



ANNO PRIMO

VICTORIÆ REGINÆ.

Cap. viii.

An Act to repeal an Act passed in the Forty-sixth Year of the Reign of His Majesty King *George* the Third, for improving the Navigation of the River *Ribble* in the County Palatine of *Lancaster*, and for the further Improvement of the Navigation of the said River. [9th *May* 1838.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for improving the Navigation of the River Ribble in the County Palatine of Lancaster*, whereby certain Persons therein named and referred to were united into a Company, and incorporated by the Name of "The Company of Proprietors of the Undertaking for the Improvement of the Navigation of the River *Ribble*," and were invested with certain Powers and Authorities for carrying on the Undertaking thereby authorized: And whereas the said Company of Proprietors have proceeded in the Execution of the Powers and Authorities given by the said recited Act, and have raised and expended for and towards the Purposes of the said recited Act the Sums of Money thereby authorized to be raised, together with other Sums of Money: And whereas the Navigation of the said River in the several Hamlets and Townships of *Preston, Penwortham, Howick, Hutton, Longton, Hesketh with Beconsall, Lea, Ashton, Ingol and Cottam, Clifton with Salwick, Newton with Scales, Freckleton, Warton,*
[*Local.*] U u and 46 G. 3. c. 121.

and *Lytham*, in the several Parishes of *Preston*, *Penwortham*, *Croston*, *Hesketh* with *Becconsall*, *Lytham*, and *Kirkham*, in the said County of *Lancaster*, is still very imperfect, and is capable of Improvement; and it would be of great public Utility and Advantage if the Navigation of the said River in the said Hamlets, Townships, and Parishes were improved, by deepening, altering, and enlarging the same, and the Bed and Beds thereof, and the Channel and Channels thereof: And whereas the several Persons herein-after named, with other Persons, are willing, at their own Expence, to improve the Navigation of the said River, and to render the same and the Navigation thereof more commodious and safe for the Passage of Ships and other Vessels; and it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the same cannot be carried into execution without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act the said recited Act shall be and the same is hereby repealed.

Recited Act
repealed.

The new
Company
incorporated.

II. And be it further enacted, That Sir *Thomas Dalrymple Hesketh* Baronet, *Lawrence Rawstorne* Esquire, *Robert Townley Parker* Esquire, the Reverend *Robert Mosley* Master Clerk, *James Starky* Esquire, *Robert Gregg Hopwood* Esquire, *Peter Patten Bold* Esquire, *Bold Fleetwood Hesketh* Esquire, *Rice Fellowe* Esquire, *James Nowell Farington* Esquire, *Joseph Hornby* Esquire, the Mayor for the Time being of the Borough of *Preston* in the County Palatine of *Lancaster* (being the Members and Shareholders of the said Company of Proprietors), and all other Persons and Corporations who have subscribed or who shall hereafter subscribe towards the Undertaking by this Act authorized, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for making, completing, maintaining, and carrying on the Improvement of the said Navigation and the other Works by this Act authorized to be made and executed according to the Provisions and Restrictions herein-after mentioned, and for that Purpose shall be One Body Corporate by the Name and Style of "The *Ribble* Navigation Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority to purchase and hold Lands, Tenements, and Hereditaments to them and their Successors and Assigns, for the Use of the Undertaking hereby authorized, without incurring any Penalties or Forfeitures whatsoever, and also shall have full Power to sell and dispose of the said Lands, Tenements, and Hereditaments in manner by this Act directed; and shall have and exercise all such other Powers and Authorities as are herein-after given or mentioned.

Name of the
new Com-
pany.

Rules for the
Interpre-
tation of this
Act.

III. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things, as well as one Person or
Thing,

Thing, and every Word importing the Plural Number only shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to Females as well as Males; and the Word "Lands" shall extend to and be understood to include Messuages, Lands, Tenements, and Hereditaments of any Tenure; and the Phrase "Company of Proprietors" shall be understood to mean the said Company of Proprietors of the Undertaking for the Improvement of the Navigation of the River *Ribble*; and the Word "Corporation" shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

IV. And be it further enacted, That it shall be lawful for the said *Ribble* Navigation Company, and their Deputies, Engineers, Contractors, Agents, Officers, Workmen, and Servants, and they are hereby respectively fully authorized and empowered, from Time to Time, as Occasion may be or require, to alter, vary, deepen, restrict, embank, cleanse, scour, dredge, cut, enlarge, diminish, contract, shorten, straighten, and improve the said River *Ribble*, and the Bed and Beds and Channel and Channels thereof for the Time being, and to render the same and the Navigation thereof respectively more commodious and safe for the Passage of Ships, Vessels, Lighters, Barges, Boats, and other Craft, beginning firstly at or near a certain Bridge over the said River *Ribble* between the Townships of *Preston* and *Penwortham*, both in the said County, called the North Union Railway Bridge, and running, passing, and continuing to the Sea Westward to a Point called the Naze, and marked Number 16. on the Plan deposited with the Clerk of the Peace for the County of *Lancaster*, on the North Side of the River *Ribble*, and the East Bank of the River *Douglas* on the South Side of the said River *Ribble*, through, into, between, or abutting upon the several Hamlets and Townships of *Preston*, *Penwortham*, *Howick*, *Hutton*, *Longton*, *Lea*, *Ashton*, *Ingol* and *Cottam*, *Clifton* with *Salwick*, *Newton* with *Scales*, and *Freckleton*, in the several Parishes of *Preston*, *Penwortham*, and *Kirkham* in the said County, or some of them; and, secondly, to deepen by dredging the said River *Ribble* and the Channel and Channels thereof thence Westward to the Sea between or abutting upon the several Hamlets and Townships of *Hesketh* with *Beconsall*, *Warton*, and *Lytham*, in the several Parishes of *Hesketh* with *Beconsall*, *Kirkham*, and *Lytham* in the said County, unto and into the Place where the said River *Ribble* for the Time being falls into the Sea; and also from Time to Time, as Occasion may be or require, to cut, dig, blast, and remove all Matters of Excavation and Debris lying within the said Boundaries of the tidal Bed of the said River *Ribble*, and take up, get, remove, and carry away any Rock, Stone, Earth, Clay, Soil, Sand, Gravel, Silt, Rubbish, Embankments, Banks, Projections, or other Obstructions whatsoever, which may now or at any future Time in any Way obstruct or impede the Navigation of the said River *Ribble* within its said Boundaries, or obstruct, hinder, impede, or prevent the altering, varying, deepening, restricting, embanking, cleansing, scouring, dredging, cutting, enlarging, diminishing, contracting, straightening, or improving the said River *Ribble*, or the Bed or Beds or the Chan-

Powers
granted to
the new
Company.

nel

nel or Channels thereof respectively for the Time being, to the Extent firstly and secondly herein-before authorized as aforesaid, or the rendering the same respectively more commodious or safe for the Passage of Ships, Vessels, Lighters, Barges, Boats, and other Craft as aforesaid between the said Bridge and the Place where the said River *Ribble* for the Time being falls into the Sea, or the carrying into effect the Purposes of this Act, or the Execution of any of the Powers hereby given, according to the true Intent and Meaning of this Act; and also from Time to Time, as Occasion may be or require, to lay and deposit upon such of the Marshes and Banks of and adjoining to the said River, and the Lands delineated on the Map or Plan and Section and mentioned in the Book of Reference herein-after referred to, as are set forth in the Schedule (A.) hereto annexed, at such Place and Places as may from Time to Time be found necessary, and to remove from the same Marshes, Banks, and Lands respectively all such Matters of Excavation and Debris as aforesaid, and also all such other Matters and Things as aforesaid, and also all Materials requisite for carrying into effect the Purposes of this Act, or in the Execution of any of the Powers hereby given, and also for any of the Purposes aforesaid, or for carrying into effect any of the Purposes of this Act, or executing any of the Powers hereby given from Time to Time, as Occasion may be or require, and to pass and repass with Horses, Carts, and Carriages in, over, upon, and along the said Marshes, Banks, and Lands respectively; and also to erect a Lighthouse or Lighthouses at the Entrance or upon the Course of the said River *Ribble* as herein-after mentioned, and to place Buoys, Perches, and other visible Marks or Signs of the Sea in and near the said Channel or Channels for the Time being, and in the Sea near the Place for the Time being where the said River *Ribble* falls into the Sea, and to alter, vary, and change the same and the Situation thereof respectively, and again to replace the same respectively as Occasion may be or require; and also to place and erect Landmarks and other visible Marks in, upon, and near the Banks of the said River *Ribble* and the Shores of the Sea near the Place where the said River *Ribble* for the Time being falls into the Sea, and to alter, vary, and change the same and the Situation thereof respectively, and again to replace the same respectively, and to repair, maintain, and preserve the same respectively as Occasion may be or require; and to do all such Acts, Matters, and Things as shall or may from Time to Time be deemed by the said *Ribble* Navigation Company necessary or expedient for the Purposes aforesaid, or any of them, according to the true Intent and Meaning of this Act, they the said *Ribble* Navigation Company, their Deputies, Engineers, Contractors, Officers, Agents, Workmen, and Servants doing as little Damage as may be in the Execution of the several Powers to them hereby given or granted, and the said *Ribble* Navigation Company making full Satisfaction in manner hereafter mentioned to all Persons and Corporations interested in any Lands which shall be used or injured for all Damage to be by them sustained in or by the Execution of all or any of the Powers hereby given or granted; and this Act shall be sufficient to indemnify the said *Ribble* Navigation Company, their Deputies, Engineers, Contractors, Officers, Agents, Workmen, and Servants, and all other Persons, for what they or any of them shall do by virtue of the Powers hereby given or granted, transferred or assigned, subject nevertheless to such Provisions as are

are herein-after mentioned : Provided always, that all Matters of Excavation and Debris, and all Rock, Stone, Earth, Clay, Soil, Sand, Gravel, Silt, Rubbish, Matters, and Things, got, obtained, or removed from or out of the said River *Ribble* under the Authority of this Act shall, when and so soon as the same respectively shall have been so got, obtained, or removed, be and become the Property of the said *Ribble* Navigation Company : Provided also, that in altering, varying, deepening, restricting, embanking, cleansing, scouring, dredging, cutting, enlarging, diminishing, contracting, shortening, straightening, and improving the said River *Ribble*, and the Bed and Beds and Channel and Channels thereof for the Time being as aforesaid, the said *Ribble* Navigation Company shall only take or use such Lands as are within the ordinary High-water Marks of Spring Tides.

V. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said *Ribble* Navigation Company to do or execute any Matter or Thing whatever by virtue of this Act to interrupt or lessen the free and ready Access from the said River *Ribble* to and from a certain Pool called *Freckleton Pool* on the North Side of the said River *Ribble*, any thing herein contained to the contrary thereof in anywise notwithstanding.

For preserv-
ing the free
Access to and
from Freckle-
ton Pool.

VI. And be it further enacted, That the said *Ribble* Navigation Company, One Week at least before using as aforesaid any of the said Marshes, Banks, and Lands (above High-water Mark of Spring Tides) mentioned in the Schedule (A.) to this Act annexed, shall give Notice in Writing or in Print, or partly in Writing and partly in Print, of their Intention to use the same to the Owners or Occupiers thereof respectively, which Notice shall specify the probable Quantity of Land wanted, and the probable Period during which it may be wanted, for the Purposes of this Act; and that the said *Ribble* Navigation Company shall, before using any of the said Marshes, Banks, and Lands as aforesaid, stake out the Quantity or Quantities of Land which they shall want or intend to use as aforesaid.

Company to
give Notice
of their In-
tention to
use Lands,
and to stake
out Lands
wanted.

VII. And whereas a Map or Plan and Section showing the Nature and Extent of the intended Improvements of the said River and the Lands which it may be requisite for the said *Ribble* Navigation Company to use for the Purposes of this Act, and which are mentioned in the Schedule (A.) hereunto annexed, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands, have been deposited in the Office of the Clerk of the Peace for the County Palatine of *Lancaster*; be it therefore enacted, That the said Map or Plan and Section and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons interested in any Manner in such Lands shall at all reasonable Times have Liberty to inspect and peruse the said Map or Plan and Section and Book of Reference, and to have Copies thereof or Extracts therefrom at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and for furnishing Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Section and Book of Reference, or any Copy

Book of
Reference
and Plan to
be deposited
with the
Clerk of the
Peace of the
County of
Lancaster.

[Local.]

X x

thereof

thereof or Extract therefrom (such Copy or Extract being certified to be a true Copy or Extract by the said Clerk of the Peace, or his lawful Deputy), shall be good Evidence in all Courts and elsewhere.

Unintentional Errors in Plan and Book of Reference not to prevent Execution of Act.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said *Ribble* Navigation Company to use the Premises so delineated in the said Map or Plan and Section, although such Lands or any of them, or the Situation thereof respectively, or the Names thereof, or of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the said Book of Reference, if it shall appear to any Two or more of Her Majesty's Justices of the Peace acting for the County Palatine of *Lancaster*, not interested in the Undertaking hereby authorized, in case of Dispute about the same (to be certified by Writing under their Hands), that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said County.

No Houses, Gardens, &c. to be taken or used without Consent but those included in the Schedule (A.)

IX. Provided always, and be it further enacted, That nothing herein contained shall authorize the said *Ribble* Navigation Company, or any Person acting under their Authority, to use, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the Thirtieth Day of *November* last, or any Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees (except such Houses, Buildings, or Grounds as are mentioned in the Schedule (A.) hereunto annexed), without the previous Consent in Writing of the Owner and Occupier thereof respectively.

Company not to deviate from the Plan.

X. And be it further enacted, That the said *Ribble* Navigation Company, in making and executing the Works hereby authorized, shall not extend beyond the Lands mentioned or described in the said Map or Plan and Section and Book of Reference.

As to Satisfaction for Damage done by the Company.

XI. And be it further enacted, That the said *Ribble* Navigation Company may agree to give and pay, and may, subject to such Restrictions as are in this Act contained as to the Payment thereof, give and pay, and all Corporations, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act, in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics,

Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in, and for all other Persons whomsoever seised or possessed of or interested in, and for all Owners and Occupiers of any Lands to be used under the Authority of this Act, may agree to accept and receive, and may, subject to such Restrictions as are in this Act contained as to the Payment thereof, accept and receive Satisfaction or Recompence and Compensation for any Damage by them sustained by reason of the Execution of any of the Works by this Act authorized, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations, Persons, or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners (including Persons hereby capacitated as aforesaid) and Occupiers respectively and the said *Ribble* Navigation Company; and in case the said *Ribble* Navigation Company and such Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after is directed.

XII. And for settling all Differences which may arise between the said *Ribble* Navigation Company and the several Owners and Occupiers of or Persons or Corporations interested in any Lands which shall or may be used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted or transferred or assigned; be it further enacted, That if any Corporation, Trustee, or other Person, so interested or entitled and capacitated to agree as aforesaid, shall not agree with the said *Ribble* Navigation Company as to the Amount of such Satisfaction, Recompence, or other Compensation as aforesaid, or if any of the Parties entitled to receive such Satisfaction, Recompence, or other Compensation as aforesaid shall refuse to accept such Satisfaction, Recompence, or other Compensation as aforesaid as shall be offered by the said *Ribble* Navigation Company, and shall give Notice thereof in Writing to the said *Ribble* Navigation Company within Twenty-one Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury; or if any such Parties as aforesaid shall, for the Space of One Calendar Month next after Notice in Writing shall have been given to the Clerk, Agent, or some Officer of any such Corporation, or at the Office or Place of Business of such Corporation, or to any of such Trustees or Persons respectively, or left at his last usual or last known Place of Abode, neglect or refuse to treat, or shall not agree with the said *Ribble* Navigation Company, for the Amount of such Satisfaction, Recompence, or Compensation as aforesaid, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability, whether provided for by this Act or not, be incapable of making such Agreement as aforesaid, or shall not disclose and prove the State of the Title to the Premises of which they respectively may be in Possession and claim to be entitled unto or interested in, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of this Act cannot be made; then

In case the Parties refuse or are incapable to treat, the Value of Land and of Damages to be settled by a Jury.

then and in every such Case the said *Ribble* Navigation Company shall and they are hereby required from Time to Time to issue a Warrant, either under their Common Seal or under the Hands and Seals of Three at least of the Directors of the said *Ribble* Navigation Company, to the Sheriff of the County Palatine of *Lancaster*, or in case such Sheriff or Under Sheriff shall be one of the said *Ribble* Navigation Company, or enjoy any Office of Trust or Profit under them, or shall be in any Way interested in the Matter in question, then to any of the Coroners of the said County not interested as aforesaid, or if all the Coroners shall be so interested, then to some Person then living in the said County and free from personal Disability, who shall have filled the Office of Sheriff or Coroner in the said County, and not be interested as aforesaid, (a Person having more recently served either Office being always preferred, and who is hereby enabled and directed to act in the Premises,) commanding such Sheriff or Coroner or other Person to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impanel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster* or at *Nisi Prius*; and the Persons so to be impanelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impanelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* or at *Nisi Prius* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or others that can be speedily procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, and other Person is hereby empowered and required, on Requisition in Writing by either Party, to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may authorize or order the said Jury, or any Six or more of them, to view the Place or Matter in controversy; and such Jury shall upon their Oaths, or, being Quakers or Separatists, upon their Affirmations, (which Oaths and Affirmations, as well as the Oaths and Affirmations of all such Persons as shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess, and give a Verdict for the Sum of Money to be paid by way of Satisfaction, Recompence, or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future, temporary, or perpetual, or for any recurring Damages to be so done

or

or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Company; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Satisfaction, Recompence, or Compensation as shall be assessed by such Jury: Provided always, that in such Inquiry the Corporation or Persons claiming Compensation shall be Plaintiffs, and shall have all such Rights and Privileges as Plaintiffs in Actions at Law are entitled to: Provided also, that not less than Fourteen Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said *Ribble* Navigation Company to the Party with whom any such Controversy shall arise, either by delivering such Notice to such Party, or by leaving the same at his usual or last known Place of Abode, or with the Clerk or Agent or principal Officer of the Corporation, or at the Office or Place of Business of such Corporation.

XIII. And be it further enacted, That in case any Difference shall arise between the said *Ribble* Navigation Company and any of the Owners or Occupiers of the Property to be used or injured for the Purposes of this Act as to the Amount or Value of the Damages done by the said *Ribble* Navigation Company, their Agents or Workmen, to such Property in the Execution of any of the Powers of the said recited Act or this Act, and such Differences cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damages claimed does not exceed Twenty Pounds, be ascertained and settled by some Two or more Justices of the Peace for the said County Palatine of *Lancaster* not interested in the Matter in dispute, and not being Members of the said *Ribble* Navigation Company, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter of Dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said *Ribble* Navigation Company.

For settling Disputes as to Damages to a small Amount.

XIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Satisfaction, Recompence, or Compensation under this Act which any Corporation, Tenant for Life or in Tail, Husband, Guardian, Trustee, or Feoffee in Trust, Committee, Executor, or Administrator, Feme Covert, or any Person whosoever for or on behalf of any Wife or Ward, Idiot, Lunatic, Cestuique Trust, whether Infants, Issue unborn, Femmes Covert, or any Person whosoever, whose Lands are limited in strict Settlement, or any Person under any Disability or Incapacity, shall be entitled to, interested in, or capacitated to agree for, accept, or receive, 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 there, *ex parte* "The *Ribble* Navigation Company," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the*

Application of Compensation Money amounting to 200*l.*

1 G. 4. c. 35.

[*Local.*]

Y y

Appoint-

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; and shall, when so paid in, there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the Lands in respect whereof such Money shall be paid, be applied either in the Purchase or Redemption of the Land Tax, in or towards the Discharge of any Debt, or other Incumbrances, affecting such Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize or order; or until the same shall, upon the like Application, be laid out, by Order of the said Court made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands which shall be so used as aforesaid, or in respect of which such Satisfaction, Recompence, or Compensation shall be paid, stood limited or settled, 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 can be made, the said Money may, by Order of the said Court, 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 such Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled.

Application
when less
than 200l.
and exceed-
ing 20l.

XV. Provided always, and be it further enacted, That if any Money agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands in respect of Injury to which such Money shall be awarded or agreed to be paid, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiocy, or other Incapacity, with the Approbation of the said *Ribble* Navigation Company signified in Writing under the Hand of Three at least of the Directors of the said *Ribble* Navigation Company, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation of Two Trustees to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said *Ribble* Navigation Company), and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties and Three at least of the Directors of the said *Ribble* Navigation Company; and the Money to be paid to such Trustees, and the Dividends and
Produce

Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

XVI. Provided also, and be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before is mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect of which such Satisfaction, Recompence, or Compensation shall be paid, for their own Use and Benefit, or in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid for their Use and Benefit to their respective Husbands, Guardians, Committees, or Trustees.

Application when not exceeding 20l.

XVII. And be it further enacted, That in case any Party to whom any Money shall be agreed or awarded to be paid for Satisfaction, Recompence, or Compensation as aforesaid shall refuse to accept the same, or cannot be found, or shall be absent from *England*, or shall refuse, neglect, or be unable to make a Title to the Satisfaction of the said *Ribble* Navigation Company for the Purposes of this Act to the Lands, Rights, or Interest for or in respect whereof such Money, Satisfaction, Recompence, or Compensation shall be agreed or awarded to be paid, or shall not be shown to the Satisfaction of the said *Ribble* Navigation Company to be the Party entitled to such Satisfaction, Compensation, or Recompence, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said *Ribble* Navigation Company to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands (describing them as far as the said *Ribble* Navigation Company can do), subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money, or to any Part thereof, by Petition, is hereby empowered, in a summary Way of proceeding, or otherwise as to such Court shall seem meet, and to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the Estate or Interest of the Party making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Company, or to any Person or to any Party paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

In case of disputed Titles, the Money to be paid into the Bank of England.

XVIII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to settle

Compensation to be apportioned

between
particular
Interests.

settle what Shares and Proportions of the Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person having a particular Term or Interest in the Premises for his Interest therein.

Verdicts to
be recorded.

XIX. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the said County Palatine of *Lancaster* among the Records of the Quarter Sessions of the said County, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever and elsewhere; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and also to take or make Copies thereof, paying for every Copy after the Rate of Sixpence for every One hundred Words.

Penalty upon
Sheriffs,
Jurors, or
Witnesses
making De-
fault.

XX. And be it further enacted, That if any such Sheriff or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker or Separatist to make Affirmation, or shall refuse to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Expences, or appearing shall refuse to be sworn, or being a Quaker or Separatist to make Affirmation, or to give Evidence, every Person so offending, having no reasonable Excuse, to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person so presiding as aforesaid, shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; all which said Penalties and Forfeitures shall and may be levied, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County Palatine of *Lancaster*, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty and the Charges and Expences of such Distress and Sale shall have been deducted.

Jurors to be
under the
same Regula-
tions as those
of the Super-
ior Courts at
Westminster.

XXI. And be it further enacted, That every such Jury and Jurymen as aforesaid shall also be subject to the same Regulations, Pains, and Penalties as if such Jury and Jurymen had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster*; and all Persons who in any Examination to be taken by virtue of this Act upon their Oath, or being Quakers or Separatists upon their Affirmation, shall wilfully and corruptly give false Evidence before any Jury, Sheriff or Under Sheriff, Coroner, or other Person, or before any Justice of the Peace, acting as such in
the

the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to the Pains and Penalties to which Persons guilty of wilful Perjury shall or may be by Law subject.

XXII. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or for a greater Sum than shall have been previously offered by the said *Ribble* Navigation Company as Compensation or Satisfaction for any Damage or Loss which may happen or arise in the Execution of any of the Powers hereby granted, all Costs, Charges, and Expences of summoning and impannelling such Jury and Witnesses, and the Expences of the Bond to be given by the Party requiring such Jury, as herein-after mentioned, and of the Inquisition and Verdict and Judgment thereon, or in anywise consequent on or incident to the same, shall be defrayed by the said *Ribble* Navigation Company; and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person so presiding as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the said Party entitled to receive the same within Seven Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said *Ribble* Navigation Company, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County Palatine of *Lancaster*, not interested in the Matter in question, and not being a Member of the said *Ribble* Navigation Company; which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by the said *Ribble* Navigation Company, one Moiety of the said Costs, Charges, and Expences, including the Costs of the Bond so to be given as in this Act mentioned, shall be defrayed by the Party with whom the said *Ribble* Navigation Company shall have such Controversy or Dispute, and the Remainder shall be defrayed by the said *Ribble* Navigation Company; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money adjudged to be paid to such other Party as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of the Money so adjudged shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in Cases in which by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Costs, Charges, and Expences shall be borne and paid by the said *Ribble* Navigation Company.

Expences of Jury how to be paid.

XXIII. And be it further enacted, That the said *Ribble* Navigation Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, without Consent of the said *Ribble* Navigation Company

[*Local.*]

Z z

Navigation

Notice of Injury to be given to the Company before Complaint.

Navigation Company, to receive or take notice of any Complaint to be made by any Party for any Loss or Injury by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing by or on behalf of the Corporation or Person making such Complaint, stating the Nature, Extent, and Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said *Ribble* Navigation Company Fourteen Days before the summoning of such Jury, and within the Space of Six Calendar Months after the Time of such supposed Loss or Injury having been sustained, or in the Case of a continuing Loss or Injury after the doing or committing thereof shall have ceased.

