

Samuel Currall, Richard Downey, Samuel Hunt, John Thomas Haynes, F J Johns, William Jury, James Jenkins, William Leahy, Richard Lumley, Thomas Moore, John Malcott, Richard Pratt, Samuel Pocock, Thomas Parsons, Grant Preston, George Randell, Henry Richardson, Robert Shipwash, Thomas Shipley, William Stevens, William Sangster, Robert Sewell, William Wiggins, and their respective Successors, Executors, Administrators, and Assigns, or such of them as shall from Time to Time be possessed of any Share or Shares in the Undertaking hereby authorized to be made and carried on, and also all such other Person or Persons as shall from Time to Time be possessed of any Share or Shares therein by the Means herein-after provided, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for the constructing, making, maintaining, and carrying on the said intended Pier or Jetty, Quays, Works, Parade, Avenues, and Approaches, with all other Conveniences and Requisites thereto, according to the Powers and Authorities, Rules, Orders, and Directions herein-after set forth and expressed for that Purpose, and shall be One Body Politic and Corporate by the Name of "*The Herne Bay Pier 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 shall have full Power and Authority to purchase and hold Lands, Tenements, and Hereditaments to them, their Successors and Assigns, for the Use of the said Undertaking, without incurring any of the Forfeitures or Penalties of the Statutes of Mortmain.

Name of
Company.

Power to
erect a Pier
or Jetty, and
other Works.

II. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to erect and make at *Herne Bay* aforesaid a Pier or Jetty to extend into the Sea, and to be used for the embarking and disembarking, landing and shipping of Passengers, and of Horses, Cattle, and other live Stock, and lading and unlading Ships and Vessels, in such Manner and subject to such Orders and Directions as the said Directors, or the major Part of them, present at any of their Meetings, shall deem necessary or expedient, and subject to the Provisions in this Act contained; and also to erect and make such Landing Places, Quays, Wharfs, Warehouses, Buildings, Groins, Sea Walls, Embankments, Breakwaters, and other Works, and to put down from Time to Time, and remove, as Occasion shall require, such Buoys, Mooring Chains, and other Matters and Things as the said Directors shall think necessary and proper for rendering the same Pier or Jetty useful and convenient for the landing and embarking of Passengers and Goods; and also to make a Parade along the Shore of the said Bay, and Causeways, Avenues, and Approaches to the said Pier or Jetty, and other Works, as the said Directors shall in manner aforesaid deem necessary and proper; and also to erect and make proper and convenient Toll Gates and Houses for the Collectors of the Tolls to be taken under the Authority of this Act, upon or near to the said Pier or Jetty, Avenues, or Approaches; and also to erect such proper and convenient Baths, Bathing Places, and Accommodations for Bathing Machines, and such other Erections, Buildings, and Accommodations upon or in the Vicinity of the said Pier, Jetty, Causeways, and Approaches, as the said Directors shall from Time to Time deem necessary or

expedient; and also to divert and convey into the Sea, as far as Low-water Mark, such Drains, Sluices, and Watercourses, and in such Manner as the said Directors shall from Time to Time think necessary or proper for the Security, Preservation, and Cleanliness of the said Pier or Jetty, Avenues, Approaches, and other Works.

III. And be it further enacted, That from and after the said Pier or Jetty, and the several Works necessary to render the same available for the Purposes aforesaid, shall be completed, the said Company shall, at their own Expence, cause the same thereafter to be kept in good and sufficient Order and Repair, and also well and sufficiently lighted.

Pier to be kept in repair, and lighted at Company's Expence.

IV. And whereas the probable Expence of carrying the Purposes of this Act into execution will, according to an Estimate thereof made, amount to the Sum of Fifty thousand Pounds or thereabouts, and the Sum of Forty thousand Pounds (being Four Fifths of such Expence) has already been subscribed for defraying such Expence, by several Persons under a Contract binding them, their Heirs, Executors, and Administrators, for the Payment of the several Sums subscribed by them respectively; be it therefore further enacted, That the whole of the Sum of Fifty thousand Pounds shall be subscribed in like Manner before any of the Powers and Provisions given by this Act shall be put in force.

The whole of the Estimate to be subscribed before proceeding with the Work.

V. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute among themselves, in such Proportions as to them shall seem meet and convenient, such Sum or Sums of Money as they shall think necessary for the making, carrying on, and completing the said Undertaking hereby authorized to be made, not exceeding in the whole the Sum of Fifty thousand Pounds (except as herein-after is mentioned); and the same shall be divided into One thousand equal Shares of Fifty Pounds each; and no Person shall take or subscribe for less than One Share in the said Undertaking; and such Shares shall be numbered in regular numerical Progression, and every Share shall for ever afterwards be distinguished by the Number to be appointed for the same; and the said One thousand Shares shall be and they are hereby vested in the several Persons, Bodies Politic and Corporate, subscribing for and undertaking to raise and contribute the same, and their respective Executors, Administrators, Successors, and Assigns, to and for their own respective Use and Benefit, according and proportionably to the Number of Shares which they shall respectively subscribe for and undertake to raise and contribute; and all Persons, Bodies Politic and Corporate, and their respective Executors, Administrators, Successors, and Assigns, who shall subscribe for any Share or Shares in the said Undertaking, and pay such Sum or Sums of Money as shall be demanded on account thereof, towards the carrying on and completing the said Undertaking, shall be entitled to and receive, after the said Undertaking shall be completed, a due and just Proportion, according to their respective Number of Shares, of the clear Profits and Advantages which shall or may arise or accrue by or from the Rates, Tolls, Duties, and other Monies to be raised, recovered, or received

Company to raise 50,000*l.* among themselves;

to be divided into 1,000 Shares, and numbered in Progression.

Liability of Shareholders limited to the Number of Shares subscribed for.

received by virtue of this Act, according to the true Intent and Meaning of this Act; and shall also from Time to Time bear and pay a like due and just Proportion of the Money requisite for carrying on the said Undertaking, in the Manner herein-after directed.

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

VI. And, for the better securing to the several Subscribers towards the said Undertaking their respective Shares therein, be it further enacted, That the Directors of the said Company herein-after appointed shall, as soon as the same can or may be done, cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Undertaking, and the Number of Shares to which they shall be respectively entitled, and also the proper Number by which every such Share shall be distinguished, to be entered in a Register Book to be kept by the Clerk of the said Company, and after such Entry made to cause the Common Seal of the said Company to be affixed thereto; which said Book shall from Time to Time be altered and corrected; and new Books shall from Time to Time be sealed with the said Common Seal, as the Change of Proprietors and Transfer of Shares shall render the same necessary or expedient.

Subscribers
to pay their
Subscrip-
tions.

VII. And be it further enacted, That the respective Persons who have subscribed or who shall or may hereafter subscribe any Money for and towards the said Undertaking, or shall be the Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall and they are hereby respectively required to pay the Sum or Sums by them respectively subscribed, or such Parts and Proportions thereof as shall from Time to Time be called for by the said Directors for the Time being by virtue of the Powers and Directions of this Act, to such Person or Persons, at such Times and Places, and in such Manner as shall be ordered by the said Directors; and in case any of such Subscribers shall neglect or refuse to pay the same at the Time and Place and in the Manner so required for that Purpose, the said Directors are hereby empowered to sue for and recover the same, with Interest after the Rate of Five Pounds *per Centum per Annum* from the Time appointed for Payment thereof, in any Court of Law or Equity.

Shares may
be sold.

VIII. 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 Assigns, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned, the Transfer of which Share or Shares shall be in the Form or to the Effect following; (that is to say,)

Form of
Transfer.

‘ I of in consideration of
‘ I paid to me by of do hereby bargain,
‘ sell, assign, and transfer to the said his Executors,
‘ Administrators, and Assigns, Share [or Shares] of and in
‘ the Joint Stock or Capital of the *Herne Bay* Pier Company,
‘ being Number of the Shares in the said Undertaking, to
‘ hold to the said his Executors, Administrators, and
‘ Assigns,

‘ Assigns, subject to the same Rules, Orders, and Restrictions, and
 ‘ on the same Conditions, that I held the same immediately before
 ‘ the Execution thereof; and I the said do hereby
 ‘ agree to accept and take the said Share [*or Shares*], subject to the
 ‘ same Rules, Orders, Restrictions, and Conditions. As witness our
 ‘ Hands and Seals the Day of .’

And on every such Sale, the said Transfer, being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares, shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk to the said Company shall have registered, in a proper Book or Books to be provided by the said Company, and kept for that Purpose, a Memorial of such Transfer and Sale, for the Use of the said Company, and shall have testified or indorsed the Registry of such Memorial on the said Transfer, for which Two Shillings and Sixpence, and no more, shall be paid, and the said Clerk is hereby required to register the same accordingly; and until the same shall have been registered as herein-before directed, such Purchaser or Purchasers shall have no Part of the Profits of the said Undertaking, nor any Dividend on such Share or Shares paid to him, her, or them, or any Vote or Votes in respect thereof as a Proprietor or Proprietors of the said Undertaking.

Conveyance
of Shares to
be registered.

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

No Shares to
be sold after
a Call made,
until the
same is paid.

X. And whereas much Inconvenience may arise by the frequent Transfer of the Shares of and in the said Undertaking by the Marriage or Death of Proprietors, and it may be difficult in such Cases to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid and do belong; be it therefore further enacted, That before any Person or Persons who shall claim any Part of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same, or to vote in respect of any Share, an Affidavit, containing a Copy of the Register of such Marriage, shall be made and sworn to by some credible Person before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking; and before any Person or Persons who shall claim any Part 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 in

Regulations
as to Acqui-
sition of
Shares.

[*Local.*]

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respect

respect of any Share, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator shall be made and sworn to by the Executor or Executors of such Will, before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall also be transmitted to the said Clerk, who shall file and enter the same in the Manner herein-before mentioned; and in all Cases other than as herein-before mentioned, where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Proprietor or Proprietors thereof to any Person or Persons by any other legal Means than by a Transfer and Assignment thereof as herein directed, an Affidavit shall be made and sworn to by Two credible Persons before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, and such Affidavit shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors in the said Undertaking.

The Persons whose Names appear in the Register Book to be deemed the Proprietors of the Shares standing in their Names, and answerable for Calls.

XI. And be it further enacted, That the Bodies Politic and Corporate, and all and every Person and Persons, whose Name or Names shall at any Time hereafter stand in the said Register Book or List of Proprietors of the same Undertaking as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, shall be deemed and taken to be the Proprietor or Proprietors of the several Shares standing in the said Book in his, her, or their respective Name or Names, and shall be subject and liable to the Payment of all and every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which such Proprietors of Shares in the said Undertaking are hereby made subject and liable; and all Notices by this Act required to be given previous to the Forfeiture of Shares to the Proprietors thereof shall, if given to the Person or Persons appearing by the Register Book of the said Company to be such Proprietor or Proprietors, or their Representatives, be in all respects good, sufficient, and conclusive; and all Payments of Interest and Dividends due and to grow due on any such Shares shall be made to such Person or Persons as by the said Book of the said Company shall so appear to be the Proprietor or Proprietors thereof.

The Company may buy up Shares, and sell them again.

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

Money which may be wanted for or towards the erecting, making, maintaining, or repairing of any Building or Works belonging to the said Undertaking, or any other Purpose necessary for carrying on the same.

XIII. Provided always, and be it further enacted, That in case the said Company shall be desirous of raising by Debentures, upon the Credit of the said Undertaking, a further Sum, not exceeding the Sum of Ten thousand Pounds, and shall make an Order or Orders, or enter into a Resolution or Resolutions, to that Effect, at any General or Special General Meeting or Meetings of the said Company to be called for that Purpose, then and in such Case it shall be lawful for the Directors of the said Company, pursuant to such Order or Resolution, to borrow or take up at Interest any Sum or Sums of Money, not exceeding in the whole the Sum of Ten thousand Pounds, or any Part or Parts thereof, upon the Credit of the said Undertaking, as to them shall seem meet and convenient; and the said Directors are hereby accordingly fully authorized and empowered to assign over to any Person or Persons lending any such Money the several Tolls, Rates, and Duties to be raised under or by virtue of this Act, or any Part thereof, (the Costs and Charges of which Assignments shall be paid out of the said Tolls, Rates, and Duties,) as a Security for the Sum or Sums of Money so to be borrowed, together with Interest for the same, unto the Person or Persons who shall lend and advance any such Sum or Sums of Money for the Use of the said Company, or unto his, her, or their Trustee or Trustees; all which Assignments and Mortgages shall be made by Deed in Writing, under the Common Seal of the said Company, in the Form or to the following Effect; (that is to say,)

For raising
Money by
Debentures.

‘ **B**Y virtue of an Act passed in the First Year of the Reign of His Majesty King *William* the Fourth, intituled [*here insert the Title of this Act*], we, the *Herne Bay Pier Company* incorporated by virtue of the said Act, in consideration of the Sum of
‘ of lawful Money of *Great Britain* to us paid by
‘ do hereby assign unto the said his
‘ [*or her*] Executors, Administrators, and Assigns, the said Undertaking, and all and singular the Tolls, Rates, and Duties granted or arising and payable to us by virtue of the said Act, and all the Estate, Right, Title, and Inheritance of us the said Company of, in, to, or out of the same respectively, to hold unto the said his [*or her*] Executors, Administrators, and Assigns, until the said Sum of together with Interest for the same after the Rate of *per Centum per Annum*, shall be fully paid and satisfied to him [*or her*]. Given under our Common Seal this Day of .’

Form of De-
benture.

Or in any other Form or to any other Effect which may be better adapted to the Circumstances under which any such Money shall be borrowed; and all Persons to whom such Assignments or Debentures shall be made shall be equally entitled one with the other to the said Tolls, Rates, Duties, and Premises thereby assigned, according and in proportion to the Sums by them respectively lent and advanced on the Credit thereof as aforesaid, without any Preference by

Debentures may be trans- ferred.

‘ I in consideration of the Sum of
‘ to me paid by of do hereby
‘ transfer the within Debenture, [*or* a certain Debenture made to me
‘ by “ The *Herne Bay* Pier Company”, bearing Date the
‘ Day of ,] and the Principal Sum of
‘ thereby secured, and the Interest now due and hereafter to grow
‘ due for the same, and all my Right and Property therein, unto the
‘ said his [*or her*] Executors, Administrators,
‘ and Assigns. Dated this Day of .’

