Newspaper circulated in the said County of *Lincoln*, and also in some Newspaper circulated in the said County of *Norfolk*, in case such Person or Persons cannot be found; and in such Notices respectively shall be contained a Statement 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; 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 Applications for the same, within the Time specified in such Notice.

Manner of enforcing Payment of the Calls.

In case of Neglect of Payment, Shares may be forfeited.

XXXVIII. 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 be lawful for the said Company or the said Committee, 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 Committee shall from Time to Time find necessary and direct to be sold, unto such Person or Persons as shall become the Purchaser or Purchasers thereof, his, her, or their Executors, Administrators,

Company empowered to sell Shares which shall become vested in them by the Default of Owners not paying the Calls thereon.

[*Local.*]

34 F

Surplus of
Sales to be
paid to
Owners of
Shares.

strators, 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; provided, that in case the Money produced by the Sale of such Share or Shares shall be more than sufficient to pay any such Arrears as aforesaid and legal Interest thereon, and the Expences attending the Sale or Sales thereof, the Surplus arising from such Sale or Sales shall be paid to the Person or Persons to whom such Share or Shares shall have belonged: Provided also, that the said Company or the said Committee shall not, by virtue of this Act, at any Time or Times 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 Sale, to pay the Arrears due by such Defaulter or Defaulters, for or on account of such Call or Calls, and the Interest and Expences attending the same; and after the Payment of every such Call or Calls to be made by virtue of this Act, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom such Share or Shares shall have before belonged, in such Manner as if such Calls had been duly and regularly paid.

Company not
to sue for
Calls on for-
feited Shares.

XXXIX. Provided always, and be it enacted, That nothing herein contained shall empower the said Company to sue the original Proprietors for 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, except such as shall revert in pursuance of the last preceding Clause, for any Call or Calls for Money subsequent to the Declaration of such Forfeiture; 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 Proprietor or Proprietors of such Share or Shares.

In case of
the Death of
Subscribers
before Shares
completed.

XL. Provided also, and be it further enacted, That if any Owner or Owners of any Share or Shares in the said Undertaking shall die before such Call or Calls shall have been made for the full Sum or Sums to be advanced on each Share or Shares which he, she, or they shall have been possessed of or entitled to, without having made Provision by Will or otherwise in what Manner such Share or Shares shall be disposed of, and by what Means the future Calls in respect thereof shall be paid to the said Company, then and in such Case, if the Executor or Executors, Administrator or Administrators of any such Owner or Owners, Proprietor or Proprietors, so dying, shall refuse or neglect to answer such Calls, the said Company shall admit any other Person or Persons to be Proprietor or Proprietors of the Share or Shares of such Owner or Owners, Proprietor or Proprietors, so deceased, on Condition that he, she, or they so admitted do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Owner or Owners, Proprietor or Proprietors, or to the Trustee or Trustees, Guardian or Guardians of any Infant or Infants,

on to any other Person or Persons who may be entitled to his, her, or their Effects, the full Sum and Sums of Money which shall have been paid by such Owner or Owners, Proprietor or Proprietors, in his, her, or their Lifetime, by virtue of any Call or Calls, or otherwise, upon such Share or Shares, or such other Sum or Sums of Money as the same can be sold for; and in case no Person or Persons shall be found who is or are willing to be admitted on such Condition as aforesaid, then and in such Case such Share or Shares shall be forfeited to and become vested in the said Company, in trust for and for the Benefit of all the rest of the said Proprietors, in proportion to their respective Interests in the said Undertaking, and shall be subject to be sold and disposed of in like Manner as other forfeited Shares may be sold and disposed of by virtue of this Act.

XLI. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, his, her, and their respective Successors, Executors, Administrators, and Assigns, 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 Assignment or Transfer of which Share or Shares may be in the Form and to the Effect following :

' I of of in consideration of the Sum Form of
 ' paid to me by of do hereby Transfer.
 ' bargain, sell, assign, and transfer to the said Executors,
 ' Administrators, and Assigns, the Sum of Capital Stock
 ' or Share in the Undertaking called the *Cross Keys Bridge*, under an
 ' Act of Parliament passed in the Seventh Year of the Reign of King
 ' George the Fourth, intituled [*here set forth the Title of this Act*],
 ' (being Number of the Shares in the said Undertaking);
 ' to hold to the said 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
 ' take and accept the said Capital Stock or Share of subject
 ' to the same Rules, Orders, Restrictions, and Conditions. As witness
 ' our Hands and Seals, or the Hand and Seal of and
 ' the Common Seal of , the Day of .

And that on every such Sale, the said Assignment or Transfer (being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers for his, her, or their Security; after the Clerk or Clerks to the said Company 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 or endorsed the Registry of such Memorial on the said Assignment or Transfer, for which no more than One Shilling shall be paid; and the said Clerk or Clerks is and 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 or Share of the Profits of the said Undertaking, nor any Dividend on such Share or Shares paid unto him, her, or them,

**No Title till
Registry.**

or any Vote in respect thereof as a Proprietor or Proprietors of the said Undertaking.

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

XLII. And be it further enacted, That after any Call of Money shall have been made by such Committee 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 the whole Sum of Money which shall have been called for upon each Share so sold or transferred; such Forfeiture nevertheless to be declared at a General or Special General Assembly, in manner before directed.

Acquisition
of Shares
by Marriage;

by Will, or
in course of
Administra-
tion;

by any other
Means.

XLIII. And be it further 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, shall be made 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 that before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking by virtue of any Bequest by 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 shown 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 an 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 shall also be transmitted to the said Clerk or Clerks, who shall file and enter the same in manner herein-before mentioned; and that in all Cases other than is herein-before mentioned, where the Right or 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 an Assignment or Transfer thereof as herein directed, an Affidavit shall be made and sworn to by One credible Person 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 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 Register Book or List of Proprietors in the said Undertaking; and in all or any of the said Cases, it shall and may be lawful to and for the said Company of Proprietors, at any General or Special General 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

paid his, her, or their Proportion of the Money becoming payable by virtue of any Call or Calls as aforesaid, and after Notice thereof shall have been given Three Times at the least in some Newspaper usually circulated in the said County of *Lincoln*, and also in some Newspaper usually circulated in the said County of *Norfolk*, to declare the same Share or Shares to be forfeited, and in such Case the same shall be and become forfeited, and sold and disposed of in such Manner as the said Company shall direct, or otherwise become consolidated in the general Fund of the said Company.

XLIV. And be it further enacted, That the said Company shall and they are hereby required, at their first or at some subsequent General Assembly, as soon as conveniently may be, to cause the Names and proper Additions of the several Persons who shall be then 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, and after such Entry made to cause their Common Seal to be affixed thereto; and every Proprietor requiring the same may have a Certificate of such Entry for each Share, under the Hands or Hand of the Clerks or Clerk to the said Company, on paying to the Clerk or Clerks Two Shillings and Sixpence, and no more, for every such Certificate; and such Certificate shall be admitted in all Courts whatever as Evidence of the Title of such 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 be lost or destroyed, then and in such Case another Certificate shall be made out and delivered by the Clerk or Clerks, on the same Terms and Conditions as aforesaid.

Names of Proprietors and Number of their Shares to be entered in a Book, and Certificates of the Number delivered to them.

XLV. And be it further enacted, That the Bodies Politic and Corporate, and all and every Persons and Person whose Names shall stand in the said Register Book or List of Proprietors of the said Company, either as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, whether as original or future Subscribers, or as Successors, Executors, Administrators, or Assignees of Subscribers, shall be deemed and taken to be the Proprietors of the several Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of every Call made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties, to which original Proprietors of Shares in the said Undertaking are made subject and liable to by this Act.

Persons whose Names are standing in the Company's Book as Proprietors, to be deemed such.

XLVI. And be it further enacted, That the Auditors of the Accounts of the said Company shall meet at some convenient Place, Once at least in every Year, for the Purpose of examining the Accounts of the said Company; and at such Meeting all Accounts of Money received, laid out, and disbursed on account of the said Undertaking, or on any of the Works thereunto belonging, by the Treasurers, [Local.] 34 G Receivers,

Power of the Auditors.

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high court

Receivers, Collectors, Clerk or Clerks, 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, or the Works thereunto belonging, shall be laid before the said Auditors, to be audited and settled; and the said Auditors shall cause a fair and correct Statement of the Accounts to be made out, which Statement shall be laid before the next General or Special General Assembly of the said Company for their Confirmation; and in order to defray the Expences of their Meetings, the said Auditors shall from Time to Time receive out of the Capital Stock of the said Company such Sum or Sums of Money as shall be directed, adjusted, and settled by the said Company at any General Assembly.

Bodies Politic empowered to sell and convey Lands.

XLVII. And be it further enacted, That when any Lands, Grounds, Sands, or Hereditaments shall be wanted for the Site of the said Bridge and Banks, or other Works to be made by virtue of this Act, it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, 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, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and for every other Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any Lands, Grounds, Sands, and Hereditaments which shall be wanted for the Purposes aforesaid, to contract for, sell, and convey the same, and every Part thereof, by Indentures of Lease and Release, or by Bargain and Sale enrolled, unto the said Company; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in Law to all Intents and Purposes whatsoever.

Satisfaction to be made.