Persons requesting Juries to enter into Bonds to prosecute and to pay Expences.

XXIV. And be it further enacted, That all Parties with whom the said *Ribble* Navigation Company shall have any such Dispute respecting any Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Company shall be obliged to issue their Warrant for the summoning of such Jury, enter into a Bond to the said *Ribble* Navigation Company in a Penalty of Two hundred Pounds to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning and returning such Jury and taking such Verdict, and of the summoning and Attendance of such Witnesses, in case any Part of such Costs and Expences shall fall upon them.

Persons holding Under-leases to produce the same.

XXV. Provided always, and be it further enacted, That in all Cases in which any Party shall claim any Satisfaction, Recompence, or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Lands intended to be used under the Authority of this Act, under or by virtue of any Demise, Lease, or Agreement for Lease, or Grant thereof, the said *Ribble* Navigation Company are hereby authorized to require such Party to produce or show the said Lease or Agreement for Lease, Demise, or Grant in respect of which such Claim to Satisfaction, Recompence, and Compensation shall be made, or the best Evidence thereof in his Power; and if such Lease or Agreement for Lease, Demise, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Three Calendar Months after Demand being given by the said *Ribble* Navigation Company, made by the Clerk of the said Company, or any Person by him authorized, the Party claiming such Satisfaction, Recompence, or Compensation shall be considered and treated as a Tenant holding only from Year to Year.

Persons in Possession or Receipt of Rents presumptively entitled.

XXVI. Provided always, and be it further enacted, That where any Question shall arise in reference to the Provisions aforesaid, or otherwise upon this Act, touching the Title of any Party to any Lands, or to any Interest in any Lands, or to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for Satisfaction, Recompence, or Compensation as aforesaid, or to any Annuities or Securities to be purchased with any such Money

Money as herein mentioned, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in Possession or Receipt of the Rents or Profits of such Lands at the Time of the Agreement for or Award of such Satisfaction, Compensation, or Recompence as aforesaid, and all Corporations or Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been fully entitled to such Lands according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be applied and disposed of accordingly.

XXVII. And be it further enacted, That where, by reason of any Disability or Incapacity of any Party entitled to any Lands to be used under the Authority of this Act, in respect of which any Satisfaction, Recompence, or Compensation shall be payable under the Authority of this Act, or by reason of such Party being unborn, the Money paid for such Satisfaction, Recompence, or Compensation shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court to order the Costs, Charges, and Expences of any such using of Land under the Provisions of this Act, or incident thereto, or which may be incurred in consequence thereof, and also the Costs, Charges, and Expences of the Investment of such Compensation Money in Government or Real Securities, and of the Re-investment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands or Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders and of all other Proceedings for such Purposes, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for Payment out of Court of the Principal of such Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said *Ribble* Navigation Company out of the Monies to be received by virtue of this Act; and the said Company shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct.

The Court may order reasonable Expences in certain Cases to be paid.

XXVIII. And be it further enacted, That all the Costs, Charges, and Expences of deducing, evidencing, and verifying such Title as the said *Ribble* Navigation Company may require to the Lands to be used under the Authority of this Act, and of making out and furnishing of such Abstracts and such attested Copies as the said *Ribble* Navigation Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, and of the Title and Conveyance of such outstanding Terms and Estates as the said *Ribble* Navigation Company may require to be called in or conveyed, shall be exclusively borne and paid by the said *Ribble* Navigation Company; and the said *Ribble* Navigation Company before using such Lands shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the

Expences of deducing Titles to be paid by the Company.

the Party whose Lands shall be so used: Provided always, that the said *Ribble* Navigation Company shall not be prevented from entering into Possession of the Lands so to be used by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been made, unless the Party whose Lands shall be required to be used shall, within Seven Days after Notice in Writing for that Purpose shall have been given to him by the said *Ribble* Navigation Company, deliver a Bill of his said Costs, Charges, and Expences to the said *Ribble* Navigation Company.

How such
Expences are
to be ascer-
tained.

XXIX. And be it further enacted, That if the said *Ribble* Navigation Company and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said *Ribble* Navigation Company, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court, to be taxed in the usual Manner; and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation it shall be lawful for the said Court to order and direct the Amount of such Charges and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said *Ribble* Navigation Company to the Person whose Lands shall be so required to be used, to be paid to the Person or Persons aforesaid: Provided always, that the said *Ribble* Navigation Company shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and shall have been served on the Party aforesaid, who shall be at liberty to proceed under the same, and the said *Ribble* Navigation Company shall have deposited in the Bank of *England*, in the Name of the Accountant General of the said Court of Exchequer, to be placed to his Account there, *ex parte* "The *Ribble* Navigation Company," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, the Amount claimed for such Costs, Charges, and Expences, which Sums shall be applied, under the Order of the said Court, in payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said *Ribble* Navigation Company, unless the Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Person whose Lands shall be so required to be used, and the Amount thereof may then be paid by the said *Ribble* Navigation Company out of the Sum so deposited by them as aforesaid.

Parties to
deliver a
Statement
of their
Interests

XXX. And be it further enacted, That on or before the Expiration of Three Calendar Months next after Notice in Writing from the said *Ribble* Navigation Company or their Agents duly authorized, stating their Intention to use any Lands or any Part thereof for the Purpose
of

of this Act, shall have been given to any Person or Corporation and Claims seised, possessed, or interested in, or authorized by this Act to accept within Three and receive Satisfaction and Compensation for the Value for the Calendar Months after Notice. the same, or any Estate, Share, or Interest therein or Charge thereon, or for any Injury or Damage sustained on account of the Execution of this Act, such Person or Corporation shall deliver or cause to be delivered at the Office of the said *Ribble* Navigation Company a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he, she, or they claim to be entitled to, or to be authorized to receive Satisfaction and Compensation for, and of the Injury or Damage sustained by him, her, or them, and of the Amount of the Sum of Money which he, she, or they may expect and be willing to receive in satisfaction and compensation for such Injury or Damage respectively.

XXXI. And whereas the probable Expence of making and completing the Works hereby authorized will amount to the Sum of Forty-one thousand eight hundred Pounds, Four Fifth Parts whereof have already been subscribed for by several Persons under a Contract, binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them respectively subscribed; be it therefore enacted, That the whole of the said Sum of Forty-one thousand eight hundred Pounds shall be subscribed for in like Manner before any of the Powers given by this Act shall be put in force. Compulsory Powers of the Act not to be put in force until the whole Capital is subscribed.

XXXII. Provided always, and be it further enacted, That a Certificate under the Hand and Seal of any Justice of the Peace for the said County Palatine of *Lancaster*, that the whole of the said Sum of Forty-one thousand eight hundred Pounds hath been subscribed for as aforesaid, which Certificate such Justice is hereby authorized to grant, upon Application made to him by the said *Ribble* Navigation Company, on sufficient Proof being produced that such Agreement is made and entered into, shall for all Purposes whatsoever be conclusive Evidence that the whole of the said Sum of Forty-one thousand eight hundred Pounds has been subscribed for. What shall be Evidence of the whole Capital being subscribed.

XXXIII. And whereas the Capital Stock of the said Company of Proprietors is held in and divided into Forty-one Shares, of which the said Sir *Thomas Dalrymple Hesketh* Baronet is the Proprietor of Three, the said *Lawrence Rawstorne* of Seven, the said *Robert Townley Parker* and *Robert Mosley Master* of Five, the said *James Starky* and *Robert Gregg Hopwood* of Nine, the said *Peter Patten Bold* of Four, the said *Bold Fleetwood Hesketh* of Four, the said *Rice Fellowe* of Three, the said *James Nowell Farington* of Three, the said *Joseph Hornby* of Two, and the said Mayor for the Time being of the Borough of *Preston* of One, and each of the said Shares has been valued at the Sum of Two hundred Pounds; be it further enacted, That it shall be lawful for the said *Ribble* Navigation Company to raise amongst themselves any Sum of Money for the Purposes of this Act, not exceeding in the whole the Sum of Forty-one thousand eight hundred Pounds, and that the Capital Stock of the said *Ribble* Navigation Company shall consist of the said Sum of Forty-one thousand eight hundred Pounds. Proprietors of Shares in the old Company. The new Company to raise for the Undertaking a Sum not exceeding 41,800*l.*

[Local.]

3 A

eight

which with 8,200*l.*, the Value of Shares in the old Company, to be the Capital, and to be divided into Shares of 50*l.* each.

eight hundred Pounds, and of the Sum of Eight thousand two hundred Pounds, being the aggregate Value of the said Shares, making together the Sum of Fifty thousand Pounds, which said last-mentioned Sum of Fifty thousand Pounds shall be divided into One thousand Shares of Fifty Pounds each, to be numbered in arithmetical Progression, beginning with Number One, and every such Share shall be distinguished by the Number applied to the same; and the said Shares shall be and are hereby vested in the several Persons taking the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their proper Use and Benefit, proportionably to the Sum they shall severally contribute; and all Corporations and Persons, and their several and respective Executors, Administrators, and Assigns, who have subscribed or shall severally subscribe for One or more Share or Shares, or such Sum or Sums of Money as shall be demanded in lieu thereof towards the Undertaking hereby authorized, and other the Purposes of the said Subscription, shall be entitled to and shall receive in proportionable Parts, according to the respective Sums so by them respectively paid, the net Profits and Advantages which shall arise or accrue from the Estates, Tolls, Dues, and other Sums of Money to be received by the said *Ribble* Navigation Company as and when the same shall be divided by the Authority of this Act, but shall not be liable in any Event for any larger or other Sum than what has been or shall be so respectively subscribed by each of them as aforesaid.

A Proprietor of a Share in the old Company to be deemed a Proprietor of Four Shares in the new Company.

XXXIV. Provided always, and be it further enacted, That each and every Person, a Proprietor of a Share or Shares in the Undertaking authorized by the said recited Act, shall be deemed and taken to be and is hereby declared to be to all Intents and Purposes whatsoever a Proprietor of Four Shares in the Undertaking hereby authorized in respect of each and every One Share in the Undertaking authorized by the said recited Act whereof each and every such Person is a Proprietor, and shall to all Intents and Purposes be deemed and taken and is hereby declared to have subscribed, advanced, and paid Four Sums of Fifty Pounds for and towards the Undertaking hereby authorized and the Purposes of this Act, and shall be entitled to and shall receive in proportionable Parts, according to the respective Sums herein-before directed to be deemed and taken to have been subscribed, advanced, and paid by them, the net Profits and Advantages which shall arise or accrue from or by the Rates, Tolls, Dues, and other Sums of Money to be received by the said *Ribble* Navigation Company as and when the same shall be divided by the Authority of this Act, and shall to all Intents and Purposes and in all respects stand and be upon the same and the like Footing with the Proprietors of any other Shares in the Undertaking hereby authorized.

Shares to be Personal Estate.

XXXV. And be it further enacted, That all Shares and Proportions of and in the Undertaking hereby authorized, or the Joint Stock or Fund of the said *Ribble* Navigation Company, shall to all Intents and Purposes be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

XXXVI. And

XXXVI. And be it further enacted, That it shall be lawful for the several Proprietors for the Time being of the Undertaking hereby authorized, and they are hereby authorized, whether before or after any Call or Calls shall have been paid by them respectively in respect of any Shares held by them respectively, to pay in advance, in case the Directors shall think proper to accept the same (which they are hereby authorized to do), to such Person as the said Directors shall appoint, the respective Sums of Money by them respectively subscribed for, or such Part or Proportion thereof as shall be wanting (over and above the Amount of any Sum actually paid in respect of such Shares) to make up the full Sum of Fifty Pounds in respect of each such Share; and the said *Ribble* Navigation Company shall and they are hereby required to pay Interest at such Rate, not exceeding the Rate of Four Pounds for every One hundred Pounds by the Year, upon the Principal Monies which shall have been so paid in advance, or for so much thereof as shall from Time to Time exceed the Amount of the Calls which shall have been made upon the Shares in respect of which such Money shall have been paid in advance, and the Directors for the Time being of the said *Ribble* Navigation Company shall agree upon.

Subscriptions may be paid in advance.

Interest to be paid on the Amount in advance.

XXXVII. And be it further enacted, That the said *Ribble* Navigation Company shall and they are hereby required from Time to Time to cause the Names of the several Corporations, and the Names and Additions and Places of Abode of the several Persons, who shall be from Time to Time respectively entitled to Shares in the said Undertaking, with the Number of Shares which they are respectively entitled to, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by the Secretary or Clerk of the said *Ribble* Navigation Company; and every Proprietor of the said Undertaking, or, in the Case of a Corporation, their Clerk or Agent duly appointed, may at all convenient Times have recourse to and peruse the same *gratis*, and may demand and have Copies thereof or of any Part thereof, paying to the Clerk of the said *Ribble* Navigation Company at and after the Rate of Sixpence for every One hundred Words so to be copied; and if any such Clerk shall refuse to permit any such Proprietor or Agent as aforesaid to peruse such Books at all convenient Times, or refuse to make such Copy within a reasonable Period at the Rate aforesaid, he shall for every such Offence forfeit and pay the Sum of Five Pounds for the Benefit of the said Undertaking; and the said *Ribble* Navigation Company shall from Time to Time cause a Certificate or Ticket, with the Common Seal of the said *Ribble* Navigation Company affixed thereto, to be delivered to every such Proprietor on Demand, specifying the Share or Shares to which he is entitled in the said Undertaking, such Proprietor paying to the Clerk of the said *Ribble* Navigation Company the Sum of Two Shillings and Sixpence, and no more, for every such Certificate and Ticket; and such Certificate or Ticket shall be admitted in all Courts whatsoever as *primâ facie* Evidence of the Title of such respective Proprietors, their Successors, Executors, Administrators, or Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Ticket shall not hinder or prevent the

Names and Additions of Proprietors to be entered in a Book.

the Proprietor of any of the said Shares from selling or disposing thereof; and such Certificate or Ticket may be in the Words or to the Effect following; (that is to say,)

Form of
Certificate.

‘ The *Ribble* Navigation Company.

‘ Number
‘ THESE are to certify, That *A. B.* of _____ is the
‘ Proprietor of the Share [or Shares], Number _____ of the
‘ *Ribble* Navigation Company, subject to the Rules, Regulations, and
‘ Orders of the said Company. Given under the Common Seal of
‘ the said Company the _____ Day of
‘ in the Year of our Lord _____
‘ Entered _____

For granting
new Certifi-
cates when
old ones are
destroyed or
worn out.

XXXVIII. And be it further enacted, That if any such Certificate or Ticket as aforesaid shall be worn out, damaged, lost, or destroyed, then (upon due Proof thereof to the Satisfaction of the Clerk of the said *Ribble* Navigation Company) a similar Certificate or Ticket shall be given to the Proprietor of the Share in respect whereof the Certificate or Ticket so worn out, damaged, lost, or destroyed was granted, the said Clerk receiving for every such Certificate or Ticket which shall be so given or exchanged the Sum of Two Shillings and Sixpence, and no more.

For ascer-
taining the
Proprietor-
ship of Shares
in certain
Cases, in
order to the
Payment of
Dividends.

XXIX. And whereas by the Deaths of or by any other Events happening to Proprietors, or by the Marriage of Female Proprietors of Shares in the Undertaking hereby authorized, it may be difficult to ascertain to whom such Shares or the Dividends arising or becoming due upon such Shares may belong or ought to be paid; be it therefore enacted, That in all Cases when the Right of Property in any Share in the said Undertaking shall pass from any Proprietor thereof to any other Person or Corporation by any other legal Means than by a Transfer or Conveyance thereof duly made and executed as hereinafter directed, a Declaration in Writing, in the Form, or as near thereto as the Circumstances of the Case will permit, prescribed in the Schedule to an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled ‘ An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits,’* shall be made by some credible Person before some Master or Master Extraordinary in the High Court of Chancery, or any of Her Majesty’s Justices of the Peace, stating the Manner in which such Share hath passed to such other Person or Corporation; and such Declaration shall be transmitted to the Secretary of the said Company, who shall thereupon enter and register the Name of every such new Proprietor in the Register Book or List of Proprietors of the said *Ribble* Navigation Company, and he shall be entitled to receive for each such Entry, as is herein-before directed, the Sum of Two Shillings and Sixpence, and no more; and the said *Ribble* Navigation Company shall not be bound to see to the Execution of any Trust, whether express or constructive,

5 & 6 W. 4.
§. 62.

structive, to which any such Share or Shares shall be subject or liable; and before such Declaration shall have been transmitted, and such Entry made as aforesaid, no Person or Corporation to whom any such Share shall have passed as aforesaid shall be entitled to receive any Part of the Profits of the said Undertaking, or to vote or exercise any of the Privileges of a Proprietor in respect of such Share: Provided always, that before any Person who shall claim any Part of the Profits of the said Undertaking by right of Marriage with any Female Proprietor shall be entitled to receive the same, or to vote or to exercise any of the Privileges of a Proprietor in respect of any Share so claimed, a Declaration pursuant to the said Act of the Sixth Year of His late Majesty's Reign, containing a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, and identifying the Wife as the Proprietor of the Share in respect whereof any such Claim may be made, shall be made by some credible Person before some Master or Master Extraordinary in the High Court of Chancery, or any of Her Majesty's Justices of the Peace, and shall be transmitted to the Secretary of the said *Ribble* Navigation Company, who shall file the same, and make an Entry thereof in the Book which shall be kept for the Entry of Transfers or Sales of Shares in the said Undertaking; and before any Person or Corporation who shall claim any of the Profits of the said Undertaking by virtue of any Bequest or Will or in the course of Administration shall be entitled to receive the same, or to vote or to exercise any of the Privileges of a Proprietor in respect of any Share so claimed, the said Will, or the Probate thereof, or the Letters of Administration, or an Office Copy of such Will or Letters of Administration, shall be produced and shown to the said *Ribble* Navigation Company.

XL. And be it further enacted, That the Directors of the said *Ribble* Navigation Company shall have full Power and Authority from Time to Time to make such Calls of Money from the several Subscribers to and Proprietors for the Time being of the said Undertaking hereby authorized, not exceeding in the whole, including the Sum already paid in respect of such Shares, the Sum of Fifty Pounds on each Share, as they shall from Time to Time find necessary for the Purposes of the said *Ribble* Navigation Company, so that no such Call shall exceed the Sum of Ten Pounds upon each Share in the said Undertaking, and there shall be an Interval of Three Calendar Months at least between every Two successive Calls; and such several Sums of Money so to be called for shall be paid into such Bank, or to such Person, and at such Time and Place and in such Manner, as the said Directors shall from Time to Time order and appoint, of which Time and Place Twenty-one Days Notice at the least shall be previously given by Advertisement under the Hand of the Secretary or Clerk for the Time being of the said *Ribble* Navigation Company, and inserted in Two or more of the daily *London* Newspapers, and also in One or more Newspaper or Newspapers usually circulated in the said County Palatine of *Lancaster*. Power to
make Calls.

XLI. And be it further enacted, That the several Parties who have subscribed or who shall hereafter subscribe for or towards the Undertaking Subscribers
to pay Calls.

[Local.]

3 B

taking

taking hereby authorized, and every Proprietor of any Share in the said Undertaking, shall pay, and they are hereby required to pay the respective Sums of Money by them respectively subscribed for, or such Parts or Proportions thereof as shall from Time to Time be called for by the Directors by virtue and pursuant to the Powers and Authorities of this Act, to such Persons and at such Times and Places as the Directors shall from Time to Time in manner hereinbefore mentioned order and appoint; and if any Proprietor of any such Share shall refuse or neglect to pay his rateable Proportion of the Money so to be called for at such Time and in such Manner as aforesaid, then and in such Case, and so often as the same shall happen, such Proprietor shall, if required, pay Interest for the same after the Rate of Five Pounds *per Centum per Annum* from the Day appointed for the Payment thereof up to the Time when the same shall be actually paid; and if any Proprietor of any such Share shall neglect or refuse to pay such his rateable Proportion, together with Interest, if any, accruing for the same, for the Space of One Calendar Month next after the Day appointed for the Payment thereof as aforesaid, then it shall be lawful for the said *Ribble* Navigation Company to sue for and recover the same, with full Costs of Suit, in any of Her Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, nor more than One Imparlance, shall be allowed.

Proceedings
and Evidence
in Actions
for Calls.

XLII. And be it further enacted, That in any Action to be brought by the said *Ribble* Navigation Company against any Proprietor of any Share in the Undertaking hereby authorized, to recover any Money due and payable to the said *Ribble* Navigation Company for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said *Ribble* Navigation Company to declare and allege that the Defendant, being a Proprietor of so many Shares in the said Undertaking, is indebted to the said *Ribble* Navigation Company in such Sum of Money as the Calls in arrear shall amount to for so many Calls of such Sums of Money upon so many Shares belonging to the Defendant, whereby an Action hath accrued to the said *Ribble* Navigation Company by virtue of this Act, without setting forth the special Matters; and on the Trial of such Action it shall be only necessary to prove that the Defendant at the Time of making such respective Calls was a Proprietor of such Shares in the said Undertaking as such Action is brought in respect of, and that such Calls were in fact made, and that Notice thereof was given as is directed by this Act, without proving the Appointment of the Directors who made such Call, or any other Matter whatsoever; and the said *Ribble* Navigation Company shall thereupon be entitled to recover what shall appear due, including Interest computed as aforesaid, in respect of such Calls, unless it shall appear that any such Call exceeds Ten Pounds for every Share of Fifty Pounds, or was made within the Space of Three Calendar Months from the last preceding Call, or that Calls amounting to more than Twenty-five Pounds in the whole for each Share had been made in some one Year; and in order to prove that such Defendant was a Proprietor of such Shares in the said Undertaking as alleged, the Production of the Book in which the said *Ribble* Navigation Company is by this Act directed

directed to enter and keep a List of the Names and Additions and Places of Abode of the several Proprietors of Shares in the said Undertaking, with the Number of Shares they are respectively entitled to hold, shall be *primâ facie* Evidence that such Defendant is a Proprietor, and of the Number or Amount of his Shares therein.

XLIII. And be it further enacted, That if any Subscriber for or Proprietor of any Share in the Undertaking hereby authorized shall refuse or neglect to pay his rateable Proportion of the Money so to be called for as aforesaid, together with the Interest (if any) accruing for the same, for the Space of One Calendar Month after the Day appointed for the Payment thereof as aforesaid, then and in every such Case the said Directors may and they are hereby authorized to declare the Share or Shares belonging to any Person so refusing or neglecting to pay any such Call, together with Interest in manner last aforesaid, to be forfeited, and to direct the same to be sold, subject to the Provisions of this Act; nevertheless without Prejudice to the Right of enforcing the Payment of such Call: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing under the Hand of Three Directors, or of the Secretary of the said *Ribble* Navigation Company, of such Share having been declared by the Directors forfeited, shall have been given or sent by the Post, or left at the last known Place of Abode in *England* of the Proprietor of such Share, or at the Place mentioned and described as his Place of Abode in the Books in which the Secretary of the said *Ribble* Navigation Company is directed by this Act to enter and keep a List of the Names and Additions and Places of Abode of the several Proprietors of Shares in the said Undertaking, nor until the Declaration of Forfeiture thereof by the said Directors shall have been confirmed at a half-yearly General Meeting of the said *Ribble* Navigation Company, or at a Special General Meeting of the said *Ribble* Navigation Company to be called for that Purpose, and to be respectively held after the Expiration of Three Calendar Months at the least from the Day on which such Notice of Forfeiture shall have been given or sent as aforesaid.

Shares liable to Forfeiture for Nonpayment of Calls.

XLIV. And be it further enacted, That after such Forfeiture shall have been confirmed by such Half-yearly or Special General Meeting the said *Ribble* Navigation Company, by an Order to be made at a General Meeting or Special General Meeting, shall have Power to order the said Directors to sell and dispose of the Shares so forfeited, or any of them, in manner by this Act directed; and the said Directors may and they are hereby authorized, in that Case, to sell and dispose of such Shares by public Auction or private Contract, together or in Lots, or in such other Manner and for such Price as they may think fit; and a Declaration in due Form of Law as aforesaid by some credible Person not interested before any Justice of the Peace, or Master or Master Extraordinary in the High Court of Chancery, stating that such Call had been made by the said Directors, and such Notice thereof as aforesaid given, and that such Default as aforesaid had been made in payment thereof in respect of the Share so sold, and that the same Share had been declared to be forfeited, and that such

Forfeited Shares how to be disposed of.

such Declaration had been confirmed in manner aforesaid, shall be sufficient Evidence of the Facts therein stated; and the Purchaser of such Share shall not be bound to see to the Application of his Purchase Money, nor shall his Title to such Share be affected by any Irregularity of Proceeding in reference to such Sale; and any Proprietor shall be enabled to purchase such Share.

Surplus Proceeds of Sale of forfeited Shares to be repaid to the Owner.