**Memorials
of Transfers
to be made
before the
Assignees
are entitled.**

sons who shall have made any such Transfer to make void, release, or discharge the same, or any Monies thereby due or to become due, or any Part thereof.

XV. And be it further enacted, That it shall be lawful for the said Company, or the Directors thereof, from Time to Time and at all Times hereafter, and they are hereby authorized and empowered, from Time to Time to grant unto the Treasurer or Clerk of the said Company for the Time being, or any other Person appointed by the said Directors, any Debentures or Assignments as aforesaid, under the Common Seal of the said Company, (but not exceeding the Amount authorized to be raised by a General Meeting or Special General Meeting of the said Company as aforesaid,) each being for a Sum of Fifty Pounds or upwards, and bearing Interest not exceeding the Rate of Five Pounds *per Centum per Annum*; and it shall be lawful for the said Treasurer or Clerk for the Time being, or other Person so appointed by and under the Order of the said Directors for the Time being, from Time to Time to make sale and dispose, at public Auction, or in such other Manner as any General Meeting or Special General Meeting of the said Company shall direct, of all and every or any Debentures or Assignments so granted to him, unto any Person, or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, for the best Price or Prices in Money that in the Judgment of the said Directors can be reasonably had or obtained for the same; and all Monies which shall be from Time to Time received by any such Treasurer or Clerk for the Time being, or other Person so appointed as aforesaid, from such Sale or Sales as aforesaid, after deducting thereout all Costs, Charges, and Expences attendant thereon or by the Issue of Debentures as aforesaid, shall be applied by the said Directors to and for the Purposes of this Act, and pursuant to the Provisions in that Behalf herein contained.

Company
empowered
to dispose of
Debentures.

XVI. And be it further enacted, That the Interest of the Money which shall be borrowed or obtained on such Debentures or Assignments as aforesaid, from the Time that the Money therein respectively mentioned shall be advanced on the said Debentures, or the Purchase Money for such Debentures as shall be sold and disposed of as aforesaid shall be received by or paid to the Use of the said Company, shall be paid half-yearly by the said Company, or the Directors thereof, or the Treasurer or Treasurers of the said Company, or One of them, or by some Person or Persons appointed for that Purpose from Time to Time by the said Directors, and without Abatement or Delay, and before any Dividend shall be paid to any of the Proprietors of Shares in the said Undertaking.

Interest on
Monies bor-
rowed to be
paid.

XVII. Provided nevertheless, and be it further enacted, That the said Directors may at all Times pay off and discharge all such Debentures and Assignments, or any of them, or any Part or Parts thereof, when and as they shall think proper, upon giving Three Calendar Months Notice, under the Hand of the Clerk of the Company for the Time being, or of such other Person as the Directors from Time to Time may appoint, to the Person or Persons then respectively entitled to the same, such Notice to be left at his, her,

Monies bor-
rowed on
Debentures
may be re-
paid on
giving No-
tice.

[*Local.*]

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or

or their last known Dwelling House or Place of Abode, or upon giving Three Calendar Months public Notice in the *London Gazette*, and in One or more public Newspaper or Newspapers published or usually circulated in *London* or the County of *Kent*, and which Notice shall express the Principal Monies to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months after such Notice given; and the Interest of the Principal Money to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless the Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable, on Demand, to the Person entitled to receive the same.

If any Debentures are paid off, others may be issued.

XVIII. Provided always, and be it further enacted, That in case the said Company, or the Directors thereof, shall call in or pay off any Debentures or Assignments issued as herein-before mentioned, it shall be lawful for the said Directors (by and with the Consent of a General Meeting or Special General Meeting of the said Company) to raise or take up at Interest, on similar Debentures or Assignments, or by the Sale or Grant of similar Debentures, other Sum or Sums of Money for the Purposes of this Act, so that the whole Amount of Money to be due and owing by the said Company on Debentures or Assignments shall not at any one Time exceed the Sum of Ten thousand Pounds as herein limited.

Shares and Debentures to be Personal Estate.

XIX. Provided also, and be it further enacted, That the Money to be raised by virtue of this Act, and all the Profits and Advantages thereof, and all Shares created, and all Debentures and Assignments issued, given, and granted under and by virtue of this Act, shall be and be deemed Personal Estate and Effects, and not of the Nature of Real Property, and be accordingly transmissible.

Application of the Money to be raised.

XX. And be it further enacted, That the Money so to be raised as aforesaid, or a sufficient Part thereof, shall be laid out or applied, in the first place, in Payment, Satisfaction, and Discharge of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and for the making of the proper Surveys, Plans, and Estimates, and the doing and providing of all other the Matters and Things preparatory and previous thereto; and all the Residue of such Money, or so much thereof as shall be necessary, shall be applied and disposed of for or towards the carrying the Intents and Purposes of this Act into full and complete Execution.

First and other General Meetings of the Company.

XXI. And be it further enacted, That the First General Meeting of the said Company for putting this Act in execution shall be held in the City of *London*, or within the Parish of *Herne* in the County of *Kent*, within Thirty Days next after the passing of this Act, of which Meeting not less than Seven Days Notice shall be given by public Advertisement in some One or more Newspaper or Newspapers published or usually circulated within the said City of *London* and

County of *Kent*, or otherwise as the said Directors shall direct, which Notice the said Directors are hereby authorized to give; and there shall be held in each and every Year after the passing of this Act One General Meeting of the Proprietors, to be convened and held in the Month of *May* in every Year, at such Place or Places as the said Company at the preceding General Meeting shall from Time to Time direct and appoint, of which future General Meeting not less than Fourteen Days Notice (both Days inclusive) shall be given by public Advertisement in such public Newspaper or Newspapers as herein-before mentioned, or in such other Manner as the said Company at their respective General Meetings shall direct; and at every such General Meeting Business shall be proceeded with so soon as Proprietors of Fifty Shares at least amongst them shall be present; and all such Orders and Determinations of General Meetings of the said Company as shall be authorized by this Act, and which shall be made by a Majority of Votes at such Meetings respectively, shall be binding and conclusive on all Parties concerned, to all Intents and Purposes whatsoever.

XXII. And be it further enacted, That if it shall at any Time appear to the said Directors, or to Ten or more of the Proprietors of Five Shares each at the least in the said Undertaking, to be necessary or expedient to call a Special General Meeting of the Proprietors at large for the more effectually putting this Act into execution, or in order to take their Opinion respecting any Matter or Thing to be done in or about the said Undertaking, or respecting any Matter or Thing in which the Interest of the Undertaking, the Extent of its Trade, or the Interests of the Proprietors is or are in any respect implicated or concerned, it shall be lawful for the said Directors, pursuant to an Order or Resolution for that Purpose to be made at any Meeting of the said Directors, or for any Ten or more of the Proprietors possessed of Five Shares or more each in the said Undertaking, to call a Special General Meeting of the Proprietors at large by public Advertisement in some Newspaper or Newspapers published or usually circulated in the said County of *Kent*, or otherwise as the said Directors shall direct, specifying in such Advertisement the Cause of calling such Special General Meeting, and the Time and Place when and where the same shall be held, the Time not being less than Fourteen Days after such Notice shall be given, and such Place being where the next General Meeting of the said Company would be held, and not elsewhere; and the said Company are hereby authorized and required to meet according to such Notice, and to proceed to Business so soon as Proprietors possessing Two hundred Shares amongst them shall be present, and to take into consideration the Matters expressed in such Requisition and specified in such Notice; and the Decision and Determination on and respecting such Matters only of the Proprietors present at such Meeting, or the major Part of them, according to the Number of Votes they shall have a Right to give, shall be binding and conclusive upon the Rest of the Proprietors to all Intents and Purposes, and shall be observed and acted upon accordingly: Provided always, that if at any such Special General Meeting Proprietors shall not attend who shall possess amongst them Two hundred Shares at least, then such Meeting shall be adjourned

Special General Meetings of Proprietors, how to be called.

journed to a future Day, not exceeding Twenty-one Days from the Day of such Meeting, of which Notice shall be given as aforesaid.

Chairman to
be appointed
at Meetings.

XXIII. And be it further enacted, That at every such General or Special General Meeting as aforesaid one of the Proprietors present shall be appointed Chairman, by whom all Acts, Resolutions, and Orders of the said Meeting shall be signed; and such Chairman shall not only have a Vote or Votes as a Proprietor, but shall also, in case of an equal Division, have the decisive or casting Vote.

Proprietors
entitled to
vote in re-
spect of
Shares.

XXIV. And be it further enacted, That every Person, Body Politic, Corporate, or Collegiate, who shall for the Time being be entitled to and be in the actual Possession of any Share or Number of Shares, not exceeding Ten, of and in the said Undertaking, shall have, in respect of each such Share of which he, she, or they shall so be in Possession, a Vote, and also to a further Vote for every Five Shares of which he, she, or they shall be so possessed in addition to the said Ten Shares, at all Meetings of the said Company to be held in pursuance of this Act; and every Question, Matter, or Thing which shall be proposed, discussed, or considered at any Meeting of the said Company to be held in pursuance of this Act, shall be determined by the Majority of Votes then present.

Lunatics and
Minors may
vote by Com-
mittees or
Guardians.

XXV. And be it further enacted, That in case any Proprietor entitled to vote at any Meeting of the said Company shall be a Lunatic or Minor, such Lunatic shall or may vote at such Meeting by his or her Committee or Committees, or by any One of such Committees, and such Minor shall or may vote by his or her Guardian or Guardians, or any One of such Guardians; and such Committee or Guardian may, if a Proprietor, also vote in right of his or her own Share or Shares, as well as in the Character of a Committee for any Lunatic, or of a Guardian of any Minor on the same Occasion.

Proprietors
not entitled
to vote in
respect of
Shares unless
they are
standing in
their Names,
nor until
Calls are paid.

XXVI. Provided always, and be it further enacted, That no Proprietor of any Share or Shares in the said Undertaking shall be entitled to vote at any Meeting of the said Company of Proprietors in respect of such Share or Shares, unless the same shall be standing in the Name of such Proprietor in the Register Book herein-before directed to be made and kept at and immediately before such Meeting, nor unless the Sums of Money from Time to Time to be called for by the Directors for the Time being of the said Company, and due and payable at or before every such Meeting, in respect of all and every the Share and Shares of such Proprietor, and all Arrears thereof, shall have been duly paid to the Treasurer of the said Company.

Accounts to
be audited at
General
Meetings.

XXVII. And be it further enacted, That at every General Meeting of the said Company an Account of all the Monies received, paid, laid out, and disbursed respecting the Works hereby authorized to be made by the Directors, or by the Clerk, Treasurer, Collector, and other Persons whomsoever employed about the said Undertaking, brought up to the Twenty-fifth Day of *March* before such General Meeting, shall be laid before the said Proprietors to audited and settled.

XXVIII. And

XXVIII. And be it further enacted, That at the Expiration of Twelve Calendar Months from and after the Time when the said Pier and other Works shall be so far completed that the Duties and Tolls hereby authorized to be taken shall be first taken and received, the said Company shall and they are hereby empowered to make such Dividend or Dividends upon the Principal Monies so subscribed and actually paid as aforesaid as shall be from Time to Time resolved on and determined at a General Meeting of the said Company : Provided always, that no Dividend in any one Year shall ever exceed the clear Profits which shall have accrued.

Company
empowered
to declare
Dividends.

XXIX. And be it further enacted, That a Board of Directors consisting of not less than Seven Persons, being Members of the said Company, shall be constituted and appointed, and from Time to Time kept up, for the better managing the Affairs and Business of the said Company ; and that *George Burge, Thomas Homans Cook, James Jenkins, Thomas Moore, Samuel Pocock, George Randell, and William Wiggins*, being Members of the said Company, shall be and they are hereby constituted and appointed Directors in the first instance ; and each of such Directors so appointed as aforesaid, and to be appointed as herein-after mentioned, shall continue in Office until he shall die, or decline to act, or resign his Office, or become disqualified for the same by not possessing the Number of Shares herein-after specified, or otherwise as herein-after mentioned ; and in the Place of every such Director or Directors for the Time being who shall die, decline to act, resign, or become disqualified as aforesaid, there shall be appointed, out of the Subscribers to the said Undertaking, by a Majority of the Proprietors of the Joint Stock of the said Company attending at a Special General Meeting of the said Company to be called for that Purpose, (of which the Directors for the Time being are hereby required to give Twenty-one Days Notice in the Manner herein directed with respect to Special General Meetings of the said Company,) some other Person or Persons to fill up the Vacancy of such Director or Directors ; and each new Director so to be elected and appointed as aforesaid shall have the same Power and Authority as the Director in whose Stead he shall be so elected and appointed would have had if such Death, Resignation, or Disqualification had not happened ; and the Proprietors present at the First General Meeting of the said Company to be held under the Authority of this Act shall and may fix and appoint such annual or other Payment or Remuneration for the Pains, Care, and Attendance of the Directors of the said Company, whether prospectively or retrospectively, collectively or individually, and in such Manner and upon such Conditions, as the said Proprietors shall think fit ; and such Payments or Remuneration may be altered prospectively but not retrospectively at any future Meeting or Meetings of the said Company of Proprietors.

Appointment
of Directors.

In case of
Vacancy a
new Director
to be chosen
by Proprie-
tors.

XXX. Provided always, and be it further enacted, That no Proprietor shall be eligible to be elected a Director who shall not possess at least Ten Shares of the Stock of the said Company ; and any Director who shall cease to possess Ten Shares of the said Stock shall become disqualified, and shall *ipso facto* cease to be a Director ; and

Qualification
of Directors.

[*Local.*]

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if

if any Person who shall be elected Director of the said Company shall at any Time subsequently to his Election accept or continue to hold any other Office, or any Place of Trust or Profit under the said Company, or shall, either directly or indirectly, be concerned in any Contract for any Article to be used or consumed by the said Company, or shall offer to take and succeed in taking or shall participate in any Manner in any Work to be done for the said Company, every such Person shall thereby become disqualified from voting or acting at any succeeding Meeting of such Directors, and his Office shall thereupon become vacant.