XLVIII. Provided always, and be it further enacted, That all and every Bodies and Body Politic, Corporate, or Collegiate, Trustees, or other Persons herein-before capacitated to sell or convey Lands and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands, Grounds, Sands, or other Hereditaments, through, in, or upon which the said Bridge or other Works hereby authorized are intended to be made, or any of them, may accept and receive Satisfaction for the Value of such Lands, Grounds, Sands, and Hereditaments, and for any Damages to be sustained by making and completing the said Works, as shall be agreed upon by and between the said Owners and Occupiers respectively, or any of them, and the said Company or their Committee; and from and immediately after Payment or legal 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, in manner by this Act directed, the said Company may and shall be at liberty to enter upon, and thenceforth for ever to have, take, and enjoy the said Lands, Grounds, Sands, and Hereditaments, for the Purposes of this Act; and in case the said Company or their Committee, and the said

If Parties cannot agree,

Parties interested in such Lands and Grounds, Sands, or other Hereditaments, cannot or do not agree as to the Amount or Value of the Satisfaction to be made, such Amount or Value shall be ascertained and settled by a Verdict of a Jury, as is hereinafter directed.

Price to be settled by a Jury.

XLIX. And for settling all Differences which may arise between the said Company and the several Persons interested in any Lands, Grounds, Sands, or other Hereditaments which shall or may be taken, used, affected, 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 to them, him, or her by the said Company or their Committee, or their Agent by or on their behalf, and shall give Notice thereof in Writing to the said Company within Seven 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 Difference 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, Grounds, Sands, or other Hereditaments as aforesaid, shall refuse to treat or agree or shall not agree with the said Company or their Committee, 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 and 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 their Committee, or of the Person or Persons authorized by them; then and in every such Case the said Company or their Committee shall from Time to Time issue a Warrant or Precept, under the Common Seal of the said Company, to the Sheriff of the County of *Lincoln* or the County of *Norfolk*, at the Option of the said Company, who is hereby required to impanel, summon, and return not less than Twenty-four nor more than Forty-eight substantial and indifferent Persons, qualified to serve on Juries; and the Persons so to be impanelled, summoned, and returned as aforesaid are hereby required to appear before the Justices of the Peace for the County or Division thereof from which the Jury shall be impanelled, at some Court of General or Quarter Session of the Peace to be holden in and for such County or Division, or at some Adjournment thereof, as in such Warrant or Precept shall be directed, and to attend such Court from Day to Day, until discharged by the said Court; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the Clerk of the Court or his Deputy, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Clerk shall return other honest and indifferent Men of the By-standers, or of others who can be speedily procured to attend that Service, being so qualified as aforesaid, to make up the said Jury

If Parties are dissatisfied, &c. a Jury to be impanelled to decide the Matter.

to

to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Clerk is hereby required to summon before the said Justices any Witnesses touching the Matters in question, and may authorize the said Jury, or any Three or more of them, to view the Place or Places or Matters or Things in controversy, and such Jury shall, upon their Oaths (which Oaths, as well as the Oaths to such Witnesses, the said Justices are hereby empowered to administer) inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money which shall be paid for the Purchase of such Lands, Grounds, Sands, and Hereditaments, and the Compensation which shall be made for the Damages sustained as aforesaid, and the said Justices shall give Judgment for such Purchase Money, Recompence, or Compensation so assessed by such Jury; which said Verdict, and the Judgment thereupon, shall be binding and conclusive, to all Intents and Purposes, upon all Bodies Politic, Corporate, and Collegiate, and upon all Persons whomsoever, provided that Fourteen Days Notice in Writing, at the least, of the Hour and Place of which such Jury are so required to be returned, be given to the Bodies Politic, Corporate, or Collegiate, or to the Person or Persons interested or claiming so to be, before the Time of the Meeting of the said Justices and Jury as aforesaid, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued.

How the
Expences of
the Jury shall
be paid.

L. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money as a Recompence and Satisfaction for the absolute Sale of any Lands, Grounds, Sands, or other Hereditaments, or as a Compensation for any Damages done or to be done to such Lands or other Hereditaments, than shall have been previously offered by or on behalf of the said Company or their Committee before the summoning of such Jury; or where any Verdict shall be found for any Damages where the Dispute is for Damages only; and where no Compensation shall have been previously offered in respect thereof by and on behalf of the said Company or their Committee, or where by reason of Absence or other Impediment or Disability there shall not be found any Person or Persons who may be legally capacitated to contract with and make Conveyances to and receive Compensation from the said Company as herein-before mentioned, then and in all such Cases all the reasonable Expences of causing such Value or Compensation to be assessed or awarded as aforesaid shall be settled by the said Justices, and be defrayed by the said Company or their Committee; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall be demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels vested in the said Company or their Committee, or of any Goods and Chattels vested in the Treasurer to the said Company appointed in pursuance of this Act, (unless such Treasurer shall pay such Costs and Expences out of any Money received by him by virtue of this Act, and which he is hereby authorized and required to do,) under a Warrant to be issued for that Purpose by any Justice
of

of the Peace for the County, Division, or Place in which the same shall be, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if any Verdict shall be given for the same, or for a less Sum than shall have been previously offered by or on behalf of the said Company or their Committee, or for Damages (where the Dispute is for Damages only), one Moiety of the said Expences shall be paid by the said Company or their Committee, and may be recovered in manner aforesaid, and the other Moiety thereof shall be paid by the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, entitled to or claiming such Satisfaction, Recompence, or Compensation, which said last-mentioned Moiety shall and may be deducted out of the Money so assessed and awarded, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and awarded as aforesaid; and in case no Damages shall be given by such Verdict, where the Dispute is for Damages only, such Costs and Expences shall and may be recovered by the said Company, by such Ways as are herein provided for the Recovery of any Penalty imposed by this Act.

LI. And be it further enacted, That all and every Bodies and Body, Person or Persons, requesting a Jury to be summoned, shall (before a Warrant shall be issued for that Purpose) enter into a Bond, with Two sufficient Sureties, to the Clerk or Treasurer to the said Company, in a Penalty of Five hundred Pounds, with Condition to pay their, his, or her Proportion of the Costs and Expences of summoning such Jury and taking such Verdict, in case the same shall be given for no greater or for a less Sum than had been offered by or on the Behalf of the said Company, before impannelling, summoning, and returning the said Jury or Juries, for the Purpose of, or as a Recompence for, any Lands or other Hereditaments, or as a Compensation for any Damages.

Persons
requesting
Juries to
enter into
Bonds.

LII. And be it further enacted, That the said Company 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 in consequence of this Act, 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, within the Space of Two Calendar Months next after the Time that any supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Notice of
Injury to be
given to the
Company
before Ap-
peal to a
Jury.

LIII. And be it further enacted, That all Persons who in 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
[Local.] 34 H the

For punish-
ing Persons
guilty of
Perjury.

Verdicts to
be recorded.

the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

LIV. And be it further enacted, That all the said Judgments and Verdicts, (being first signed by the Clerk of the Court or his Deputy present at the taking of such Verdicts and pronouncing of such Judgments respectively,) shall be kept by the Clerk amongst the Records of the Quarter Session of the County or Division in which the Hearing shall take place, as the Case shall require, and shall be deemed to be Records of the said Quarter Session to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Application
of Compensation
Money
when exceed-
ing 200*l*.

LV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as herein-before mentioned, such Money shall, in case the same 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 *Cross Keys Bridge*, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled: *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, together with the Name or Names of such Person or Persons as any Three of the Committee of the said Company shall by Writing signed by them direct and 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 said Lands, Grounds, Sands, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Grounds, Sands, or Hereditaments, or affecting other Lands or Hereditaments settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Hereditaments, which shall be conveyed and settled to and in the same Manner as the Lands and Hereditaments which shall be so purchased, taken, or used as aforesaid stood

settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were made.

LVI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands 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 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 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 in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Committee of the said Company, (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 therefrom may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

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

LVII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as herein-before 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 or Profits of the Lands or Hereditaments so purchased, taken, or used for the Purposes of this Act, as the said Committee 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.

When less than 20*l.*

LVIII. And

In case of
not making
out Titles,
or if Per-
sons cannot
be found,
Purchase
Money to be
paid into the
Bank.

LVIII. 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 refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Committee 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 entitled to such Lands or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Committee or any Three or more of them to order the said Sum or Sums of Money so awarded to be paid into the Bank of *England*, in the Name and with the Privy 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 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 in a summary Way order the same to be laid out and invested in the Public Funds, or 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 make such other Order in the Premises as to the said Court shall seem reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum and 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 or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any
Question
shall arise
touching the
Title to
Money to be
paid, the
Person in
Possession
shall be
deemed en-
titled.

LIX. Provided always, and be it further enacted, That where 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 Privy of the Accountant General of the Court of Exchequer in pursuance of this Act, for the Purchase of any Lands or Hereditaments, or of any Estate, Right, or Interest in any Lands 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 such Lands 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 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 of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, or that some other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

LX. Pro.

LX. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands 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, and to be applied in the Purchase of other Lands 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 Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company or their Committee, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

LXI. And be it further enacted, That all and every Persons and Person who shall have any Mortgage or Mortgages on such Lands and Hereditaments, 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, 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, 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 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, 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 thenceforth cease and determine: Provided always, that in case the Sum secured by such Mortgage or Mortgages, with the Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained as directed by this Act, then the said Company 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 such 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 is herein 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 Persons and Person in trust for him, her, or them, shall vest in the said Company, and they shall be deemed to be in the actual Possession of

Mortgagees to convey.

the Premises comprised in such Mortgage or Mortgages to all Intents and Purposes whatsoever: Provided also, that if such Mortgage or Mortgages shall comprise any other Lands or Hereditaments than those which shall be so purchased or taken by the said Company, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained as the Value of the said Lands or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands or Hereditaments to the said Company, or their Appointee or Appointees; and in default of their doing so, 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 herein mentioned, 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 Persons or Person in trust for them, in the said Lands or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company, 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 for such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

Conveyance
by Lords of
Manors, of
Lands taken
from Com-
mons, to be
sufficient.