XLV. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share as shall be forfeited by reason of the Nonpayment of any Call, or the Interest thereon as herein authorized, shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon as aforesaid, and the Expences attending the Sale thereof, or otherwise occasioned by such Forfeiture, the Surplus of such Purchase Money shall be paid, on Demand, to the Party to whom such Forfeiture shall have belonged: Provided also, that the said *Ribble* Navigation Company or the said Directors shall not, by virtue of this Act, sell or transfer more of the Shares of such Defaulter in payment of Calls than shall be sufficient, as near as may be at the Time of such Sale, to pay the Arrears due from such Defaulter for or on account of such Call, and the Interest on and Expences attending the same; and from and after the Payment of such Call, and the Interest and Expences aforesaid, any Share vested in the said *Ribble* Navigation Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Party to whom such Share shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Call had been duly paid; but it is hereby expressly declared that this Provision shall not affect the Title of any Purchaser under the Power herein-before contained.

Proceedings in certain Cases, in order to the obtaining the Payment of Calls.

XLVI. And whereas in Cases in which Proprietors of Shares in the Undertaking hereby authorized shall die, or marry (being Females), or become insolvent or bankrupt, or go out of the Kingdom, or shall transfer their Right and Interest therein to some other Person, and no Register shall have been made of the Transfer thereof with the Secretary or Clerk of the said *Ribble* Navigation Company as herein-after provided, it may not be in the Power of the said Company to ascertain who are the Proprietors of such Shares, in order to give them, or their respective Executors, Administrators, Husbands, Successors, or Assigns, Notice of Calls to be made on such Shares, or to maintain any Action, Suit, or other Proceeding against them or their respective Executors, Administrators, Husbands, Successors, or Assigns, for the Recovery of the same; be it therefore further enacted, That in all Cases where the Right of Property in any Share in the said Undertaking shall pass from the Proprietor thereof to any other Person or Corporation by any other legal Means than by a Transfer or Conveyance thereof duly made and executed in the Form and Manner herein-after specified, and such Declaration as is herein-after in that Behalf directed shall have been transmitted to the said *Ribble* Navigation Company, then and in any of the said Cases, after Twenty-one Days Notice in Writing shall have been given under the Hands of Three Directors, or of the Secretary or Clerk of the said *Ribble* Navigation Company, to the Person or Corporation stating or claim-
ing

ing in such Declaration to be the then Proprietor of such Share, or left at the last or usual Place of Abode in *England* of such Person, or of the Clerk of such Corporation (as the Case may require), to pay his or their Proportion of Money to be called for, and such Person or Corporation shall not have been paid such his or their Proportion as aforesaid, it shall be lawful for the said *Ribble* Navigation Company, at any General Meeting or Special General Meeting after the Expiration of such Notice, to declare every such Share to be forfeited, and in such Case the same shall become forfeited, and shall and may be sold and disposed of in such Manner, on such Evidence of Title, and with such Powers and such Indemnity to Purchasers, as in other Cases of Sales of Shares forfeited for the Nonpayment of Calls thereon; and in case there shall be no such Declaration made as aforesaid, then such Notice as is herein-before directed to be given shall be served upon or left at the last known Place of Abode in *England* of the Executors or Administrators of such Proprietor so dying, or of the Husband of such Female Proprietor so marrying, or of the Assignees or Trustees of such Proprietor so becoming bankrupt or insolvent, or in the event of the Share having been so disposed of as aforesaid, of the last Proprietor appearing in the Books of the said *Ribble* Navigation Company to have been possessed of the same; and in case the last or usual Place of Abode of such Proprietor cannot be ascertained upon Inquiry, or in case the Proprietor of the same shall be out of the Kingdom, such Notice shall be inserted once at least in the *London Gazette*; and in all such Cases, after such Notices, on Default being made, the said Shares shall be forfeited, and shall or may be sold in manner aforesaid, and the like Evidence of the Title shall be sufficient on any Sale, and the like Indemnity to the Purchasers shall exist, as in other Cases of Sales for Nonpayment of Calls: Provided, that in case of Proprietors being abroad the Shares shall not be forfeited until the Expiration of Six Calendar Months after the Day on which the Notice shall be given as aforesaid, and inserted in the *London Gazette* as aforesaid.

XLVII. And be it further enacted, That at all General and Special General Meetings to be convened by virtue of this Act all Corporations and Persons who shall have respectively duly subscribed for or become Proprietors of or entitled to any Share or Shares, not exceeding Twenty, in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall have a Vote for each such Share; and all such Corporations and Persons as aforesaid as shall have subscribed for or become entitled to more than Twenty Shares in the said Undertaking, their respective Successors, Executors, Administrators, and Assigns, shall, over and above the Twenty Votes which they shall respectively have for or in respect of the first Twenty Shares, have an additional Vote for every Five Shares which they shall have subscribed for or become entitled to in the said Undertaking beyond the Number of Twenty Shares; and such Vote or Votes may be given by such respective Parties, or (in their Absence) by their respective Proxies constituted under the Seals of such Bodies; or under the Hands of the other Proprietors appointing such Proxies, all such Proxies being Proprietors of Shares in the said Undertaking;

Regulations
as to voting
by Proprietors.

[Local.]

3 C

dertaking;

Committee of any Lunatic or Idiot, or of Guardian of any Minor, on the same Occasion.

L. Provided also, and be it further enacted, That no Proprietor of any Share on which any Call made shall remain unpaid shall at any Meeting of the Proprietors of the said *Ribble* Navigation Company be allowed to vote, either personally or by Proxy, until the Money payable in respect of such Share, pursuant to such Call, shall have been fully paid, unless the Time of Payment thereof shall not have expired.

Proprietors in arrear for Calls not to vote.

LI. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors, Administrators, and Successors, to sell or otherwise dispose of, and to transfer any Share to which they shall be entitled therein, the Purchaser or Purchasers thereof being previously approved of by the Directors, subject to the Rules and Conditions herein provided, and to such Restrictions and Regulations, if any, as the Directors may from Time to Time think necessary to impose; and every such Transfer shall be by Writing duly stamped, in which the Consideration shall be truly stated, and may be in the following Words or to the like Effect, varying the Names and Descriptions of the contracting Parties, as the Case may require; (that is to say,)

Shares to be transferable.

‘ I *A. B.* of _____ in consideration of the Sum of _____
 ‘ paid to me by *C. D.* of _____ do hereby assign and
 ‘ transfer to the said *C. D.* (the said *C. D.* being previously ap-
 ‘ proved of by the Directors) _____ Share [or Shares] numbered
 ‘ _____ of and in the Undertaking called “*The Ribble*
 ‘ *Navigation Company*,” to hold unto the said *C. D.*, his Executors,
 ‘ Administrators, and Assigns [or Successors and Assigns], subject
 ‘ to the same Conditions as I held the same immediately before the
 ‘ Execution hereof; and I the said *C. D.* do hereby agree to accept
 ‘ and take the said Share [or Shares] subject to the same Conditions.
 ‘ As witness our Hands and Seals the _____ Day of _____
 ‘ in the Year of our Lord _____ ’

Form of Transfer.

And on every such Sale the Deed or Transfer, being executed by the Seller and Purchaser, shall, together with the Share Certificate, be left with the Secretary of the said *Ribble* Navigation Company, who shall file the said Deed or Transfer, and deliver out to the Purchaser a fresh Share Certificate, for which he shall be paid such Sum as the said *Ribble* Navigation Company shall appoint, not exceeding the Sum of Two Shillings and Sixpence; and until the Deed or Transfer shall be filed, and fresh Share Certificate delivered to the Purchaser as before directed, the Seller shall remain and be held liable to all future Calls, and the Purchaser shall not be deemed a Proprietor of the said *Ribble* Navigation Company, and shall have no Part or Share of the Profits of the Undertaking hereby authorized, nor any Interest in respect of such Share paid to him, nor any Vote in respect thereof.

LII. And be it further enacted, That no Person or Corporation shall sell or transfer any Share which he or they shall possess in the said _____

No Share to be transferred on

which any
Call is in ar-
rear.

said Undertaking after any Call shall have been made by the said Directors for any Sum of Money in respect of such Share, unless he, she, or they at the Time of such Sale or Transfer shall have paid the full Sum of Money which shall have been called for in respect of each Share to be sold or transferred.

Proprietor
whose Name
stands first
to be deemed
the Owner
in joint
Shares.

LIII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share in the Undertaking hereby authorized the Person whose Name shall stand first in the Books of the said *Ribble* Navigation Company as Proprietor of such Share shall for the Purposes of this Act be deemed the Proprietor of such Share; and all Notices by this Act required to be given to Proprietors of Shares in the said Undertaking shall and may for and in respect of any such Shares so jointly held be given to the Person whose Name shall so stand first on the Books of the said *Ribble* Navigation Company, or be left at the last or usual Place of Abode in *England* of such Person, or at the Place mentioned and described as his Place of Abode in the Book in which the Secretary of the said *Ribble* Navigation Company is by this Act directed to enter and keep a List of the Names and Additions and Places of Abode of the several Proprietors of Shares in the said Undertaking, or be inserted in the *London Gazette* as herein-before mentioned (as the Case may require); and such Notice to such Person shall be deemed sufficient Notice to all Proprietors of such Shares so jointly held for all the Purposes for which such Notice is intended to be given.

Receipt of
any Pro-
prietor whose
Name stands
in the Book a
Discharge.

LIV. Provided always, and be it further enacted, That the Receipt of the Person or of any one of the Persons in whose Name or Names any Share in the said Undertaking shall stand in the Books of the said *Ribble* Navigation Company shall from Time to Time be a sufficient Discharge to the said *Ribble* Navigation Company and Directors for any Dividend or other Sum of Money which shall become payable and be paid for or in respect of such Share, notwithstanding any Trusts upon which such Share shall be then settled or assured; and the said *Ribble* Navigation Company shall not be bound to see to the Application of the Money mentioned in such Receipt.

Receipts of
Committees
and Guar-
dians of Lu-
natics and
Minors suffi-
cient.

LV. And be it further enacted, That in all Cases where any Dividend or other Sum of Money shall be payable under the Provisions of this Act to any Proprietor of any Share in the said Undertaking who shall be a Minor under the Age of Twenty-one Years, or Idiot or Lunatic, the Receipt of the Guardian, if any, or if not, of the Parent of such Minor, or of the Committee of such Idiot or Lunatic, shall be a sufficient Discharge to the said *Ribble* Navigation Company and Directors for the same.

Power to
borrow
Money not
exceeding
16,666*l.* in
addition to
Capital on
Security of
the Under-
taking.

LVI. And be it further enacted, That in case the Monies hereby authorized to be raised by Subscription as herein-before mentioned shall be found insufficient for the Purposes of this Act, it shall be lawful for the said *Ribble* Navigation Company, when and as soon as One Half of the said Capital or Sum of Fifty thousand Pounds shall have been paid up, but not before, by an Order of any General or Special General Meeting of the said *Ribble* Navigation Company,
from

from Time to Time to borrow and take up at Interest any further or additional Sum of Money, not exceeding the Sum of Sixteen thousand six hundred and sixty-six Pounds, on the Credit of the said Undertaking, as to them shall seem proper; and the said *Ribble* Navigation Company and the Directors of the said *Ribble* Navigation Company, after an Order made for that Purpose at any General or Special General Meeting of the said *Ribble* Navigation Company, are hereby empowered to mortgage, assign, and charge the Property of the Undertaking hereby authorized, and the Rates, Tolls, and other Sums arising or to arise by virtue of this Act, or any Part thereof, the Costs and Charges of assigning the same to be paid out of such Rates, Tolls, or Sums, as the Security for any such Sum of Money to be borrowed as aforesaid, with Interest, to or for the Benefit of the Party or to his Trustee who shall advance the same; and a Copy of the Order of any General or Special General Meeting of the said *Ribble* Navigation Company authorizing the borrowing of any such Sum of Money, certified by One Director or the Secretary of the said *Ribble* Navigation Company to be a true Copy, shall be sufficient Evidence of the making of such Order for raising such additional Sum of Money, and also the Money authorized to be raised by Subscription as aforesaid being insufficient for the Purposes of this Act; and all such Mortgages, Assignments, and Charges shall be made under the Common Seal of the said *Ribble* Navigation Company, and may be in the Words or to the Effect following, or with such Variations therein as the Circumstances of the Loan may render necessary; (that is to say,)

‘ *Ribble* Navigation Company.

‘ Number

Form of
Mortgage.

‘ **BY** virtue of an Act passed in the First Year of the Reign of
 ‘ Queen *Victoria*, intituled [*here insert the Title of this Act*], we,
 ‘ “The *Ribble* Navigation Company,” incorporated by and under the
 ‘ said Act, in consideration of the Sum of _____ to
 ‘ us paid by *A.B.* of _____ do assign unto the said *A.B.*,
 ‘ his Executors, Administrators, and Assigns, the said Undertaking,
 ‘ and all and singular the Rates, Tolls, and Sums of Money arising
 ‘ by virtue of the said Act, and all the Estate, Right, Title, and
 ‘ Interest of the said Company of, in, and to the same; to hold unto
 ‘ the said *A.B.*, his Executors, Administrators, and Assigns, until the
 ‘ said Sum of _____ together with Interest for the
 ‘ same after the Rate of _____ for every One hundred
 ‘ Pounds for a Year, shall be fully paid and satisfied. Given under
 ‘ our Common Seal the _____ Day of _____
 ‘ in the Year of our Lord _____ .’

And the respective Parties to whom such Mortgages or Assignments shall be made shall be entitled one with the other to their respective Portions of the said Rates, Tolls, and Sums, and Premises, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of Priority in the Date of any such Order of Meeting, or Priority in Date of any such Mortgage or Assignment, or on any other Account whatsoever; and an Entry or Memorial of every such Mortgage or Assignment, containing the Number and Date thereof, and the Names of the Parties

[*Local.*]

3 D

(with

(with their proper Additions) to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon respectively, shall within Fourteen Days next after the Date thereof be entered in some Book to be kept by the Clerk of the said *Ribble* Navigation Company, which said Book may be perused at all seasonable Times by any of the Proprietors or Mortgagees of the said Undertaking, or other Person interested therein, without Fee or Reward; and all Parties to whom any such Mortgages or Assignments shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights or Interests therein to any other Person; and every Transfer thereof shall be by Deed duly stamped, in which the Consideration for such Transfer shall be truly stated and specified; and such Transfer may be made in the Words or to the Effect following; (that is to say,)

Form of
Transfer.

‘ I *A.B.* of _____ in consideration of the Sum of _____
 ‘ to me paid by *C.D.* of _____ do hereby transfer to the
 ‘ said *C.D.*, his Executors, Administrators, and Assigns, a certain
 ‘ Mortgage, Number _____ made by “The *Ribble* Navigation
 ‘ Company,” to _____ bearing date the _____ Day of
 ‘ _____ for securing the Sum of _____ and
 ‘ Interest, and all my Right, Estate, and Interest in and to the
 ‘ Money thereby secured, and in and to the Rates, Tolls, Sums of
 ‘ Money, and Property thereby assigned. Dated this
 ‘ Day of _____ in the Year of our Lord _____ .’

And every such Transfer shall within Fourteen Days next after the Date thereof, if executed in *England*, or otherwise within Fourteen Days next after the Arrival thereof in *England* if executed elsewhere, be produced to the Clerk of the said *Ribble* Navigation Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the original Mortgage or Assignment, for which the said *Ribble* Navigation Company shall be paid such Sum as the said *Ribble* Navigation Company shall appoint, not exceeding the Sum of Two Shillings and Sixpence; and after such Entry or Memorial made every such Transfer shall entitle such Assignee, or his Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the Mortgage so transferred, or any Sum of Money thereon due or thereby secured, or any Part thereof.

Power to
increase
Capital Stock
by raising
Amount by
Shares.

LVII. And be it further enacted, That in case the said *Ribble* Navigation Company at any General or Special General Meeting to be called as in this Act is directed, instead of borrowing such further or additional Sum as aforesaid by way of Mortgage, or continuing the same on Mortgage, shall think it advisable to raise such further or additional Sum or any Part thereof by way of Augmentation of their Capital Stock, or shall deem it expedient to borrow or continue at Interest only a Part of the said further or additional Sum by way of Mortgage, and to raise the Remainder thereof or Part of the Remainder thereof by way of Augmentation of their Capital Stock, then and in either of the said Cases it shall be lawful for the said

Ribble Navigation Company, by the issuing of new Shares, to augment the Capital Stock of the said *Ribble* Navigation Company by any further Sum of Money, so as the same, together with any Sum of Money that may be borrowed and continuing at Interest by way of Mortgage as aforesaid, shall not exceed such further and additional Sum of Sixteen thousand six hundred and sixty-six Pounds hereby authorized to be raised as aforesaid; and all such further and additional Capital Stock, not exceeding such additional or further Sum as aforesaid, as shall be so raised, shall be considered as Part of the general Capital Stock of the said *Ribble* Navigation Company, and be under and subject to the same Provisions, Regulations, Directions, and Management in all respects and to all Intents and Purposes as if the same had been Part of the original Capital Stock of the said *Ribble* Navigation Company, except as to the Times of making Calls for the said additional Capital Stock and the Amount of such Calls, which Times and the Amount of such Calls respectively shall from Time to Time be appointed by the said *Ribble* Navigation Company: Provided always, that all the Regulations, Provisions, and Authorities herein contained in relation to the Calls for the Capital Stock of the said *Ribble* Navigation Company, and to the Recovery thereof, or of any Arrears thereof, and to the Forfeiture of any Sums advanced by reason of any Neglect or Refusal to comply with such Calls, shall be applicable to the Calls for the said further and additional Sum hereby authorized to be raised or subscribed as aforesaid, or such Part thereof as shall be required to be raised by way of additional Capital Stock as aforesaid, and to the Refusal or Neglect to comply with such last-mentioned Calls: Provided always, that it shall not be lawful for the said *Ribble* Navigation Company to raise such further or additional Sum of Sixteen thousand six hundred and sixty-six Pounds by way of Augmentation of their Capital Stock unless and until One Half of the said Capital of Fifty thousand Pounds shall have been first paid up.

LVIII. Provided always, and be it further enacted, That no Mortgage or other Security made or issued or to be made or issued by the said *Ribble* Navigation Company under the Authority of this Act shall be assigned or transferred, except by Deed or Instrument in Writing, duly stamped according to the Laws in force, in which Deed or Instrument the Consideration for the Assignment or Transfer shall be truly specified and set forth.

Securities not to be assigned except by an Instrument in Writing duly stamped.

LIX. And be it further enacted, That the Interest of the Money which shall be raised by Mortgage or Assignment or Charge as aforesaid shall be paid half-yearly to the several Parties entitled thereto, and in preference to any Dividends payable by virtue of this Act to the Proprietors of the said *Ribble* Navigation Company or any of them; and in case such Interest or any Part thereof shall be unpaid for the Space of Thirty Days next after the same shall have become due and payable as aforesaid, and the same shall not be paid within Ten Days next after Demand thereof in Writing shall have been made to the said *Ribble* Navigation Company, or left at the Office of the said *Ribble* Navigation Company, it shall be lawful for any Two or more Justices of the Peace acting for the said County Palatine of *Lancaster*, not being interested in the Matter in question, and they are

Interest of Money borrowed payable in preference to Dividends.

Power for recovering the same.

are hereby required, on Request to them made by or on behalf of any Mortgagee or Assignee whose Interest shall be so in arrear, by an Order under their Hands, to appoint some Person to receive the Whole of such Parts of the Rates, Tolls, or Sums as are liable to pay such Interest so due and unpaid as aforesaid; and the Money to be received by such Person is hereby declared to be so much Money received by or to the Use of the Person to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the said Rates, Tolls, or Sums, be fully paid and satisfied; and after such Interest and Costs shall have been paid and satisfied the Power or Authority of such Receiver for the Purposes aforesaid shall cease and determine, or otherwise the said Interest so due and unpaid as aforesaid may be sued for and recovered from the said *Ribble* Navigation Company, with Costs, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*.

Mortgagees
not to be
deemed Pro-
prieters.

LX. Provided always, and be it further enacted, That no Person to whom any such Mortgage, Assignment, or Charge shall be made or transferred as aforesaid shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at any Meeting of the said *Ribble* Navigation Company, by or on account of his having advanced any Money on such Mortgage, Assignment, Bond, or Charge.

Power to
stipulate
Periods for
Repayment
of Money
borrowed.

LXI. And be it further enacted, That when any Sum of Money shall be borrowed at Interest, pursuant to the Powers in that Behalf contained in this Act, it shall be lawful for the said *Ribble* Navigation Company, in case they shall in their Discretion think proper so to do, to fix a Period for the Repayment of the Principal Sum of Money so to be borrowed, with the Interest thereof; and in such Case the said *Ribble* Navigation Company shall cause to be inserted in such Mortgage, Assignment, Bond, or Charge the Time which shall be fixed or agreed upon for the Repayment of the Principal Money thereby to be secured; and such Sum of Money, with all Arrears of Interest thereon, shall accordingly be paid at the Time or Times so to be fixed to the Party who shall upon the Expiration of such Period be the Holder of and entitled to such Mortgage, Assignment, or Charge, or his Nominee.

Provisions as
to Repay-
ment where
no Time is
stipulated.

LXII. And be it further enacted, That where no Time shall be fixed for the Repayment of any Sum of Money borrowed under the Authority of this Act the Party entitled to any such Mortgage, Assignment, or Charge may and he is hereby authorized to demand Payment of the Principal Monies thereby secured, with all Arrears of Interest, at or at any Time after the Expiration of Twelve Calendar Months from the Date of such Mortgage, Assignment or Charge, upon giving Six Calendar Months Notice in Writing to the Clerk of the said *Ribble* Navigation Company for the Time being: Provided nevertheless, that the said *Ribble* Navigation Company may at all Times pay off and discharge all such Mortgages, Assignments, or Charges in which no Time shall be fixed for the Payment thereof, or any Part of the Money thereby secured, on giving Six Calendar Months Notice to the Party entitled to any such Mortgage, Assignment, or Charge; and at the Expiration of the said Six Calendar
Months

Months all Interest shall cease to be paid on the said Principal Money, unless the said *Ribble* Navigation Company shall then make Default in the Payment of the said Principal Money and Interest then due in pursuance of such Notice; and in case of such Default the said *Ribble* Navigation Company shall continue to pay Interest until the actual Payment of the said Principal Money.

LXIII. And be it further enacted, That in case of Nonpayment of any Principal Sum of Money which shall be secured by any such Mortgage, Assignment, Bond, or Charge as aforesaid by virtue of this Act, or of any Part of such Principal Monies, at the Time when the same ought to be paid, and in case the same shall not be paid within Six Calendar Months next after the same shall be so payable as aforesaid, and after Demand thereof in Writing shall have been made to the said *Ribble* Navigation Company, it shall be lawful for any Two or more Justices of the Peace acting for the said County Palatine of *Lancaster*, not being interested in the Matter in question nor Members of the said *Ribble* Navigation Company, and they are hereby respectively required, on Request to them made on behalf of any Parties entitled to any such Mortgage, Assignment, Bond, or Charge as aforesaid, and to whom any Principal Sums of Money shall be then due thereon and unpaid, amounting in the whole to the Sum of Sixteen thousand six hundred and sixty-six Pounds or upwards, by an Order under their Hands, to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Principal Monies so due and unpaid as aforesaid; and the Money so to be received by such Person is hereby declared to be so much Money received by or for the Use of the Persons and Corporations to whom such Principal Money shall be due, and on whose Behalf such Receiver shall have been so appointed, until the same, together with the Costs and Charges of recovering and receiving the Rates, Tolls, or Sums, and all Interest then due thereon, shall be fully satisfied and paid; and after such Principal, Interest and Costs shall have been paid and satisfied the Power and Authority of such Receiver for the Purposes aforesaid shall cease and determine; or otherwise the said Principal Money so due and unpaid as aforesaid may be sued for and recovered from the said *Ribble* Navigation Company, with Costs, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*.

For enforcing the Repayment of the Principal Money borrowed.

LXIV. And be it further enacted, That in case the said *Ribble* Navigation Company shall raise the Whole or any Part of the Money herein-before authorized to be raised by Mortgage, Assignment, or Charge as aforesaid, and shall afterwards pay off all or any Part of the Principal Sum so raised or borrowed upon Mortgage, Assignment, Bond, or Charge as aforesaid, then and in every such Case it shall be lawful for the said *Ribble* Navigation Company, immediately and at any Time thereafter, again to raise, in lieu of the Principal Money so paid off by them, such Sums of Money as they shall from Time to Time have paid off to the Holders of such Mortgages, Assignments, Bonds, or Charges, or any of them, or any Part thereof, and so from Time to Time as often as the same shall happen; but so nevertheless that the said *Ribble* Navigation Company shall not in any Event borrow upon Mortgage, Assign-

If Money borrowed is paid off, the Company may raise Money again.

[Local.]

3 E

ment,

ment, Bond, or Charge as aforesaid in such Manner or to such Extent as that more than the Principal Sum of Sixteen thousand six hundred and sixty-six Pounds in the whole shall be owing at any one Time on Mortgage, Assignment, Bond, or Charge as aforesaid, over and above the Amount of Calls for the Time being remaining unpaid, and still to be called for by the said *Ribble* Navigation Company.