Meetings of
the Directors.

XXXI. And be it further enacted, That the said Directors hereby appointed shall hold their First Meeting at such Place and Time as they or any Three of them shall appoint; and the Directors for the Time being shall thenceforth meet at such Place or Places and at such Time or Times as the major Part present at any of their Meetings from Time to Time to be holden shall deem convenient for executing the Powers vested in them by this Act; and the Directors for the Time being, or any Three of them, so assembled as aforesaid, shall constitute a Meeting of Directors; and the said Directors at their said several Meetings shall appoint a Chairman from amongst themselves, who, in case of an Equality of Votes upon any Question or Occasion, (including the Vote of such Chairman,) shall have the decisive or casting Vote; and the said Directors shall and they are hereby authorized and empowered to enter into and make such Contracts or Agreements with any Agent or other Person or Persons in and about or for carrying on the said Works hereby authorized to be made, or any of them, or any Part thereof, as shall be thought expedient, and to enter into and make all such Contracts, Bargains, and Agreements whatsoever touching or in anywise concerning the said Undertaking as they shall think proper, and to order and direct how the several Works shall from Time to Time be carried on; and also from Time to Time to use the Common Seal of the said Company in such Manner and for such Purposes as they shall think fit, by the Use whereof the said Company shall be bound; and generally to direct and manage all and singular the Affairs and Business of the said Company, and to do, execute, and perform all Acts, Matters, and Things which the said Company are by this Act authorized and empowered to do, save and except such only as are hereby expressly directed to be done by the Proprietors at large at any Meeting or Meetings of such Proprietors to be held as herein-before mentioned.

Treasurer,
Clerk, and
other Officers
to be ap-
pointed by
the Directors.

XXXII. And be it further enacted, That it shall be lawful for the said Directors to appoint a Treasurer, Clerk or Clerks, Superintendent or Superintendents, Surveyor or Surveyors, Piermaster or Piermasters, Collector or Collectors, Receiver or Receivers, Watchman or Watchmen, and such other Officers and Persons as they shall find necessary for the Purposes of this Act; and the said Directors are hereby required to take such Security from their Treasurer, Collector or Collectors, Receiver or Receivers, and from such other Officers and Persons, as to them shall seem right and proper, for the Execution of his or their respective Offices; and it shall be lawful for the said Directors from Time to Time to remove or suspend such Officers and

Persons, or any of them, and appoint another or others in the Room of such as shall be removed or suspended, or shall die or resign or become incapable of performing his or their Office or Offices, and out of the Monies applicable to the Purposes of this Act to pay or allow such Salaries, Allowances, or Recompence to such Officers and Persons respectively, during or after the Period of their Service or Employment, as to the said Directors shall from Time to Time seem reasonable.

XXXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Directors to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of 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 such Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or 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 any 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 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 or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer and Clerk not to be the same Person.

XXXIV. And be it further enacted, That the Clerk or Clerks of the said Company shall, in a proper Book or Books to be provided by the Directors for that Purpose, enter all Acts, Orders, Proceedings, and Transactions of every Meeting, as well of the said Company as of the Directors thereof, the Entry of which Acts, Orders, Proceedings, and Transactions shall, when signed by the Chairman of each such Meeting, be deemed and taken to be original Acts, Orders, and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

Proceedings at Meetings to be entered.

XXXV. And be it further enacted, That the said Directors shall enter or cause to be entered in a Book or Books to be provided for that Purpose, and kept by their Clerk for the Time being, a full and true Account of all Monies disbursed and Payments made, and of all and every Sum and Sums of Money which shall be received, on behalf or in

Books of Account to be kept.

in respect of the said Undertaking, by or from any Person or Persons whomsoever employed in the said Undertaking, or having any Concerns, Dealings, or Transactions with the said Company relating to the same; and every such Book, and all other Books, Papers, and Writings belonging to the said Company, shall, at all seasonable Times, be open to the Inspection of any of the Proprietors of the said Undertaking, or of any Creditor for any Money to be borrowed under this Act, 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 Books, or of any Part thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Proprietors or any such Creditor to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Officers to
account, and
deliver up
Papers, &c.
when re-
quired.

XXXVI. And be it further enacted, That all and every Treasurer, Clerk, Collector, Receiver, and other Officer and Servant of the said Company shall, at such Time and Times and in such Manner as the said Directors shall appoint or direct, deliver to the said Directors, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officer and Person respectively by virtue and for the Purposes of this Act, and how much thereof hath been paid, laid out, and disbursed, and for what Purposes, together with the Receipts or Vouchers for such Payments, and shall pay over all such Balances or Sums of Money as shall remain in their respective Hands to the said Directors, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or neglect to make and render any such Accounts, or to produce or deliver up such Receipts or Vouchers, or to make Payments as aforesaid, or shall not deliver to the said Directors, or to such Person or Persons as they shall appoint, within Twenty-one Days after being thereunto required by the said Directors, all Books, Papers, and Writings in his Custody or Power relating to the said Undertaking, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Directors, or as they shall direct, order, or appoint, then and in any of the Cases aforesaid the said Directors may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions at Law, or Suit or Suits in Equity, against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if any Complaint shall be made by the said Directors, or by any such Person or Persons as they shall respectively appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any One or more of His Majesty's Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons, shall be or reside, such Justice or Justices may and he and they is and are hereby authorized

rized and required to summon such Officer or Officers, Person or Persons, so neglecting or refusing to appear before him or them, and upon his or their appearing, or having been summoned and not appearing without giving some reasonable Excuse for such Nonappearance, to the Satisfaction of such Justice or Justices, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any One or more credible Witness or Witnesses upon Oath, or, being of the Society of Quakers, upon solemn Affirmation, which Oath or Affirmation such Justice or Justices is and are hereby required and empowered to administer, it shall appear to such Justice or Justices that any of the Monies which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may and is and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer or Officers, Person or Persons, against whom such Warrant shall be granted, can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying such Distress and Sale, or if such Officer or Officers, Person or Persons, shall persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Directors or as they shall appoint, then and in any of the Cases aforesaid such Justice or Justices shall commit every such Offender to any Common Gaol or House of Correction for the County or Place wherein such Officer or Officers, Person or Persons, shall be or reside, at the Discretion of such Justice or Justices, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account, and make Payment as aforesaid, or until he shall compound with the said Directors, and shall have paid such Composition in such Manner as the said Directors shall appoint, and which Composition the said Directors are hereby authorized to make and receive, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Directors: Provided always, that no such Officer or Person who shall be committed to any such Common Gaol or House of Correction for Want of sufficient Distress shall be confined or detained therein by virtue of this Act for any longer Space of Time than Three Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety or Sureties; but such Officer or Person, and his Surety or Sureties, shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

XXXVII. And be it further enacted, That in case of the Death of any Officer or other Person to be appointed as aforesaid, or of his becoming bankrupt or insolvent, before he shall have delivered up all Books, Papers, Writings, and other Things concerning the Office, or relating to the Execution of this Act, then and in every such Case

For recovering Books, &c. from Executors or Assignees of Officers.

[*Local.*]

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the Executors or Administrators of such respective Officer or other Person, or the Assignee of his Estate and Effects, or other Persons possessing the same, or in whom the same have or hath vested, shall deliver up to the said Directors, or to any Person appointed by them to demand and receive the same, all such Books, Papers, Writings, and other Things; and in case of Nondelivery of such Books, Papers, Writings, and other Things, for the Space of Twenty-one Days after the same shall be demanded, it shall be lawful for such Directors to commence and prosecute any Action or Suit in any of His Majesty's Courts of Record at *Westminster* against such Executors, Administrators, Assignees, or other Person possessing the Estate and Effects which did belong to such deceased Person, or Bankrupt, or Insolvent, for Recovery of Damages for the Nondelivery of such Books, Papers, Writings, and Things, together with full Costs of Suit.

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

XXXVIII. And be it further enacted, That if any Agent, Toll Collector, or other Servant of the said Company, occupying any House, Offices, or Buildings belonging to the said Company, shall be discharged from his Office, and shall not deliver up the Possession of such House, Offices, or Buildings, with the Appurtenances, and other Matters and Things in his Custody, Power, or Possession, within Twenty-one Days next after Notice of such Discharge shall be given to him, or left at such House, Offices, or Buildings; or if the Wife or Family of any such Agent, Toll Collector, or other Servant who shall happen to die while in the Service of the said Company, shall refuse or neglect to deliver up the Possession of such House, Offices, or Buildings, with the Appurtenances, as aforesaid, and other Matters and Things belonging to the said Company in his, her, or their Custody, Power, or Possession, within Seven Days after another Person shall have been appointed in the Place and Stead of such Person so dying or having been discharged; then and in either of the said Cases it shall be lawful for any Justice of the Peace for the County or Place wherein the Premises shall be situate, and he is hereby required, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House, Offices, and Buildings in the Day-time, and to remove the Persons who shall be found therein, together with their Goods and Chattels, out of such House, Offices, and Buildings, and to take possession of all Matters and Things belonging to the said Company which shall be found therein, and to deliver the Possession of such House, Offices, and Buildings, together with such Matters and Things found therein and belonging to the said Company, to the new-appointed Agent, Toll Collector, or other Servant, or other such Person or Persons as the said Directors shall appoint to receive the same.

Penalty on Officers taking Fees.

XXXIX. And be it further enacted, That if any Clerk, Treasurer, Surveyor, or Collector, or other Officer or Person employed by the said Company, or the Directors thereof, for the Purposes of this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever, other than such Fees, Salary, or Allowance as shall be appointed and allowed by the said Directors, for or on account of any thing

thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Directors, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Directors for the Purposes of this Act, (unless with the Consent and Approbation of the said Directors,) every such Person so offending shall be incapable afterwards of serving or being employed under the said Company or Directors, and shall forfeit and pay the Sum of One hundred Pounds for every such Offence to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Complaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, within Three Calendar Months next after the Offence committed, with full Costs of Suit, in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XL. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to make, frame, ordain, and establish, revoke, repeal, annul, or alter, such Bye Laws, Rules, Orders, and Regulations as they shall think fit for the good Government of the said Company, and their Treasurer, Clerks, Collectors, Officers, Workmen, and Servants to be employed in or about the Affairs or Business of the said Company, and for the Regulation of the said Pier or Jetty, Causeways, Avenues, Approaches, Parade, or other Works to be made by virtue of this Act, and for lighting the same, and for the Convenience of Persons walking upon, or landing or embarking therefrom, or shipping or landing Goods, Wares, and Baggage, or other Articles, at or from the same, and for the Regulation and ordering the shipping or landing of Goods, Wares, and Merchandize, and the Nature of the Goods, Wares, and Merchandize which may or may not be shipped or landed, and the Mode and Time of shipping and landing the same, and for the Regulation of the mooring and Stations of Ships, Vessels, and Boats resorting thereto, and for the well-governing, ordering, and managing of the Officers and Crews of such Ships, Vessels, and Boats, and the Boatmen, Servants, and others employed therein or belonging thereto, and for the governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggon, Carts, Trucks, Sledges, or other Carriages for conveying Passengers, Goods, Wares, and Merchandize to or from the said Pier, for the Convenience of the Persons using or resorting to the same, or otherwise in regard to the several Works to be made under and by virtue of this Act, and for managing the several Concerns of the said Company; which Bye Laws, Rules, Orders, and Regulations shall be and remain in full Force, until and unless the same shall be repealed, amended, or altered from Time to Time by the Directors for the Time being of the said Company, or by the Proprietors, Members of the said Company, at any Special General Meeting to be held as herein-before directed; and to annex, impose, and inflict reasonable Fines and Forfeitures upon all Persons offending against such Bye Laws, Rules, Orders, and Regulations, or any of them, not exceeding the Sum of Five Pounds for any One Offence, to be recovered in manner hereinafter mentioned; and all such Bye Laws, Rules, Orders, and Regula-

Directors
empowered
to make
Bye Laws.

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tions, and all Alterations thereof, shall be reduced into Writing, under the Common Seal of the said Company, and signed by the Clerk, and shall be printed, and shall be binding upon and be observed by all Persons using or in anywise concerned in the said Undertaking, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act upon the same; provided that such Bye Laws, Rules, Orders, and Regulations be not repugnant to the Laws of *England*, or any of the express Directions or Provisions of this Act; and provided that Copies of such of the said Bye Laws, Rules, Orders, and Regulations as shall concern or relate to the said Pier or Jetty, Causeway, Avenues, Approaches, Parade, or other Works, or any of them, shall be painted on Boards, and affixed on some conspicuous Place on or near the said Pier or Jetty, Causeway, Avenues, Approaches, Parade, or other Works, which Boards shall be renewed from Time to Time when and so often as the same shall or may be destroyed or defaced.

Directors
may appoint
Committees.

XLI. 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, (every such Committee to consist of Three or more Persons,) who shall have full Power and Authority to enter into and make any such Contracts or Agreements on behalf of the said Company, and to hire and employ any Agents, Workmen, and Servants in and about the said Undertaking, and to do, execute, and perform all other Matters and Things whatsoever in and about the said Undertaking which the said Directors are themselves herein authorized to do, or such of them as the said Directors shall think proper to intrust to the Care and Management of any such Committee or Committees (save and except nevertheless the making Calls for Money upon the Proprietors of the said Undertaking, which shall be done by the said Directors only, as herein-after directed); and it shall be lawful for the said Directors, by an Order or Resolution for that Purpose, at any Time to break up and dissolve any such Committee or Committees, or to remove or displace any Member or Members thereof, and to appoint some other or others in his or their Place or Stead, when and so often as such Directors shall think proper and expedient; and every such Committee shall have full Power and Authority to meet from Time to Time, and adjourn from Place to Place, as they shall think proper and as Occasion shall require, for effectuating the Purposes aforesaid; and all the Powers and Authorities hereby vested, or which shall by the said Directors be vested in any such Committee, within the Intent and Meaning of this Act, shall and may be exercised by the major Part of the Members present at their respective Meetings, the whole Number of Members present not being less than Three; and at all the Meetings of such Committees respectively One of the Members present shall be appointed Chairman, and all Questions shall be decided by the Majority of Votes, and the Chairman shall, besides his own Vote, have the casting one, in case of an equal Division, but no other Member shall have more than One Vote.