LXII. And be it further enacted, That in all Cases where there shall be occasion to cut through, take, or use, for the Purposes of this Act, any Part or Parts of any Commons or Waste Grounds, or other Lands, Tenements, or Hereditaments which shall be charged with or subject to any Commonable Right or Interest whatsoever, the Conveyance thereof by any Body Politic, Corporate, or Collegiate, or other Person or Persons, having such and the like Estate and Interest of and in the Manor wherein such Lands, Tenements, Commons, Common or Waste Ground shall be situate, or if the same shall not be the Waste of any Manor, then having such and the like Estate and Interest of and in the Soil of such Lands, Tenements, Wastes, Commons, and Hereditaments, as the Body or Bodies Politic, Corporate, or Collegiate, or Persons who are herein-before enabled to sell and convey other Lands, Tenements, and Hereditaments, shall be a good and sufficient Conveyance of the Fee Simple and Inheritance of such Waste Ground or Common, or other Lands, Tenements, and Hereditaments, for the Purposes of this Act, as fully and effectually as if every Person having such Commonable Right or Interest upon such Common or Waste Grounds, or other Lands, Tenements, or Hereditaments, were seised thereof in Fee Simple in possession, and had joined in and executed such Conveyance, and that the Compensation to be paid for any Commonable Right or Interest upon any such Commons or Waste Grounds as aforesaid, which shall be settled by a Jury, as herein-before mentioned, shall be paid by the said Company to the Churchwardens of the respective Parishes wherein such Commons or Waste Grounds shall lie, and shall be by such Churchwardens received and applied for such general or public Purposes within such Parishes respectively, as a Vestry of such respective Parishes, to be convened by such Churchwardens for that Purpose, shall direct; and that in Cases where such Commonable Rights and Interests shall be and extend over,

and be enjoyed and taken out of any other Lands, Tenements, or Hereditaments than such Wastes and Commons, the Compensation shall be paid or tendered to the Person or Persons, Bodies Politic, Corporate, or Collegiate, having such Estate or Interest as aforesaid in the said Commonable Rights or Interests, or in the Lands, Tenements, or Hereditaments whereunto the same shall be appendant or appurtenant, or shall be deposited in the Bank of *England*, in manner by this Act directed (as the Case may be): Provided, that in all Cases where any such Manor is vested in Freeholders or Inhabitants at large, or in any greater Number of Persons than Three, or where it is not known to what Lord or Lady such Manor belongs, or in what Manor such Common or Waste Ground is situated, the Conveyance aforesaid, executed by Four at least of the Freeholders whose Estates have Common Right in such Common or Waste Ground, and whose said Estates amount in yearly Value, as assessed to the Poor Rates, to Three Fifths at least of the whole of the Estates which have such Common Right, shall also be a good and sufficient Conveyance.

LXIII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury in manner aforesaid, for the Purchase of any such Lands, Grounds, Sands, or other Hereditaments, or as a Compensation for Damages, as herein-before mentioned, to the Proprietor or Proprietors of such Lands and Premises, or such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation 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 the Premises, to the Satisfaction of the said Company, or their Committee, or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then upon Payment of the Sum or Sums of Money into the Bank of *England*, as herein 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 or their Committee, and their Agents, Servants, and Workmen, immediately to enter upon such Lands, Grounds, Sands, and other Hereditaments respectively, and then and thereupon the Lands, Grounds, Sands, and other Hereditaments required for the absolute Use of the said Company, 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, to and 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 also shall extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Security, Tender, or Investment as aforesaid, it shall not be lawful for the said Company or their Committee,

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

mittee, or any Person acting under their Authority, to take or use such Lands, Grounds, Sands, or Hereditaments, for the Purposes of this Act, without Leave of the respective Owners and Occupiers thereof.

Plan to remain with the Clerk of the Parliaments.

Not to deviate more than 100 Yards from Plan.

Company may build a Bridge over the River Nene, &c.

LXIV. And whereas a Map or Plan, describing the Lines of the intended Approaches to the said Bridge, and the Lands or Grounds through or over which the same are to be made or carried, has been deposited in the Office of the Clerk of the Parliaments; be it further enacted, That the said Map or Plan shall remain in the Custody of the said Clerk of the Parliaments, to the end that all Persons may at all seasonable Times have liberty to inspect the same; and the said Company, in making the said intended Approaches, shall not deviate more than One hundred Yards of Three Feet each from the Lines described in the said Map or Plan, without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviations shall be made.

LXV. And be it further enacted, That it shall be lawful for the said Company, and their Successors, Deputies, Agents, Servants, Workmen, and Assistants, and they are hereby authorized and empowered, to construct or build or cause to be constructed or built, and to complete, maintain, and keep a Bridge, together with proper Quays and Banks at each End of the said Bridge, across the Outfall or lower Part of the River *Nene*, or Channel called *Cross Keys Wash* otherwise *Sutton Wash*, between the Parish of *Long Sutton* otherwise *Sutton-in-Holland* in the County of *Lincoln*, and the Parishes of *Walpole Saint Andrew* and *Walpole Saint Peter* in the County of *Norfolk*; at or near the public Slipway or Entrance into the said Wash, on the *Lincolnshire* Side thereof, in the Hamlet of *Sutton Saint Mary* in the said Parish of *Long Sutton*, from the Western Shore of the said Wash in the said Hamlet, unto the Eastern or opposite Shore of the said Wash in the said Parishes of *Walpole Saint Andrew* and *Walpole Saint Peter*, so as to form a direct Communication across the said Wash at the said Points between the said Counties of *Lincoln* and *Norfolk*; and for those Purposes to deepen, widen, dig, and make proper Foundations for the Piers and Abutments of the said intended Bridge and Banks, in such Manner as shall be necessary and proper for constructing the said intended Bridge and Banks, and to cut, remove, take, and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediments whatsoever, which may in anywise tend to hinder the constructing and completing of the said Bridge and Banks, and also, to dig, cut, take, and carry away, from the Salt Marshes and bare Sands on each Side, all such Flags, Sods, Hassocks, Clay, or other like Materials as may be requisite, and to execute all other Things necessary, useful, or convenient, for constructing, building, maintaining, and supporting the said intended Bridge and Banks, according to the Tenor and true Meaning of this Act; and for the Purpose of constructing, building, maintaining, repairing, and supporting the said intended Bridge and Banks, the said Company shall from Time to Time have full Power and Authority to land on either Side of the said River, within the Space of One hundred Yards from the Site of the said intended Bridge and Banks, all Materials and other Things to be used in

in and about the same, and there to work and use such Materials and Things, in any Manner which they the said Company and the Persons to be by them appointed shall think proper; and also to make, set out, and maintain any new Ways or Approaches for facilitating the Access to the said intended Bridge and Banks; and for the Purpose of securing the said intended Bridge and Banks, and the Ways and Approaches thereto, it shall be lawful for the said Company to make and construct Cross Banks or Mounds, to confine or direct the Flood or Tidal Waters, in such Manner as the Engineer or Engineers for the Time being employed by the said Company shall think proper for the Preservation of the said Bridge and Embankment, and from Time to Time to repair and support the same as Occasion shall require, so that the said Company or their Agents or Servants shall not, by any such Cross Banks or Mounds, in anywise obstruct, impede, or interfere with the Drainage or Navigation to, from, or through the said Bridge, further than may appear indispensably necessary for completing the said Works.

LXVI. Provided always, and be it further enacted, That it shall not be lawful for the said Company, their Agents, Servants, or Workmen, to dig, cut, or take any Flags or Turves, Earth or Soil, within the Distance of Two hundred Yards from the Foot of *Walpole Marsh Bank*, lying North of the present Sluice for draining the said Marsh into the Channel of the said Wash, for making or maintaining the said Embankment, or any Works connected therewith.

Turves, &c.
not to be cut
within 200
Yards of
Walpole
Marsh Bank.

LXVII. Provided always, and be it further enacted, That in case any Damage or Injury shall be done or occasioned to the Bank called *Walpole Marsh Bank*, belonging to *Henry Hare Townshend Esquire*, by or in consequence of the Construction of the said Bridge and Embankment, and such Damage or Injury cannot be otherwise adjusted between the said *Henry Hare Townshend*, his Heirs or Assigns, and the said Company or their Committee, the Quantum of such Damage or Injury shall be assessed, and the Amount of Compensation or Recompence to be assessed shall and may be recovered in the same Manner and with such Costs and Expences as any other Damages and Expences may be recovered under this Act.

In case of
Damage to
Walpole
Marsh Bank.

LXVIII. Provided always, and be it further enacted, That the said Bridge shall be placed in such a Situation across the said Channel as the Engineers for the Time being employed by the said Company, and by the Committee of Works of the *North Level*, Part of the Great Level of the Fens called the *Bedford Level*, or their Umpire, (in case the said Committee of Works of the *North Level* shall on Application made to them for that Purpose by the said Company, within a reasonable Time after such Application, appoint an Engineer on their Behalf,) shall direct; but nevertheless the said Bridge shall not be placed in any other Situation than in a direct Line and in Communication with the present Turnpike Road leading from the said Hamlet of *Sutton Saint Mary* to the said Wash.

As to the
Situation of
the Bridge.

LXIX. And be it further enacted, That if any Person shall remove or take away any Gravel, or any other Materials laid upon the said Bridge,

Penalty on
Persons
taking away

[Local.]

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Materials
got for the
Use of the
Bridge, &c.

Bridge, or upon the said Banks, Ways, or Approaches thereto, or upon any Part thereof, for making or repairing thereof, without the Order of the Surveyor or Surveyors of the said Company for that Purpose, or shall take away any Gravel or other Materials which shall have been collected for the Purpose of constructing or repairing the said Bridge, Banks, Ways, or Approaches, or any Part or Parts thereof, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Dimensions
of the Bridge.