Application
of Money to
be raised.

LXV. And be it further enacted, That all the Money to be raised or received or possessed by the said *Ribble* Navigation Company by virtue of this Act, whether by way of Capital or Profit or otherwise, shall be laid out and applied, in the first place, in paying and discharging all Costs, Charges, and Expences incurred in applying for, obtaining, and passing this Act, and all other Expences preparatory or relating thereto; and in the next place, in and towards paying and discharging the existing Debts of the said Company of Proprietors incurred under the Authority of the said recited Act; and the Remainder of such Money shall be applied in and towards carrying this Act into execution.

First and
other Gene-
ral Meetings
of the Com-
pany.

LXVI. And be it further enacted, That the said *Ribble* Navigation Company shall meet together at some convenient Place in the Borough of *Preston* in the said County Palatine of *Lancaster* within Three Calendar Months after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and of One of the Clock in the Afternoon, of which Meeting Fourteen Days Notice at the least shall be given by any Three or more Subscribers to the Undertaking hereby authorized in Two or more *London* Newspapers, and in One or more Newspaper or Newspapers usually circulated in the said County Palatine of *Lancaster*, and shall then and there proceed in the Execution of this Act; and the said *Ribble* Navigation Company shall hold their Second General Meeting in the said Borough of *Preston* in the said County Palatine of *Lancaster* in the Month of *July* in the Year One thousand eight hundred and thirty-eight; and from and after such Second General Meeting of the said Company there shall be a half-yearly General Meeting of the said *Ribble* Navigation Company in the Month of *January* and the Month of *July* in each and every Year, and also such and so many Special General Meetings of the said *Ribble* Navigation Company as the Directors of the said *Ribble* Navigation Company shall think proper to convene, or as shall be convened in manner herein-after provided; of which said General Meetings and Special General Meetings Ten Days public Notice at the least shall be given in manner herein-after mentioned; and every such Notice of a Special General Meeting shall specify the Purpose for which such Special General Meeting is called; and such First General Meeting of the said *Ribble* Navigation Company, and all other General Meetings and Special General Meetings of the said *Ribble* Navigation Company, may be adjourned from Time to Time and from Place to Place, as shall be found expedient.

Special Gene-
ral Meetings.

LXVII. And be it further enacted, That a Special General Meeting of the Proprietors of the said *Ribble* Navigation Company may be called at any Time by the Directors for the Time being, or
any

any Three or more of them, if they shall see Occasion ; and any Ten or more Proprietors of the said *Ribble* Navigation Company holding in the Aggregate One hundred Shares or upwards in the Undertaking hereby authorized, upon which all Calls actually previously made shall have been paid and satisfied, may at any Time, by Writing under their Hands left at the Office of the said *Ribble* Navigation Company, or given to at least Three Directors of the said *Ribble* Navigation Company, or left at their last or usual Places of Abode in *England*, require the Directors of the said *Ribble* Navigation Company to call a Special General Meeting of the Proprietors of the said *Ribble* Navigation Company to be held as aforesaid, so as such Requisition fully express the Object for which such Special General Meeting is required to be called ; and the said Directors are thereupon required to call such Meeting accordingly ; provided that in every such Case Notice of such Meeting, whether called in pursuance of any such Requisition or not, be given in manner herein-after provided, and which Notice shall express the Object for which such Special General Meeting is called ; and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Twenty-one Days next after such Requisition given and left as aforesaid, the same may be called by such Ten or more Proprietors by giving Twenty-one Days Notice thereof by Advertisement in Two or more *London* Newspapers, and in One or more Newspaper or Newspapers usually circulated within the said County Palatine of *Lancaster*, such Notice expressing the Object for which such Special General Meeting is required to be called ; and the said *Ribble* Navigation Company are hereby authorized to meet in pursuance of such Notice ; and such of the Proprietors thereof as shall be present at such Meeting shall proceed to the Execution of the Powers by this Act given to the said *Ribble* Navigation Company with respect to the Matters so specified in such Notice ; and all Acts and Resolutions of the major Part in Votes of the Proprietors of the said *Ribble* Navigation Company met together at any such Special General Meeting shall be as valid and binding, with respect to the Matters specified in such Notice, as if the same had been done or resolved at a half-yearly General Meeting held at the Time herein-before appointed for holding the same.

LXVIII. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special General Meeting of the Proprietors of the said Undertaking, or of any Adjournment thereof respectively, or of any other Matters, to any of the Proprietors of the said Undertaking, and not herein otherwise provided for, shall be signed by the Secretary or other Officer of the said *Ribble* Navigation Company, and shall be given by Advertisement inserted in Two or more *London* Newspapers, and in One or more Newspaper or Newspapers usually circulated in the said County Palatine of *Lancaster* ; and such Notices when so published and given shall be deemed and considered the same as personal Notices.

Notice to the Proprietors how to be given.

LXIX. And be it further enacted, That no Business shall be transacted at any Special General Meeting of the said *Ribble* Navigation Company other than the Business for which it shall have been called, and

Business at Special and adjourned Special General Meetings.

and no Business shall be transacted at any adjourned Special General Meeting other than the Business left unfinished at the Meeting from which such Adjournment shall have taken place.

Meetings not to commence Business unless a certain Number of Proprietors are present.

LXX. Provided always, and be it further enacted, That if at any such General Meeting as aforesaid there shall not be Ten Proprietors present, personally or by Proxy, who shall be Holders of at least One hundred Shares in the Aggregate, within Two Hours from the Time appointed for such Meeting, no Choice of Directors shall be made, nor shall any Business be done, but in such Case there shall be another Meeting of the said *Ribble* Navigation Company, at the same Place and the same Hour, at the Expiration of Fourteen Days then next; and if at such adjourned Meeting there shall not be Eight Proprietors present as aforesaid who shall be Holders of at least Eighty Shares in the Aggregate within Two Hours from the Time appointed for such adjourned Meeting, such adjourned Meeting shall adjourn to the Seventh Day next following; and if at such further adjourned Meeting there shall not be present as aforesaid Six Persons who shall be Holders of at least Sixty Shares as last aforesaid within the Time last aforesaid, such last-mentioned Meeting shall stand further adjourned to the Seventh Day following; and in case such Number of Persons qualified as last aforesaid shall not then be present as aforesaid, the Directors for the Time being shall continue to act and have the same Powers as they had and were possessed of until the next General Half-yearly Meeting, or until new Directors shall be appointed.

Who to preside at Meetings.

LXXI. And be it further enacted, That at all General and Special General Meetings of the said *Ribble* Navigation Company the Chairman of the said Directors, or in his Absence the Deputy Chairman of the said Directors, or in his Absence any Director of the said *Ribble* Navigation Company to be chosen at any such Meeting, or in the Absence of all the Directors any Proprietor to be chosen at such Meeting, shall preside as Chairman.

Powers of General Meetings.

LXXII. And be it further enacted, That it shall be competent to any General or Special General Meeting to call for, inspect, and examine the Accounts of the said *Ribble* Navigation Company, and of the Directors, and of the Receivers and Collectors of the Rates, Tolls, or other Sums, and of the Officers of the said *Ribble* Navigation Company, and also in like Manner to call for, inspect, and examine all Rules, Regulations, Account Books, Vouchers, Memorandums, and Documents relating to the said *Ribble* Navigation Company or the Business thereof, and to call for any Information or Explanation from the Directors, Secretary, and other Officers of the said *Ribble* Navigation Company in respect of the said Matters, or any of them; and also to give and allow to the Directors for the Time being, collectively, or to each or any of them individually, such Remuneration, Salary, or Allowance for his or their Time and Trouble in attending to and conducting the Business of the said *Ribble* Navigation Company as by such Meeting shall be deemed fit; and also to allow and confirm the Accounts of the said *Ribble* Navigation Company, so as to bind all the Proprietors for the Time being, and all Persons claim-
ing

ing under them, and generally to consider and decide upon any Business, Matter, or Thing relating to the said *Ribble Navigation Company*, and the Affairs and Concerns thereof.

LXXIII. And be it further enacted, That the said *Ribble Navigation Company* shall at their first General Meeting, or at some Adjournment thereof, elect and choose a Treasurer and Clerk for transacting the Business of the said Company, and shall and may, at any subsequent General or Special Meeting, from Time to Time remove and displace such Treasurer and Clerk, or either of them, or any other Person who shall hereafter be elected as aforesaid to their respective Offices, and shall and may elect and appoint any other Person or Persons to act as Treasurer and Clerk in his or their Stead.

Company to
appoint a
Treasurer
and Clerk.

LXXIV. And be it further enacted, That the said *Ribble Navigation Company* shall have full Power and Authority, by the Resolution of any General or Special General Meeting as aforesaid, from Time to Time to make such Bye Laws, Rules, and Orders as to the said *Ribble Navigation Company* shall seem right and proper for the good Government of the Officers and Servants of the said *Ribble Navigation Company*, and for regulating the Proceedings and reimbursing the Expences of the said Directors in all respects; from Time to Time to alter and repeal such Bye Laws, Rules, and Orders, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the said *Ribble Navigation Company* shall seem meet, not exceeding the Sum of Five Pounds for any One Offence, such Fines and Forfeitures to be levied and recovered as any Penalties and Forfeitures may by this Act be levied and recovered; which said Bye Laws, Rules, and Orders, being reduced into Writing under the Common Seal of the said *Ribble Navigation Company*, shall be painted on Boards, and affixed and continued on some conspicuous Place within the Limits of this Act; and all such Bye Laws, Rules, and Orders as aforesaid, when so published and affixed, shall be binding upon and be observed by all Parties, and shall be sufficient in all Courts of Law or Equity to justify all Persons who shall act under the same; provided that such Bye Laws, Rules, or Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the Provisions in this Act contained; and also such Bye Laws, Rules, and Orders shall be subject to Appeal in manner herein-after mentioned: Provided always, that no such Bye Laws, Rules, and Orders shall be binding unless the same shall respectively be approved of by a Judge of Assize for the County Palatine of *Lancaster*, or by the Court of General or Quarter Sessions to be holden for the said County, which Approval shall be obtained previously to such Publication and affixing of the same as aforesaid.

Power to
General
Meetings
to make Bye
Laws.

LXXV. And be it further enacted, That the Business and Concerns of the said *Ribble Navigation Company* shall be carried on under the Management of Twelve Directors, to be chosen from Time to Time from amongst the Proprietors for the Time being of the said *Ribble Navigation Company*, qualified by holding Five Shares or

Powers of
Directors.

[Local.]

3 F

upwards

upwards each; and such Directors shall have the general Management, Direction, and Superintendence and Control of the Business and Concerns of the said *Ribble* Navigation Company, and the Custody of the Common Seal of the said *Ribble* Navigation Company, with Power to use the same on their Behalf, and also the Custody of the Books of Account, and other Books, Deeds, and Papers; and shall have Power to direct the Investment, calling in, laying out, Sale, and Disposal of the Stocks, Effects, Funds, Monies, and Securities of the said *Ribble* Navigation Company, and all other the Dealings of the said *Ribble* Navigation Company; and to call and appoint the Times and Places of holding General and other Meetings of the Proprietors; and to superintend, direct, and control the Correspondence and Mode of keeping the Accounts, and the Ascertainment of Dividends, and the Profits on Shares, and to do all other Things necessary or deemed by them proper or expedient for carrying on the Business and Concerns of the said *Ribble* Navigation Company; and to enforce, perform, and execute all the Powers, Authorities, Privileges, Acts, and Things in relation to the said *Ribble* Navigation Company, and to bind the said *Ribble* Navigation Company, as if the same were done by the whole Corporation, except such as are hereby required to be done at some General or Special General Meeting of the said *Ribble* Navigation Company; and the Directors for the Time being shall have Power to frame Rules and Regulations, and prescribe the Orders and Directions for carrying on the Business and Concerns of the said *Ribble* Navigation Company, and alter and vary the same from Time to Time as they in their Discretion shall think fit; provided the same be not repugnant to the Laws of the Land or any of the Provisions of this Act, nor to any Bye Law which may have been duly passed at any General or Special General Meeting of the Proprietors of the said Undertaking; and no individual Proprietor not being a Director, except as herein provided, shall have a Right to any Interference, Management, Direction, or Control in or over the Business and Concerns of the said *Ribble* Navigation Company, or the Capital Stock or Effects thereof.

Directors
going out of
Office to be
re-eligible.

LXXVI. Provided always, and be it further enacted, That (notwithstanding any thing herein contained to the contrary) any Director who shall go out of Office as aforesaid may be immediately or at any future Time re-elected by the said *Ribble* Navigation Company as a Director of the said *Ribble* Navigation Company, and after such Re-election he shall with reference to the going out in rotation be considered as a new Director.

No Person
holding
Office capa-
ble of being
a Director.

LXXVII. Provided always, and be it further enacted, That no Person holding any Office, Place, or Employment, or being concerned or interested in any Contract under the said *Ribble* Navigation Company, shall be capable of being chosen, or being so chosen of continuing a Director of the said *Ribble* Navigation Company, nor shall any Director be capable of accepting any Office or Employment, or of taking or being concerned or interested in any Contract under the said Company; and in either of the said last-mentioned Cases the Party so offending shall forfeit the Sum of Fifty Pounds during the Time he shall be a Director of the said Company; and
if

if any Director of the said *Ribble* Navigation Company shall at any Time subsequent to his Election accept or continue to hold any Office or Place of Trust or Profit under the said *Ribble* Navigation Company, or shall either directly or indirectly be concerned in any Contract with the said *Ribble* Navigation Company, or shall participate in any Manner in any Work to be done for the said *Ribble* Navigation Company, or shall at any Time cease to be a Proprietor of Five Shares at least in the said Undertaking, the Office of such Director shall thereupon become vacant, and he shall thenceforth be disqualified from voting or acting at any succeeding Meeting of Directors: Provided nevertheless, that until the Disqualification of any Director shall have been communicated to and recorded by a Meeting of Directors every Act and Proceeding to which such disqualified Director shall have been a Party shall be as binding and effectual as if no such Disqualification had taken place: Provided also, that it shall be lawful for any General Meeting to exempt any particular Person or Persons from the Operation of this present Clause, in case they shall deem it advantageous so to do: Provided always, that it shall and may be lawful for the said *Ribble* Navigation Company at any General or Special General Meeting to allow the said Directors such Sum or Sums of Money as may be thought just and proper as a Remuneration for their Trouble and Expences, which Sum or Sums of Money it shall be lawful for the said Directors from Time to Time to accept and receive.

Power to dispense with the Rule in particular Cases.

LXXVIII. And be it further enacted, That when and so often as any Director to be elected by virtue of this Act shall die, resign, or become disqualified or incompetent to act as a Director, or shall cease to be a Director by any other Means than by going out of Office as aforesaid, it shall be lawful for the remaining Director, to elect some other Proprietor duly qualified as aforesaid to be a Director; and every such Proprietor so elected to fill up any Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be elected would have been entitled to continue in Office had he lived and remained in Office.

For filling up casual Vacancies in the Direction.

LXXIX. And be it further enacted, That at the first General Meeting to be held as herein-before is mentioned, or at some Meeting to be held by Adjournment therefrom, Twelve Persons who shall be Proprietors respectively possessed in their own Right of Five Shares each at the least in the said Undertaking shall be elected Directors to manage the Affairs of the said *Ribble* Navigation Company by the Proprietors present at such Meeting, either personally or by Proxy; and of the Directors so elected as aforesaid Three shall be competent to act; and the several Persons so to be elected, being neither removed nor disqualified, nor resigning, shall continue in Office until the General Meeting of the said *Ribble* Navigation Company to be held in the Month of *January* One thousand eight hundred and thirty-nine; and at such last-mentioned Meeting One Half of the Directors who shall have been so elected as aforesaid, to be determined by Ballot among themselves, shall go out of Office; and at each Meeting in the Month of *January* in every subsequent Year the Six Directors who shall have been longest in Office since their

Directors to be chosen at the first General Meeting.

their last Election shall go out of Office; and at every Meeting at which Six Directors are to go out of Office as aforesaid Six new Directors shall be elected: Provided nevertheless, that it shall and may be lawful for the Proprietors at any General Meeting to reduce the Number of Directors for carrying this Undertaking into effect, and to declare which of the Directors shall retire from the Direction, and so from Time to Time; provided also, that the Number of Directors shall never be less than Twelve.

Chairman
and Deputy
Chairman of
Directors to
be appointed.

LXXX. And be it further enacted, That at the first Meeting of the Directors which shall be held next after their Appointment under the Provisions herein contained, or some Adjournment thereof, and in subsequent Years at the first Meeting of Directors after a new Election of Directors, or at some Adjournment thereof, the Directors present at such Meeting shall choose out of the Directors of the said *Ribble* Navigation Company for the Time being a Chairman and Deputy Chairman of the said Directors: Provided always, that when and so often as the Chairman or Deputy Chairman of the Directors to be chosen by virtue of this Act shall die or resign, or become disqualified, or otherwise cease to be a Director, it shall be lawful for the said Directors in like Manner, at the Meeting to be held next after such Vacancy, to choose some other of the said Directors to be their Chairman or Deputy Chairman; and every such Chairman and Deputy Chairman so to be chosen as last aforesaid to fill such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be so elected would have been entitled, under the Provisions of this Act, to continue in Office if such Vacancy had not happened; and it is hereby declared, that at all Meetings of Directors the Votes and Resolutions of the Majority of the Directors present, inclusive of the Chairman or Deputy Chairman or other Director presiding at such Meeting, and who shall be elected for that Purpose at such Meeting, in case both the Chairman and Deputy Chairman are absent, shall be binding; and in case of an Equality of Votes the Chairman or Deputy Chairman, or other Director presiding at each respective Meeting, shall have a casting Vote besides his own Vote; and the said Directors shall keep a regular Minute and Entry in a Book of the Orders and Proceedings at every Meeting of the said Directors, which shall be signed either by the Person who was in the Chair at that Meeting, or by a Director not in the Chair who may have been present thereat; and such Book shall be *prima facie* Evidence that the Proceedings, of which Minutes purporting to be so signed as aforesaid shall be entered therein, were regular in every respect, and took place at a Meeting duly convened and held conformably to the Provisions of this Act, and that the Person whose Name shall be subscribed to the Minutes entered in such Book was the proper Person to authenticate the Minutes.

Proceedings
of Meetings
of Directors.

Meetings of
Directors.

LXXXI. And be it further enacted, That the Directors for the Time being of the said *Ribble* Navigation Company shall meet together at the Office of the said *Ribble* Navigation Company once at least in every Two Calendar Months, and at such other Times as they shall think proper, and at such other Times as they shall be convened

as herein-after mentioned; but no Meeting of Directors shall be deemed competent to enter and determine upon Business unless at least Three Directors shall be present at the Commencement of the Business, and when a Decision takes place upon the Whole or any Part of the Business; and if on the Day appointed for such Meeting a sufficient Number of Directors shall not attend, then and in every such Case the said Meeting shall be adjourned to the next or some subsequent Day by the Directors then present, but if none be present then by the Clerk of the said *Ribble* Navigation Company, or such other Person as shall be in his Place; and any Director shall be at liberty to call an Extraordinary Meeting of Directors upon such Notice, and in such Manner, and to consist of at least such Number, not being less than Three, as shall from Time to Time be provided by the Bye Laws of the said *Ribble* Navigation Company, or the Orders of the Directors; and it is hereby declared and directed, that the first Meeting of the said Directors shall be held within Three Weeks after their Appointment at the Office of the said *Ribble* Navigation Company at Twelve of the Clock at Noon.

LXXXII. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to nominate and appoint, out of their own Body, One or more Committee or Committees, with such Powers and Authorities as the said Directors shall think proper to delegate or intrust to them, save and except nevertheless the making of Calls for Money upon the Proprietors of the Undertaking hereby authorized; and all Matters and Things which the Directors shall order and direct to be done by such Committee or Committees shall and may, by virtue of such Orders, be done by such Committee or Committees; and it shall and may be lawful for the said Directors, by an Order or Resolution for that Purpose, to break up and dissolve any such Committee, and to remove or displace any of the Members thereof, and to appoint others in their Place and Stead, or to appoint from Time to Time One or more other Committee or Committees, in manner aforesaid, with such and the like or any other Power or Authority, when and so often as the said Directors shall think expedient.

Directors
may appoint
Committees.

LXXXIII. And be it further enacted, That the Directors for the Time being shall have full Power and Authority, on behalf of the said *Ribble* Navigation Company, to purchase the Lands herein-before authorized, and Materials, and all other Matters and Things which they shall deem necessary or expedient for the Use of the Undertaking hereby authorized, and generally to enter into and execute, and also to release, modify, alter, vary, and discharge, any Contract, Agreement, or Engagement, whether under Seal or otherwise, on behalf of the said *Ribble* Navigation Company, respecting the Matters aforesaid, and any other Matter whatsoever in which the said *Ribble* Navigation Company may be interested, and to make and execute all Assignments and Conveyances, and all other Acts to which the Corporate Seal is required to be affixed; and the Chairman or Deputy Chairman of the Directors for the Time being of the said *Ribble* Navigation Company, and in their Absence then the Directors present

Power to
Directors to
make Pur-
chases and
Contracts,
and affix the
Common
Seal.

[Local.]

3 G

at

at any such Meeting as aforesaid, shall have the Power to use the Common Seal on behalf of the said *Ribble* Navigation Company; and all Contracts in Writing relating to the Affairs of the said *Ribble* Navigation Company which shall be signed by any Three of the Directors, in pursuance of the Resolution of a Meeting of Directors, shall be binding on the said *Ribble* Navigation Company, and all other Parties thereto, and their respective Successors, Heirs, Executors, and Administrators; and Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the said *Ribble* Navigation Company, or any other Parties thereto failing in the Execution thereof.

Directors to
take Security
from Officers.

LXXXIV. Provided always, and be it further enacted, That the said Directors shall and they are hereby required to take sufficient Security from every Treasurer, Receiver, or Collector appointed under or by virtue of this Act having the Authority or Control of any Monies received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

The same
Person not
to be Clerk
and Treas-
urer.

LXXXV. And be it further enacted, That it shall not be lawful for the said *Ribble* Navigation Company to appoint the Person who may be appointed to act as a Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said *Ribble* Navigation Company; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said *Ribble* Navigation Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of Her 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, nor more than One Imparance, shall be allowed.

Directors to
cause a Book-
keeper to be
appointed to
keep Ac-
counts.

LXXXVI. And be it further enacted, That the said Directors shall cause a Book to be kept by a Person, who shall be expressly appointed by the said Directors for that Purpose, and who shall enter or cause to be entered in the said Book true and regular Accounts of all Sums of Money received and expended for or on account of the

the said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book shall at all reasonable Times be open to the Inspection of any of the Proprietors of the said Undertaking, or of any Loan Creditor for any Money to be borrowed under this Act as herein-after mentioned, without Fee or Reward; and the said Proprietors, or any Creditor as aforesaid, shall and may take Copies of or Extracts from the said Book or any Part thereof without paying any thing for the same; and in case the said Book-keeper shall refuse to permit or shall not permit the said Proprietors or any such Creditors to inspect any such Book, or to take such Copies or Extracts as aforesaid, such Book-keeper shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

LXXXVII. And be it further enacted, That the said Directors shall have full Power and Authority to order, direct, and employ the Works and Workmen, and regulate the Use of the said River, and the Amount of the Rates, Rents, and Sums of Money to be taken and received under the Authority of this Act; and also from Time to Time to appoint and displace all Officers, Agents, Collectors, Workmen, and Servants as the said Directors shall think proper, except the said Treasurer and Clerk by this Act directed to be appointed by the said Company, and to allow to them respectively such Salaries, Gratuities, and Recompence as to the said Directors shall seem proper.

Directors empowered to direct the Workmen and appoint Officers.

LXXXVIII. And be it further enacted, That the Rules, Orders, and Regulations so to be made by the said Directors shall and are hereby declared to be subject to the Inspection and Control of the said *Ribble* Navigation Company; and it shall be lawful for the said *Ribble* Navigation Company from Time to Time and at all Times when they shall think fit and proper, at any Meeting of the Proprietors, whether Ordinary or Special, to revoke, annul, amend, or alter any of the said Rules, Orders, and Regulations, or to make other Rules, Orders, and Regulations in lieu thereof; and such Rules, Orders, and Regulations made by the said *Ribble* Navigation Company or by the said Directors shall be printed, and Copies thereof given to the Persons having Occasion for and requiring the same.

Regulations of Directors to be subject to the Control of the Company.

LXXXIX. And be it further enacted, That every Officer and Person who shall be employed by virtue of this Act from Time to Time shall, when thereto required by the said *Ribble* Navigation Company, or by the said Directors, make out and deliver to the said *Ribble* Navigation Company, or to the said Directors, or to such Persons as they shall respectively for that Purpose appoint, a true and perfect Account, in Writing under his Hand, of all Monies which shall have been by him received by virtue of this Act, and stating how and to whom and for what Purpose the same shall have been disposed of, together with the Vouchers and Receipts in his Possession or Power for such Payments; and every such Officer and Person shall pay all such Monies as upon the Balance of such Account shall appear to be owing from him to the Treasurer of the said *Ribble* Navigation Company, or to such Persons as the said *Ribble* Navigation Company.