Directors
may make
Calls.

XLII. And be it further enacted, That the Directors for the Time being of the said Company shall have full Power and Authority from
Time

Time to Time, at any Meeting of the said Directors to be held in pursuance of the Powers and Provisions of this Act, to make such Call or Calls for Money from the Proprietors of the said Undertaking, in order to defray the Expences of carrying on the same, as they shall from Time to Time find requisite for those Purposes, so that no such Calls shall be made except at a Distance of One Calendar Month at the least from each other, and so that Fourteen Days Notice at least shall be given of each Call in some Newspaper or Newspapers published or usually circulated in *London* or the said County of *Kent*, or otherwise, as the said Directors shall from Time to Time order; all which Money so to be called for as aforesaid shall be paid into the Hands of the Treasurer of the said Company, to be issued, paid, laid out, and applied for carrying on the said Undertaking, in such Manner as the said Directors shall from Time to Time order.

XLIII. And for the better enforcing the Payment of such Calls, be it further enacted, That if any Person or Persons upon whom any Call or Calls for Money shall or may be made, under or by virtue of this Act, for or in respect of any Share or Shares in the said Undertaking, shall neglect or refuse to pay his, her, or their rateable or proportionable Share or Shares of the Money to be called for and raised by virtue of this Act for the Space of Thirty Days next ensuing any such Call, he, she, or they so neglecting or refusing shall forfeit and pay the Sum of Twenty Shillings for every Share he, she, or they shall have in the said Undertaking; and if such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable or proportionable Share or Shares of the said Money to be called for and raised as aforesaid for the Space of Two Calendar Months next after such Call or Calls shall have been appointed to be paid as aforesaid, then and in such Case it shall be lawful for the said Directors to declare all and every or any of the Share or Shares of such Person or Persons so neglecting or refusing as aforesaid to be forfeited; and from thenceforth the said Share or Shares so declared to be forfeited as aforesaid, and also the Profits and Benefits thereof, and all Money advanced or paid in respect of such Share or Shares, shall lapse to and become vested in the said Company, their Successors and Assigns; and all such Share or Shares so forfeited shall be sold at a public Sale by the said Directors for the most Money that can be got for the same, and the Monies arising from such Sale shall be applied in manner by this Act directed: Provided always, that no Share or Shares of and in the said Undertaking shall be forfeited to, vested in, or shall accrue to the said Company, until Notice in Writing thereof shall be given by the Clerk of the said Company to the Person or Persons, or to the Clerk or Clerks or other head Officer or Officers of the Body or Bodies Politic, Corporate, or Collegiate, in whose Name or Names such Share or Shares shall, at the Time of giving such Notice, stand registered in the Books of the said Company, or left at his, her, or their Dwelling House or usual or last known Place of Abode, Fourteen Days at the least previous to such Share or Shares vesting in or accruing to the said Company, provided that such Place or Places of Abode shall be known to the Clerk of the said Company; and in case the same shall not be known

For enforcing
Payment of
Calls.

Forfeiture of
Shares.

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Forfeiture of
Shares to be
an Indemnity
to Persons
forfeiting.

to the Clerk of the said Company, such Notice shall be published in the *London Gazette*, and such other public Newspaper or Newspapers as the said Directors shall order and appoint, in which Notices respectively shall be contained a Statement and Account of how much Money is due from such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for his, her, or their Share or Shares in the said Undertaking; and no such Share or Shares shall be forfeited to or vested in the said Company if the Owner or Owners of such Share or Shares shall pay what shall appear by such Statement to be due, together with legal Interest on the same, and the aforesaid Penalties for Nonpayment, and all Expences attending the Application for the same, within the Time specified in such Notice, any thing in this Act contained to the contrary thereof in anywise notwithstanding: Provided also, that such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors so forfeiting against all Actions, Suits, and Prosecutions, for any Breach of Contract or Agreement between such Proprietor or Proprietors so forfeiting and the rest of the said Company, with regard to the future carrying on and Management of the said Undertaking.

If Purchase
Money of
Shares for-
feited shall be
more than
sufficient to
pay the Ar-
rears, Surplus
to be paid to
the Owner.

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

Proceedings
in Actions
for Calls.

XLV. And be it further enacted, That in all Actions brought against any Person or Persons who hath or have subscribed or advanced, or who shall hereafter subscribe or advance, any Money for and towards the said Undertaking, or against any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Directors to declare and allege that the Defendant or Defendants, being an Owner or Owners, Proprietor or Proprietors of such and so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to for such and so many Call or Calls of such and so many

many Sum or Sums of Money upon such or so many Share or Shares belonging to the Defendant or Defendants, (as the Case may happen to be,) whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall be only necessary to prove that the Defendant or Defendants, at the Time of making such Call or Calls, was or were an Owner or Owners, Proprietor or Proprietors of such Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice was given thereof as is directed by this Act, without proving the Appointment of such Directors, or any other Matter or Thing whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, and no Wager of Law shall be allowed in any such Action.

XLVI. And be it further enacted, That the said Directors shall have full Power and Authority to contract for and purchase all such Lands, Tenements, or Hereditaments, and all such Matters or other Things as shall and may be wanted, or as they shall deem necessary, for the said Works hereby authorized to be made, and to sell any Materials, the Property of the said Company, which shall not be wanted, or which the said Directors shall deem unnecessary to keep, and to treat, contract, and agree with any Person or Persons whomsoever touching the Compensation to be made for any Damages to be done in the Exercise of the Powers hereby given.

Directors
may contract
for Purchase
of Land, &c.

XLVII. And whereas a Map or Plan describing the Situation of the Pier or Jetty and other Works, and the Line of the Avenues, Parade, and Approaches thereto, intended to be made by virtue of this Act, with a Book of Reference thereto containing the Names of the Owners or reputed Owners and Occupiers of the Estates, Lands, or Grounds upon or through which the same are intended to be made, have been deposited in the Office of the Clerk of the Parliaments; be it therefore enacted, That the said Map or Plan and Book of Reference so deposited shall remain with and be kept by the said Clerk, and all Persons interested therein shall have Liberty to inspect, peruse, and make Extracts therefrom and Copies thereof, at reasonable Times, on Payment to the said Clerk of One Shilling for each Time of Inspection, and One Shilling more for every Hour during which such Inspection shall continue after the first Hour, and paying for every Copy of One hundred Words the Sum of Sixpence, and so in proportion for any greater Number of Words; and the said Map or Plan and Book of Reference, or true Copies thereof, or of so much thereof as shall relate to any Matter which may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law and elsewhere; and the said Company, in making and completing the said Pier or Jetty and other Works hereby authorized, shall not deviate more than One hundred Yards from the Course or Line and Track or Direction described in the said Map or Plan.

Plan and
Book of Re-
ference to
remain with
the Clerk of
the Parlia-
ments, and
Trustees not
to deviate
therefrom.

XLVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the said Company, or the Directors thereof, to take, for the Purposes of this Act, any Lands, Tenements, or Hereditaments, except

Company
not to take
Lands, &c.
not included
in the Second
Schedule.

except such as are described or referred to in the Second Schedule hereunto annexed.

No Advantage to be taken of any Error or Omission in the Book of Reference.

XLIX. Provided also, and be it further enacted, That no Advantage shall be taken of or against the said Company, or any Interruption be given to the making of the said Pier or Jetty or any other Works hereby authorized to be made, or any of them, on account of any Misnomer, Error, or Omission in the said Map or Plan and Book of Reference, in case it shall appear to any Two or more of His Majesty's Justices of the Peace acting for the said County of *Kent*, and be certified in Writing under their Hands, that such Misnomer, Error, or Omission proceeded from Mistake.

Empowering Owners of Vessels to anchor in the Bay as heretofore; and directing Openings to be left for the free Passage of Waggon, &c. to and from the Shore.

L. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company, or any other Person or Persons whomsoever, to prevent, hinder, or in anywise interrupt the Owners or Masters or other Persons having the Care of Hoys or Vessels conveying Coals, Corn, Goods, Wares, or other Merchandize, from the free Use and Enjoyment of anchoring Vessels and laying down Moorings in any Part or Parts of the upper and lower Bays, or either of them, in as full and ample a Manner as they might have done in case this Act had not been passed; provided that no such Vessel or Vessels shall lie at any Time within One hundred Yards of the said Pier or Jetty; and also, that, in making and constructing the Parade by this Act authorized to be made, the said Company shall and they are hereby required to make, leave, and continue Three proper, sufficient, and convenient Gaps or Openings in, through, over, or under such Parade, one of such Gaps or Openings to be made opposite the Road near the *Ship Inn*, one other of such Gaps or Openings to be made near to and on the East Side of the Culvert or Gut, and the remaining Gap or Opening to be made on the West Side of the said intended Pier, at a Distance of not less than One hundred Yards therefrom, so as to leave a free Passage for all Persons whomsoever, with Horses, Waggon, Carts, and Carriages, to pass and repass at all Times to and from the Shores of the said Bays, for the Purposes of loading and unloading the Cargoes of all Hoys and other Vessels which may come into the said Bays, or either of them, without being subject or liable to the Payment of any Rates or Tolls whatsoever.

Incapacitated Persons empowered to sell Lands and Buildings.

LI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate and Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trust Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other incapacitated Persons, who are or shall be seised, possessed, or interested in their own Right, and for every other Person and Persons who are or shall be seised, possessed, or interested of or in any Lands, Houses, Buildings, and Hereditaments which may be required for the Purposes of this Act, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of

' I of in consideration of Form of Con-
 ' the Sum of to me paid by " The *Herne* veyance.
 ' Bay Pier Company," do hereby grant and release to the said Com-
 ' pany all [*describing the Property to be conveyed*], and all my Estate,
 ' Right, Title, and Interest to and in the same and every Part
 ' thereof, to hold to the said Company, their Successors and Assigns,
 ' by virtue of an Act of Parliament passed in the First Year of the
 ' Reign of His Majesty King *William* the Fourth, intituled [*here set*
 ' *forth the Title of this Act*]. In witness whereof I have hereunto
 ' set my Hand and Seal this Day of in
 ' the Year of our Lord :

LII. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons so interested, entitled, or empowered or capacitated to sell any of the Lands, Tenements, or Hereditaments described in the said Second Schedule hereunto annexed, for and on behalf of himself, herself, or themselves, or for and on behalf of his, her, or their Cestuique Trusts, or of the Person or Persons entitled in Remainder or Reversion after them as aforesaid, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money, Recompence, or other Compensation as shall be offered them by the said Directors, and shall give Notice thereof in Writing to the said Directors within Twenty-one Days next after such Offer shall have been made, and the Party or Parties giving such Notice shall therein request that the Matter or Matters in dispute may be submitted to the Determination of a Jury; or if any Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or any other

Differences respecting Compensation for Land to be settled by a Jury.

[Local.] 3 S Person

Person or Persons interested, entitled, or empowered to sell as aforesaid, shall, for the Space of Twenty-one Days next after Notice in Writing shall have been given to the principal Officer of any such Body or Bodies Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or Hereditaments required for the Purposes of this Act, neglect or refuse to treat or shall not agree with the said Directors for the Sale and Conveyance of their respective Estates and Interests therein, or shall, by reason of Absence, be prevented from treating, or shall, by reason of Nonage, or any other Impediment or Disability not provided for by this Act, be incapable of treating or making such Agreement as shall be expedient for enabling the said Directors to proceed in making any of the Works hereby authorized to be made, or shall not produce or evince a clear Title to the Premises they may be in Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Directors; then and in every such Case the Directors for the Time being of the said Company shall and they are hereby empowered and required from Time to Time to issue a Warrant under the Common Seal of the said Company to the Sheriff of the said County of *Kent*, or in case such Sheriff or his Under Sheriff shall be one of the said Company, or enjoy any Office of Trust or Profit under them, or shall be in anywise interested in the Matters in question, then to any one of the Coroners of the said County not interested as aforesaid, or if all the Coroners shall be so interested, then to the last Person then in being who filled the Office of Sheriff of the said County not interested as aforesaid, commanding such Sheriff or Coroner, or other Person, to impanel, summon, and return a Jury, and the said Sheriff, Coroner, or other Person is hereby accordingly authorized, empowered, and required to impanel, summon, and return a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be impanelled, summoned, and returned are hereby required to come and appear before such Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be directed or appointed; and out of such Persons so to be impanelled, summoned, and returned, the said Sheriff, Coroner, or other Person is hereby empowered to swear Twelve to be the Jury for the Purposes aforesaid; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, the said Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be 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 shall and may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Coroner, or other Person is hereby empowered and required to summon and call before him all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in question or dispute, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or

Matter or Matters in controversy; and such Jury shall, upon their Oaths, or, being of the Society called *Quakers*, upon their solemn Affirmation, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations to such Person or Persons as shall be called upon to give Evidence, the said Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of, assess, and ascertain, and give a Verdict for, the Sum or Sums of Money to be paid for the Purchase of such Lands, Grounds, Messuages, Buildings, Tenements, and Hereditaments, and also the separate and distinct Sum or Sums of Money to be paid by way of Recompence or Compensation, either for the Damages which shall or may before that Time have been occasioned and sustained by such Body or Bodies, Person or Persons, or for the future temporary or perpetual Continuance of any recurring Damages which shall have so occurred, and the Cause or Occasion of which shall have been in part only removed by the said Company, and which can or will be no further obviated, remedied, or repaired by them; and the said Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Recompence, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereupon to be pronounced as aforesaid, shall be binding and conclusive, to all Intents and Purposes, upon all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever: Provided always, that no less than Fourteen Days Notice in Writing of the Time and Place at which such Jury are to be required to be returned shall be given by the said Directors to the Party or Parties with whom any such Controversy shall arise, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Clerk or Agent or head Officer of such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises intended to be valued or respecting which any such Question shall arise.