LXX. Provided always, and be it further enacted, That the Waterways of the said Bridge shall be so constructed as to admit the Flood Waters, coming from the Lands that drain by the Channel over which it is proposed to be built, to pass through without being dammed up or otherwise impeded in their Course, and that the middle Waterway be not less than Forty-five Feet in the clear, and that the Centre thereof be so constructed as to open at the Top as a Drawbridge, for the Purpose of permitting Ships and other Vessels, trading to and from the ancient Sea Port Town of *Wisbech* in the *Isle of Ely* in the County of *Cambridge*, to pass through at all Times without striking any Mast or Masts thereof respectively; and that on each Side of the said middle Opening, there shall not be less than Two hundred and forty Feet in horizontal Width of Waterway.

Company
may make a
Ferry or
temporary
Bridge, if
Accidents
happen.

LXXI. And whereas it may happen, that the said Bridge, after it shall have been completed and used, may receive such Damage by unforeseen Accidents, that the Passage thereof may for a Time become dangerous and impracticable; be it therefore enacted, That when and as often as it shall so happen, it shall and may be lawful to and for the said Company or their Committee, or any Three or more of them, or such Person or Persons as they shall or may appoint for that Purpose, from Time to Time, as often as Occasion shall require, to provide a proper and convenient Ferry or Ferries across the said Wash called *Cross Keys Wash*, or otherwise to construct or build a temporary Bridge at some Place or Places near to the Site of the said intended Bridge, and to take and receive for Passage over the same, by such Ferry or Ferries, or temporary Bridge, such Tolls as are herein authorized to be taken for passing over the said Bridge: Provided always, that such Ferry or Ferries, or temporary Bridge, shall continue for such Time only as shall be necessary for repairing and rebuilding the said intended Bridge, and until the Passage over the same shall cease to be dangerous or impracticable as aforesaid, and no longer.

No Obstruc-
tion to be
occasioned to
Drainage or
Navigation.

LXXII. And be it further enacted, That in making or repairing the said Bridge and Works, or any of them, or any such temporary Bridge as aforesaid, or any Works belonging thereto, the said Company shall not make, occasion, or suffer any wilful or unnecessary Obstruction or Impediment to the Drainage or Navigation by or through the said Channel or River; and that if any such Obstruction or Impediment to the said Drainage or Navigation shall at any Time be so occasioned or suffered, and the said Company shall not forthwith remove the same, on Notice for that Purpose given to the said Company, it shall be lawful for any Two Justices of the Peace for the said County of *Norfolk*, or for the Division of *Holland* in the said County of *Lincoln*,

on the Complaint in Writing of the several Bodies or Persons interested in the said Drainage and Navigation, or any of them, or any Person or Persons acting under their Authority, duly substantiated by Proof before the said Justices, to direct the Removal of every or any such Obstruction or Impediment as aforesaid; and that the Costs and Expences attending the Removal thereof shall be paid by the said Company, out of the said Tolls and other Funds belonging to them.

LXXIII. And be it further enacted, That the said Company shall appoint, and at all Times employ, at their own Expence, their Toll Collector or some other Person or Persons, to be the Superintendant or Superintendants of the said Drawbridge so to be made over the middle Waterway of the said Bridge as aforesaid; and that such Superintendant or Superintendants shall at all Times open the said Drawbridge when required, for the Passage of Ships and other Vessels through the same, and close the same when such Ships or other Vessels shall have passed, and shall at all Times use due Care and Diligence, that no unnecessary Obstruction or Delay shall be occasioned or arise to the Passage of Ships or other Vessels through the said Bridge, or of Passengers over the same; and that in case any such Superintendant shall at any Time be guilty of any Neglect or Misconduct in the Discharge of his Duty, he shall be liable to pay a Penalty not exceeding Five Pounds for every such Neglect or Misconduct.

Superintendant to be appointed.

LXXIV. And be it further enacted, That the said Company shall at their own Expence put down and at all Times maintain on the West Shore of the said River or Channel, at or near to the said Bridge, on the North and South Sides thereof, Two proper and sufficient Mooring Piles or Posts, for the Purpose of the better enabling Vessels to navigate through the said Bridge, and shall at all Times permit a free and uninterrupted Passage under the adjoining Arches of the said Bridge, for the several Persons navigating the said Vessels and the Horses used in hauling or navigating the same, without paying any Toll or Compensation for the same.

Mooring Posts to be put down and maintained.

LXXV. And be it further enacted, That the said Company or their Committee are hereby empowered to purchase or rent any Piece or Pieces of Land or Ground, not exceeding in any one Place Forty Yards Square, on the Sides of or near to the said intended Bridge and Banks respectively, as Repositories for Stone, Gravel, or other Materials for making or repairing the same; and in case any Difference shall arise between the said Company and the Owner of such Land or Ground, with respect to the Value thereof, or the Necessity or Propriety of taking such Land or Ground, the same shall be settled and determined in a summary Way by any Two or more of His Majesty's Justices of the Peace acting in and for the County, Division, or Place where any such Land or Ground shall be situate.

Repositories for Materials.

LXXVI. And be it further enacted, That if any Person or Persons shall wilfully or maliciously damage the said intended Bridge and Banks, or any Part thereof, or any Gate or Toll House belonging thereto, or shall wilfully or maliciously, and without Authority from the said Company or their Committee, remove or take away any

For preventing wilful Damage to the Bridge.

Works

Works thereunto belonging, or in any way direct or procure the same to be done, or shall be aiding or assisting therein, whereby the said intended Bridge and Banks, or the Works thereof, may be damaged, any Person so offending shall be judged guilty of Felony, and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Punishments and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be punished in like manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or in mitigation of such Punishment, such Court may award such Sentence as the Law directs in Cases of Misdemeanor.

Owners of
Vessels liable
for Damage.

LXXVII. And be it further enacted, That in case any Damage or Mischief shall be done to the Bridge, or any of the said Works, by any Ship, Lighter, Barge, Boat, Float, Raft, or other Vessel, and such Damage or Mischief shall have been wilfully or negligently done or occasioned by any Master, Commander, or other Person having the Charge or Care of or belonging to such Ship, Lighter, Barge, Boat, or other Vessel, then and in every such Case, the Owner or Owners of such Ship, Lighter, Barge, Boat, or other Vessel shall be and is hereby made answerable to the said Company or their Committee for the Amount or Value of any such Damage or Mischief; and the same, provided it shall not exceed the Sum of Fifty Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are by this Act directed to be recovered; and every such Owner or Owners shall and may lawfully demand and recover from and against such Master, Commander, or other Person as aforesaid, the Amount or Value of such Damage, and also the Costs and Charges which shall have been incurred or sustained and paid by such Owner or Owners as aforesaid, or so much of such Amount or Value, or of such Costs and Charges, as the said Owner or Owners shall think proper to demand, and the same shall and may be recovered by such Owner or Owners from and against the Person or Persons so liable to pay the same to him or them as aforesaid, in such and the same Manner as the several Penalties and Forfeitures by this Act are hereby directed to be recovered.

For prevent-
ing Obstruc-
tions and
Nuisances on
the Bridge.

LXXVIII. And be it further enacted, That if any Person or Persons shall, by or with any Line upon the said Bridge, tow any Barge, Boat, or other Vessel through any of the Arches thereof, or shall lash or tie or make fast any Cord, Rope, or Cable to the Balustrades, Cornice, Piles, or any other Part of the said Bridge, or any of them, or shall moor, stay, or fasten, or cause or procure to be moored, stayed, or fastened, any Barge, Boat, or Vessel within the Distance of One hundred Yards from the said Bridge and Banks, on either Side thereof, except during the Time of veering or warping through the said Bridge, or during the Time of delivering or receiving any Goods, Wares, or Merchandizes, without the Consent of the said Company first had and obtained; or in case any Person or Persons shall pass a Line over the said intended Bridge and Banks to the Annoyance or Hindrance of Passengers, Carriages, or Cattle going over the same; or if any Person or Persons shall haul or draw, or cause to be hauled
or

or drawn, upon any Part of such Bridge and Banks, any Timber, Stone, or other Thing, otherwise than upon wheeled Carriages, or shall suffer any Timber, Stone, or other Thing, which shall be carried principally or in part upon wheeled Carriages, to drag and trail upon such Bridge and Banks, to the Prejudice thereof; or if any Person, driving any Horse or other Beast on the said intended Bridge and Banks, carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the passing of any Person, or any Horse, Beast, or Carriage travelling along the said Bridge and Banks; or if the Driver of any Waggon, Cart, or other Carriage shall, on the said intended Bridge or Banks, ride on the Shafts, or in or upon any Part of such Waggon, Cart, or other Carriage without Reins, or on any of the Horses or Cattle drawing the same; or if any Person, riding any Horse or Beast, or driving any Sort of Carriage, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Passenger; or if any Person or Persons shall wilfully hinder, obstruct, or prevent the free Passage of the said Bridge or Banks, or any of them, or any of the Footways thereof; or if the Driver of any Sort of Carriage whatsoever, meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side, or shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, on the said Bridge or Banks, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, on the said Bridge or Banks, or shall suffer any Stage Coach, Post Chaise, or other Carriage let to Hire, to remain longer than may be necessary for the taking up or setting down of any Passenger; every Person so offending in any of the aforesaid Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing as aforesaid, as the Case may be (in any Instance where the Person actually offending cannot afterwards be found), shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Officer appointed by virtue of this Act, or for any Constable, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever.