Officers to account.

Company or Directors shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up such Vouchers and Receipts as are in his Possession or Power relating to the same, or to pay the Balance thereof when required in manner aforesaid, or shall refuse or neglect to deliver up to the said *Ribble* Navigation Company, or to the said Directors, or to such Person as they shall respectively appoint, within Fifteen Days after being thereunto required by the said *Ribble* Navigation Company or by the said Directors as last aforesaid, all Books, Papers, Vouchers, and Writings in his Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being thereof made by the said *Ribble* Navigation Company, or by the said Directors, or by any Person on their Behalf, to any Justice of the Peace for the County or Place in which such Officer or Person shall be or reside, such Justice may and is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and (upon his appearing or not being to be found) to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said *Ribble* Navigation Company or the said Directors might have done; and if upon Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, or by the solemn Affirmation of any Person being a Quaker, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Accounts in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts in his Possession or Power relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may, by Warrant under his Hand and Seal, commit such Officer or Person to some Common Gaol or House of Correction of or for the County or Place in which such Officer or Person shall live or reside, there to remain, without Bail or Mainprize, until he shall, as far as may be possible, have made out and delivered such Accounts, and delivered up the Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he shall have compounded with the said Company or with the said Directors for such Money and Charges, and have paid the Composition Money to the said *Ribble* Navigation Company or to the said Directors, and which Composition the said *Ribble* Navigation Company and the said Directors are hereby respectively

tively empowered to make and accept, or until he shall have delivered up such Vouchers and Receipts, in respect of such Vouchers, Receipts, Books, Papers, and Writings as aforesaid, to the said *Ribble* Navigation Company or to the said Directors: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Three Calendar Months.

XC. And be it further enacted, That the said *Ribble* Navigation Company, or the Directors of the said *Ribble* Navigation Company, shall and they are hereby required to cause a true and particular Account to be kept, and to be made up twice in every Year, (that is to say,) on the Thirtieth Day of *June* and the Thirty-first Day of *December*, of the Money to be received by the said Company and by the Directors of the said *Ribble* Navigation Company, or otherwise for the Use of the said *Ribble* Navigation Company, by virtue of this Act, and of the Charges and Expences attending the making or maintaining and carrying on of the Undertaking hereby authorized, and of all other the Receipts and Expenditure of the said *Ribble* Navigation Company and of the said Directors, up to the Period at which such Account shall be made up and balanced; which Account shall be laid before the then next half-yearly General Meeting of the said *Ribble* Navigation Company by this Act directed to be held, and which Account shall be produced to any Proprietor who shall require to be allowed to examine or inspect the same at any Time within Seven Days prior to the Day of such half-yearly General Meeting: Provided always, that if the Account so to be laid before any half-yearly General Meeting shall not be considered satisfactory by such Meeting, then and in such Case the said Meeting shall have Power to appoint a Committee of Inspection, to consist of Three or more Proprietors, each of whom shall hold at least Five Shares in the said Undertaking, who shall examine into such Account, and report thereon to a future Meeting of the said *Ribble* Navigation Company, to be held for that Purpose by Adjournment or otherwise; and for the Purpose of such Examination the said Directors shall, on Demand, at all convenient Times, cause to be produced to the said Committee, or any Member thereof, all Books of Account, Vouchers, and Documents in the Possession or Power of the said Directors relating to the Affairs of the said *Ribble* Navigation Company.

Accounts to be made up half-yearly.

XCI. And be it further enacted, That after the Expiration of Twelve Calendar Months from and after the Time when the said Works hereby authorized shall be completed, or at such other Time as the said Directors shall think fit, not being sooner than Two Years from the passing of this Act, it shall be lawful for the said *Ribble* Navigation Company, and they are hereby empowered, from Time to Time, at any half-yearly General Meeting, or at a Special General Meeting to be called for that Purpose, to declare and make a Dividend out of the clear Profits of the said Undertaking, if the Majority of Proprietors present at such Meeting shall think proper so to do; and such Dividend shall be after the Rate of so much *per* Share upon the several Shares held by the Proprietors

Provision for declaring Dividends.

[Local.]

3 H

of

of the said *Ribble* Navigation Company in the Joint Stock thereof: Provided always, that such Dividends shall not be made oftener than half-yearly, and no Dividends shall be made exceeding the net Amount of clear Profits at the Time being in the Hands of the said *Ribble* Navigation Company, nor whereby the Capital of the said *Ribble* Navigation Company shall in any Degree be reduced or impaired; nor shall any Dividend be paid in respect of any Share after a Day appointed for the Payment of any Call of Money in respect thereof until such call shall have been paid.

Power to regulate Pilots, Watermen, and others using the River Ribble.

XCII. And be it further enacted, That for the better and more effectually governing and well regulating all Pilots, Mariners, Watermen, and others using the said River *Ribble*, and for directing in what Manner such Persons shall conduct and behave themselves, and navigate their respective Ships, Vessels, and Craft of whatsoever Denomination in such River, it shall be lawful for the said Directors to constitute, ordain, and provide from Time to Time such Rules and Orders as they shall think fit for mooring, unmooring, and navigating all Ships and Vessels, and all Craft whatsoever, using the said River and Conveniences thereto belonging, and also in what Manner all Pilots and Watermen plying for Hire within the same shall conduct and behave themselves in the taking charge of and piloting all Ships and Vessels within the same, and generally for them, the said Directors, to constitute, ordain, and provide all such reasonable Rules and Orders for the good Rule and Government of the said River, and of the Lighthouses, Lights, Buoys, Landmarks, Beacons, Perches, and Works hereafter to be made, erected, or placed under the Powers of this Act, as to them in their Discretion shall seem meet; and also from Time to Time, as they shall think fit, to repeal, alter, or amend such Rules and Orders, or any of them, and also ascertain and set down what pecuniary Penalties or Forfeitures shall be incurred by Persons breaking or evading the same, or any of them; provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any One Offence, and that no such Rules and Regulations shall be contrary or repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions of this Act: Provided always, that no such Rules and Orders shall be binding unless the same shall respectively be approved of in the same Manner as the ByeLaws, Rules, and Orders of the said *Ribble* Navigation Company are herein-before directed to be approved of.

Tolls, Rates, or Duties upon Vessels.

XCIII. And be it further enacted, That there shall be paid and payable to the said *Ribble* Navigation Company, or their Collector to be from Time to Time appointed, from the Master or Commander or Owner of every Ship, Barge, Boat, Lighter, or other Vessel or Craft navigating the said River, such Tolls, Rates, or Duties as the said *Ribble* Navigation Company or the Directors thereof shall from Time to Time appoint, not exceeding the Rates or Duties following; (that is to say,)

For every *British* Ship, Barge, Boat, Lighter, or other Vessel or Craft, being laden in whole or in part, navigating the said River, and

and being of the Burthen of Ten Tons or upwards, for every Time of passing, so laden in whole or in part, an imaginary straight Line between a Place on the North Side of the said River in the Township of *Lytham* called *Cross Slack* and a Place called *Doctor Barton's Cottage*, on the West Side of the Mouth of the *Nile* on the South Side of the said River in the Township of *North Meoles* in the said County, the Sum of Sixpence for each and every Ton of the Burthen of such Ship, Barge, Boat, Lighter, or other Vessel or Craft :

And for every Time of passing, so laden in whole or in part, an imaginary straight Line between a Place called the *Nook* on the North Side of the said River, in the said Township of *Freckleton*, at the South End of a Highway there, between the said Townships of *Freckleton* and *Warton*, leading from the Village of *Freckleton* in the said County to the said River, and another Place called *Hesketh Bank*, on the South Side of the said River, in the said Township of *Hesketh* with *Beconsall*, being the North End of the Highway there from the Village of *Tarleton* in the said County to the said River, the Sum of Sixpence for each and every Ton of the Burthen of such Ship, Barge, Boat, Lighter, or other Vessel or Craft :

And for every Time of passing, so laden in whole or in part, an imaginary straight Line between the West Side of the Mouth of the Brook or Watercourse called *Salwick*, in the said Township of *Clifton* with *Salwick*, and a Farm-house on the South Side of the said River in the Township of *Hutton*, called the *Dungeon*, the Sum of Sixpence for each and every Ton of the Burthen of such Ship, Barge, Boat, Lighter, or other Vessel or Craft :

And for every Foreign Ship, Barge, Boat, Lighter, or other Vessel or Craft, so laden in whole or in part, for every Time of passing the said Line firstly before mentioned, the Sum of Nine-pence for each and every Ton of the Burthen of such Ship, Barge, Boat, Lighter, or other Vessel or Craft :

And for every Time of passing, so laden in whole or in part, the said Line secondly before mentioned, the Sum of Nine-pence for each and every Ton of the Burthen of such Ship, Barge, Boat, Lighter, or other Vessel or Craft :

And for every Time of passing, so laden as aforesaid, the said Line thirdly above mentioned, the Sum of Nine-pence for each and every Ton of the Burthen of such Ship, Barge, Boat, Lighter, or other Vessel or Craft :

And for every Ship, Barge, Boat, Lighter, or other Vessel or Craft, laden in whole or in part, of the Burthen of Ten Tons or upwards, which shall navigate the said River for the Conveyance of Goods or Passengers along or across the same, and shall not pass any of the said imaginary Lines, (except the same be used only for the loading or unloading of any Ship, Barge, Boat, Lighter, or other Vessel or Craft which shall have paid or shall pay, in respect of the passing with such Loading, the above-mentioned Tolls, Rates, or Duties, or some of them,) the Sum of Sixpence for each and every Ton of the Burthen of such Ship, Barge, Boat, Lighter, or other Vessel or Craft, for each and every Trip which such Ship, Barge, Boat, Lighter, or other Vessel or Craft so navigating
and

and not passing any of the said imaginary Lines shall make, the going and returning thereof respectively, laden in whole or in part, being reckoned separate Trips.

Vessels of less Burthen than Ten Tons, and Fishing Vessels, to be subject to an annual Toll.

XCIV. And be it further enacted, That the said *Ribble* Navigation Company shall have no Power or Authority by virtue of this Act to take, demand, or receive all or any of the Tolls herein-before authorized in respect of Vessels of less Burthen than Ten Tons, or in respect of Vessels of whatever Tonnage employed wholly in the Fishing Trade, but that all Vessels of a less Burthen than Ten Tons, and all Vessels employed wholly in the Fishing Trade, shall have full Power to use the said Navigation upon Payment of a Sum not exceeding Two Shillings and Six pence *per* Ton for a whole Year, such Year to commence on the First Day of *January* and to end on the Thirty-first Day of *December*; and that no other than such yearly Tolls shall be taken or demanded from such Vessels of less Burthen than Ten Tons and such Vessels employed wholly in the Fishing Trade; such Tolls to become due and payable the first Trip or Voyage which any such Vessels as aforesaid may make: Provided always, that the Toll payable for Vessels above Ten Tons passing from or to the Parish of *Meoles* to or from the Parish of *Lytham* shall not exceed the Sum of Five Shillings *per* Ton for a whole Year, commencing as aforesaid.

Exemption of certain Vessels and Boats from Tolls.

XCV. Provided always, and be it further enacted, That the Tolls herein-before authorized to be taken and demanded by the said *Ribble* Navigation Company, or any of them, shall not be applicable or be collected or enforced with regard to or in respect of any Vessels of any Description entering the said River *Ribble*, and coming into the Parish of *Meoles* on the South Side of the said River *Ribble*, and crossing only the said imaginary straight Line firstly after mentioned, called "The *Ribble* Sea Line," and landing their Cargoes or any Part thereof on the South Side of the said River *Ribble* within the said imaginary straight Line firstly after mentioned, called "The *Ribble* Sea Line," and to the Westward of a certain Point or Place called *Hundred End* or *Hundred End Gutter*; nor in regard to or in respect of any Vessel of any Description going out of the said River *Ribble* from the said Parish of *North Meoles* on the South Side of the said River *Ribble*, and taking in her Cargo or any Part thereof on the South Side of the said River *Ribble*, and to the Westward of *Hundred End* or *Hundred End Gutter* aforesaid, and crossing only the said imaginary straight Line called "The *Ribble* Sea Line" nor with regard to nor in respect of any Ferry Boat, or any other Boat; when used as a Passage Boat, which shall merely cross from one Side of the said River *Ribble* to the other Side thereof at any Point Westward of the Eastern Bank of *Frickleton Pool* on the North Side of the said River *Ribble*, and Eastward of the said imaginary Line called "The *Ribble* Middle Line," and Westward of the Eastern Bank of the said River *Douglas*, on the South Side of the said River *Ribble*, and Eastward of the said imaginary Line called "The *Ribble* Middle Line," but that such Vessels, Ferry Boats, and other Boats shall be wholly exempted from Toll.

XCVI. And

XCVI. And be it further enacted, That it shall be lawful for the said *Ribble* Navigation Company from Time to Time, when and as they shall see Occasion, to reduce the Tolls, Rates, or Duties by this Act authorized to be taken, or any of them, and to take the reduced Tolls, Rates, or Duties, and afterwards from Time to Time again to raise the same, or any of them, and then to take such higher Rates, so that the same respectively do not exceed the Amount hereby authorized to be levied.

Power to lower Tolls, and again to raise them.

XCVII. Provided always, and be it further enacted, That the said Tonnage Rates and Duties shall at all Times be charged equally in respect of the same Description of Ships, Barges, Boats, Lighters, and other Vessels and Craft, and that no Reduction or Advance in the said Tonnage Rates or Duties shall, either directly or indirectly, be made partially or in favour of or against any particular Person or Company, or be confined to any particular Part of the said River *Ribble*, but that every Reduction or Advance of the said Tonnage Rates or Duties shall extend and take place throughout the Whole and every Part of the said River *Ribble* in respect of Ships, Boats, Barges, Lighters, and other Vessels and Craft of a like Nature to those upon which such Reduction or Advance shall have taken place.

Rates to be charged equally.

XCVIII. And be it further enacted, That in all Cases where any Reduction shall take place of the Amount of any Tolls taken and received by virtue of this Act, a Reduction in equal Proportion shall be made in all the Tolls at the Time of such Reduction payable by Vessels for crossing any of the Three imaginary straight Lines herein-before mentioned.

Tolls on crossing imaginary Lines to be reduced in proportion to other Tolls.

XCIX. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge with any of the Rates or Duties imposed by this Act any Flat, Lighter, Barge, Boat, or other Vessel coming from or going into the *Leeds* and *Liverpool* Canal and *Douglas* otherwise *Asland* Navigation, or either of them, in or through the present or any future Communication made or to be made between such Canal and Navigation, or either of them, and the said River *Ribble*, and navigating the said River *Ribble* to the Westward of the Division or Boundary between the Townships of *Hutton* and *Longton* aforesaid, on the South Side of the same River, and the Townships of *Newton* with *Scales* and *Freckleton* aforesaid, on the North Side thereof; any thing herein contained to the contrary notwithstanding.

Vessels coming from or entering *Leeds* and *Liverpool* Canal, and *Douglas* or *Asland* Navigation, exempt from Rates to the Westward of *Newton* with *Scales* and *Hutton*.

C. Provided always, and be it further enacted, That until there shall be a sufficient Depth of Water to enable the said Ships, Barges, Boats, Lighters, and other Vessels or Craft passing the said first imaginary Line to pass the whole of the said imaginary Lines nothing herein-before contained shall extend or be construed to extend to make liable to any of the said Tolls, Rates, or Duties any Barge, Boat, Lighter, or other Vessel or Craft whilst used and employed solely in the loading or unloading of any Ship or other Vessel which shall have paid or shall pay, in respect of the passing with

Exempting Lighters until there be a sufficient Depth of Water for Ships to pass the whole of the imaginary Lines.

[Local.]

3 I

such

such Loading, the above-mentioned Tolls, Rates, or Duties, or some of them.

To exempt Vessels driven by Stress of Weather.

CI. Provided always, and be it further enacted, That the Tolls herein-before authorized to be taken and demanded by the said *Ribble* Navigation Company or any of them shall not be applicable to or be collected or enforced with regard to or in respect of any Vessels of any Description entering the said River *Ribble*, and coming within the said imaginary straight Line called "The *Ribble* Sea Line," when driven within the same Line by Stress of Weather, or crossing the same for any other Purpose than that of direct trading in the said River *Ribble*.

A List of Tolls, &c. to be painted on Boards to be placed in certain conspicuous Places.

CII. And be it further enacted, That the said *Ribble* Navigation Company shall and they are hereby required to cause to be painted in White Letters upon Black Boards, and in a plain and legible Manner, a List of the Tolls, Rates, and Duties, and the Amount thereof for the Time being to be taken under and by virtue of this Act, and to cause one of such Boards to be placed near the said River in a conspicuous Place in the Township of *Preston*, another near the said River in a conspicuous Place in the Township of *Frickleton*, and another near the said River in a conspicuous Place in the Township of *Lytham*, and that upon such Boards, in case it be necessary to mention the above-mentioned Lines, the same shall respectively be distinguished as follows; namely, the most Westerly Line by the Name of "The *Ribble* Sea Line;" the Middle Line by the Name of "The *Ribble* Middle Line;" and the most Easterly Line by the Name of "The *Ribble* Harbour Line."

Act not to extend to charge Vessels laden with Manure, Paving Stones, or Road Materials within the Port of *Preston*.

CIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge any Flat, Lighter, Barge, Boat, or other Vessel or Craft navigating the said River, laden wholly with Manure, or with Paving Stones, Gravel, or other Materials for the making or repairing of Highways or other Roads within the said Townships of *Preston*, *Penwortham*, *Howick*, *Hutton*, *Longton*, *Hesketh* with *Beaconsall*, *Lea*, *Ashton*, *Ingol* and *Cottam*, *Clifton* with *Sabwick*, *Newton* with *Scales*, *Freckleton*, *Warton*, and *Lytham*, (so that the same do not go without or come from beyond the Limits of the Port or Creek of *Preston*,) with any of the Tolls and Duties hereby imposed.

Company to measure unregistered Boats.

CIV. And for ascertaining the Tonnage of any unregistered Boat, Barge, Lighter, or other Craft hereby made liable to a Tonnage Duty, or to any Duty in respect of the Tonnage thereof, be it enacted, That it shall be lawful for the said Company, or their Collector or Servants in that Behalf duly authorized, at any Time to measure the same, and remeasure the same, so often as they shall think convenient, and to set Marks in some conspicuous Place on the Outside thereof indicating the Tonnage of such Boat, Barge, Lighter, or other Craft; and if the Owner, Master, or Commander of any Boat, Barge, Lighter, or other Craft trading on the said River shall refuse to have the same measured and marked, he or they so refusing shall forfeit to the said Company any Sum not exceeding Five Pounds

Pounds, to be recovered by summary Proceedings, in the like Manner as herein-after directed.

CV. Provided always, and be it further enacted, That it shall be lawful for Her Majesty, by an Order of Council, or for the Lords Commissioners of Her Majesty's Treasury, or any Two or more of such Lords Commissioners, by an Order in Writing, from Time to Time to reduce the Tolls, Rates, and Dues which shall be imposed on Foreign Vessels under the Powers of this Act, or on all or on such and so many of such Vessels as Her Majesty, in and by such Order of Council as aforesaid, or as the Lords Commissioners as aforesaid, shall deem expedient, so as the same be not less than are hereby directed or authorized to be levied in respect of *British Vessels*.

Power to Her Majesty to reduce Tolls on Foreign Vessels.

CVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any of Her Majesty's Ships of War, or any Ship, Transport, or Vessel employed in or upon Her Majesty's Service in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging, or of any Ordnance, Barrack, or Commissariat Stores, or to any Vessel in the Service or Employ of the Admiralty, Ordnance, Customs, Excise, or Post Office.

Act not to affect Vessels in Her Majesty's Service.

CVII. And be it further enacted, That every Owner, Consignee, and other Person whosoever, landing or causing to be landed and laid any Goods or Merchandize, Timber, Wood of any Kind, Masts, Yards, Pumps, Boats, Anchors, Cables, Wrecks, Guns, Paving Stones, Limestones, Soapers Waste, Dung, or Manure or other Things, whatsoever (other than Materials for the making and necessary Repairs of the Works hereby authorized), upon any of the Works hereby authorized to be made, shall, within Forty-eight Hours next after the Time on which the same shall have been so landed or laid, wholly remove the same from and off such Works, Banks, Marshes, and Lands, on pain that such Owner, Consignee, or other Person shall forfeit a Sum not exceeding Five Shillings for each and every Hour that such Goods, Merchandize, and other Things, or any Part thereof, shall remain upon any of such Works beyond the said Times before specified.

Penalty for Nonremoval of Goods from the Works.

CVIII. And be it further enacted, That the Tonnage Rates or Duties payable to the said *Ribble* Navigation Company under the Authority of this Act shall be due and be paid to the said *Ribble* Navigation Company as follows; (that is to say,) in respect of any Ship, Barge, Boat, Lighter, or other Vessel or Craft entering the said River *Ribble*, and passing all or some or one only of the said imaginary Lines, then at or before the Expiration of Twelve Hours next after such Ship, Barge, Boat, Lighter, or other Vessel or Craft shall pass each of the said imaginary Lines respectively; and in respect of any Ship, Barge, Boat, Lighter, or other Vessel or Craft departing from the said River *Ribble*, and passing or intending to pass all or some or one only of the said imaginary Lines, then immediately before such Ship, Barge, Boat, Lighter, or other Vessel or Craft shall leave her Moorings and weigh Anchor: Provided always, that in case the Master or Person having the Command of any

Tonnage Rates or Duties when due and to be paid.

any Ship, Barge, Boat, Lighter, or other Vessel or Craft entering the said River *Ribble* shall declare his Intention to pass and shall actually pass all the said imaginary Lines before unloading any Part of the Cargo of such Ship, Barge, Boat, Lighter, or other Vessel or Craft, then and in such Case it shall be deemed and taken to be a sufficient Compliance with the Provision first above mentioned, in respect of such last-mentioned Ship, Barge, Boat, Lighter, or other Vessel or Craft, if the said Tonnage Rates or Duties be paid to the said *Ribble* Navigation Company at or before the Expiration of Twelve Hours next after such Ship, Barge, Boat, Lighter, or other Vessel or Craft shall pass the most Easterly of the said imaginary Lines, called "The *Ribble* Harbour Line."

Vessels may
be distrained
for Nonpay-
ment of
Rates.

CIX. And be it further enacted, That the said Rates, Tolls, and Duties shall be payable to the said *Ribble* Navigation Company in respect of any Ship, Barge, Boat, Lighter, or other Vessel or Craft entering or plying in the said River *Ribble* immediately upon the same being incurred as aforesaid; and in case any Owner, Master, Consignee, or other Person having the Charge or Command of any Ship, Barge, Boat, Lighter, or other Vessel or Craft, in respect of which any Rates or Sums of Money are payable to the said *Ribble* Navigation Company, shall refuse or neglect to pay the same, then and in every such Case it shall from Time to Time be lawful for the Collector of the said *Ribble* Navigation Company to go on board such Ship, Barge, Boat, Lighter, or other Vessel or Craft, to demand, collect, and receive such Rate or Sum of Money, and on Nonpayment thereof to take and distrain such Ship, Barge, Boat, Lighter, or other Vessel or Craft, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and the same to detain until such Rate or Sum shall be paid and satisfied; and in case of Neglect or Default in Payment of the said Rates or Sums for the Space of Fourteen Days next after any Distress so made or taken, then and in such Case it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more sworn Appraisers or other Persons not interested therein, and afterwards to sell the said Distress, and therewith to satisfy himself, as well for and in respect of the Rates or Sums of Money so neglected or refused to be paid, as for and in respect of his reasonable Costs and Charges in taking, keeping, appraising, and selling the same, rendering the Overplus, if any, to the Owner or Master, Consignee, or other Person having the Charge or Command of such Ship, Barge, Boat, Lighter, or other Vessel or Craft, upon Demand.

Provision
against
evading the
Payment of
Rates.

CX. And be it further enacted, That if any Owner, Master, Consignee, or other Person having the Charge or Command of any Ship, Barge, Boat, Lighter, or other Vessel or Craft shall elude or evade the Payment of any Rate, Toll, Duty, or Sum of Money payable to the said *Ribble* Navigation Company in respect of such Ship, Barge, Boat, Lighter, or other Vessel or Craft, such Owner, Master, Consignee, or other Person shall stand charged with and be liable to the Payment of the same; and the same shall be recovered from such Owner, Master, Consignee, or other Person in the same Manner as Fines and Penalties imposed by this Act

are

are directed to be levied and recovered, or by Action or Actions at Law.

CXI. And be it further enacted, That the Tonnage or Admeasurement of all registered Ships, Barges, Boats, Lighters, and other Vessels and Craft which shall be liable to the Payment of any Tonnage Rates or Duties as aforesaid shall be ascertained according to the certified Tonnage in the Ship's Register; and the Master or other Person having the Command of every such Ship, Barge, Boat, Lighter, or other Vessel or Craft is hereby required to produce such Certificate of Registry at the Time of the Payment of the said Rates to the Person or Persons who shall be duly authorized to collect and receive such Rates; and the Tonnage of such Ship, Barge, Boat, Lighter, or other Vessel or Craft, whether registered or Foreign or unregistered, shall be ascertained in the Manner and according to the Rule of Admeasurement prescribed by an Act passed in the Fifth and Sixth Year of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to regulate the Admeasurement of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom*, and as laid down by the Commissioners of Her Majesty's Customs.