LIII. Provided also, and be it further enacted, That in ascertaining the Sum or Sums of Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments, or other Rights, to be taken or made use of for the Purposes of this Act, the Jury shall also ascertain and assess the Compensation and Satisfaction to be paid by the said Company for any Damages which shall or may be sustained by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons respectively, being Owner or Owners or Occupier or Occupiers of or interested in such Lands, Tenements, or other Hereditaments, or other Rights, for or by reason of the severing or dividing of the same from other Lands, Tenements, or Hereditaments, or other Rights, belonging to such Body or Bodies Politic, Corporate, or Collegiate, or to any such Person or Persons as aforesaid, and for or on account of the Detriment, Loss, Injury, Damage, or Prejudice which shall or may accrue to or be sustained by such Body or Bodies Politic, Corporate, or Collegiate, Owner or Owners, Occupier or Occupiers, or other Person or Persons interested in such Lands, Tenements, or Hereditaments, or other Rights, or any of them, by reason of the making and maintaining of any Works hereby authorized to be made, or by reason or means of the Execution of any of the Powers hereby given to the said Company; such Damages and Compensation

Value of
Land and
Damages to
be ascer-
tained sepa-
rately.

Compensation to be settled and ascertained separately and distinctly from the Value of the Lands, Tenements, and Hereditaments, or other Rights, so to be taken and used as aforesaid.

Compensation Money to be apportioned.

LIV. And be it further enacted, That the said Juries shall and they are hereby respectively empowered to settle what Shares or Proportions of the Purchase Money or Compensation for Damages which shall be agreed for, determined, and adjusted or assessed in manner aforesaid, shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interest or respective Interests therein.

Verdicts of Juries to be recorded.

LV. And be it further enacted, That all the said Verdicts and Judgments, being first signed by the said Sheriff, Coroner, or other Person present 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 of *Kent* among the Records of the Quarter Sessions for 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 all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and no more, and also to take and make Copies thereof, paying for every Copy after the Rate of Sixpence, and no more, for every Hundred Words.

Penalty upon Sheriff, and upon Jury or Witnesses making Default.

LVI. And be it further enacted, That if such Sheriff or his Deputy, 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 to be summoned and returned upon any such Jury as aforesaid shall not appear, without having sufficient Excuse for such Nonappearance, or appearing shall refuse to be sworn, or, being of the Society of Persons called *Quakers*, to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act; or if any Person so to be summoned to give Evidence as aforesaid shall not appear on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, or, being of the Society of Persons called *Quakers*, to make his solemn Affirmation, or to be examined or to give Evidence; then and in every such Case every Person so offending, having no reasonable Excuse to be allowed by the said Sheriff, Under Sheriff, Coroner, or other Person, 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 be summoned, any Sum not exceeding Ten Pounds, to be levied, by virtue of any Warrant or Warrants under the Hand and Seal of any One of His Majesty's Justices of the Peace for the said County of *Kent*, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering to him, her, or them the Overplus of the Money thereby produced, after such Penalty, and the Charges and Expences of such Distress and Sale, shall be deducted.

LVII. And

LVII. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be liable and subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all and every Person and Persons who in any Examination to be taken by virtue of this Act, upon their Oath, or, being of the Society of Persons called *Quakers*, upon their solemn Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, or before any such Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

Regulations
as to Juries.

Persons
giving false
Evidence to
be punished.

LVIII. And be it further enacted, That in each and every Case where a Verdict shall be given for the same or more Money as Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments, and all Rights and Privileges thereunto belonging, of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, Hereditaments, and other Rights or other Property, than had been previously offered by or on behalf of the said Company, or the Directors thereof; or where any Verdict shall be found for any Damages, where the Dispute is for Damages only; or where no Compensation, or a smaller Sum than shall be given by such Verdict, had been previously offered or tendered in respect thereof by or on behalf of the said Company or Directors; or, where by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensation from, the said Company or Directors as herein-before mentioned; then and in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff, Under Sheriff, Coroner, or Person so impannelling, summoning, and returning such Jury, and be defrayed by the said Company; and in case such Costs shall not be paid by the said Company or Directors within Five Days after the same shall be demanded, the same shall and may be levied, by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting for the said County of *Kent*, by Distress and Sale of the Goods and Chattels of the said Company or their Treasurer; but if any Verdict shall be given for a less Sum than had been so previously offered by or on behalf of the said Company, or in case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compensation from, the said Company or Directors, by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are, by the Provisions of this Act or otherwise, legally capacitated to treat, convey, or receive such Compensation as aforesaid, then and

Expences of
Juries.

[*Local.*]

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in all such Cases (except where, by reason of Absence or otherwise, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Company,) the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Sheriff, Under Sheriff, Coroner, or other Person so impannelling, summoning, and returning such Jury, and be borne and paid in the Manner following; (that is to say,) one Moiety of such said Costs and Expences shall be borne and paid by the said Company, and the other Moiety thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Company or their Directors shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums of Money so assessed or adjudged; and in case no Compensation shall be given by such Verdict, where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company or Directors by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

Persons
requesting
Juries to
enter into
Bond.

LIX. And be it further enacted, That all and every Person and Persons with whom the said Company, or the Directors thereof, may have any such Controversy or Dispute as aforesaid, shall, before the said Company or Directors shall be obliged to issue out their Warrant or Warrants for the summoning of such Jury, first enter into a Bond, with Two sufficient Sureties, to the Treasurer of the said Company for the Time being, in a Penalty of One hundred Pounds, to prosecute such his, her, or their Complaints, and to bear and pay such his, her, or their Portion of the Costs and Expences of summoning and returning such Jury, and taking such Verdicts, and of the summoning and Attendance of Witnesses, as shall fall upon him, her, or them to be paid according to the true Intent and Meaning of this Act.

Notice of
Injury to
be given to
Company.

LX. And be it further enacted, That the said Company or Directors shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, to receive and take Notice of any Complaint or Complaints to be made by any Person or Persons whomsoever for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, by virtue or in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, stating the Particulars of such Injury or Damage and the Amount of the Compensation claimed in respect thereof, shall have been given by or on behalf of such Person or Persons to the said Company or Directors within the Space of Three Calendar Months after the Time of

such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

LXI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by any Jury or Juries in manner aforesaid, for the Purchase of any Lands or Hereditaments, or as a Recompence for the yearly Produce or Profit thereof, or as a Satisfaction or Compensation for Damages as herein-before mentioned, to the Proprietor or Proprietors of such Lands and Premises, or such said Person or Persons as shall be interested therein or entitled to receive such Compensation, within Twenty-one Days after the same shall have been so agreed for, determined, or awarded, or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to, or shall refuse to execute a Conveyance or Conveyances of, the Premises which shall be required for the Purposes of this Act, then upon Payment of the said Sum or Sums of Money into the Bank of *England* as herein-after directed and required for the Use of such Person or Persons as are interested or entitled as aforesaid, it shall be lawful for the said Company, and their Directors, Agents, Servants, or Workmen, thereupon, and not before, to enter upon and take and use such Lands, Tenements, or Hereditaments respectively, and then and thereupon the same Lands, Tenements, and other Hereditaments, and the Fee Simple and Inheritance thereof, or such Part thereof as is or shall be of Fee Simple or Freehold Tenure, and the absolute Estate and Interest of such as shall be Leasehold or of any other Tenure, according to the Nature and Tenure of the same respectively, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth become vested in and be the sole Property of the said Company to and for the Purposes of this Act for ever; and such Tender, Payment, or Investment shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons by whom the same shall or ought to have been made, but also shall extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his, her, and their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before or until such Payment, Tender, or Investment as aforesaid, it shall not be lawful for the said Company, or any Person or Persons acting by or under their Authority, or under the Provisions of this Act, to dig or cut any Land or Ground, or to take down, remove, or alter any Messuage, Building, Tenement, or other Hereditament, for the Purposes of this Act, without the Leave or Consent in Writing of the Proprietor or Proprietors thereof respectively entitled to such Payment.

Power to enter Lands upon Payment or Tender of Purchase Money.

LXII. And be it further enacted, That every Person and Persons in Possession of any Lands, Tenements, and Hereditaments through, in, or upon which the Works hereby authorized to be made, or any of them, are intended to be made, which shall be taken or used for the Purposes

Tenants at Will or for Years to quit Lands after Notice.

Purposes of this Act, and who shall have no greater Interest in the Premises than as a Tenant at Will or Lessee for a Year or from Year to Year, shall deliver up the Possession of such Premises to the said Company, or to such Person or Persons as the Directors thereof shall appoint to take possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Directors to such Tenant or Lessee or Person in Possession, or left upon the said Premises, whether such Notice be given with reference to the Time or Times of the Commencement of such Tenant's holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Company, or at such other Time after the Expiration of Six Calendar Months as he, she, or they shall be required; and in case any such Tenant or Lessee or Person so in Possession as aforesaid shall refuse to give up such Possession as aforesaid, it shall be lawful for the said Directors to issue their Precept or Precepts to the Sheriff of the said County of *Kent* to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Interests of
such Tenants
may be set-
tled by a Jury.

LXIII. Provided always, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Premises so occupied by him or her to the said Company, or to any Person or Persons so authorized by the Directors thereof to take possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Directors shall and they are hereby directed to make or tender unto such Tenant or Lessee, before they shall issue their Precept or Precepts to the Sheriff to give Possession of the Lands and Premises in the Occupation of such Tenant or Lessee as herein-before mentioned, Satisfaction or Compensation for the Value of his or her unexpired Term or Interest in the said Premises, which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in the same Manner as any other Satisfaction or Compensation for any Lands, Tenements, or Hereditaments intended to be taken or made use of by the said Company, is in and by this Act provided for and directed to be made and assessed.

Persons hold-
ing under
Leases to
produce the
same.

LXIV. Provided always, and be it further enacted, That in all Cases where any Person shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest in any Lands, Tenements, or Hereditaments through, in, or upon which the said Undertaking hereby authorized to be made is intended to be made, under or by virtue of any Demise, Lease, or other Grant thereof, the said Directors shall and they are hereby authorized to require such Person to produce or show the Lease, Demise, or Grant in respect of which such Claim to Satisfaction or Compensation shall be made; and
if

such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided also, that if and in case any such Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments than those which shall be so purchased, wanted, or taken by the said Company, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained to be the Value of the said Lands, Tenements, or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interests in such Lands, Tenements, or Hereditaments to the said Company, or to such other Person or Persons as shall be appointed in Trust for them; and in default of their so doing, and on Payment of such Money into the Bank of *England*, for the Use of such Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as aforesaid, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and also of every Mortgagor or Owner of the said Premises, and of all and every Person or Persons in Trust for him or them, or any of them, in the said Lands, Tenements, or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the said Premises, to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

Application
of Com-
pensation
Money if
amounting
to 200*l*.

LXVI. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of or Damage to any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the said Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, 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 *Herne Bay* Pier Company, pursuant to an Act passed in the First Year of the Reign of His late Majesty 1 G. 4. c. 35. King George the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements,

or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting any other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Lands, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood limited or settled, or such of them as at the Time of making such Conveyance and Assignment shall be existing and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Purchase Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

LXVII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for the Purchase of or Damage to any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, or any other Incapacity, with the Approbation of the Directors of the said Company, to be signified in Writing under their Common Seal, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons making such Option who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased and settled, and such Nomination to be approved of by Three of the Directors of

Application
where less
than 200*l.*
and exceed-
ing 20*l.*

of the said Company, such Nomination and Approbation to be signified in Writing under the Hands and Common Seal of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising therefrom, shall and may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer touching the Application thereof.

Where less
than 20*l*.

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

In case of
not making
out Titles,
or Persons
entitled not
being found.

LXIX. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered, awarded, or agreed to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act as aforesaid, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Directors, or shall refuse to execute such Conveyance or Conveyances, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in that Case it shall be lawful for the said Company, or their Directors, to order the said Sum or Sums of Money so agreed or awarded to be paid 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, Tenements, and Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, upon the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt
or

or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

LXX. Provided always, and be it further enacted, That where any Question shall arise touching or concerning the Title of any Body or Bodies Politic, Corporate, or Collegiate, Person or Persons; to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of or in Satisfaction for any Damage to be done to any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, or Interest, Title, Charge in, to, or upon any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in Possession and Enjoyment of such Lands, Tenements, or Hereditaments, Parts or Shares, Estates, Interests, or Charges, at the Time of such Purchase by the said Company, and all Body or Bodies Politic, Corporate, or Collegiate, Person or Persons claiming under such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Parts or Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Body or Bodies, Person or Persons, was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or to some Estate or Interest therein, or Charge thereon.

In case of disputed Title, the Person in Possession to be deemed lawfully entitled.

LXXI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons entitled to any Lands, Tenements, or Hereditaments, or Part or Parts thereof, Share or Shares, Estate or Estates, Interest or Interests therein, Charge or Charges thereon, to be purchased, taken, or used for the Purposes of this Act, the Purchase or Compensation Money for the same shall be required 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, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of

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

[*Local.*]

3 X

obtaining

obtaining such Order, to be paid by the said Company out of the Monies to be received for the Purposes of this Act; and the said Company, or the Directors thereof, shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to re-
sell Lands
not wanted.