LXXIX. And be it further enacted, That the said Company or their Committee shall and may erect and set up, or cause to be erected and set up, a Toll Gate at each or either End of the said Bridge or Banks, and also One or more Toll House or Toll Houses, and proper Buildings, Conveniences, and Fencing, near to such Toll Gate; and the respective Tolls herein-after mentioned shall and may be demanded and taken of and from all and every Persons or Person using the said Bridge or Banks, or any of them, as a Footway, and of and from all and every Persons or Person passing with and attending any Cattle or Carriage, before any such Person or Persons, or before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass over the same; (that is to say,)

Empowering
the Company
to erect Toll
Gates and
Houses.

[Local.]

34 L

For

Tolls.

For every Horse, Mule, or other Beast, drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash, Vis-a-vis, Barouche, Phaeton, Hearse, Chair, Curricule, Gig, Whiskey, Taxed Cart, Caravan, Litter, or other Carriage of the like Kind, the Sum of One Shilling and Sixpence :

For every Horse, Mule, or Beast, drawing any Waggon, Wain, Car, Cart, or other Carriage of the like Kind, the Sum of One Shilling :

For every Coach or other Carriage, Waggon or Cart, fixed or fastened to and drawn with any other Coach or Carriage, Waggon or Cart, One Half of the Toll payable for every Horse, Mule, or Beast drawing such last-mentioned Coach, Carriage, Waggon, or Cart :

For every Horse or Mule, laden or unladen, or carrying One Person, and not drawing, the Sum of One Shilling ; and for every additional Person, the Sum of Three-pence :

For every Ass, laden or unladen, or carrying One Person, and not drawing, the Sum of Four-pence ; and for every additional Person, the Sum of Three-pence :

For every Foot Passenger, other than and except such as shall *bond fide* belong to and have the Charge or Care of any Waggon, Wain, Dray, Car, or Cart, or any Horse, Beasts, or other Cattle chargeable with Toll, the Sum of Three-pence :

For every Person, except the Driver, riding in or upon any Stage Coach, Chaise, Waggon, Cart, or other Vehicle carrying Persons for Hire, and not duly licensed by Law so to do, the Sum of Three-pence each, to be a Charge upon such Carriage or Conveyance and the Horses or Cattle drawing the same and the Goods and Chattels therein, and to be paid by such Driver :

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score ; and so in proportion for any less Number :

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Ten-pence *per* Score ; and so in proportion for any less Number :

For every Drove of Geese or Turkeys, the Sum of Five-pence *per* Score ; and so in proportion for any less Number :

Provided, that if any such Drove of Oxen, Cows, or Neat Cattle, Calves, Swine, Sheep or Lambs, Geese or Turkeys, shall be less than a Score in the whole, then no fractional Part of a Score shall pay less than Four-pence.

Recovery of
Tolls.

LXXX. And be it further enacted, That if any Person shall, after Demand made of the said Tolls by any Collector or Collectors to be appointed as aforesaid, refuse to pay the same, it shall be lawful for such Collector or Collectors, by himself or themselves, or taking such Assistance as he or they shall think necessary, to stop and prevent the Passage of the Person or Persons so refusing, or of the Horse, Cattle, or Carriage for or in respect of which such Tolls ought to be paid, until Payment thereof, or to seize and distrain any Horse or Horses or other Cattle, together with their Bridles, Saddles, Gears, Harness, or Accoutrements, in respect of which such Tolls are by this Act imposed, and if any such Tolls, and the reasonable Charges of such Seizure and Distress, and of the Detention thereof, shall not be paid within the Space of Five Days after such Seizure and Distress made, the Person

or Persons so seizing or distraining shall and may sell the Horse, Cattle, Chattels, or Things so seized and distrained, or any Part thereof, returning the Overplus (if any) and what shall remain unsold, upon Demand, to the Owner or Owners thereof, after such Tolls and the reasonable Charges occasioned by such Seizure, Distress, Detention, and Sale shall be deducted.

LXXXI. And be it further enacted, That the said Company shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every Toll Gate erected or continued or to be erected by virtue of this Act, a Table, painted in distinct and legible Black Letters with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at such Gate 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, and also a List of the several Gates (if any) which shall be freed by the Payment of the Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed; and if at any Time or Times there shall be more than One Gate, the said Company shall also provide Tickets denoting the Payment of the Toll, and on such several Tickets shall be named and specified the Name of the Gate at which the same shall respectively be delivered, and also the Names of the several Gates freed by such Ticket, One of which Tickets shall be delivered *gratis* to the Person paying the Toll; and on the Production of such Ticket at any Gate or Gates therein mentioned to be cleared as aforesaid, by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned without paying any additional Toll.

Table of Tolls
to be put up.

LXXXII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to demand or take, or cause to be demanded or taken, any Tolls for or in respect of any Passenger, Horse, Mule, Ass, or other Beast at any Toll Gate, but for and during such Time as the Board so painted as aforesaid shall remain affixed at such Toll Gate.

Tolls to be
taken only
whilst Boards
are fixed.

LXXXIII. And be it further enacted, That in case any Dispute shall happen respecting the demanding or taking or the Payment of Toll, or the Amount of Toll, or the Charges of keeping or selling any Distress, then and in every such Case such Dispute shall be heard and determined by any Justice or Justices of the Peace for the County or Division in which the Cause of Dispute shall arise, who, upon Application made to him or them for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses (which Oath every such Justice or Justices is and are hereby authorized and empowered to administer), and shall determine the Amount of the Toll due and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice or Justices shall seem reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person

For settling
Disputes
concerning
Tolls.

Person or Persons directed to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices (which Warrant every such Justice or Justices is or are hereby empowered to issue), and the Overplus (if any), after Payment of such Costs of such Distress and Sale, shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been distrained and sold.

Collectors of
Tolls may
give Evi-
dence.

LXXXIV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls or any of them, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Company, shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Tolls.

For prevent-
ing Toll
Collectors
from taking
undue Tolls.

LXXXV. And be it further enacted, That every Toll Collector shall place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be legally exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading the Inscriptions on the Boards to be affixed and placed as aforesaid, or either of them, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall, in answer to such Demand, give a false Name or Names, or, upon the legal Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Toll Gate, or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Tolls may be
lowered or
reduced.

LXXXVI. And be it further enacted, That the said Company shall have full Power from Time to Time, at any General or Special General Assembly, to lower or reduce all or any of the said Tolls; but no Reduction of any such Tolls shall be made or take place unless a Majority of the Proprietors present at such General or Special General Assembly shall assent thereto; and it shall and may be lawful for the said Company in like Manner again to raise the said Tolls to such

such Sum or Sums as they shall think proper, not exceeding the Sums before mentioned, as often as it shall be deemed necessary for the Interest of the said Undertaking.

LXXXVII. And be it further enacted, That the said Company Letting of
Tolls. may from Time to Time, as they may think expedient, upon Fourteen Days Notice being inserted in some Newspaper usually circulated in the said County of *Lincoln*, and also in some Newspaper usually circulated in the said County of *Norfolk*, lease, demise, or let to farm the Tolls granted by this Act, or any Part or Parts thereof, to any Person or Persons whomsoever, at and for the best yearly Sum or Sums of Money which can be gotten for the same: Provided always, that every Lease, Demise, or Agreement for the letting, demising, or leasing thereof, be made in Writing, and duly executed by the Person or Persons taking or farming the said Tolls respectively, and by the said Company under their Common Seal, and be not made for a longer Space of Time than Three Years at any one Time; and the Monies which shall be so agreed to be paid for the said respective Tolls shall be made payable and paid to the Treasurer or Treasurers of the said Company by quarterly Payments; and the Person or Persons to whom the said respective Tolls shall be so leased shall always pay One Quarter's Rent in advance, and the Person or Persons to whom the said Tolls shall have been leased, demised, or farmed as aforesaid, shall be liable to account for the same Rent to the said Company; and in case of Nonpayment thereof, the same shall and may be levied and recovered upon and from him, her, or them, by the same Ways and Means, and in such Manner as any Monies are herein directed to be levied and recovered from any Officer or other Person appointed by and liable to account with the said Company as aforesaid.

LXXXVIII. And be it further enacted, That the Tolls which shall be collected and received by virtue of this Act shall be applied in manner herein-after mentioned; that is to say, in the first place, in paying all Costs, Charges, and Expences of obtaining and carrying this Act into Execution, and of keeping the said intended Bridge, Banks, Ways, and Avenues in repair; and in the next place, in paying to the Mortgagees and Annuitants under this Act the Interest and Annuities to which they shall be entitled, in manner herein provided; and the Surplus thereof shall be divided amongst the Proprietors in proportion to the Amount of their respective Shares in manner following; that is to say, the said Proprietors shall be entitled to and receive Interest, after the Rate of Five Pounds *per Centum per Annum*, upon the respective Sum or Sums of Money which shall have been paid from Time to Time upon their respective Shares, by virtue of any Call or Calls of the Committee, for and towards the Execution of the said Undertaking, which Interest shall commence and be computed from the Time or respective Times of Payment of such Sum or Sums of Money, or of the Instalments thereof respectively; and from and after the Time when the said intended Bridge shall be open for the Passage of Horses, Cattle, and Carriages over the same, the said Proprietors shall be entitled to and receive an Interest or Dividend upon their respective Shares, not exceeding Ten Pounds *per Centum*.