For ascertaining the Tonnage and Admeasurement of Ships.

5 & 6 W. 4. c. 56.

CXII. And whereas the said Works hereby authorized to be made may be injured and destroyed, and the adjacent Lands and Premises thereby suffer Damage, and it may be necessary that the same should be immediately repaired or rebuilt to prevent further Damage; be it therefore enacted, That when and so often as any such Case shall happen it shall be lawful for the said Directors, their Servants, Agents, or Workmen, without Delay or Interruption from any Person, to enter into or upon any Lands, except within the Parish of *Meoles*, adjoining the said intended Works or any of them, not being Land whereon any House or other Buildings shall stand, or any Orchard, Garden, Park, Paddock, planted Walk, Nursery for Trees, Court-yard, or Avenue to a House, and to dig for, work, get, carry away, and use all such Stones, Gravel, Clay, and other Materials as may be necessary for the Purposes aforesaid, without any Notice given to the Owner or Occupier of or any other Person interested in such Lands, doing as little Damage thereby as the Nature of the Case will admit, and making Recompence and Satisfaction for the same to the Owners or Occupiers of and all other Persons interested in such Lands within the Space of Two Calendar Months next after such Injury shall be done, and the Recompence and Satisfaction demanded; which Damage, and the Recompence and Satisfaction to be made in respect thereof, in case the Parties do not agree among themselves, shall be settled and determined or assessed by the Ways and Means herein directed with respect to other Damages which may be done by making and completing the said Works: Provided also, that before the entering upon any such Lands for such temporary Purposes as aforesaid the said Company shall, if required by the Owner or Occupier thereof, find Two sufficient Persons who shall enter into a Bond to such Owner or Occupier in a Penalty of the Amount of Fifty Pounds per Acre, conditioned for the Payment of such Compensation; such

Power to repair Works when damaged by Floods or otherwise.

[Local.]

3 K

Securities

Securities to be approved of by Two Justices of the Peace for the County, Liberty, or Place in which the same Lands shall be situate, in case the Parties differ about the same: Provided also, that the said *Ribble* Navigation Company, before digging for, working, getting, carrying away, and using any Stones, Gravel, Clay, and other Materials as last aforesaid, shall stake out the Quantity or Quantities of Land in or from which the said *Ribble* Navigation Company may so intend to dig for, work, get, and carry away such Stones, Gravel, Clay, and other Materials.

Superintendent of Works may be appointed.

CXIII. And be it further enacted, That it shall be lawful for the said Directors, or any Three or more of them, from Time to Time as Occasion shall require, to appoint a proper Person to be Superintendent, and from Time to Time to remove, suspend, or dismiss him; and such Superintendent shall have full Power and Authority to direct, control, and manage the Alterations and Improvements in and upon the said River *Ribble*, and the Works hereby authorized, during the Time of making and effecting the same respectively and afterwards; and also the mooring, unmooring, Passage, Position, and Removal of any Ships, Vessels, or Craft of any Description in or upon the said River during the Time of making and effecting the said Alterations, Improvements, and Works respectively, and afterwards; and in case the Owner, Master, Pilot, Servant, or other Person having the Care of any such Ship, Vessel, or Craft shall refuse or neglect to obey any Order or Direction of the said Superintendent, after Notice to him given, or if any such Ship, Vessel, or Craft shall be left without any Person on board, it shall be lawful for the said Superintendent and his Assistants to moor or remove such Ship, Vessel, or Craft; and the Charges and Expences thereof respectively shall be repaid, together with any Sum not exceeding Five Pounds for each Offence, by the Master or Owner of such Ship, Vessel, or Craft, and may be recovered by the said *Ribble* Navigation Company from the Owner of such Ship, Vessel, or Craft, in case of Nonpayment thereof on Demand, by such Ways and Means as Penalties are by this Act directed to be recovered.

Penalty for obstructing the mooring of Vessels.

CXIV. And be it further enacted, That in case any Master, Commander, Mate, Pilot, or other Person having the Command of any Ship, Barge, Boat, Lighter, Vessel, or Craft of any Description, or the Owner or Agent thereof, or any other Person whomsoever, shall obstruct or hinder the mooring, unmooring, moving, or removing of any such Ship, Barge, Boat, Lighter, or other Vessel or Craft, such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds, to be recovered by such Ways and Means as Penalties are by this Act directed to be recovered.

For regulating the mooring of Vessels at the Buoys of the Company.

CXV. And be it further enacted, That no Ship, Barge, Boat, Lighter, Vessel, or Craft of any Description shall lie at the Buoys of the said *Ribble* Navigation Company, except with the special Permission of the Superintendent; and every Master, Pilot, and other Person having the Charge or Command of any such Ship, Barge, Boat, Lighter, or other Vessel or Craft lying or moored or having made fast to the said Buoys, or any of them, shall remove therefrom
such

such Ship, Barge, Boat, Lighter, or other Vessel or Craft under his Command within Three Hours after being required so to do by the Superintendent or his Assistants, under the Penalty of a Sum not exceeding Twenty Shillings for every Hour any such Ship, Barge, Boat, Lighter, or other Vessel or Craft shall remain at any of the said Buoys after such Requisition as aforesaid.

CXVI. And be it further enacted, That if any Person shall throw, cast, or put away any Ballast, Earth, Dust, Ashes, Stones, or other Things into the said River *Ribble*, or into or upon any of the Works to be made in pursuance of this Act, to the Injury or Prejudice thereof or the Navigation of the said River, or do any other Annoyance to the same respectively, or any Part thereof, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Earth or other Matters not to be thrown into the River or upon Works.

CXVII. And be it further enacted, That if any Person shall wilfully and maliciously demolish, break down, cut, or injure any of the Works to be made by virtue of this Act, or any Ship or Vessel lying in the said River *Ribble*, then and in every such Case every such Person, being convicted thereof, shall be deemed guilty of a Misdemeanor.

Punishment for injuring or destroying the Works.

CXVIII. And be it further enacted, That if any Person shall wilfully and maliciously cut, break, or in any Manner destroy any Post, Ring, Chain, Rope, or other Thing by which any Ship or Vessel lying in the said River *Ribble* shall be moored or fastened, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that nothing herein contained shall hinder or restrain the Superintendent to be appointed in pursuance of this Act, or his Assistants, from exercising in a due and reasonable Manner any of the Authorities hereby vested in him or them respectively.

Penalty for destroying Mooring-ropes or Chains.

CXIX. And whereas Damage may frequently be done to the Works hereby authorized, or to Buoys belonging to the said *Ribble* Navigation Company, by Ships and other Vessels navigating on the said River *Ribble*, owing to the Wilfulness or Negligence of the Masters or other Persons having or taking the Command or the Care or Charge of such Ships and Vessels; and although it is reasonable that such Damage should be compensated, such Compensation is frequently refused to be made; be it therefore enacted, That every Master, Mate, Pilot, or other Person having the Command, Care, or Charge of any Ship, Barge, Boat, Lighter, or other Vessel or Craft of any Description, by whose wilful Neglect or Mismanagement thereof any Damage shall be done or happen to any of the Works or Buoys belonging to the said *Ribble* Navigation Company, shall pay for or make good all such Damage; and in case the Amount claimed shall not exceed the Sum of Twenty Pounds, all such Damage shall be recoverable before any Two Justices of the Peace for the said County Palatine of *Lancaster*, who are hereby authorized and empowered to summon such Master or other Person having the Command or Charge

Penalty for Damage done to the Works by Ships and Vessels.

Charge of any such Ship, Barge, Boat, Lighter, or other Vessel or Craft doing such wilful or negligent Damage as aforesaid, to hear and determine the same, and ascertain such Damage; and if Judgment shall be given by them against such Master or Person, then it shall be lawful for such Justices, or One of them, or any other Justice of the Peace for the said County Palatine of *Lancaster*, and they are hereby authorized, by Warrant under their or his Hands and Seals, to levy or cause to be levied the Sum or Sums awarded by them as the Amount of such Damage, and for that Purpose to seize and distrain the Ship, Barge, Boat, Lighter, or other Vessel or Craft respectively doing such Damage as aforesaid, and any Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and the same to detain until the Sum of Money so awarded as aforesaid shall be paid; and in case the same shall not be paid for the Space of Seven Days after any Distress or Distresses so made or taken, then it shall be lawful to sell the same, or any Stores, Articles, or Things belonging to the same which may be sufficient in Value, and therewith to pay and satisfy the Money so awarded, together with the reasonable Costs and Charges in taking, keeping, and selling the same, rendering the Overplus (if any) to the Master or other Person entitled to the same, on Demand; and in case the Money cannot be levied as aforesaid, then by Warrant to cause or commit such Master or other Person as aforesaid to be imprisoned in any Common Gaol or House of Correction of the said County Palatine of *Lancaster*, there to remain for any Time not exceeding Six Calendar Months, unless the Sum of Money so awarded shall be sooner paid; and the same when levied in manner aforesaid shall go and be paid to the Treasurer of the said *Ribble* Navigation Company, to be applied to the Purposes of this Act.

Power to the
Company to
erect Signal
Houses.

CXX. And be it further enacted, That the said *Ribble* Navigation Company shall have full Power and Authority to contract and agree for the Purchase or Hire of any Lands, Tenements, or Hereditaments, with the Consent of the Owner or Owners thereof, in any Place within Ten Miles of *Naze Point*, for the Purposes of erecting and maintaining any Signal Houses, and such Telegraphs, Semaphores, or other Modes of Communication for the Safety of Vessels navigating to or from and upon the said River *Ribble*, or for the speedy Communication to Ship Owners and Merchants and others of the Arrival of Ships and Vessels off the Coast; and to pay for and maintain and support the same, when erected or established as aforesaid, with all proper Officers for the Management thereof, and to defray the Expences thereof, out of the Rates, Tolls, Dues, and Sums by this Act authorized to be taken and received; and also to make such Alterations and Improvements in any Signal Houses, Telegraphs, Semaphores, or other Modes of Communication belonging to them, and also from Time to Time to take down the same, or any of them, and build or establish another or others in their Stead, with proper Officers for the Management thereof, as the said *Ribble* Navigation Company shall deem expedient, and to defray all Expences relating thereto out of the Rates, Tolls, Dues, and Sums by this Act authorized to be taken and received.

CXXI. And

CXXI. And whereas it would tend very much to facilitate Ships and Vessels in coming into the said River if a Light or Lights, Beacon or Beacons, Sea-mark or Sea-marks, were erected or placed for the Guidance of such Ships or Vessels in their Entrance to or Departure from the said River; be it further enacted, That it shall and may be lawful for the said Directors, at any Time when they shall see fit, with such Sanction of the Corporation of *Trinity House of Deptford Strond* as herein-after mentioned, to erect or place in a proper Situation or proper Situations for the Purpose One or more Lighthouse or Lighthouses, or floating Lights, Beacon or Beacons, Sea-mark or Sea-marks, for the Guidance of Ships entering or departing from the said River, so as to render the Navigation to, upon, and from the said River more safe and commodious: Provided always, that the said *Ribble* Navigation Company shall maintain and keep in repair such Lighthouses or floating Lights or Sea-marks.

Power to erect and place Lights.

CXXII. And be it further enacted, That when any such Light-house or Light Vessel shall have been so erected or placed, and a Light or Lights exhibited therefrom, it shall be lawful for the said Directors to demand, collect, receive, and take of and from every Master, Owner, Agent, or Consignee of every Ship or Vessel which shall at any Time enter the said River Three-pence *per* Ton once in every Year, to be paid to such Officer of the Customs residing at *Preston*, or near thereto, as the said Directors, with the Consent of the Commissioners of Her Majesty's Customs, shall appoint to receive the same.

Light Tolls to be taken.

CXXIII. And be it further enacted, That when any such Light-house or Light Vessel shall have been so erected or placed, and a Light or Lights exhibited therefrom as aforesaid, it shall be lawful for the said Directors of the said *Ribble* Navigation Company and they are hereby authorized and empowered to demand and take of and from the Master, Owner, or other Person having the Command of any Ship or Vessel employed in the Foreign Trade entering the said River *Ribble*, and unloading therein, or at any Quay or Wharf adjoining thereto, any Sum not exceeding Three-pence *per* Ton for every Ton Burthen of such Ship or Vessel, such Tonnage to be ascertained according to the Rule of Admeasurement prescribed by Act of Parliament, and as laid down by the Commissioners of Her Majesty's Customs.

Tonnage Rates for certain Descriptions of Vessels.

CXXIV. Provided always, and be it further enacted, That One Moiety only of such Rates or Dues shall be charged on any Ship, Barge, Boat, Lighter, Vessel, or Craft which shall be forced into the said River by the Enemy, by Stress of Weather, or by receiving Damage at Sea, and shall not discharge or unload any Part of her Cargo in the said River *Ribble*, or at any Quay or Wharf adjoining thereto.

One Moiety only of such Rates to be charged on Vessels under certain Circumstances.

CXXV. And be it further enacted, That all Ships, Barges, Boats, Lighters, and other Vessels and Craft navigating wholly in Ballast
[Local.] 3 L which Ships wholly in Ballast to

be totally
exempt.

which shall enter the said River shall be exempt from the Payment of any such Rates or Dues.

No Cocket,
&c. to be
granted until
such Toll be
paid.

CXXVI. And be it further enacted, That it shall be lawful for any Collector, Comptroller, Surveyor, or other Officer of the Customs to refuse to take any Report, inward or outward, or to grant any Cocket, Transire, or other Document to the Master, Owner, Agent, or Consignee of any Ship, Vessel, or Craft entering the said River, until such Master, Owner, Agent, or Consignee shall have paid to the Person authorized to receive the same the said Sum of Three-pence *per* Ton on the Register Tonnage of such Ships or Vessels, or such other Tolls, Rates, or Dues which the said Company are hereby authorized to demand and take from the Master, Owner, Agent, or Consignee of any such Ship, Vessel, or Craft entering the said River: Provided always, that every such Collector, Comptroller, Surveyor, or Officer of Customs shall obey such Orders as shall be issued by the Commissioners of Her Majesty's Customs relating thereto.

Lights and
Beacons not
to be exhibit-
ed or altered
without the
Sanction of
the Trinity
House of
Deptford
Strond.

CXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said *Ribble* Navigation Company to exhibit or alter any Light, or erect or place any Beacon or Sea-mark, for the Guidance of Ships, Barges, Boats, Lighters, and other Vessels and Crafts in their Entrance or Departure from the said River *Ribble*, without having from Time to Time first obtained the Sanction in Writing of the Corporation of *Trinity House of Deptford Strond* as to the Description and Power of any such Light, and the Character of any such Beacon or Sea-mark, and the Mode of exhibiting the same respectively.

Saving the
Rights of the
Trinity
House.

CXXVIII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prejudice or derogate from any of the Rights, Privileges, Jurisdictions, or Authorities of the said Corporation of *Trinity House of Deptford Strond*.

The Corpo-
ration of
Trinity
House of
Deptford
Strond to
appoint Sub-
Commis-
sioners to ex-
amine Pilots,
and on their
Certificate
of Qualifica-
tion grant
Licences.

CXXIX. And be it further enacted, That it shall be lawful for the said Corporation of *Trinity House of Deptford Strond* and they are hereby required to appoint from Time to Time, as often and for such Periods as they in their Discretion shall think fit, proper and competent Persons, not to exceed Five nor to be less than Three Persons, resident at or in the Neighbourhood of *Preston* aforesaid in the said County Palatine of *Lancaster*, to act as Sub-Commissioners for the said River, who shall be called Sub-Commissioners of Pilotage for the River *Ribble*, and shall make a Declaration in due Form of Law as aforesaid for the faithful Discharge of their Duty; and such Persons so to be appointed shall examine, and they are hereby authorized, so long as their Deputation or Appointment shall not be revoked or superseded by the Appointment of other Persons in their Places, to examine the Qualification of Persons to act as Pilots for the said River *Ribble* and the neighbouring or adjoining Coasts; and it shall be lawful for the said Corporation, upon their receiving a satisfactory Certificate under the Hands of any Three of the Persons so to be appointed Sub-
Commis-

Commissioners as aforesaid, if the whole Number shall consist of Four or Five, and of any Two, if the whole Number shall consist of Three, that any such Person so examined as aforesaid is duly qualified to act for such River and the neighbouring or adjoining Coasts, to grant a Licence to such Person to act as a Pilot for the said River and such Coasts within the particular Limits, describing the same, for which he shall have passed such Examination; and when and so soon as the said Corporation shall have licensed any Pilot or Pilots for the said Harbour and the said adjoining Coasts they shall cause such Notice thereof to be given, and in such Manner and Form, and so to be published as the Notice directed to be given by an Act passed in the Sixth Year of His said late Majesty's Reign, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage, and also for the better Preservation of Floating Lights, Buoys, and Beacons*, in the Case of Licences granted by the said Corporations under the Authority of that Act to Pilots for any particular Port or Ports, and the Coasts near the same; and from and after the Time or Times to be limited in the said Notice, which shall not in any Case or in relation to any Ships or Vessels whatsoever be less than Six Weeks from the Publication thereof as aforesaid, and shall be proportionally more at the Discretion of the said Corporation in relation to Ships, Barges, Boats, Lighters, and other Vessels and Craft, Vessels engaged in Foreign Voyages at the Time of such Publication, all Ships and Vessels sailing, navigating, or passing into, upon, or out of the said River *Ribble*, or upon the Coasts thereof, within such Limits, (save and except under such Circumstances as are saved and excepted in and by the said Act of Parliament,) shall be conducted and piloted by such Pilots only as shall be so licensed as aforesaid by the said Corporation, and by no other Pilots or Persons whomsoever.

Notice of Appointment of Pilots by the Corporation to be published, &c., and in like Manner as in 6 G. 4. c. 125.

CXXX. And be it further enacted, That the said Corporation shall be and they are hereby invested with the same Power and Authority to establish, vary, or alter from Time to Time Rates of Pilotage in relation to all Pilotage performed within the Jurisdiction of the said *Ribble* Navigation Company by any Pilot to be licensed by the said Corporation as aforesaid as the said Corporation is now invested with in regard to Pilotage performed in any Port or on the adjoining Coasts thereof by any Pilots licensed by the said Corporation for any particular Port or Place under the Authority of the said Act of Parliament, subject to the same Right of Appeal as is given by the said Act; of which Establishment or Alteration of Rates of Pilotage such Notice shall be given and in such Manner and Form as is directed by the said Act; and no greater or less Rates or other Reward or Emolument for such Pilotage shall under any Pretence whatsoever be demanded, solicited, received, paid, or offered, on pain of forfeiting Ten Pounds for every such Offence, as well by the Persons demanding, soliciting, or receiving, as by the Persons paying or offering such greater or less Rates, Reward, or Emolument.

The Corporation to establish Rates for Pilotage.

CXXXI. And be it further enacted, That the Licences to be granted by the said Corporation under the Authority of this Act shall be granted in such Form and for such Period, and subject to such Power of Renewal and Suspension, Amendment or Revocation,

Licences to be granted in as required by 6 G 4. c. 123;

as

and the Provisions of that Act to apply to all Pilots, Masters, &c.

as the Licences granted under the said Act of Parliament passed in the Sixth Year of the Reign of His said late Majesty; and such Pilots, when so licensed as aforesaid under the Authority of this Act, shall, for all Purposes and to all Intents whatsoever, be and be deemed and taken to be Pilots licensed under the said last-mentioned Act so passed as aforesaid; and all and every the Enactments, Protections, Provisions, Forfeitures, Penalties, Matters, and Things contained in the said Act of Parliament or conferred or imposed thereby, and all Bye Laws made by the said Corporation in pursuance thereof, shall be deemed and taken to apply to Pilots so to be licensed as aforesaid under the Authority of this Act, and to all Masters and Owners of Ships and Vessels and other Persons whatsoever, in the same Manner and to the same Extent; and the said Forfeitures and Penalties shall be recovered and applied in the same Way as if the said last-mentioned Pilots had been duly licensed under the said Act of Parliament so passed as aforesaid in the Sixth Year of the Reign of His said late Majesty.

Power to provide Life Boats.

CXXXII. And be it further enacted, That it shall be lawful for the said *Ribble* Navigation Company to provide such and so many Life Boats and other Vessels or Craft to be used and established for the Purpose of rendering Assistance to Vessels in Distress on the Coast, or within or near the said River, and to erect such Boathouses or Sheds and Ways for launching the same as they may from Time to Time think necessary or expedient, and to defray the Expences of maintaining, establishing, and using the same out of the Rates, Tolls, Dues, and Sums by this Act authorized to be taken and received.

Power to provide Steam Tug Boats, &c.

CXXXIII. And be it further enacted, That it shall be lawful for the said *Ribble* Navigation Company and they are hereby authorized to build, purchase, or hire any Steam Tugs or Steam Boats for the Purpose of towing any Vessels or Ships into, out of, or upon the said River, and to defray the Expences of building, purchasing, hiring, repairing, maintaining, and working the same out of the Rates, Tolls, Dues, and Sums hereby authorized to be received and taken.

Land gained or reclaimed to belong to Owners of adjoining Lands.

CXXXIV. And whereas by the Execution of the Powers of this Act, or by reason of the Change or Changes in the Course or Direction of the said River *Ribble* in consequence thereof, Land may be gained or reclaimed; be it therefore enacted, That all Land so from Time to Time gained or reclaimed between the said Bridge and the said Place where the said River *Ribble* for the Time being falls into the Sea shall from Time to Time belong to and become and be the Property of the respective Owners of the Lands next adjoining thereto respectively, subject nevertheless to the Powers and Authorities hereby vested in the said *Ribble* Navigation Company.

A Plan of the Lands adjoining to the River to be made;

CXXXV. And be it further enacted, That an Admeasurement and Plan of the Lands next adjoining to the said River *Ribble* between the said Bridge and the said Place where the said River *Ribble* for the Time being falls into the Sea shall immediately, or so soon

soon as conveniently may be after the passing of this Act, be made at the Expence of the said *Ribble* Navigation Company, which said Plan shall show both High and Low Watermarks, and the Quantity or Quantities of Herbage or Grass Land between such Marks between the said Bridge and the said Place where the said River *Ribble* for the Time being falls into the Sea; and at the End of Ten Years next after the passing of this Act, and so on at the End of every successive Ten Years afterwards, or so soon as conveniently may be after such Periods respectively, a similar Admeasurement and Plan shall be made, at the Expence of the said *Ribble* Navigation Company, showing the Quantity or Quantities of Land (if any) gained or reclaimed from the said River, within each such Period of Years by the Means aforesaid, between the said Bridge and the said Place where the said River for the Time being falls into the Sea: Provided always, that the said *Ribble* Navigation Company may, if they think proper, instead of causing such new Plan or Plans as last aforesaid to be made, from Time to Time cause the said original Plan to be altered so as to show the Quantity or Quantities of Land (if any) from Time to Time gained or reclaimed as aforesaid.

and similar Plans to be made at the End of every Ten Years; or the original Plan may be altered.

CXXXVI. And be it further enacted, That the said original Plan and the said new or altered Plans shall from Time to Time be certified under the Hands of any Two Justices of the Peace for the County Palatine of *Lancaster* (not interested in the Undertaking hereby authorized) to be correct, which said Justices may, if they think proper, require the Accuracy of such Plans respectively to be verified upon Oath, which Oath they are hereby authorized and empowered from Time to Time to administer.

Certificate of Accuracy of Plan.

CXXXVII. And be it further enacted, That every such Plan as aforesaid, whether original or new or altered, shall, when and so soon as the same shall be respectively certified as aforesaid, be deposited with the Clerk of the Peace for the said County Palatine of *Lancaster*, and remain in his Custody, to the end that all Persons interested in any Manner in any Lands adjoining to the said River, or in any Lands shown or set forth in such Plans respectively, shall at all reasonable Times have Liberty to inspect the same respectively, and to have Copies thereof or Extracts therefrom at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies; and the said Plans respectively, or any Copy thereof or Extracts therefrom, such Copy or Extract being certified to be a true Copy or Extract by the said Clerk of the Peace or his lawful Deputy, shall be good and sufficient Evidence of the relative State of the said River and Lands shown or set forth therein respectively at the Time of making such Plan in all Courts and elsewhere.

Plans to be deposited with the Clerk of the Peace, and certified Plans, Copies, and Extracts thereof to be Evidence.

CXXXVIII. And be it further enacted, That at the End of Ten Years from the passing of this Act, and so on at the End of every successive Ten Years afterwards, or within Six Calendar Months next after such Periods respectively, Three Persons, one to be nominated and appointed by the said *Ribble* Navigation Company, another by the Owners for the Time being of the said Lands adjoining to the

Valuations of Land gained or reclaimed to be made, and Rents to be settled by Arbitration.

[Local.]