LXXII. And whereas, in order more effectually to carry into effect the Purposes of this Act, the said Company may purchase Lands, Buildings, or Hereditaments which, or Part thereof, may afterwards be considered as unnecessary to be made use of for the Purposes of this Act, or such Purposes may be abandoned or discontinued; be it therefore enacted, That it shall be lawful for the said Company to sell and dispose of, and by Indenture under their Common Seal absolutely to grant and convey, such Part or Parts of the Lands, Buildings, or Hereditaments which shall be so purchased by and conveyed to the said Company as aforesaid, and as shall not be wanted for the Purposes aforesaid, or such Purposes may be abandoned or discontinued; and all such Conveyances shall be good and effectual, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Buildings, or Premises, or any Parts or Parcels thereof, it shall be lawful for the Treasurer for the Time being to the said Company to sign and give Receipts for the Monies for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which the said Lands, Buildings, or Premises shall be sold, or for so much thereof as in such Receipts shall be expressed to be received; and such Person or Persons shall not be answerable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof: Provided always, that the said Company, before they shall sell and dispose of such Lands, Tenements, or Hereditaments, or any Estate or Interest therein, shall (in those Cases only where any Party or Parties is or are known and can be found capable of treating in this Behalf) first offer to resell the same to the Owner or Owners of the adjoining Lands for or at the same Price or Rate which the said Company shall have paid for the same; and in case such Offer shall not be accepted, or if the said Company and such Person or Persons shall differ and not agree as to the Price or Rate thereof, and such Person or Persons shall signify his, her, or their Desire to purchase the same, by a Notice in Writing to be given or left with the Clerk of the said Company within Fourteen Days after such Offer, at a Price to be settled and adjudged by a Jury to be summoned, in case of Purchases made by the said Company, as herein mentioned, *mutatis mutandis*; and such Notice shall be deemed an actual Contract for Purchase of the said Premises as against the Party or Parties giving the same, at a Price which shall be adjusted and settled by such Jury; and in case such Person or Persons shall not agree to re-purchase such aforesaid Interest therein, or shall not give Notice of his, her, or their Intention of purchasing the same within Fourteen Days after such Offer of Sale, then and in every such Case, on an Affidavit being made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's

Majesty's Justices of the Peace for the said County of *Kent*, by some competent Person or Persons, stating that such Offer was made by or on behalf of the said Company, and was not then and thereupon agreed to by the Person or Persons to whom the same was so made, and that no such Notice as aforesaid was given, shall in all Courts be sufficient Evidence and Proof that such Offer was made, and was not agreed to by the Person or Persons to whom it was made, as the Case may be, and that such Notice as aforesaid was not given.

LXXIII. And be it further enacted, That in all Conveyances to be made by the said Company, under or by virtue or in pursuance of the several Powers and Authorities to them hereby given, the Word "grant" shall amount to and be construed and adjudged, in all Courts of Judicature, to be express Covenants to the Grantees or other Purchasers, his, her, or their Heirs, Executors, Administrators, or Assigns, from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act done by them, were, at the Time of the Execution of such Conveyance, seised of the Hereditaments and Premises thereby granted of an indefeasible Estate of Inheritance in Fee Simple, and had a Right to convey the same, and for quiet Enjoyment thereof by such Purchasers, their Heirs and Assigns, against the said Company, their Successors and Assigns, and all claiming under them, and for the Indemnification of such Purchasers, their Heirs and Assigns, by the said Company and their Successors, from all Incumbrances committed by the said Company, and also for further Assurance of such Hereditaments and Premises by the said Company, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and hindered by express particular Words contained in such Conveyances or any of them; and such Purchasers or Grantees, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action or Actions to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were inserted in such Conveyances.

The Word "grant," in Conveyances from the Company, to amount to certain Covenants.

LXXIV. And whereas, by reason of taking down Houses and Buildings and making Alterations in pursuance of this Act, there may be Deficiencies in the Assessments for Land Tax in the said Parish of *Herne* or *Herne Bay*; be it therefore enacted, That for preventing the same the said Company shall, from and after the said Company shall become seised or possessed of the Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good to or in aid of the said Parish, out of the Monies to arise by virtue of this Act, all such Sum or Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said Parish by reason or means of taking down or using, for the Purposes of this Act, any Houses, Buildings, and Premises liable to such Assessments, according to the

For supplying Deficiencies in the Land Tax.

the Rental at which the same are valued or rated at the Time of passing this Act; and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments for such Parish.

Rates or
Duties di-
rected to
be paid.

LXXV. And be it further enacted, That from and after the Time that the said Pier or Jetty shall be so far formed that Ships or Vessels may be enabled to lade or unlade, take on board, discharge, or put on shore any Goods, Wares, or Merchandize, at or from the same, the Rates or Duties enumerated in the First Schedule hereunto annexed shall become payable and be paid to the said Company; and every Master of every Packet Boat and other Vessel carrying Passengers, and of every other Ship, Vessel, Boat, or other Craft, who shall embark or disembark such Passengers, or lade or unlade, take on board, or discharge any Goods, Wares, or Merchandize at the said Pier or Jetty, shall pay to the said Company, in regard thereof, the several Rates or Duties set down in Figures against the Words applicable to the same respectively in the said First Schedule.

Tolls on Pas-
sengers.

LXXVI. And be it further enacted, That from and after the Time that the said proposed Pier or Jetty shall be so far formed that Passengers may be enabled to embark or land from or at the same, every Passenger who shall land from or embark in any Ship, Packet, Vessel, Boat, or other Craft, and every Person who may land at or embark from the said Pier or Jetty, and every Person who shall walk on the Pier or Jetty, or the Approaches thereto, or on the said Parade, shall pay to the said Company, in respect of every such landing or Embarkation, and of every Time of entering or coming upon such Pier, or the Approaches thereto, or on the said Parade, such Sum or Sums as the said Directors shall direct, not exceeding the Sum or Sums mentioned in the said First Schedule, and set down in Figures against the Words respectively applicable to such landing, Embarkation, or walking; and the Money payable by or in respect of Passengers shall be collected and received by the Master of the Ship, Vessel, Boat, or other Craft carrying such Passenger or Passengers, before the Departure of such Passenger or Passengers from on board such Ship, Packet, Vessel, Boat, or other Craft, and shall be, by such Master, with all convenient Speed, paid over to the Collector for the Time being, or other Person to be appointed by the said Directors for that Purpose: Provided always, that it shall be lawful for the Officers of the said Company to prevent every Person from walking on the said Pier, Jetty, Avenues, Parade, and Approaches, except Persons landing at or embarking from the said Pier from any Ship, Boat, or Vessel, and Persons paying the said Toll or Duty, or Composition for the same.

Company
may prevent
Persons from
walking on
the Pier with-
out Payment
of Tolls.

Exempting
Soldiers and
Sailors.

LXXVII. And be it further enacted, That no Rate or Duty shall be charged or chargeable for or in respect of any Soldier or Sailor in His Majesty's Service who shall land from or embark in any Ship, Packet, or other Vessel within the Limits aforesaid.

LXXVIII. Pro-

LXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge with the Payment of any of the Rates or Duties herein or hereby imposed and made payable, in respect of the said Pier or Jetty and the Avenues thereto, any Person or Persons, in respect of any of His Majesty's Ships, Vessels, Boats, or other Craft, or of any other Ship, Vessel, Boat, or Craft whatsoever in the Service of His Majesty's Customs or Excise, or in the Service of the Board of Ordnance; nor of any Vessel which may be seized by the Officers of His Majesty's Revenues; nor in respect of any Goods, Wares, or Merchandize, the Property of the Crown or under Seizure; nor of any Articles shipped or landed for the Public Service; nor of any Ship or Transport or Packet employed in His Majesty's Service in carrying the Mails of Letters or Express under the Authority of His Majesty's Postmaster General, or in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage belonging to them or any of them; but if any Person or Persons shall claim and take the Benefit of any Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Twenty Shillings, over and above the Rates and Duties imposed by this Act.

General
Exemptions.

LXXIX. And be it further enacted, That it shall be lawful for any One or more Justice or Justices of the Peace acting within his or their Jurisdiction, upon the Application of the Treasurer, Clerk, or other Officer of the said Company, or any One or more of such Directors, from Time to Time to summon and call before him or them by Summons, at any Time and Place, all or any Persons, being the Owners, Part Owners, or Masters, or having the Rule or Command of any Ship or Vessel, or any other Person or Persons liable to pay any of the Rates, Duties, or Sums of Money by this Act imposed, and upon his, her, or their Oath or respective Oaths, (or solemn Affirmation in case of any of the People called *Quakers*,) to be made before the said Justice or Justices, (which Oath or Oaths or Affirmation such Justice or Justices is and are hereby empowered to administer,) to examine and inquire of and concerning all and every or any Goods, Wares, and Merchandize, Freight, Fare, and Number of Passengers, Duty on Passengers, or other Matters or Things liable to the Payment of any of the Rates, Duties, and Sums of Money hereby imposed, and whether all or what Part or Parts of such Rates, Duties, or Sums of Money shall have been paid or not paid, and when, and by whom, and to whom; and in case any Person or Persons so summoned shall not appear at the Time and Place in the said Summons mentioned, without sufficient Excuse, or appearing shall refuse to be sworn or to affirm, or shall not answer and discover what he, she, and they respectively shall know concerning the Matters herein-before allowed to be inquired of and examined into, he, she, or they, and every of them, shall forfeit and pay for every such Nonappearance, Refusal, or not answering and discovering as aforesaid, the Sum of Twenty Pounds, to be recovered by the said Company, for the Use of the said Company, together with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court

Persons liable
to Payment
of Duty may
be summoned
and examined
upon Oath.

[*Local.*]

3 Y

of

of Record, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed, or upon Conviction, in a summary Way, in the same Manner as other Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

Allowance
to Masters
for Passen-
gers account-
ed for.

LXXX. Provided always, and be it further enacted, That it shall be lawful for the said Directors and they are hereby authorized to allow to Masters of such Ships, Packets, Vessels, Boats, and other Craft, carrying Passengers for Hire, at and after the Rate of One Shilling and Sixpence in the Pound upon the Amount of the afore-said Duty on Passengers by such Masters respectively received and duly accounted for.

Company
empowered
to lease
Tolls,

LXXXI. And be it further enacted, That it shall be lawful for the said Directors to let, lease, or demise all or any of the Tolls and Duties hereby authorized to be taken, for any Term of Years not exceeding Three Years at any one Time, for such Rent, payable at such Times, and under such Covenants, as they shall think fit, taking sufficient Security from the Person or Persons to whom such Tolls shall be leased or demised, for Payment of such Rent and Performance of such Covenants respectively.

and to com-
pound and
reduce them.

LXXXII. And be it further enacted, That the said Company shall have full Power from Time to Time, at any General or Special General Meeting, to compound for, by any weekly, monthly, or annual Composition, or lower or reduce, all or any of the Tolls and Duties hereby granted; but no Reduction of any such Tolls or Duties shall be made or take place unless a Majority of the Proprietors present at some General or Special General Meeting as herein-before directed shall assent thereto; and it shall be lawful for the said Company, in like Manner, again to raise the said Tolls to such Sum or Sums as they shall think proper, not exceeding the Sums hereby authorized to be taken.

List of Dues
to be fixed
on a conspi-
cuous Place
on the Pier.

LXXXIII. Provided always, and be it further enacted, That the said Directors shall from Time to Time cause to be painted on Boards, and affixed and stuck up, and continued and renewed as often as the same shall be obliterated or defaced, upon a conspicuous Place or Places in or near the proposed Pier or Jetty or the Approaches thereto, in large and legible Characters, a List of the several Rates and Duties for the Time being authorized to be taken, as herein-before is mentioned, in respect of the said Pier, Jetty, or Approaches; and it shall not be lawful for the said Directors to demand and take, or cause to be demanded or taken, any of the Rates or Duties herein-before authorized to be taken in respect of the said Pier, Jetty, or Approaches, but during such Time as the Board so painted as aforesaid shall remain fixed as aforesaid.

Officers em-
powered to
distrain.

LXXXIV. And be it further enacted, That it shall be lawful for the said Treasurer, Collector or Collectors, or any other Person or Persons authorized and deputed by the said Directors, to go on board

any Ship or other Vessel to demand, collect, and receive the said Rates and Duties by this Act due and payable, and for Nonpayment thereof to take and distrain every such Ship or Vessel, and all her Tackle, Apparel, and Furniture thereunto belonging, or any Part thereof, and the same to detain and keep until he or they be satisfied and paid the said Rates and Duties; and in case of any Neglect or Delay in the Payment of any of the said Rates and Duties for Five Days after any Distress or Distresses so taken as aforesaid, then it shall be lawful for the Treasurer, Collector and Collectors, Receiver and Receivers of the said Rates and Duties, to cause such Distress or Distresses to be appraised by One or more sufficient Person or Persons, to be nominated by any One or more Justice or Justices of the Peace for the said County of *Kent*, and afterwards to sell the said Distress or Distresses so taken and appraised, and thereout to satisfy himself or themselves, as well for and concerning the Duty so neglected or delayed to be paid, and for which a Distress shall be so taken as aforesaid, as also for his or their reasonable Charges in the taking and keeping of such Distress, rendering to the Master or other Person having the Rule or Command of the Ship or Vessel in or from which such Distress shall be so taken the Overplus, if any there shall be, on Demand.

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

Penalty on
Persons re-
sisting Pay-
ment of Toll,
&c.

LXXXVI. And for the more effectually securing the Payment of the said Rates and Duties, be it further enacted, That the Collector or Comptroller and every other Officer whatsoever of His Majesty's Customs shall hereafter be authorized, by the Approbation of the Commissioners of His Majesty's Customs, to refuse to give or make out any Cocquet or other Discharge, or take any Report outwards or inwards, for any Ship, Vessel, or Boat using the said Pier or Jetty, until the Rates and Duties by this Act made payable, according to the true Intent and Meaning hereof, shall be paid unto the Collector or other Person or Persons from Time to Time appointed to receive the same; and no such Ship, Vessel, or Boat shall leave the said Pier or Jetty without producing a Pass from such last-mentioned Collector or Receiver.

For securing
the Payment
of Rates.

LXXXVII. And be it further enacted, That if any Master, Owner, or other Person having the Rule or Command of any Ship or Vessel, Boat or other Craft, or any other Persons whomsoever, shall, by any Means whatsoever, at any Time or Times elude or evade the Payment of any Rates or Duties herein-before authorized to be taken in respect of the said Pier, Jetty, or the Approaches thereto, every
Person

Persons
evading
Payment
of the Rates
to continue
chargeable.

Person eluding or evading Payment as aforesaid shall forfeit and pay to the said Company, in addition to the said Rates and Duties, a Sum equal to the Amount of such Rates and Duties, and shall also stand charged with and be liable to the Payment of such Rates and Duties, as well as the Forfeiture incurred by having eluded or evaded the Payment thereof; and the same shall and may be recovered from such Master or Owner, or such other Person, at any Time or Times, either by the Means herein prescribed for levying the said Rates and Duties, and by the same Method, or in such Manner as is herein directed for levying and recovering the Fines, Forfeitures, and Penalties imposed by this Act, and with the like Costs.

For settling
Disputes
as to the
Amount of
Rates and
Duties.