[*Local.*]

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Directing
the Appli-
cation of the
Tolls, and
when they
shall be re-
duced.

per Annum, to be computed from the Time of opening the said intended Bridge for Passage as aforesaid, upon or in respect of the Amount of such Shares; and when and so soon as the said Tolls shall be more than sufficient for the Purposes aforesaid, then the Excess shall be invested from Time to Time in the Name of the said Company, in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, and the Income arising therefrom shall be accumulated in the Nature of Compound Interest, until such Excess and Accumulations shall raise a sufficient Fund to pay off the subsisting Mortgages and Annuities under this Act; which Fund, when raised, shall be paid and applied accordingly; and when and as soon as the said Mortgages and Annuities shall have been paid off as aforesaid, the said Trust for Accumulation shall cease, and the said Proprietors shall be entitled to receive an Interest or Dividend upon their respective Shares not exceeding Ten Pounds *per Centum per Annum* upon the Amount of their respective Shares, to be computed from the Time of the opening of the intended Bridge for Passage as aforesaid; and when and so soon as the said Tolls will yield the said Dividend of Ten Pounds *per Centum per Annum*, the said Tolls shall, as nearly as possible, be reduced so as to raise no greater annual Sum than will be necessary to produce the said Dividend, and the Sum which may be annually required for the Repairs of the said Bridge and Banks.

Books of
Accounts to
be produced
annually to
the Justices
of Norfolk
at the
Michaelmas
Quarter
Sessions.

LXXXIX. And be it further enacted, That there shall from Time to Time be provided and kept by the said Company, or their Committee, One or more Book or Books in which all Monies to be received by virtue of this Act shall from Time to Time be fairly set down and entered, expressing the Time when and the Name of the Person or Persons from whom the same were so received; and also One other Book or Books, in which all Sum and Sums of Money disbursed and laid out by them or by their Order, for the Purposes aforesaid, and the several Articles, Matters, and Things for which the same have been disbursed, laid out, and expended, shall be duly set down and entered; and in each and every Year, at the General Quarter Sessions of the Peace held after the Feast of *Saint Michael the Archangel* for the County of *Norfolk*, the said Books to be kept by the said Company, or their Committee, shall be produced and laid before the Justices at such Sessions, together with the proper Vouchers for such Expences and Disbursements, and the Justices then and there assembled shall and they are hereby required to examine into, settle, and balance the Accounts from the said Books; and if the said Company shall neglect or refuse to make and render such Accounts as aforesaid, then the said Company shall forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and from and after every such Neglect or Refusal, it shall not be lawful for the said Company to take or receive any of the Tolls by this Act granted, until such Accounts as before mentioned shall have been laid before the said Justices.

Xc. And be it further enacted, That if at any Time after the said Tolls shall have been reduced, the said Bridge and Banks, or any Part thereof, shall receive so much Damage that it shall appear, from the Estimates of the Majority of Three competent Persons, to be appointed by the said Company or their Committee, or any Three or more of them, upon Inspection and Examination thereof, that the annual Funds will not be sufficient to defray the Expences, Costs, and Charges of repairing such Damage, and pay to the said Proprietors their said Dividend of Ten Pounds *per Centum per Annum*, then it shall be lawful for the said Company or their Committee, or any Three or more of them, from Time to Time, from and after any such Damage shall happen, upon giving Fourteen Days Notice thereof in some Newspaper usually circulated in the said County of *Lincoln*, and also in some Newspaper usually circulated in the said County of *Norfolk*, which Notice shall be signed by at least Three of the Committee for the Time being, and whose Signatures shall be attested and witnessed by the Clerk to the said Company for the Time being, at the Expiration of such Fourteen Days, to revive the Tolls hereinbefore originally allowed and directed to be received, or such Part thereof as the said Company or their Committee, or any Three or more of them, shall deem sufficient for that Purpose, and to borrow such Money as they may judge necessary or expedient for the Purpose last mentioned, on Mortgage of the said Tolls, or any Part thereof.

How Bridge
to be repaired
if damaged.

XCI. And be it further enacted, That such Tolls, when so revived, or such Part thereof as the said Company or their Committee shall judge proper, shall continue to be received and taken, with the same Powers and Authorities in all respects as are before expressed in regard to the said original Tolls; until all Money received by way of Mortgage of such revived Tolls, and the Interest thereof, shall be fully and completely paid and discharged; and when and so soon as such Mortgage Money and Interest shall be fully and completely discharged as aforesaid from such revived Tolls, the said Tolls shall be again reduced, in manner hereinbefore directed.

Tolls so re-
vived to con-
tinue until
Expences of
Repairs are
paid.

XCII. And be it further enacted, That in case any Person or Persons shall resist or make forcible Opposition against any Person or Persons employed in the due Execution of this Act, or shall assault any Surveyor, Engineer, or Agent, or any Collector or Collectors of Tolls, in the Execution of his or their Office or Offices, or shall forcibly pass over the said Bridge and Banks, or through the Toll Gates or Bars to be erected by virtue of this Act, without having paid the said Tolls, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Penalty on
assaulting
Collectors,
&c.

XCIII. And be it further enacted, That if any Horse, Ass, Swine, or other Beast or Cattle of any Kind, except Sheep, shall at any Time be found wandering, straying, or lying on the said Bridge or Banks, or on the Sides or Slopes thereof, it shall be lawful for the Toll Gate Keeper or Surveyor of the said Company, or any other Person or Persons acting under the Authority of the said Company, to seize and impound every such Horse, Ass, Swine, or other Beast or Cattle, in

Cattle found
straying on
the Roads or
Bridge to be
impounded.

the

the Common Pound of the Parish, Township, or Place where the same shall be, or in such other Place as the said Committee shall appoint, and the same there to detain until the Owner or Owners thereof shall, for every and each Horse, Ass, Swine, or other Beast or Cattle so impounded, pay the Sum of One Shilling to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Penalty, Charges, and Expences shall not be paid within Four Days next after such Impounding, it shall be lawful for the said Company or their Committee to sell or cause to be sold every such Horse, Ass, Swine, or other Beast or Cattle, and the Money arising from such Sale, after deducting the said Penalty and Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Swine, or other Beast or Cattle, shall be paid on Demand to the Person whose Property the same shall appear to have been: Provided, that no one Person shall be liable to a greater Penalty than Ten Shillings for each Offence, in addition to any actual Damage done by the Cattle so impounded as aforesaid, together with the Charges and Expences attending the same.

Penalty for
Persons guilty
of Pound-
breach or
Rescue.

XCIV. And be it further enacted, That in case any Person or Persons shall release, or attempt to release, any Cow, Horse, Ass, Swine, or other Live Stock or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Swine, or other Live Stock or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof, before any One or more of His Majesty's Justices of the Peace for the County or Division where the Offence shall be committed, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said County, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months.

Penalty on
evading Tolls.

XCV. And be it further enacted, That if any Person shall take off, or cause to be taken off, any Horse or other Beast, from any Carriage at or near to any Toll Gate to be erected by virtue of this Act, and afterwards put on or add the same after having passed the said Toll Gate, and shall thereby evade or endeavour to evade the Payment of any Part of the said Tolls, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; and it shall be lawful for any Collector or Collectors to stop and prevent the Passage of every such Person, till such Person shall have paid the said Sum forfeited.

XCVI. And

XCVI. And be it further enacted, That after the said intended Bridge and Banks shall be open for Passage as aforesaid, it shall not be lawful for any Person or Persons to convey any other Person, or any Carriage, Horse, Beast, or other Cattle, or any Stones, Bricks, Lime, Manure, or any other Article or Thing, across the said Wash called *Cross Keys Wash*, Northward of the said intended Bridge, nor nearer than the present Ferry at *Foul Anchor* on the South Side of the said intended Bridge, with Intent to evade the Payment of the said Tolls, or any Part thereof; and if any Person or Persons shall act contrary to this Provision, every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on conveying Persons, &c. over the Wash, for Hire, within a certain Distance from the Bridge.

XCVII. Provided always, and be it further enacted, That all Persons passing and repassing to and from the *Walpole* Side of the said Washway, without passing over the said Bridge, shall have liberty to pass and repass with or without Horses and Carriages or Cattle over the said Embankment, and the said Land on the Sides thereof, by this Act vested in the said Company, to and from the bare Sands and Salt Marshes lying North and South of the said Embankment, without paying any Toll, for which Purpose a Cartway or Carriageway shall be left on each Side of the said Embankment at the East End thereof; and that for the Convenience of Persons who shall have crossed the said Bridge from the West End thereof, either with or without Horses and Carriages or Cattle, and shall have paid the Toll, a Cart or Carriageway from the said Embankment over the said Land on each Side thereof, to and from the said bare Sands and Salt Marshes lying North and South of the said Embankment, shall be left at or near the East End of the said Bridge.

For providing certain Roads to Salt Marshes.

XCVIII. And be it further enacted, That the said Bridge and Banks shall be considered as locally situate within the said County of *Norfolk*, but the said Bridge shall not be deemed a County Bridge, so as to subject the said Counties of *Lincoln* or *Norfolk*, or either of them, to the Repair or Support of the same.

Bridge not to be deemed a County Bridge.

XCIX. And be it further enacted, That if the said Bridge or other Works to be maintained or repaired by virtue of this Act, or any Part or Parts thereof, shall become or be out of repair, then the said Company or their Committee, or any Three or more of them, shall forthwith cause the said Bridge, Banks, Roads, Ways, and other Works to be repaired, out of the Monies to be raised by virtue of this Act; and in case the said Company or their Committee, or any Three or more of them, shall fail, within One Week after Notice to that effect, to commence and prosecute such Repairs, or shall occasion or suffer any wilful or unnecessary Obstruction to Drainage or Navigation to, from, or under the said Bridge, then it shall be lawful to or for any Person or Persons to prefer or prosecute any Bill or Bills of Indictment against the said Company for such Failure; and in case of Failure in the whole or in any Part thereof, the said Company shall again become subject or liable to such Bill or Bills of Indictment, and so *toties quoties*, until the said Repairs on the said Bridge shall be completed.

Company may be indicted for Failure of Repairs.

[Local.]

34 N

C. And

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

Committee may remove Collectors, and appoint others.

Collectors refusing to deliver up Toll Houses,

Justices empowered to remove.