3 M

said

said River, and the third by the Two Persons so to be nominated and appointed as aforesaid, shall fix and settle the Value of the several Quantities of Land (if any) so gained or reclaimed as aforesaid within such Periods respectively, and the Portions thereof to belong to such Owners respectively; and shall also fix and settle the annual Rents to be paid to the said *Ribble* Navigation Company for such Portions respectively, and the Periods when such Rents shall become due and be payable, and shall certify under their Hands such Value, Portions, Rents, and Periods of Payment thereof respectively; which respective Certificates shall be annexed to the appropriate Plans so to be deposited with the said Clerk of the Peace as aforesaid, and shall refer by Numbers or Figures or otherwise to such Plans, so as to show the Portions of Land (if any) so gained or reclaimed as aforesaid belonging to such respective Owners, and the Rents payable in respect of such Portions respectively, and may be inspected at all reasonable Times by all Persons interested in any Manner in such Lands (if any) so gained or reclaimed as aforesaid; and Copies thereof or Extracts therefrom may be taken by such Persons respectively at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words for furnishing Copies of or Extracts from such Certificates; and such Certificates, or any Copy thereof or Extract therefrom, (such Copy or Extract being certified to be a true Copy or Extract by the said Clerk of the Peace or his lawful Deputy,) shall be good and sufficient Evidence of the said Value, Portions, Rents, and Periods of Payment respectively in all Courts of Law and elsewhere: Provided always, that the said Persons so to be nominated and appointed as aforesaid shall, in fixing and settling such Value and Rents as aforesaid, take into consideration the State and Condition of the Lands (if any) so gained or reclaimed as aforesaid at the Time of fixing and settling such Value and Rents as aforesaid, and also the Costs and Expences incurred by the Owner or Owners of the same in gaining or reclaiming such Lands, and all other Circumstances as to the Probability of such Lands being so gained or reclaimed by Works done, or by the Owner or Owners of the same, before the passing of this Act: Provided also, that the Determinations and Settlements of the said Three Persons so to be nominated and appointed as aforesaid, of such Value, Portions, Rents, and Periods of Payment as aforesaid, shall be final, binding, and conclusive upon all Persons whomsoever to all Intents and Purposes whatsoever: Provided always, that nothing in this Act contained shall authorize or empower, or be deemed, construed, or taken to authorize or empower, the said Persons so to be nominated and appointed as aforesaid to increase the Amount of the Rent of any Land so gained or reclaimed by the said *Ribble* Navigation Company after such Rent shall have been once fixed, settled, and certified as aforesaid, but that such Rent, when once fixed, settled, and certified as aforesaid, shall be and remain a fixed and permanent Rent, subject nevertheless to Reduction or Extinction as herein-after provided.

In case of
Land gained
or reclaimed
being wholly
or partially

CXXXIX. And be it further enacted, That in case any Land in respect of which any such Rent as aforesaid shall have been fixed, settled, or certified as aforesaid shall at the Time of any subsequent Valuation as aforesaid be wholly lost or taken away, or rendered valueless

valueless for Agricultural Purposes, or be diminished in Quantity or in Value for Agricultural Purposes, by or by reason of the Execution of any of the Powers of this Act, the Persons so empowered to fix and settle the said Value, Portions, Rents, and Periods of Payment as aforesaid shall wholly extinguish or partially reduce (as the Case may require) the Rents made payable in respect of such Lands so wholly lost or taken away, or rendered valueless for Agricultural Purposes, or so diminished in Quantity or in Value for Agricultural Purposes as aforesaid, and shall certify in manner aforesaid such Extinctions and Reductions respectively, and the same Rents shall be extinguished or reduced (as the Case may be) accordingly: Provided always, that in case of a Diminution of Quantity as aforesaid the Rent shall be reduced in proportion as the Quantity of Land lost or taken away may be in respect of the Quantity of Land which may remain; and in case of a Diminution of Value as aforesaid the Rent shall also be reduced in proportion as the Value lost or taken away may be in respect of the Value which may remain: Provided also, that the said *Ribble* Navigation Company shall have the same and the like Means and Remedies in all respects for the Recovery and compelling Payment of every such reduced Rent as the said *Ribble* Navigation Company may have or enforce for the Recovery and compelling Payment of any Rent fixed and settled as aforesaid: Provided always, that it shall be lawful for the said *Ribble* Navigation Company, from Time to Time and when they may think proper, to take and resume for the Purposes of this Act any Lands so gained or reclaimed as aforesaid; and from and after such taking and Resumption thereof the Lands so taken and resumed shall not be subject to or chargeable with the Rent which the same were previously subject to or chargeable with, or any Part thereof.

lost, or being rendered valueless, or being diminished in Value for Agricultural Purposes, Rents to be reduced.

CXL. And be it further enacted, That a Meeting of the Owners for the Time being of the Lands adjoining to the said River may be called by any Person interested in any such Lands by public Advertisement, to be inserted twice in some Newspaper circulating in the said County Palatine of *Lancaster*, for the Purpose of nominating and appointing, and which Meeting shall have Power to nominate and appoint, a Person to act for them in the fixing and settling of such Value, Portions, Rents, and Periods of Payment as aforesaid; and at all such Meetings the Decision of the Majority present shall bind the Minority and all absent Parties: Provided always, that the last of such Insertions shall be One Week at least before such Meeting is intended to be held; and such Advertisement shall specify the Time and Place of such Meeting, which shall always be within the said Borough of *Preston*.

A Meeting of the Land Owners to be called to appoint an Arbitrator.

CXLI. And be it further enacted, That in case the said *Ribble* Navigation Company shall not nominate and appoint, as herein-before directed, a Person to act for them in fixing and settling such Value, Portions, Rents, and Periods of Payment as aforesaid, or shall not give such Notice of any such Nomination and Appointment as herein-after directed, or in case the said Land Owners shall not nominate and appoint, as herein-before directed, a Person to act for them in fixing and settling such Value, Portions, Rents, and Periods

If the Company or the Land Owners fail to appoint an Arbitrator, Two Justices may appoint one.

Periods of Payment as aforesaid, or shall not give such Notice of any such Nomination and Appointment as herein-after directed, then and in every such Case of Default any Two Justices of the Peace for the said County Palatine of *Lancaster* (not interested in the Undertaking hereby authorized) shall, on Application by the Party not in default, or his or their Agent, (reasonable Evidence of such Want of Nomination and Appointment, or of such Want of Notice as aforesaid, to the Satisfaction of such Justices, being first given,) nominate and appoint under their Hands a Person to act as aforesaid for the Party so in default; and the Person so to be nominated and appointed by the said Justices shall, together with the Person nominated and appointed by the said *Ribble* Navigation Company or the said Land Owners (as the Case may be), nominate and appoint a Third Person to act with them; and such Three Persons shall have the same and the like Powers and Authorities in all respects, and shall certify in like Manner, and their Certificates, Determinations, and Settlements shall have the same Force, Effect, and Validity in all respects, as if the said *Ribble* Navigation Company and the said Land Owners had duly nominated and appointed Two Persons, and such Two Persons had duly nominated and appointed a Third Person as herein-before directed.

If the Two Arbitrators do not appoint a Third, any Two Justices may appoint upon being so required.

CXLII. And be it further enacted, That in case the Two Persons so to be nominated and appointed by the said *Ribble* Navigation Company and the said Land Owners, or by the said Company or the said Land Owners and the said Justices, shall not nominate and appoint such Third Person as aforesaid within Two Months after their Nomination and Appointment as aforesaid, or shall not give such Notice of their Nomination and Appointment of a Third Person as herein-after directed, any Two Justices of the Peace for the County Palatine of *Lancaster* (not interested in the Undertaking hereby authorized) shall, on Application of the said *Ribble* Navigation Company, or by any Three of such Land Owners as aforesaid, (reasonable Evidence of such Want of Nomination and Appointment, or of such Want of Notice as last aforesaid, to the Satisfaction of such Justices, being first given,) nominate and appoint such Third Person to act with the Two Persons so nominated and appointed as aforesaid; and such Three Persons shall have the same and the like Powers and Authorities in all respects, and shall certify in like Manner, and their Certificates, Determinations, and Settlement shall have the same Force, Effect, and Validity in all respects as if the said *Ribble* Navigation Company and the said Land Owners had duly nominated and appointed Two Persons, and such Two Persons had duly nominated and appointed a Third Person as herein-before directed.

Notice of Appointments to be given.

CXLIII. Provided always, and be it further enacted, That Notice of every such Nomination and Appointment as aforesaid shall, within Three Weeks next after the same respectively shall be made, be given by Advertisement in One or more Newspaper or Newspapers usually circulated in the said County Palatine of *Lancaster*, or affixed upon the Door of the Parish Church of the Parish of

Preston in the said County, or on the Door of the Town Hall of the Borough of *Preston* in the said County.

CXLIV. And whereas some of the Lands adjoining to the said River are vested in different Numbers of Persons in Shares or Cattle Gates, and others of such Lands are enjoyed by the Freeholders of the Townships or Places in which they are situate as common and unstinted Pasture; be it therefore enacted, That One only of each Number of the Persons respectively in whom such Shares or Cattle Gates respectively as aforesaid shall for the Time being be vested, and One only of each Number of Freeholders respectively as aforesaid, which Freeholders shall be deemed and taken to be Owners of such Land whereon they enjoy common and unstinted Pasture as aforesaid for the Purposes of this Act, shall act and vote on behalf of himself and his Co-owners at such Meeting of Land Owners for such Nomination and Appointment as aforesaid; and such One Person as aforesaid of each Number of Persons respectively in whom such Shares or Cattle Gates respectively may for the Time being be vested as aforesaid shall be nominated and appointed to act and vote as aforesaid by a Meeting of such Persons his Co-owners respectively in whom such Shares or Cattle Gates respectively may for the Time being be vested as aforesaid; and such One Freeholder as aforesaid shall be nominated and appointed to act and vote as aforesaid by a Meeting of the said Freeholders his Co-owners respectively; which first-mentioned Meeting may be called by any Person of each Number of Persons as aforesaid in whom any such Share or Cattle Gate may for the Time being be vested as aforesaid, and which lastly-mentioned Meeting may be called by any Freeholder of each Number of Freeholders as aforesaid, by public Advertisement inserted twice in some Newspaper usually circulated in the said County Palatine of *Lancaster*; and the Decision of the Majority present at any such Meeting shall bind the Minority and all absent Parties; and in case of any such Meeting not being held, or, being held, in case such Nomination and Appointment respectively as aforesaid shall not be made, such Number of Persons in whom such Shares or Cattle Gates may for the Time being be vested as aforesaid, and such Number of Freeholders, failing to nominate and apopint or to hold a Meeting as aforesaid (as the Case may be), shall respectively (as the Case may be) be excluded from interfering in the Nomination and Appointment of the Person to act in fixing and settling such Value, Portions, Rents, and Periods of Payment as aforesaid: Provided always, that the last of such Insertions shall be One Week at least before such Meetings respectively may be intended to be held; and such Advertisements shall specify the Time and Place of such Meetings respectively within the Townships respectively in which the Lands so held in Shares or Cattle Gates as aforesaid, or in which the Lands so used as common and unstinted Pasture as aforesaid (as the Case may be,) may respectively be situate.

Meetings of Owners of Cattle Gates and of Freeholders of Townships having Common of Pasture on Lands adjoining the River, to appoint One of their Body to act at the Meetings of Land Owners for the Appointment of an Arbitrator.

CXLV. And be it further enacted, That the annual Rents so to be fixed and settled as aforesaid, and the said reduced Rents, shall be charged and chargeable upon the Lands in respect of which they may from Time to Time be payable, and shall be paid by the

Mode of Recovery of annual Rents.

[Local.]

3 N

Tenants

Tenants or Occupiers for the Time being of such Lands respectively as the same shall become due and payable; and in case the same shall not be paid within Twenty-one Days next after the same shall so become due and payable it shall be lawful for the said *Ribble* Navigation Company to sue for and recover the same, and the Portion thereof then due and owing, from the Tenants or Occupiers for the Time being of such Lands, with Costs of Suit, by Action of Debt in any of Her Majesty's Courts of Record; or otherwise to seize and distrain any Goods or Effects of the said Tenants or Occupiers which shall be found upon the said Lands, or in or upon any Lands or Premises adjoining thereto, in the Possession of such Tenants or Occupiers, Information of such Distress being immediately given to the said Tenants or Occupiers by Notice in Writing or in Print, or partly in Writing and partly in Print, and to detain the same until Payment of such annual Rents or the Portions thereof then due and owing, together with the reasonable Charges attending such Distress; and if such Distress shall not be redeemed within Five Days next after making the same, and Notice thereof given as aforesaid, then such Goods or Effects so distrained shall and may be sold or disposed of in such Manner as the Law directs in case of Distress for Rent.

Indictments
how to be
preferred.

CXLVI. And be it further enacted, That in all Indictments, Informations, or legal Proceedings whatsoever to be preferred, instituted, or carried on against any Person for feloniously taking, stealing, or embezzling, or for destroying, damaging, or injuring, removing or carrying away, any Goods, Chattels, or Property of or belonging to the said *Ribble* Navigation Company, or any Goods, Chattels, or Property in their Custody or Possession, or in the Custody or Possession of any Officer or Servant of the said *Ribble* Navigation Company for or on behalf of the said *Ribble* Navigation Company, or for or on behalf of any other Person or Corporation having deposited such Goods, Chattels, or Property in the Care or Custody of the said *Ribble* Navigation Company, or of their Officers or Servants, or in or upon the said River, or in or upon any of the Works hereby authorized, or in or upon any of the Premises belonging to the said *Ribble* Navigation Company, and in all other Indictments, Informations, or legal Proceedings whatsoever of or concerning such Goods, Chattels, or Property respectively, it shall be sufficient to describe and refer to such Goods, Chattels, or Property respectively as the Goods, Chattels, or Property of the said *Ribble* Navigation Company; and in case the same shall have been so as aforesaid feloniously taken, stolen, or embezzled, or removed or carried away, to allege that the same were so feloniously taken, stolen, embezzled, or removed or carried away (as the Case may be) from the said *Ribble* Navigation Company; and it shall be sufficient on the Trial or Hearing of any such Indictment, Information, or other legal Proceedings, to prove that at the Time when such Goods, Chattels, and Property respectively were so feloniously stolen, taken, or embezzled, or so damaged, destroyed, or injured, or removed or carried away, or when the other Matter or Thing complained of in such Indictment, Information, or other legal Proceedings took place, such Goods, Chattels, and Property were in or upon the said River,

or in or upon any of the Works hereby authorized, or in or upon any of the Premises belonging to the said *Ribble* Navigation Company, or in the Custody of any Officer or Servant of the said *Ribble* Navigation Company, or Officer of Customs or Excise, for and on behalf of the said *Ribble* Navigation Company, or for and on behalf of some Person or Corporation having deposited the same with the said *Ribble* Navigation Company, without any other Proof of Property.

CXLVII. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof or of any Dispute respecting the same, shall be ascertained and determined by any Justice or Justices of the Peace for the said County Palatine of *Lancaster*, such Justice or Justices not being interested in the Matters in question nor Members of the said Company; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof or of any Dispute respecting the same, shall be settled and determined by the Justice or Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages and Charges in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

Amount of Damages not specially provided for how to be ascertained.

CXLVIII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of this Act as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said *Ribble* Navigation Company, or any Person or Persons acting under their Authority, and such Sum or Sums of Money shall not be paid by the said *Ribble* Navigation Company to the 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 of the said *Ribble* Navigation Company, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices; which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of

In case of Nonpayment of Compensation for Damages, &c. by the said Company, the same to be levied by Distress of the Goods vested in the Company or their Treasurer.

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 *Ribble* Navigation Company, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall 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.

For Recovery
and Applica-
tion of
Penalties.

CXLIX. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Order, or Rule made in pursuance thereof, (the Manner of levying and recovering whereof is not herein otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace of the County Palatine of *Lancaster* or Borough of *Preston* in Petty Sessions assembled, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid, one Moiety to the Informer, and the Remainder to the said Company, for the Use and Benefit of the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, one Moiety to the Informer, and the Remainder to the Overseers of the Poor of the Parish, Township, or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish, Township, or Place; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justices of the Peace for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress, (such Time not being more than Eight Days from the taking of such Security,) and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if
a War-

a Warrant of Distress should be issued, and such Justices shall not be required to issue such Warrant of Distress, but they are hereby required by Warrant under their Hands and Seals to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

CL. And be it further enacted, That it shall be lawful for any Officer or Agent of the said *Ribble* Navigation Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name shall be unknown to such Officers or Agents, and who shall commit any Offence against this Act, and to convey him before some Justice or Justices of the Peace for the said County Palatine of *Lancaster*, or for the Borough of *Preston*, without any other Authority than this Act; and such Justice and Justices is and are hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

For securing transient Offenders.

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

Justices may proceed by Summons without Information in Writing.

CLII. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act, or by this Act provided for, may cause the Information (when an Information shall be taken in Writing or in Print, or partly in Writing or partly in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

Form of Information and Conviction:

‘ to wit. } BE it remembered, That on the Day of Information.
 ‘ A.B. of informeth me C.D., one of Her
 ‘ Majesty’s Justices of the Peace for the County Palatine of *Lancaster*,
 ‘ that E.F. of [here describe the Offence,
 ‘ and the Time and Place when and where committed], contrary to an
 [Local.] 3 O Act

‘ Act [or contrary to a Bye Law made in pursuance of an Act,
 ‘ as the Case may be,] passed in the First Year of the Reign of Queen
 ‘ Victoria, intituled [here insert the Title of the Act], which hath
 ‘ imposed a Forfeiture of _____ for the said Offence.
 ‘ Taken the _____ Day of _____ before me.
 ‘ _____ C.D.’

Conviction.

‘ } BE it remembered, That on the _____ Day of
 ‘ to wit. } _____ in the Year of our Lord
 ‘ A.B. is convicted before me C.D., One [or before us E.F. and
 ‘ G.H., Two, as the Case may be,] of Her Majesty’s Justices of the
 ‘ Peace for the County Palatine of Lancaster, [here describe the
 ‘ Offence, and the Time and Place when and where committed], contrary
 ‘ to an Act, or contrary to a Bye Law duly made in pursuance of an
 ‘ Act [as the Case may be] passed in the First Year of the Reign of
 ‘ Queen Victoria, intituled [here set forth the Title of this Act]. Given
 ‘ under my Hand and Seal the Day and Year first above written.’

Distress not
unlawful for
Want of
Form.

CLIII. And be it further enacted, That when any Distress shall
 be made for any Money by virtue of this Act, the Distress itself
 shall not be deemed unlawful, nor shall any Party making the same
 be deemed a Trespasser, on account of any Defect or Want of Form
 in the Summons, Conviction, Warrant of Distress, or other Pro-
 ceedings relating thereto, nor shall such Party be deemed a
 Trespasser *ab initio* on account of any Irregularity which shall be
 afterwards committed by him, but all Persons aggrieved by such
 Defect or Irregularity may recover full Satisfaction for the special
 Damage by an Action on the Case.

Proceedings
not to be
quashed for
Want of
Form, nor
removed by
Certiorari.

CLIV. And be it further enacted, That no Proceedings to be had
 or taken in pursuance of this Act shall be quashed or vacated for
 Want of Form, or be removed by Certiorari, or by any other Writ
 or Proceeding whatsoever, into any of Her Majesty’s Courts of
 Record at *Westminster* or elsewhere, any Law or Statute to the
 contrary notwithstanding.

Power to
appeal to the
Sessions.

CLV. And be it further enacted, That all Corporations and
 Persons who may think themselves aggrieved by any Bye Law,
 Rule, or Order, (except those merely affecting the said *Ribble* Navi-
 gation Company, or the said Directors, or the Servants of the said
Ribble Navigation Company), or by any Order or Judgment made or
 given by virtue of this Act, and also the said *Ribble* Navigation
 Company and all other Corporations and Persons who may think
 themselves aggrieved by any Order, Judgment, or Determination of
 any Justice of the Peace relating to any Matter or Thing in this
 Act mentioned or contained, may, within Four Calendar Months
 next after such Order, Judgment, or Determination shall have been
 given, appeal to the Justices of the Peace at any General or Quarter
 Sessions to be holden for the County Palatine of *Lancaster*, at the
 Option of the Appellant, first giving Ten Days Notice in Writing of
 such Intention to appeal, and of the Grounds and Nature thereof, to
 the Party against whom such Complaint is intended to be made, or
 to the said *Ribble* Navigation Company (as the Case may be), and
 forthwith

forthwith after such Notice, in the Case of an Individual appealing, entering into a Recognizance before some Justice of the Peace for the said County Palatine of *Lancaster*, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and such Justices shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions, or if they think proper may adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for the said County; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of this Act, or of such Bye Law, Rule, Order, or Determination, and may also order such further Satisfaction to be made to the Party injured as they shall adjudge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

CLVI. And be it further enacted, That it shall be lawful for any Two Justices of the Peace acting within their Jurisdiction and they are hereby required to appoint from Time to Time such fit and proper Persons as they shall think proper to be Special Constables within the Jurisdiction of the said *Ribble* Navigation Company; and every Person so appointed shall make a solemn Declaration, to be administered by any Justice of the Peace, duly to execute the Office of a Constable for the said Premises; and every Person so appointed, and having made such Declaration as aforesaid, shall have Power to act as a Constable for the Preservation of the Peace, and for the Security of Persons and Property against Felonies and other unlawful Acts within the said Jurisdiction, and within Half a Mile therefrom, and shall have, use, exercise, and enjoy all such Powers, Authorities, Protections, and Privileges for the apprehending Offenders, as well by Night as by Day, and for doing all Acts, Matters, and Things for the Prevention, Discovery, and Prosecution of Felonies and other Offences, and for the Preservation of the Peace, as Constables duly appointed now have by the Laws and Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*; and it shall be lawful for any Two Justices to dismiss or remove any such Constable from his Office of Constable; and upon every such Dismissal or Removal all Powers, Authorities, Protections, and Privileges by virtue of such Appointment as aforesaid vested in any Person so dismissed or removed shall wholly cease; and every Person so appointed by such Justices as aforesaid shall, during such Time as he shall act as Constable for the Purposes aforesaid, receive from the said *Ribble* Navigation Company such Salary as the said Justices shall appoint, and such Salary shall be payable at such Times and in such Manner as the said Justices shall appoint, and shall be recoverable in the same Manner as Damages to a small Amount are by this Act directed to be recovered.

Justices to
appoint
Special
Constables.

CLVII. And be it further enacted, That in all Cases in which any Justice of the Peace is by this Act authorized to examine any Person, or to take cognizance of or to hear and determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby re-

Power to
Justices to
administer
Oaths.

quired

quired to administer an Oath to or to receive the Affirmation of any Person before he shall be examined by or before such Justices.

Persons giving false Evidence guilty of Perjury.

CLVIII. And be it further enacted, That if any Person, in any Examination to be taken by virtue of this Act, or where, in pursuance of this Act, any Oath is required to be taken, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he shall be subject to the same Punishment as Persons convicted of wilful and corrupt Perjury.

Penalty on Witnesses for refusing to attend.

CLIX. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, or against any such Bye Law, Rule, Order, or Regulation as aforesaid, either on the Part of the Prosecution or on the Part of the Person or Persons accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed (having been paid or tendered a reasonable Sum of Money for his Costs and Expences), without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath, or, in the Case of Quakers or Separatists, on Affirmation, or to give Evidence before such Justice, then and in every such Case every Person so offending shall forfeit and pay any Sum not exceeding the Sum of Five Pounds for every such Offence.

Officers of the Company not thereby disqualified as Witnesses.

CLX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise or Information be lodged touching or in anywise relating to any of the Provisions of this Act, or relating to Tolls, Rates, Duties, or Charges by this Act authorized to be received, or relating to any Penalties which may be incurred under this Act, or respecting any Matter or Thing relating to the said River or the Works hereby authorized, or to this Act, no Person acting by or under the Authority of the said *Ribble* Navigation Company, or in the Service for the Time being of the said *Ribble* Navigation Company, shall for that Reason alone be in any Manner disqualified or incapacitated from giving Evidence in, upon, or respecting such Dispute, Suit, Information, or Litigation, or respecting any Matter or Thing relating to the said River *Ribble* or Works, or to this Act.

What shall be good Service of Notice on the Company.

CLXI. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice or any Writ, or other Proceeding at Law or in Equity, upon the said *Ribble* Navigation Company, personal Service thereof upon the Secretary or Clerk of the said *Ribble* Navigation Company, or leaving the same at the Office of the said *Ribble* Navigation Company, or of such Secretary or Clerk, or delivering the same to some Inmate of such Office of the said *Ribble* Navigation Company, or at the last or usual Place of Abode of such Secretary or Clerk, or in case the same respectively shall not be found or known, then personal Service thereof upon any other Agent of or Officer employed by the said *Ribble* Navigation Company, or any one Director

of the said *Ribble* Navigation Company, or delivering the same to some Inmate of the last or usual Place of Abode of such Agent, Officer, or Director, shall be deemed good and sufficient Service of the same respectively on the said *Ribble* Navigation Company.