LXXXVIII. And be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates or Duties due or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to detain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) until the Amount of the Rates or Duties due, and the Charges of seizing, distraining, keeping, or selling such Distress, (as the Case shall happen,) shall be ascertained by One or more Justice or Justices of the Peace for the said County of *Kent*, who, upon Application made to him or them for that Purpose, shall examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and determine the Amount of the Rates or Duties due; and it shall be lawful for such Justice or Justices to assess and award such Costs to be paid by either of the Parties to the other of them, as he or they shall think fit and reasonable; and in case of Nonpayment thereof on Demand, such Costs shall and may be recovered and levied by such Ways and Means and in such Manner as the Rates, Duties, and Charges hereby granted and imposed are hereby appointed to be recovered and levied.

Penalty on
Masters, &c.
of Ships or
Vessels
throwing out
Rubbish, &c.
near Pier.

LXXXIX. And be it further enacted, That in case the Person or Persons having the Rule or Command of any Ship, Vessel, or other Craft approaching or departing from the said Pier, or of any Ship, Vessel, or other Craft which shall be moored to the said Pier, or to any of the Mooring Chains or Mooring Places of the said Company, or shall lie at Anchor within the Distance of One thousand Yards from the End of the said Pier next the Sea, or shall approach within One hundred Yards of such End of the said Pier, whether for the Purpose of shipping or landing Goods or Passengers, or not, shall refuse or neglect to obey the Orders given by the Piermaster for the Time being, or shall cast or throw out, or permit or suffer to be cast or thrown out, any Ballast or Rubbish, Sand, or other Materials used as Ballast, from any such Ship, Vessel, or other Craft, within the Distance of Two Miles from the said Pier in any Direction, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds; and in case the Person or Persons having the Rule or Command of any Ship, Vessel, or other Craft which, in the Opinion of the said Piermaster, shall be placed or lie in any Situation so as to be an Obstruction to the

Penalty on
Master, &c.
for not re-
moving Ves-
sel impro-

the said Pier, or to other Ships or Vessels, shall not place or remove such Ship, Vessel, or Craft according to the Directions of the said Piermaster, or other properly authorized Officer, such Person or Persons shall forfeit and pay to the said Company, over and above the aforesaid Penalty, the Sum of Five Pounds for every Tide during which such Ship, Vessel, or Craft shall remain in any Place or Position from which such Piermaster shall have directed the same to be removed.

perly moored, when directed by Piermaster.

XC. And be it further enacted, That all and every Person or Persons whomsoever who shall at any Time or Times hereafter wilfully or maliciously demolish or break down the said Pier or Jetty, Parade, Causeway, Avenues, or Approaches, or any of the Works to be made as aforesaid, or any Part or Parts thereof, or the Fence or Fences or Buildings respectively which shall be constructed in or upon or which shall belong to the said Pier or Jetty or other Works, or shall wilfully and maliciously extinguish any Light or Lights used for the lighting the said Pier or Jetty, and the Ships, Vessels, or Boats resorting to or passing the same, shall pay for or make good all such Damage; and the Amount thereof, in case the same shall not exceed the Sum of Twenty Pounds, shall be recoverable before any Two Justices of the Peace for the County of *Kent*, who are hereby authorized and empowered to summon before them such Person or Persons doing such wilful or malicious Damage as aforesaid, and to hear and determine the same, and ascertain such Damage; and if Judgment shall be given by them against such Person or Persons, then the Money which shall be awarded, with the Costs of Summons, shall forthwith be paid; and in case of Nonpayment thereof, such Justices, or any other Justices of the Peace for the said County, shall and may, by Warrant under their Hands and Seals, levy or cause the same to be levied upon the Goods and Chattels of such Person or Persons as aforesaid; and in case the Money cannot be levied, then such Justices shall and may, by Warrant, cause or commit such Person or Persons as aforesaid to be imprisoned in the Common Gaol or House of Correction of the said County of *Kent*, there to remain for any Time not exceeding Three Calendar Months, unless the 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 Company, to be applied to the Purposes of this Act.

Penalty on Persons damaging Pier, &c.

XCI. And be it further enacted, That if any Person or Persons shall wilfully and maliciously cut, break, or in any Manner destroy or injure any Rope or other Thing by which any Ship or other Vessel shall be moored and fastened to the said Pier, or to the Mooring Chains or Mooring Places of the said Company, such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds: Provided always, that such Penalty shall not in any Manner preclude or bar or affect the Recovery of any Damages in any Action which may be brought for any Injury which may arise from cutting, breaking, destroying, or injuring any such Rope, Chain, or other Thing as aforesaid: Provided also, that nothing herein contained shall hinder or restrain any Pier Master or Masters to be appointed in

Penalty for injuring Ropes by which Vessels are moored.

[*Local.*]

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pursuance

pursuance of this Act, or his or their Assistant or Assistants, from exercising, in a due and reasonable Manner, any of the Powers and Authorities hereby vested in them.

Remedy
against
Ships da-
maging Pier,
&c.

XCII. And be it further enacted, That in case any Ship or Vessel shall be wilfully or negligently run or driven either against the said Pier, or any Wall or any of the Works to be erected or made by virtue of this Act, so as to break, damage, or injure the same, the Person having the Government or Rule of such Ship or Vessel, or acting as such, shall be liable to answer and make good the Damage or Injury done, and the same, not exceeding the Sum of Twenty Pounds, shall and may be settled and ascertained in a summary Way by any One or more of the Justices of the Peace for the said County of *Kent*; and in case such Person shall refuse to pay the Sum or Sums to be awarded by the said Justice or Justices for or in respect of such Damage or Injury, it shall be lawful for the said Justice or Justices, by Warrant under his or their Hand and Seal or Hands and Seals, to cause such Ship or Vessel to be seized and distrained, together with the Tackle, Furniture, or Apparel thereof, until due Judgment thereof, together with the reasonable Charges of such Seizure and Distress; and if such Ship or Vessel shall not be redeemed within Five Days after the same shall have been so seized and distrained, it shall be lawful for the Person or Persons so seizing and distraining the same to sell so much of the Tackle, Furniture, or Apparel of or belonging to such Ship or Vessel as shall be sufficient to make good the said Damage or Injury, and all the Costs and Charges in consequence thereof, rendering the Overplus (if any) to the Owner or Master of such Ship or Vessel.

Master
answerable
for Damage
done by his
Crew.

XCIII. And be it further enacted, That the Master or Owner of every Ship, Boat, or Vessel shall be and is hereby made answerable for any Damage, Spoil, or Mischief which shall be done by his Ship, Boat, or other Vessel, or any of the Sailors, Boatmen, or other Persons belonging to or employed in or about the same, to the said Pier, or any of the Works in or about and belonging to the said Pier, the Amount of such Damage, Spoil, or Mischief to be recovered in like Manner as any Penalty is in and by this Act directed to be recovered; and in case the Owner of any Ship, Vessel, or Boat as aforesaid shall be compelled to pay any Penalty, or to make Satisfaction for any Damage, by reason of any wilful Act or Default done or committed by his Servant or Servants, every such Servant shall be liable to repay such Penalty, or the Money paid for such Damage, to such Owner; and in case of Nonpayment thereof, upon Demand, the same shall be recoverable by such Owner in like Manner as any Penalty is in and by this Act directed to be recovered.

To prevent
Annoyances.

XCIV. And be it further enacted, That in case any Person or Persons shall throw or empty into the Sea, near to the said proposed Pier or Jetty, or the Avenues or Approaches thereto, any Stones, Rubbish, Dirt, Earth, Ashes, Night Soil, or Ballast, or dig or take away from thence any Ballast, Shingle, Stones, or other Things, the Removal or taking away of which may be prejudicial or detrimental to the proposed

posed Pier or Jetty, or the Avenues or Approaches thereto, or the Parade, Beach, or Landing Places, or to the Works to be erected there as aforesaid, or do any other Act, Matter, or Thing to prejudice or annoy, reduce, obstruct, or encroach upon the same respectively, the Person or Persons so offending shall forfeit and pay any Sum not exceeding Five Pounds, which Penalty the said Company may cause to be recovered by the Means herein-after directed; and it shall be lawful for the said Company, and their Officers and Servants, or any of them, from Time to Time and at all Times, when and as Occasion shall require, to take away and remove, or cause to be taken away and removed, any Encroachment or Obstruction which may be necessary to be taken away and removed for the building, maintaining, improving, and regulating the said proposed Pier or Jetty, Parade, or the Approaches thereto, and for better attaining the Purposes of this Act in relation thereto.

XCV. And be it further enacted, That in addition to the Drains, Sluices, and Watercourses herein-before authorized to be diverted and conveyed into the Sea, it shall be lawful for the said Directors, by and with the Consent in Writing first had and obtained of the Proprietor or Proprietors of the Land, Soil, or Shore which shall or may be cut through for that Purpose, to make and maintain any Cuts, Sluices, or Watercourses from or through any Part or Parts thereof, for the Purpose of draining any Part or Parts of the said Pier or Jetty or the Approaches thereto, and in any Direction to Low-water Mark, which the said Directors shall think expedient to make.

Company, with Consent, may make Cuts from the Piers, &c.

XCVI. And be it further enacted, That it shall be lawful for the Surveyors appointed or to be appointed by the said Directors, and such Persons as they shall respectively appoint, from Time to Time to remove all Obstructions, Annoyances, and Encroachments in or upon any Part of the said Pier or Jetty or the Approaches thereto.

Power to remove all Obstructions, &c. to Pier.

XCVII. And whereas it is expedient that indecent and improper bathing near the said Pier or Jetty and other Works should be prevented, be it therefore enacted, That the said Directors shall and they are hereby authorized to cause a Notice or Notices to be affixed wherever they may think fit, on any Post or other conspicuous Place near or adjoining to the said Pier or Jetty and other Works, directing that no Person shall from and after Six of the Clock in the Morning, and during so long as Day-light shall continue, undress himself on the Shore within One Mile of the said Pier or Jetty and other Works, or shall expose his naked Body to public View for the Purpose of bathing within the Distance aforesaid, as prescribed by such Notice or Notices; and if any Person shall act contrary thereto, he shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, to any Person who shall make Complaint thereof before any One of His Majesty's Justices of the Peace for the said County of *Kent*, or in default of Payment thereof shall be committed to Prison by such Justice, there to remain for any Time not exceeding Forty-eight Hours.

To prevent indecent bathing.

XCVIII. And

Compensation for Damages, &c. to be levied by Distress of the Goods vested in the Company.

XCVIII. 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 this Act by the said Company or their Directors to any Person or Persons as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by such Company or their Directors, or any Person or Persons acting by or under their Authority, or for any Costs and Expences relating thereto, not herein-before otherwise provided for or directed, and such Sum or Sums of Money shall not be paid by the said Company or their Directors to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose, then and in every such Case the Amount of such Compensation or Satisfaction, Costs or Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Kent*, (which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal,) on Application made to him 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 Damage, Spoil, or Injury as aforesaid, or for any Costs or Expences as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matters in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case the Overplus shall be returned, on Demand, to the said Company or their Directors, or 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 may 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 Warrant as aforesaid.

Justices may proceed by Summons for the Recovery of Penalties.

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

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

C. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences in this Act mentioned,

mentioned; the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages 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.

CI. And be it further enacted, That all Justices of the Peace shall be and they are hereby empowered to administer Oaths and Affirmations to any Person or Persons that they shall or may from Time to Time have Occasion to examine in any Matter or Proceeding relative to this Act; and in the hearing of all Complaints of Offences against this Act, the Affirmation of a Quaker be admitted and taken as Evidence.

Justices empowered to administer Oaths.

CII. And be it further enacted, That all Complaints and Informations of and for Offences against this Act, or any Rule, Order, or Bye Law to be made in pursuance thereof, (except in Cases where the Manner of hearing and determining the same is herein-before otherwise directed,) shall and may be made before One or more Justice or Justices of the Peace for the County, Liberty, or Place wherein the Offence shall be committed, and such Justice or Justices is and are hereby empowered and authorized to take Cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, or, upon Complaint upon Oath or Affirmation, to issue his or their Warrant or Warrants for the Apprehension of any such Person or Persons, and upon the Appearance or Non-appearance of any such Person or Persons pursuant to any such Summons, or upon such Person or Persons being apprehended with such Warrant, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath or Affirmation, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person or Persons such Justice or Justices shall and may issue a Warrant under his and their Hand and Seal or Hands and Seals for levying the Penalty or Forfeiture by virtue of this Act, or of any Bye Law made in pursuance thereof, imposed for any such Offence, together with the Costs of Conviction, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so convicted; and in case such Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for any such Justice or Justices to order any Person so convicted to be detained and kept in safe Custody until Return can be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice, or before some other Justice of the Peace for the same County or Place in which such Offence shall be committed, on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Seven Days from the taking of any such Security), and which Security the said Justice

For Recovery of Penalties.

[*Local.*]

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is

is hereby empowered to take by way of Recognizance or otherwise, but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the Penalty or Forfeiture and Costs as aforesaid, and such Penalty or Forfeiture and Costs shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction within the said County, there to remain for any Term not exceeding Three Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and all such Fines, Penalties, and Forfeitures, when recovered, shall, where the Application is not otherwise directed by this Act, be paid into the Hands of the Treasurer of the said Company, and shall be applied and disposed of towards defraying the Expences of the said Undertaking, unless such Fines, Penalties, and Forfeitures shall be incurred by the said Company, in which Case the same shall be paid to the Overseers of the Poor of the Parish or Place wherein the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish or Place; and the Overplus, if any, arising from such Distress and Sale, after Payment of the Penalty and Costs and Charges attending the same, shall be returned, upon Demand, to the Owner of the Goods and Chattels so distrained.

For Apprehension and Commitment of Offenders in certain Cases.

CIII. And be it further enacted, That it shall be lawful for any Person or Persons who shall see any Offence committed against the Provisions of this Act by any Person destroying or doing any wilful Damage to any of the Works by this Act authorized to be made, or otherwise, contrary to any of the Provisions herein-before contained, to apprehend and detain any such Offender without any Warrant or other Authority than this Act, and to convey such Offender, or cause him to be conveyed by some Constable or other Peace Officer, before any Justice of the Peace for the County, Liberty, or Place in which the Offence shall be committed, who shall forthwith proceed against such Offender according to Law, and according to the Provisions in this Act contained.