Declaring what shall be good Service of Notices on the Company.

C. And be it further enacted, That all Orders and Proceedings of the said Company at their several and respective General or Special General Assemblies, or of their Committee or any Three or more of them at their several Meetings, shall be entered in a Book or Books to be kept for such Purposes respectively, and signed respectively by the Chairman of such General or Special General Assembly, or by the Clerk of the said Company, or by the Chairman of such Committee, or by their Clerk respectively, and shall be deemed and taken to be Originals, and shall be admitted as Evidence in all Courts whatsoever.

CI. And be it further enacted, That when and so often as any Collector or Receiver of Tolls shall die, or neglect or refuse to perform or become incapable of performing his Duty to the Satisfaction of the said Committee, or shall abscond or absent himself, it shall be lawful for any Three or more of the said Committee, although not assembled at a Meeting of the said Committee, to discharge such Collector or Receiver, and to nominate and appoint some other fit and proper Person or Persons to be a Collector or Receiver of the said Tolls, until the then next Meeting of the said Committee, in the Stead of such Collector or Receiver who shall so die or be discharged, and such Person or Persons so nominated and appointed shall be vested with the like Power and Authority, and be answerable and accountable in the like Manner in all respects, as the Collector or Receiver who shall so die or be discharged would have been; and if any Collector or Receiver of the said Tolls who shall be so discharged, or the Wife or Widow or any of the Children, Family, or other Representatives of any such Collector or Receiver, or any other Person or Persons who may have the Possession of any Toll House or Building, Yard, Garden, or Premises, or any Appurtenances thereto, to be set up or used by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Three Days next after Demand thereof made by Notice in Writing, signed by the Clerk of the said Company, for that Purpose given to such Collector or Receiver, or other Person or Persons, or left at such Toll House, Building, or Premises, then and in every such Case it shall be lawful for any One or more Justice or Justices of the Peace for the Counties of *Lincoln* and *Norfolk*, or either of them, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer for the said Counties, or either of them, with such Assistance as may be necessary, to enter such Toll House and other Buildings and Premises, in the Day-time, and to remove all Persons who shall be found therein, together with their Goods, out of and from the same, and put the said Company or their Agent, or such newly-appointed Collector or Receiver as aforesaid, into the Possession of the said Toll House, Buildings, and other Premises.

CII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, or Proceedings in Equity, the Service thereof upon any one of the said Company, or upon the Clerk or Clerks to the said Company for the Time being, or at the Office of such Clerk or Clerks, or left at the usual Place of Abode of any one

of the said Company, or of their Clerk or Clerks, as the Case may be, shall be deemed a good and sufficient Service of the same respectively on the said Company.

CIII. And be it further enacted, That when and so 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 said Party or Parties entitled to receive the same, within Ten 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 recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, 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 be put unto by virtue of any such Warrant as aforesaid.

How Costs
and Damages
are to be
recovered.

CIV. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof and the Appropriation whereof is not hereby particularly directed) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace for the County, Division, or Place where the Offence or Offences shall have been committed, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath of and concerning such Offences, Matters,

Recovery
and Appli-
cation of
Penalties.

Recovery
of Penalties
by Distress
and Sale of
Goods and
Chattels.

Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties not herein otherwise directed to be applied shall be paid to the Overseers of the Parish or Place within which such Offence shall be committed; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties 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 or Justices, 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 or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to any Common Gaol or House or House of Correction of the County, Division, or Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Power to
give Informer
Part of the
Penalties.

CV. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Company, from Time to Time, if they shall see Cause, to pay and apply such Part of the said Penalties, Forfeitures, and Fines, or any of them, to and for the Use of the Informer or Informers, or any Person or Persons, not being a Witness or Witnesses, aiding or assisting in the Apprehension of any Offender or Offenders therein, or any of them.

Appeal.

CVI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company, or by any Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act mentioned or contained, then and in every

every such Case such Person or Persons may, within Six 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 and for the said County of *Norfolk*, or for the Division of *Holland* in the said County of *Lincoln*, (first giving Fourteen Days Notice of such Appeal to the Person or Persons appealed against, and of the Nature and Matter thereof), and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such County or Division, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices shall, in a summary Way, either hear and determine the said Appeal at such General or Quarter Session, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Session of the Peace to be holden for such County or Division, and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, Judgment, or Determination, and may also order and award such other Satisfaction to be made to the Party injured, as they shall judge reasonable; provided that every Appeal against a Conviction shall be made to the Quarter Session of the Peace for the County or Division to which the Conviction shall have been returned.

CVII. 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, or if any Person or Persons who shall be summoned as a Witness or Witnesses to give Evidence at any General or Quarter Session of the Peace as aforesaid, or any Adjournment thereof, upon any Appeal by virtue of this Act, either upon the Part of the Appellant or Respondent, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath, (or, in case of a Quaker or Quakers, on solemn Affirmation), to give Evidence before such Justice of the Peace, or at such Session or Adjournment thereof, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Compelling
Witnesses to
attend.

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

Conviction
of Offenders.

BE it remembered, That on the _____ Day of _____
in the Year of our Lord _____ is convicted
before me _____ [or before us, _____] and
[One [or Two], of His Majesty's Justices of the
Peace for the County or Division [specifying the Offence, and Time
[Local.] 34 Q and

and Place when and where the same was committed, as the Case shall be]. Given under my Hand and Seal [or our Hands and Seals], the Day and Year first above mentioned.

Distress not
unlawful for
Want of
Form.

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

For securing
transient
Offenders.

CX. And be it further enacted, That it shall be lawful for any Collector, Agent, or any other Officer of the said Company, and such Person or Persons as he shall call to his Assistance (and which all By-standers and other Persons on demand are hereby required to give), without any Warrant or other Authority than this Act, to seize and detain any Person or Persons to him unknown who shall refuse to pay the Toll payable by him, her, or them, or who shall be seen by such Collector, Agent, or other Officer to commit any other Offence against this Act, and forthwith to take him, her, or them, or any of them, before One or more Justice or Justices of the Peace of the County of *Norfolk*, or the said Division of *Holland* in the said County of *Lincoln*; and such Justice or Justices is and are hereby required to act with respect to such Offender or Offenders according to the Provisions of this Act.

and galsed
to reman
galsed

Plaintiff not
to recover
without
Notice, or
after Tender
of Amends.

CXI. 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, Thirty 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 to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought, nor if such Tender or Amends shall be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof of such Tender on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgment as in Cases of Nonsuit, with Treble Costs, to be recovered in the same Manner as any Defendant

or Defendants may recover Costs in any other Case by Law; or in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where 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.

CXII. Provided always, and be it further enacted, That no Action or Suit shall be brought against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of this Act, after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be laid, brought, and tried where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her, or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence in any Trial to be had thereupon, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall have been brought before Thirty Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than the said County of *Lincoln* or of *Norfolk*, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

CXIII. And be it further enacted, That in all Cases where Notices are directed or required to be given by this Act, or where the same shall or may be necessary for carrying into Execution any of the Powers aforesaid, (the Manner of serving whereof is not particularly directed by this Act,) the Delivery of such Notice, or a true Copy thereof, to the Person or Persons to whom the same shall be directed, or to whom Notice ought to be given, or leaving the same, or a true Copy thereof, at his, her, or their Dwelling House or Dwelling Houses, or usual or last Place or Places of Abode, shall be good and sufficient Service of every such Notice; and where any such Notice shall be directed to, or ought to be given to Two or more Persons, for or in respect of any Offence or Offences against this Act, or the joint Act, Omission, Offence, or Default of any Persons who shall be in Partnership or jointly concerned in such Act, Omission, Offence, or Default, the like Delivery of any such Notice or a Copy thereof to, or leaving the same at the Dwelling House or usual or last Place of Abode of any one of such Persons or Partners, shall be good and sufficient Service thereof on all such Persons or Partners.

CXIV. And

Limitation of Actions.

Directing the Manner of serving Notices.

The Bridge
to be com-
pleted in
Five Years.

For vesting
in the Com-
pany certain
Lands, and
Marsh Land
adjoining the
intended Em-
bankment.

CXIV. And be it further enacted, That if the said Company shall not, within Five Years from and after the passing of this Act, complete the said Bridge, so as to make the same passable for Horses and Carriages, then and from thenceforth all and singular the Powers and Authorities vested in them by this Act shall cease and determine, to all Intents and Purposes whatsoever.