CLXII. And be it further enacted, That in all Cases in which it may be necessary for the said *Ribble* Navigation Company to serve any Summons or Demand, or any Notice, or any Writs or other Proceeding at Law or in Equity, upon any Person or Corporation under the Provisions of this Act, personal Service thereof respectively upon the Clerk or other Officer of such Corporation, or delivering the same to some Inmate of the last or usual Place of Abode of such Person, Clerk, or other Officer, or in case there shall be no Clerk or other Officer, then on any Director or Manager of such Corporation, or delivering the same at his last or usual known Place of Abode, shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation, as the Case may be: Provided always, that every Summons, Demand, Notice, or other Document requiring Authentication by the said *Ribble* Navigation Company may, except where the same is by this Act otherwise expressly directed, be signed by One Director, or by the Secretary or Clerk of the said *Ribble* Navigation Company, and need not be under the Common Seal of the said *Ribble* Navigation Company, and may be in Writing or in Print, or partly in Writing and partly in Print.

What shall be good Service of Notice by the Company.

CLXIII. And be it further enacted, That in case any Person against whom the said *Ribble* Navigation Company shall or may have any Claim or Demand shall become bankrupt or insolvent, it shall be lawful for any Person who shall from Time to Time in that Behalf be appointed by Writing under the Hand of any One or more of the Directors of the said *Ribble* Navigation Company for the Time being to act in behalf of the said *Ribble* Navigation Company in respect of any such Claim or Demand, and for that Purpose to do all the same Acts, and have and exercise all the same Powers and Privileges as to the Establishment or Proof of Debts, voting in the Choice of Assignees, and signing Certificates, and otherwise in respect of or relating to the Claim or Demand of the said *Ribble* Navigation Company, as any other Person being a Creditor of such Bankrupt or Insolvent, or a Claimant against his Estate, could have or exercise in respect of such Person's Debt or Claim.

For Proof of Debts in case of Bankruptcy or Insolvency.

CLXIV. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant 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 shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as

Plaintiff not to recover after Tender of Amends

[Local.]

3P

in

in other Actions where Defendants are allowed to pay Money into Court.

For the Indemnity of Directors.

CLXV. And be it further enacted, That the Directors, their Heirs, Executors, and Administrators, shall be and they are hereby indemnified and saved harmless from and against all Payments made, Liability incurred, and all Acts, Deeds, Matters, and Things executed, done, or ordered, and all Sums of Money, Losses, Costs, Charges, and Damages which they shall incur in the Execution of the Powers and Authorities hereby granted to them, and they shall be so indemnified out of the Assets for the Time being of the said Company, and if necessary by Calls for that Purpose of the Capital which may remain unpaid; and the Directors for the Time being of the said *Ribble* Navigation Company shall apply the then existing Funds, Assets, and Capital of the said *Ribble* Navigation Company for the Purpose of such Indemnity and Reimbursement.

Directors not to be personally sued or impleaded.

CLXVI. And be it further enacted, That none of the Directors of the said *Ribble* Navigation Company hereby appointed or hereafter to be appointed under the Authority of this Act shall, by reason or means or on account of his being a Party to, or making, signing, or executing, in his Capacity of Director of the said *Ribble* Navigation Company pursuant to this Act, any Contract or other Instrument for and on behalf of the said *Ribble* Navigation Company, or otherwise lawfully executing any of the Powers and Authorities given to the said Directors by this Act, be subject or liable to be sued, prosecuted, or impleaded, either collectively or individually, by any Person whomsoever in any Court of Law or Equity or elsewhere; and that the Bodies, Goods, Chattels, Lands, or Tenements of the said Directors, or any of them, shall not, by reason or on account or in consequence of any such Contract or other Instrument so entered into or made, signed or executed by them as aforesaid, or any other lawful Act which shall be done by them, or by any of them, in the Execution of any of the Powers and Authorities given to them or any of them by this Act, be liable to be arrested, seized, detained, or taken in execution; but that in every such Case any Person making any such Claim or Demand upon the said *Ribble* Navigation Company, or upon any Directors thereof, under or by virtue of any such Contract or lawful Act, may sue and implead the said *Ribble* Navigation Company in like Manner as if such Contract or Instrument or other Act had been entered into and done under the Common Seal of the said *Ribble* Navigation Company.

Power to Directors to grant Releases to Witnesses.

CLXVII. And be it further enacted, That in all Actions or Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, against or by or on behalf of the said *Ribble* Navigation Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or other Proceedings, it shall be lawful for any Three or more of the Directors of the said *Ribble* Navigation Company to make, sign, seal, execute, and deliver such general and other Releases as may be or be deemed to be necessary for the Purposes of qualifying any Person to
 5
 give

give Evidence as a Witness in any such Action, Suit, Information, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were under the Seal of the said *Ribble* Navigation Company.

CLXVIII. And be it further enacted, That all the Costs, Charges, and Expences of soliciting, applying for, obtaining, and passing this Act, and incident thereto, shall be paid by the said Directors out of any Monies applicable for the Purposes of this Act in preference to all other Payments whatsoever.

Costs of obtaining the Act how to be paid.

CLXIX. And whereas the Conservation of the several Ports, Harbours, Creeks, Estuaries, and Navigable Rivers within the County Palatine of *Lancaster* is vested in Her Majesty in right of Her Duchy of *Lancaster*; be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the making, constructing, or erecting any Work below the ordinary High-water Mark at Spring Tides without the Assent of the Chancellor and Council of the said Duchy for the Time being having been first obtained for that Purpose, such Assent to be signified in Writing in such Manner and Form as to the said Chancellor and Council shall seem proper.

Works not to be erected below High-water Mark without the Assent of the Chancellor and Council of the Duchy of Lancaster.

CLXX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, or Authorities of the Queen's most Excellent Majesty, Her Heirs and Successors, whether in right of Her Crown or of Her Duchy or County Palatine of *Lancaster*, or of any Bodies Politic or Corporate, Lords of Manors, or other Person or Persons whomsoever, his, her, or their Heirs, Successors, Executors, and Administrators, other than and except those expressly barred and regulated by this Act.

General Saving.

CLXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice or diminish, alter, abridge, or take away, or extend or enlarge, or in any Manner interfere with or affect the Rights, Powers, or Authorities vested in the Mayor, Aldermen, and Burgesses of *Liverpool* in or to the Port of *Liverpool*, or in or to any Town or other Customs or Dues, or Anchorage Dues, or other Tolls or Dues, or otherwise howsoever, but the same shall remain and continue without Extension or Diminution in the same Manner as if this Act had not been passed.

Saving the Rights of the *Liverpool* Corporation from Diminution or Extension.

CLXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice or diminish, alter, abridge, or take away, or extend or enlarge, or in any Manner interfere with or affect the Provisions of an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better Regulation and Encouragement of Pilots for the conducting of Ships and Vessels into and out of the Port of Liverpool*, but the same shall remain and continue

This Act not to interfere with an Act for the better Regulation of Pilots into and out of the Port of *Liverpool*.

continue without Extension or Diminution in the same Manner : if this Act had not been passed.

Saving the Rights of Sir H. B. Hoghton, Bart., &c. as Lords and Lady of the Manor of Meols.

CLXXIII. And be it further enacted, That nothing hereir contained shall extend in any Manner to abridge, injure, prejudice, or affect the Rights, Immunities, Privileges or Advantages, Property or Claims of Sir *Henry Bold Hoghton* Baronet, and Dame *Dorothea* his Wife, and the said *Peter Hesketh Fleetwood* Esquire, as Lords or Lady of the Manor of *Meols*, or their Heirs, any thing herein contained to the contrary thereof in anywise notwithstanding.

Parish of Meols to be exempt.

CLXXIV. And be it further enacted, That nothing in this Act contained shall extend or be applicable, or be taken or construed to extend or be applicable, to the Lands and Grounds in the Parish of *Meols* on the South Side of the said River *Ribble*, or any Part thereof.

For the Protection of the Property of R. J. J. Norreys, Esq.

CLXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to enable the said Company, their Successors or Assigns, or any other Person or Persons, to enter upon or into, take, injure, or damage, for the Purposes of this Act, any Lands or Premises whatever belonging to *Robert Josias Jackson Norreys* of *Davyhulme Hall* in the County of *Lancaster* Esquire, situate in the Township of *Penwortham* aforesaid, (except the Bed of the said River, without the Consent in Writing of the said *Robert Josias Jackson Norreys*, or other the Person or Persons for the Time being entitled to the Freehold or Inheritance of such Property, first had and obtained; nor to authorize the said Company, without such Consent as aforesaid, to divert or change the Course of the said River or any Part thereof from such Property; nor to order, authorize, or allow any Ship, Vessel, Craft, or Boat of any Denomination whatsoever to be moored or stationed on the Southerly Side of the Current in that Part of the said River opposite to the said Property; nor to do any Act or Thing whereby the wharping or flooding of the said Lands shall be in any Way whatever effected or interfered with.

Public Act.

CLXXVI. 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.

The SCHEDULE (A.) to which the foregoing Act refers.

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
COUNTY PALATINE OF LANCASTER.			
<i>Borough and Township of Preston in the Parish of Preston.</i>			
Footpath and Waste	Charles Jackson	- - -	Thomas William Fallowfield.
Ditto	Edward Stanley	- - -	Charles Jackson.
Ditto	Catherine Blackhurst	- - -	James Bruce.
Ditto	Charles Jackson	- - -	Charles Jackson.
Ditto	William Clayton	- - -	Richard Clarkson.
Ditto	Charles Jackson	- - -	Charles Jackson.
Ditto	William Clayton	- - -	John Taylor.
Pasture Field, Footpath, and Waste.	Sir John Shelly, Baronet	- - -	Jane Scott.
The Liverpool and Preston Turnpike Road.	The Trustees of the Liverpool and Preston Turnpike Road.	—	—
Coal-yards, Wharfs, and Waste.	The Mayor, Aldermen, and Burgesses of the Borough of Preston.	- - -	Daniel Dewhurst, James Caunce, William Humber, George Gradwell, and Barton Fletcher Allen.
Pasture Land	Ditto	- - -	The Mayor, Aldermen, and Burgesses of the Borough of Preston.
Wharf and Dock	Ditto	Paul Harrison, Ursula Harrison, and Thomas Houlker.	John Bolton.
Penwortham Bridge	The Trustees of Penwortham Bridge.	—	—

Hamlet of Ashton, Township of Lea Ashton, Ingol, and Cottam, in the Parish of Preston.

Wharf, Yards, Dock, Warehouses, and Waste.	Peter Hesketh Fleetwood	Paul Harrison, Ursula Harrison, and Thomas Houlker.	John Bolton.
Pasture Land	Sir Henry Bold Hoghton, Baronet.	- - -	William Sharrock.

Hamlet of Lea, Township of Lea Ashton, Ingol, and Cottam.

Pasture Land	Sir Henry Bold Hoghton, Baronet.	- - -	James Ward and William Ward.
Ditto	Ditto	- - -	Thomas Edsforth.

Township of Clifton in the Parish of Kirkham.

Pasture Land	Thomas Clifton	- - -	Thomas Clifton.
--------------	----------------	-------	-----------------

[Local.]

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
--------------------------	---------------------------	----------	------------

Township of Newton with Scales in the Parish of Kirkham.

Marsh Land, an undivided Pasture	Richard Alston - - -	- - -	Richard Alston.
	Charles Buck and Maria Buck, Trustees of the Will of late William Buck, deceased.	- - -	Charles Buck and Maria Buck.
	Betty Hall - - -	- - -	Betty Hall.
	John Bryning - - -	- - -	John Bryning.
	John Bryning, Edward Bryning, and Timothy Hodgkinson, Trustees of the Will of the late Henry Crook, deceased.	- - -	John Bryning, Edward Bryning, and Timothy Hodgkinson.
	James Crook - - -	- - -	James Crook.
	John Hornby, Hugh Hornby, Richard Moore, Thomas Walmsley, and John Loxham, Trustees of Newton Charity.	- - -	John Hornby, Hugh Hornby, Richard Moore, Thomas Walmsley, and John Loxham.
	Henry Fisher, William Fisher, and Henry Threlfall, Trustees of the Will of the late Edward Fisher, deceased.	- - -	Henry Fisher, William Fisher, and Henry Threlfall.
	Henry Gillow - - -	- - -	Henry Gillow.
	John Gillow - - -	- - -	John Gillow.
	John Holden - - -	- - -	John Holden.
	Thomas Hoole - - -	- - -	Thomas Hoole.
	Hugh Hornby - - -	- - -	Hugh Hornby.
	Richard Hodgson - - -	- - -	Richard Hodgson.
	Jannet Loxham - - -	- - -	Jannet Loxham.
	John Loxham and James Loxham.	- - -	John Loxham and James Loxham.
	John Haslam - - -	- - -	John Haslam.
	George Westby, John Bourne, John Rhodes Ralph, and Henry Worsley Benison.	- - -	George Westby, John Bourne, John Rhodes Ralph, and Henry Worsley Benison.
	Edward Christopher Swainson	- - -	Edward Christopher Swainson.
	Richard Pilkington - - -	- - -	Richard Pilkington.
Robert Brown - - -	- - -	Robert Brown.	
Henry Wrennalls - - -	- - -	Henry Wrennalls.	
John Whiteside - - -	- - -	John Whiteside.	
Thomas Walmsley - - -	- - -	Thomas Walmsley.	

Township of Freckleton in the Parish of Kirkham.

Marsh Land, an undivided Pasture	Margaret Adamson - - -	- - -	Margaret Adamson.
	Thomas Brown - - -	- - -	Thomas Brown.
	Edward Brown - - -	- - -	Edward Brown.
	Walton Bulcock - - -	- - -	Walton Bulcock.
	Jane Brade - - -	- - -	Jane Brade.
	Richard Bryning - - -	- - -	Richard Bryning.
	William Cookson - - -	- - -	William Cookson.
	Jane Clifton - - -	- - -	Jane Clifton.
	Ellen Carter - - -	- - -	Ellen Carter.
	Thomas Hall, Trustee of the Will of the late John Cowban.	- - -	Thomas Hall.
	James Cross and John King and Jane his Wife.	- - -	James Cross and John King and Jane his Wife.
	Mary Winckfield - - -	- - -	Mary Winckfield.

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
Marsh Land, an undivided Pasture	John Hornby, Hugh Hornby, Richard Moore, Thomas Walmsley, and John Loxham, Trustees of Newton Charity.	- - -	John Hornby, Hugh Hornby, Richard Moore, Thomas Walmsley, and John Loxham.
	Jane Langton and Cecilia Langton, Trustees of the Girls School at Kirkham.	- - -	Jane Langton and Cecilia Langton.
	Thomas Clifton - - -	- - -	Thomas Clifton.
	Robert Moon and John Bourne, Trustees of Wesham Charity.	- - -	Robert Moon and John Bourne.
	Henry Fisher - - -	- - -	Henry Fisher.
	Isabella Hayes and John Horatio Lloyd and William Linton, Trustees of Stanley Fletcher Hayes, deceased.	- - -	Isabella Hayes and John Horatio Lloyd and William Linton, Trustees of Stanley Fletcher Hayes, deceased.
	John Garlick - - -	- - -	John Garlick.
	Nanny Goodshaw - - -	- - -	Nanny Goodshaw.
	Hugh Hornby - - -	- - -	Hugh Hornby.
	John Hodgson - - -	- - -	John Hodgson.
	George Hodgson - - -	- - -	George Hodgson.
	Ruth Hall - - -	- - -	Ruth Hall.
	Robert Hall - - -	- - -	Robert Hall.
	Ann Hall - - -	- - -	Ann Hall.
	Joseph Langton - - -	- - -	Joseph Langton.
	Nanny Mayor - - -	- - -	Nanny Mayor.
	Henry Mayor - - -	- - -	Henry Mayor.
	Nanny Mayor and Mary Mayor.	- - -	Nanny Mayor and Mary Mayor.
	Henry Marquis - - -	- - -	Henry Marquis.
	John Page - - -	- - -	John Page.
Thomas Parkinson - - -	- - -	Thomas Parkinson.	
James Pedder, John Lawe, and Philip Park, Devises of the Will of the late Henry Parker, deceased.	- - -	James Pedder, John Lawe, and Philip Park.	
James Sharples and Thomas Sharples.	- - -	James Sharples and Thomas Sharples.	
Mary Ann Segar and Ann Hodgson.	- - -	Mary Ann Segar and Ann Hodgson.	
Thomas Smith - - -	- - -	Thomas Smith.	
Edward Singleton - - -	- - -	Edward Singleton.	
Henry Singleton - - -	- - -	Henry Singleton.	
George Taylor - - -	- - -	George Taylor.	
Richard Watson - - -	- - -	Richard Watson.	
Richard Welch - - -	- - -	Richard Welch.	
John Worthington - - -	- - -	John Worthington.	
Pasture and Waste - James Fox - - -	- - -	Peter Houghton.	
Pasture and Waste - James Pedder, John Lawe, and Philip Park, Devises of the Will of Henry Parker, deceased.	- - -	Thomas Harrison.	
Waste - - - William Cookson - - -	- - -	Marsden Rigby.	
Waste - - - John Richard Mayor - - -	- - -	John Richard Mayor.	
Waste - - - Nicholas Wright - - -	- - -	Nicholas Wright.	
Meadow and Waste - Robert Mayor - - -	- - -	Robert Mayor.	
Pasture and Waste - James Pedder, John Lawe, and Philip Park, Devises of the Will of Henry Parker, deceased.	- - -	Thomas Harrison.	
Pasture and Waste - Jane Langton and Cecilia Langton, Trustees of the Girls School at Kirkham.	- - -	John Garlick.	

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
Meadow and Waste -	William Cookson - - -	- - -	Marsden Rigby.
Arable and Waste -	Hugh Hornby - - -	- - -	Henry Marquis.
Arable and Waste -	James Pedder, John Lawe, and Philip Park, Devisees of the Will of Henry Parker, deceased.	- - -	Thomas Harrison.
Meadow and Waste -	John Fisher - - -	- - -	Richard Gornall.
Meadow and Waste -	Jane Dela Pryme - - -	- - -	Jane Dela Pryme.
Meadow and Waste -	Robert Mayor, Trustee for Alice Martin, an Infant.	- - -	James Parkinson.
Pasture and Arable -	Robert Hall - - -	- - -	James Sharples.
Arable and Pasture -	George Westby, John Bourne, John Rhodes Ralph, and Henry Worsley Benison.	- - -	Robert Cookson.
Meadow and Waste -	Robert Hall - - -	- - -	James Sharples.
Highway and Carriage Road.	Surveyors of the Highways of the Township of Freckle- ton.	—	—

Township of Warton in the Parish of Kirkham.

Waste and Pasture -	Robert Hall - - -	- - -	James Sharples.
Pasture - - -	Thomas Clifton - - -	- - -	James Hodgson.
Arable - - -	Ditto - - -	- - -	Betty Wright.
Meadow - - -	John Bourne - - -	- - -	Robert Cookson.
Road - - -	Thomas Clifton - - -	- - -	Robert Cookson.
Waste - - -	Ditto - - -	- - -	Richard Cookson.
Waste, Pasture, and Meadow.	Ditto - - -	- - -	Robert Cookson.
Waste and Pasture -	Thomas Southward - - -	- - -	Thomas Southward.
Arable, Meadow, Pas- ture, Footpath, and Waste.	Thomas Clifton - - -	- - -	Nicholas Whiteside.
Meadow and Pasture -	Elizabeth Penketh - - -	- - -	Elizabeth Penketh.
Waste - - -	Richard Wright - - -	- - -	Richard Wright.
Meadow - - -	Thomas Clifton - - -	- - -	Richard Wright.
Meadow - - -	Henry Fisher - - -	- - -	Matthew Tomlinson.
Pasture - - -	Elizabeth Penketh - - -	- - -	Elizabeth Penketh.
Meadow, Pasture, and Waste.	Henry Fisher - - -	- - -	Matthew Tomlinson.
Highway and Carriage Road.	The Surveyors of the High- ways of the Township of Warton.	—	—
Pasture and Waste -	Elizabeth Penketh - - -	- - -	William Higham.
Highway and Carriage Road.	The Surveyors of the High- ways of the Township of Warton.	—	—
Waste - - -	Thomas Clifton - - -	- - -	George Wylie.
Waste - - -	Richard Wright - - -	- - -	Richard Wright.
Meadow, Pasture, Watercourse, and Waste.	Thomas Clifton - - -	- - -	Edward Smithson.
Marsh Land - - -	Ditto - - -	- - -	Unoccupied.

Township of Lytham in the Parish of Lytham.

Pasture, Marsh, Pool, and Watercourse.	Thomas Clifton - - -	- - -	Cornelius Crookall.
Pasture, Beach, and Parade.	Ditto - - -	- - -	Thomas Clifton.
Pasture - - -	Ditto - - -	- - -	Richard Barton Robinson.
Pasture - - -	Thomas Clifton - - -	- - -	Thomas Cookson.

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
Pasture - - -	Thomas Clifton - - -	- - -	James Westhead and Richard Westhead.
Pasture - - -	Ditto - - -	- - -	Thomas Ball.
Pasture - - -	Ditto - - -	- - -	Nicholas Cartmell.

Township of Penwortham in the Parish of Penwortham.

Highway and Carriage Road.	John Aspinall.	—	—
Penwortham Bridge and Road.	The Trustees of Penwortham Bridge.	—	—
Liverpool and Preston Turnpike Road.	The Trustees of the Liverpool and Preston Turnpike Road.	—	—
Pasture - - -	The Mayor, Aldermen, and Burgesses of the Borough of Preston, and James Nowell Farington.	- - -	John Whalley.
Pasture - - -	Lawrence Rawstorne - - -	- - -	John Gillibrand.
Pasture - - -	James Nowell Farington - - -	- - -	Cuthbert Harrison.

Township of Howick in the Parish of Penwortham.

Marsh Land, an undivided Pasture	Lawrence Rawstorne - - -	- - -	Lawrence Rawstorne.
	William Rawstorne - - -	- - -	William Rawstorne.
	Sir Thomas Dalrymple Hesketh, Baronet.	- - -	Sir Thomas Dalrymple Hesketh.
	John Gorst - - -	- - -	John Gorst.
	John Moss Brandreth - - -	- - -	John Moss Brandreth.
	Roger Tuson - - -	- - -	Roger Tuson.
	Henry Paul Fleetwood and John Breakell, Devises of the Will of Thomas Loxham, deceased.	- - -	Henry Paul Fleetwood and John Breakell.
	Thomas Breakell - - -	- - -	Thomas Breakell.
	Catherine Worthington - - -	- - -	Catherine Worthington.
	Lawrence Rawstorne, William Rawstorne, Robert Atherton Rawstorne, William Marshall, Robert Park, John Gorst, Adam Bickerstaff, Arthur Dawson, John Breakell, William Boardman, and William Bashall, Trustees of Penwortham Parish Schools.	- - -	The Trustees of Penwortham Parish Schools.

Township of Hutton in the Parish of Penwortham.

Pasture - - -	Lawrence Rawstorne - - -	- - -	John Harrison.
Pasture and Meadow - - -	Ditto - - -	- - -	James Hunter.
Arable - - -	Ditto - - -	- - -	Lawrence Rawstorne.
Pasture - - -	Ditto - - -	- - -	John Wignal.

Township of Longton in the Parish of Penwortham.

Marsh Land, an undivided Pasture	Sir Thomas Dalrymple Hesketh - - -	} - - -	Thomas Wilkins.
	Joseph Weld - - -		
	Thomas Joseph Trafford - - -		
	Robert Moss - - -		

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
Marsh Land, an undivided Pasture - - -	Richard Pilkington and John Brown, Devises of the Will of John Moss, deceased - Richard Walmsley - - - John Baxendale - - - Richard Beardsworth - - - William Blackhurst - - - Thomas Blackhurst - - - Barnaby Blundell - - - Richard Moss - - - Thomas Wilkins and Thomas Dewhurst, Trustees of the Will of the late Richard Cross - - - William Dobson - - - John Fielden and Ellen Clayton - - - Ellen Fisher - - - George Fisher and Peter Dawson, Trustees of the Will of John Fisher, deceased - - - William Garstang - - - Peter Dawson - - - John Fowden Hindle - - - Henry Paul Fleetwood and John Breakell, Trustees of the Will of Thomas Loxham, deceased - - - Edmund Hornby - - - Lawrence Rawstorne, William Rawstorne, Robert Atherton Rawstorne, William Marshall, Robert Park, John Gorst, Adam Bickerstaff, Arthur Dawson, John Breakell, William Boardman, and William Bashall, Trustees of Penwortham Parish Schools - - - Edward Jackson - - - John Norris - - - Anna Collins and Henry Walton and Elizabeth his Wife - - - John Brown, Henry Jackson, Thomas Jackson, Thomas Wilkins, Jonathan Blackhurst, and Roger Wilding, Trustees for the Poor of Longton - - - Lawrence Rawstorne - - - John Gryme Sale - - - James Taylor - - - John Taylor - - - James Tuson - - - Edward Tuson - - - John Tuson - - - James Pye - - - Richard Whittle - - - Thomas Wilkins - - - Henry Wilding - - -	- - -	Thomas Wilkins.