CXV. And whereas by an Act passed in the Thirteenth Year of the Reign of His late Majesty King George the Third, intituled *An Act for draining and preserving certain Lands and Grounds in the Parishes of Tid Saint Giles and Newton, in the Isle of Ely in the County of Cambridge, and in Tid Saint Mary's in the County of Lincoln*; after a Recital therein contained, that the making of the therein-mentioned Cut, Bank, and Dam, and the turning of the Waters of the *Wisbech* River out of their then uncertain and shifting Course amongst the Quicksands, into, through, and along the said Cut, would be a Work of public Utility, and that by means thereof the then shifting and bare Sands, situate on the North and East of the said Dam and Cut, and lying between or bounded by the Salt Marshes on the *Cambridgeshire* and *Lincolnshire* Coasts on the West and North-west, and the then Course or Channel of the *Wisbech* River on the East and South-east, would be raised, and might become capable of Cultivation; and, after a further Recital, that the supporting and preserving the said Dam, Cut, and Banks, after the same should be completed, would be attended with great Labour and Expence; it is by the said Act enacted, that the said shifting and bare Sands so situated and bounded as aforesaid, and also the then Channel of the *Wisbech* River to the Low Water Mark on the South and South-east Sides thereof, should, after the passing of the said Act, vest in the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, and their Successors for ever, for such Uses, Intents, and Purposes as are therein-after mentioned concerning the same, and that the said shifting and bare Sands and Channel so vested in the said Governor, Bailiffs, and Commonalty, and their Successors, should for ever thereafter be deemed and taken to lie and be within the respective Parishes in the Isle of *Ely* and County of *Cambridge*, and in the County of *Lincoln*, which abutted or adjoined on the West and North-west Sides of the said Lands, so far as such Parishes did respectively abut, front, or adjoin thereupon; and for the better ascertaining the Bounds and Limits of the said shifting and bare Sands and Channel, so vested or intended to be thereby vested in the said Governor, Bailiffs, and Commonalty, and their Successors as aforesaid, and for keeping the same in Memory in all Times to come, it is further enacted, that it should be lawful for the said Governor, Bailiffs, and Commonalty, and they are thereby authorized, empowered, and required, to cause the same to be set out and bounded with Stones or other substantial Marks or Abuttals, so as at all Times to ascertain and distinguish the same from the then present Salt Marshes and Lands lying on each Side thereof in manner therein mentioned; and it is further enacted, that it should be lawful for the said Governor, Bailiffs, and Commonalty to take, in and embank the said Sands and Channels so vested in them as aforesaid, when and as often as any Part or Parts thereof should be grassed over or become capable of

of Cultivation, and to grant Leases thereof in manner therein expressed; and it is further enacted, that the Rents, Issues, Fines, and other Profits which should from Time to Time be reserved or paid for or in respect of the said Sands and Channel so thereby vested in the said Governor, Bailiffs, and Commonalty, should be applied, in the first place, in Payment of the Expences of embanking and securing the said Sands and Channel, and then from Time to Time in and towards the repairing, supporting, and maintaining the said Cut, Dam, and Banks, and in continuing the said Cut and Banks towards the Sea, and in making such other Works and Improvements in the Outfall of the *Wisbech* River to the Sea as should from Time to Time be found necessary or convenient: And whereas the said Governor, Bailiffs, and Commonalty of the Company of Conservators, in or about the Year One thousand seven hundred and seventy-seven, caused the said Sands and Channel to be surveyed, set out, and planned by *John Watte* Land Surveyor, and a Map or Plan to be made of the same, describing the Situation and Boundaries of the said Sands; and the said Map or Plan was deposited and now remains with the said Governor, Bailiffs, and Commonalty of the Company of Conservators; and the said Governor, Bailiffs, and Commonalty, being satisfied that the Construction of the said Bridge and Embankment will be of great public Utility, have agreed to give up and relinquish to the said Company the Portion herein-after vested in the said Company of the said bare Sands and Salt Marshes, for the Support and Repair of the said Bridge and Embankment, in manner herein-after mentioned; be it therefore further enacted, That when and as soon as the said intended Embankment across the said Washway shall be completed in manner directed by this Act, One hundred and twenty-three Yards, of Three Feet to a Yard, in Depth, of the said bare Sands and Salt Marshes, to be set out in parallel Lines along and from the Foot of each Side of the said Embankment, from the Foot of *Guy's Hospital Bank* on the West Side of the said Washway, to the Eastern Extremity of the said bare Sands and Salt Marshes belonging to the said Governor, Bailiffs, and Commonalty of the Company of Conservators, shall be vested in the said Company and their Successors for ever, for the Purpose of enabling the said Company to keep up, support, and repair the said Embankment for ever thereafter; Provided always, that nothing in this Act contained shall authorize the said Company to hold in Mortmain any Quantity of Land for the Purposes of this Act exceeding One hundred and fifty Acres in addition to the Site of the said Embankment.

CXVI. And be it further enacted, That the said Company shall, at their own Expence, fence in with a Ditch or Fence Ditch the said Parcels of Land to be allotted to and vested in the said Company as aforesaid, in a parallel Line on the Sides of the said Bank; and the same Ditch or Fence Ditch shall at all Times afterwards be repaired and scoured out, at the joint Expence of the said Company and the Owners of the Lands adjoining thereto, and on each Side thereof.

The Land to be fenced by the Company.

CXVII. And be it further enacted, That for facilitating the In-closure of the said bare Sands and Salt Marshes lying on the North and South Sides of the said Land hereby vested in the said Company, it shall be lawful for the Owners of the said bare Sands and Salt

Cross Banks may be made.

[*Local.*]

[34 P]

Marshes

Marshes, from Time to Time to make and keep in repair any Cross Banks over the Land by this Act vested in the said Company, so as to join the said Embankment, which Cross Banks shall be and remain the Property of the said Company, but the said Company shall not be bound to repair or to contribute to the Repair of the same.

The Bridge and Works not to be commenced until the End of the next Session of Parliament.

CXVIII. And whereas the Most Noble *John Duke of Bedford* and the Proprietors of Lands in the *North Level* and *Great Portsand*, with the Concurrence of the Governor, Bailiffs, and Company of Conservators, have it in contemplation to make certain Works for forming a new Cut or Channel, and confining the Waters, from the North End of a Cut called *Kinderley's Cut*, to deep Water, at or near a Place called *Crabhole*, below the Site of the said intended Bridge, in order as well to remove the Danger apprehended from the Construction of the said Bridge and Embankment, as to improve the Navigation of the *Wisbech River*, and the Outfall of the several Lands draining by or through the said *Sutton Wash* to the Sea, (which last-mentioned Works will require an Expenditure of the Sum of One hundred and thirty thousand Pounds or thereabouts,) upon receiving the Sum of Sixty thousand Pounds, to be contributed towards the Expence thereof by several Parties interested therein, and by the Application of the Produce of the bare Sands and Salt Marshes below *Kinderley's Cut*, and now vested in the said Governor, Bailiffs, and Commonalty, for continuing the said Cut, and improving the Outfall of the *Wisbech River* to Sea, under the said last-recited Act and otherwise; be it therefore further enacted, That the said Bridge and Banks authorized to be constructed by this Act, or any of them, or any of the Works connected therewith, shall not be commenced or proceeded in until after the End of the next Session of Parliament.

The Company to pay 3,000*l.* to the Duke of Bedford, and the North Level Proprietors, in case certain Works are carried into effect.

CXIX. And be it further enacted, That if before the said Bridge shall be completed, an Act of Parliament shall be obtained for carrying into effect the Works contemplated by the said *John Duke of Bedford* and the Proprietors of Land in the said *North Level* and *Great Portsand* as aforesaid, and a Contract shall be entered into for the due Execution of the said Works, then and in such Case the said Company shall, out of the Monies to be raised under the Provisions of this Act, raise and pay to the said *John Duke of Bedford*, and the said *North Level* Proprietors, the Sum of Three thousand Pounds, agreed to be paid by the said Company towards the Execution of the same Works, at the Times following; that is to say, the Sum of One thousand Pounds, Part thereof, within One Calendar Month next after the Execution of the said Contract; the further Sum of One thousand Pounds, other Part thereof, at the Expiration of One Year from the Time of the Execution of the said Contract; and the remaining Sum of One thousand Pounds at the Expiration of Two Years from the Time of the Execution of the said Contract.

Not to prevent Owners of Land at the Western End of the Bridge from making Wharfs, &c.

CXX. And be it further enacted, That nothing herein contained shall prevent the Body or Bodies Politic, Corporate, or Collegiate, Person and Persons, owning the Lands next adjoining to the Western End of the said Bridge hereby authorized to be erected, from constructing and making, above and below the said Bridge and near thereto,

thereto; One or more Quay or Quays, Wharf or Wharfs, for the Landing and Delivery of Goods, Wares, Merchandizes, and Commodities.

CXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, or diminish, alter or take away, any of the Rights, Powers, and Authorities vested in the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, or in the said Governor, Bailiffs, and Conservators of the *Bedford Level* Corporation, by virtue of an Act of Parliament made in the Fifteenth Year of the Reign of King *Charles* the Second, intituled *An Act for settling the draining of the Great Level of the Fens called Bedford Level*, or by any other Act, Statute, or Charter, Law of Sewers, or otherwise howsoever, but that all Rights, Powers, and Authorities which are now vested in the said Governor, Bailiffs, and Commonalty, or in the said Governor, Bailiffs, and Conservators, and in every or any of them, shall for ever hereafter remain, continue, and be in the said Governors, Bailiffs, and Commonalty, and in the said Governor, Bailiffs, and Conservators, and every of them, as fully and amply to all Intents and Purposes as if this Act had not been made.

Saving of the Rights of the Bedford Level Corporation.

CXXII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Burgesses of the Town of *Wisbech*, and their Capital Burgesses, and to all and every Bodies and Body Politic, Corporate, and Collegiate, Lords and Ladies, Lord and Lady of Manors or Manor, General Commissioners of the *North Level*, Part of the Great Level of the Fens called *Bedford Level*, or the Committee of Works of the said *North Level*, Commissioners of Sewers, Commissioners under District or other Acts or Act of Parliament heretofore passed for draining, improving, or preserving any Lands or Grounds, and to all and every other Persons and Person whomsoever, and to their, his, and her Heirs, Executors, Administrators, and Successors respectively, all Royalties, Franchises, Jurisdictions, Liberties, Privileges, Rights, Titles, and Interests whatsoever, which they, every or any of them, respectively could or ought to have had and enjoyed in or to or in respect of any Lands or Grounds hereby directed or authorized to be embanked, inclosed, or taken, as fully and effectually as if this Act had not been passed, except such as are by this Act expressed to be altered, abridged, barred, destroyed, or extinguished.

General Saving.

CXXIII. 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.

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The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. The letter is signed by James Buchanan and is addressed to the Senate and House of Representatives. The letter is a formal communication and is written in a formal, legalistic style. The letter is a copy of the original letter and is not a transcription. The letter is a copy of the original letter and is not a transcription.