Power for Directors to give Informer Part of the Penalty.

CIV. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Directors from Time to Time, if they shall think fit, to pay and apply any Part of the Penalties, Forfeitures, and Fines to or for the Use of the Informer or Informers, or other Person or Persons aiding or assisting in the Apprehension of any Offender or Offenders therein, or any of them.

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

‘ to wit. } **B**E it remembered, That on [*Time of Conviction*], at [*Place of Conviction, and Name of Offender*] of [*Addition of Offender*] was duly convicted before me [*Name and Style of convicting Justice or Justices*], for that the said [*Name of Offender*], on [*Time of committing Offence*], at [*Place of committing Offence*], did [*here state the Offence against the Act, according to the Act*], contrary to the Form of the Statute made in the First Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set out the Title of the Act*], and I do therefore declare and adjudge that the said [*Name of Offender*] has forfeited for the said Offence the Sum of [*Fine*], or shall be committed to [*Place of Imprisonment*], for the Space of [*Time of Imprisonment*]. Given under my Hand and Seal the Day and Year first above written.’

CVI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining in the Prosecution of such Distress, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages in an Action on the Case. Persons making Distress irregularly not to be deemed Trespassers.

CVII. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty’s Courts of Record at *Westminster* or elsewhere. Proceedings not to be quashed for Want of Form.

CVIII. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice or Justices of the Peace, touching any Matter of Fact contained in the Information or Complaint of any Offence committed against this Act, either on the Part of the Prosecutor or the Party or Parties accused, shall refuse or neglect to appear at the Time and Place for that Purpose appointed, having been paid or tendered a reasonable Sum for his, her, or their Costs and Charges, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or in case of a Quaker or Quakers on solemn Affirmation), which Oath such Justice or Justices is and are hereby authorized to administer, and to give Evidence before such Justice or Justices of the Peace, For compelling Witnesses to attend.
then

then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, to be recovered in like Manner as any Penalty imposed by this Act may be recovered.

Officers
under the
Act not in-
competent
Witnesses.

CIX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls and Duties, or respecting any Matter or Thing relating to the said Undertaking, no Person or Persons acting by or under the Authority or in the Service of the said Company shall for that Reason alone be in any Manner disqualified or incapacitated from giving Evidence in, upon, and respecting such Dispute, Suit, or Litigation, respecting any thing ministerially done by them or any of them in the Execution of their respective Offices or Authorities.

Clerk of the
Company
may grant
Releases to
Witnesses.

CX. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act, or otherwise, for any Claim or Compensation against or for or on behalf of the said Company, and also in all Prosecutions commenced or instituted by or on behalf of the said Company, or other Proceedings in or consequent upon or arising out of any such Actions and Suits or Proceedings, it shall be lawful for Three or more of the said Directors, in their own Names, for or on behalf of the said Company, to make, sign, seal, execute, and deliver all and every such general and other Release or Releases as may be deemed to be necessary for the Purpose of exonerating, releasing, or discharging all and every or any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, or other Proceedings as aforesaid, from all Claims or Demands which may be necessary to be relieved by the said Company in order to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Action, Suits, Prosecutions, or other Proceedings as aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Prosecution, or other Proceedings, which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution, or other Proceedings; and every such relative Act, Matter, and Thing respectively shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were under the Seal of the said Company.

Appeal to
Quarter
Sessions.

CXI. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate, or Collegiate, or any other Person or Persons whomsoever, thinking himself, herself, or themselves grieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company or their Directors, or by the Order and Determination of any Justice or Justices of the Peace in pursuance of this Act, may, within Four Calendar Months after such Order shall be made or given, appeal to the Justices of the Peace at their next General or Quarter Sessions of the Peace to be held for the County, City, or Place in which the Cause of Appeal shall arise, the Person or Persons appealing having first given at least Fourteen Days Notice in Writing of such Appeal, and of the Nature and Matter thereof, to the Person or Persons
appealed

appealed against, or to the Clerk of the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said County, City, or Place in which the said Cause of Appeal shall arise, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereupon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall, in a summary Way, hear and determine such Complaint at such General or Quarter Sessions of the Peace to be held for the said County, City, or Place, or, if they think proper, may adjourn the hearing thereof until the next General or Quarter Sessions of the Peace to be held for the said County, City, or Place, and, if they see Cause, may mitigate any Forfeitures and Fines, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be binding and conclusive upon all Parties, to all Intents and Purposes whatsoever.

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

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

CXIII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons or Party or Parties to serve upon the said Company any Notice or Notices, Writ or Writs, or other legal Proceeding, or Proceedings in Equity, the Service thereof upon any One of the said Directors, or left at his last

For Service of Notices, &c. on the Company.

[*Local.*]

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or

or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office or usual Place of Abode of such Clerk, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service thereof respectively upon any Agent or Officer of the said Company, shall be deemed good and sufficient Service of the same respectively upon the said Company.

Limitation
of Actions.

CXIV. And be it further enacted, That if any Action, Suit, or Information shall be brought or commenced by any Person or Persons for any thing done or to be done in pursuance of this Act, or in execution of the Powers and Authorities or the Orders and Directions herein-before given or granted, every Suit or Information shall be brought or commenced within Six Calendar Months next after the Fact shall have been committed, or in case there shall be a Continuance of Damages, then within Six Calendar Months next after doing or committing of such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County, City, or Place where the Matter in dispute shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may, at his, her, or their Election, plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall happen to have been so done, or if any Action, Suit, or Information shall be brought after the Time so limited for bringing the same, or shall be brought in any other County, City, or Place than as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants.

Power to purchase Lands,
&c. limited
to Three
Years.

CXV. Provided always, and be it further enacted, That if the said Company shall not, within the Space of Three Years next after the passing of this Act, agree for, or cause to be valued and paid for, in manner directed by this Act, the several Lands, Houses, Buildings, and other Premises by this Act authorized to be purchased, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers hereby given to them for such Purposes only shall cease, determine, and be utterly void, except with the Consent of the Owners and Occupiers thereof respectively.

Powers given
by this Act
to cease, if
Works not
completed
within Five
Years.

CXVI. And be it further enacted, That in case the said Undertaking, and the several Works herein-before described and intended to be carried into effect under the Authority of this Act, shall not have been completed within Five Years from the passing of this Act, then and from thenceforth all the Powers and Authorities given by this Act shall cease and determine, save only as to so much and such Part of such Works as shall have been completed within such Time.

Directors not
to be personally
liable for
any Acts done

CXVII. And be it further enacted, That none of the Directors hereby appointed or hereafter to be appointed under the Authority of this Act shall, by reason or means or on account of his or their
being

being Parties or Party to, or making, signing, or executing, in their or his Capacity of Directors or Director of the said Company, pursuant to this Act, any Contract, Covenant, Agreement, Assignment, Conveyance, or Security for and on behalf of the said Company, or otherwise lawfully executing any of the Powers and Authorities given to them or any of them by this Act, be subject or liable to be sued, prosecuted, or impleaded, either collectively or individually, by any Person or Persons whomsoever; and the Body or 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, Covenant, Agreement, Conveyance, Assignment, or Security so entered into or made, signed or executed, by them or any of them as aforesaid, or any other lawful Act which shall be done by them or 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 or Persons making any Claim or Demand upon the said Company, or upon any Director or Directors thereof, under or by virtue of any such Contract, Covenant, Assignment, Conveyance, or Security, or other lawful Act or Acts, may sue and implead the said Company, in like Manner as if such Contract, Covenant, Agreement, Conveyance, Assignment, or Security had been entered into and executed by the said Company, or such other Act or Acts had been done by the said Company; and the Party or Parties so suing or impleading shall be entitled to Remedies by suing and impleading the said Company, but not to any further or other Remedy whatsoever.

CXVIII. And be it further enacted, That it shall be lawful for the said Company to erect and make such Lighthouse or Lighthouses on the said Pier, and cause the same Lighthouse or Lighthouses and Pier to be lighted, in such Manner as they shall deem necessary for the Convenience and Safety of Persons and Vessels frequenting the same Pier.

CXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company to exhibit or alter any Light or Lights, Beacon or Beacons, for the Guidance of Ships and Vessels resorting to or using such Quays, Wharfs, Pier, Jetty, or other Works as aforesaid, or approaching to or departing from the same, without having from Time to Time first obtained the Sanction in Writing of the Corporation of *Trinity House of Deptford Strond* as to the Power and Description of any such Light or Lights, or the Character of any such Beacon or Beacons, and the Mode of exhibiting the same respectively.

CXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the said Corporation of *Trinity House of Deptford Strond*.

CXXI. And

Public Act.

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

The

The FIRST SCHEDULE referred to by the foregoing Act.

	£	s.	d.
For every Passenger or other Person who shall land on the Pier, Landing Places, Quays, Wharfs, or other Works, or embark or go on board any Vessel, Boat, Wherry, or other Machine, from the said Pier or Landing Place, Quays, Wharfs, or Works, or any Part thereof, for each and every Time, not exceeding - - - - -	0	1	6
For every Person who shall use the said Pier or Parade for the Purpose of walking for Exercise, Pleasure, or otherwise, per Day, not exceeding - - - - -	0	0	3
For every Person who shall ride on Horseback for Pleasure, Exercise, or otherwise, on the said Pier, Parade, or Landing Place, Quays, Wharfs, or any Part thereof, per Day, not exceeding - - - - -	0	0	4
For every Four-wheel Carriage which shall be drawn on the said Pier or Landing Place, Parade, Quays, Wharfs, or Works, not being landed or embarked therefrom, per Day, not exceeding - - - - -	0	1	6
For every Two-wheeled Carriage, per Day, not exceeding -	0	0	9
For every Master of any Vessel, Boat, or Wherry, being an Inhabitant of the Town of Herne, and residing there only, and using the said Pier and other Works for the Purpose only of going to or returning from his own Vessel, Boat, or Wherry, such annual Sum as the Directors shall appoint, not exceeding, per Annum - - - - -	1	0	0
For every Quarter of Wheat, Oats, Rye, Barley, Malt, Beans, Peas, Tares, Mustard Seed, Canary, and Seeds of every Denomination, if landed or loaded from the Pier, not exceeding - - - - -	0	0	6
Anchor, per Hundred Weight - - - - -	0	0	9
Ashes, per Barrel - - - - -	0	0	3
Alum, per Hundred Weight - - - - -	0	0	1
Anchovies, per Barrel - - - - -	0	0	3
Ale, Porter, Cyder or Perry, per Gallon - - - - -	0	0	0 $\frac{1}{2}$
Ditto, in Bottles, per Dozen - - - - -	0	0	3
Anchor, Stock, per Foot, run - - - - -	0	0	2
Apples and Pears, per Sack of Three Bushels - - - - -	0	0	6
Asparagus, per Basket - - - - -	0	0	4
Ditto, smaller Ditto - - - - -	0	0	3
Beer, per Butt - - - - -	0	1	0
per Hogshead - - - - -	0	0	6
per Half Hogshead - - - - -	0	0	3
Bran or Pollard, per Eight Bushels - - - - -	0	0	4
Beer, Table, per Nine Gallons - - - - -	0	0	1 $\frac{1}{2}$
Beef or Pork contained in any Cask, per Hundred Weight -	0	0	3
Barrel Boards or Staves, per Thousand - - - - -	0	3	0
Butts, Staves, per Hundred - - - - -	0	4	0
And all other Staves in proportion.			
Battens, Petersburg, per Hundred - - - - -	0	2	0
Boards or Battens, close, per Hundred - - - - -	0	1	6

[Local.]

4 C

	£	s.	d.
Billiard Table - - - - -	0	10	0
Bedstead, Mahogany - - - - -	0	0	9
every other - - - - -	0	0	6
Bricks, per Thousand - - - - -	0	1	6
Barilla, per Ton - - - - -	0	4	0
per Sewn - - - - -	0	0	6
Bolt of Canvas, No. 1, 2, 3, - - - - -	0	0	4
every other - - - - -	0	0	3
Butt, Pipe, or Puncheon, entire, or in Staves, each - - -	0	0	3
Bottles, empty, per Dozen - - - - -	0	0	1
Bale, every, Box, Truss, Trunk, Case, Chest, Bundle, or Parcel containing Goods not enumerated in Schedule, per Cubic Foot - - - - -	0	0	1½
Ditto, per Hundred Weight - - - - -	0	0	3
Basket or Maund containing Goods not enumerated in Sche- dule - - - - -	0	1	0
Ditto, smaller, each - - - - -	0	0	9
Ditto, empty, per Dozen - - - - -	0	0	2
Beef or Pork, per Tierce - - - - -	0	0	4
per Barrel - - - - -	0	0	4
Butter, per Barrel - - - - -	0	0	4
or Cheese, per Hundred Weight - - - - -	0	0	4
Biscuit, per Bag - - - - -	0	0	6
Beans and Pease, per Sack - - - - -	0	0	3
Bottles, full, in Hampers, per Dozen - - - - -	0	0	1
Brooms, Hair, and Mops, per Dozen - - - - -	0	0	1
Beast or Calf, each - - - - -	0	3	0
Bacon, per Side - - - - -	0	0	2
Beef, per Hundred Weight - - - - -	0	0	3
Bedding, Seaman's - - - - -	0	0	3
Currants or Raisins, per Hundred Weight - - - - -	0	0	3
Coffee, per Hundred Weight - - - - -	0	0	3
Copper or Brass, wrought or unwrought, per Hundred Weight	0	0	3
Chalk Stones, rough or hewn, per Ton - - - - -	0	0	6
Corpses, each - - - - -	1	11	6
Cordage, per Hundred Weight - - - - -	0	0	6
Cod Fish, per Hundred Weight - - - - -	0	0	3
Canary, or other live fancy Bird - - - - -	0	0	6
Clover Seed, per Sack - - - - -	0	0	3
Calves Skins, per Dozen - - - - -	0	1	0
Colours, per Firkin - - - - -	0	0	3
Carboys, each - - - - -	0	0	6
Coals, Culm, Splint, Coke, or Cinder, per Chaldron - - -	0	2	0
Chest of Drawers, Double - - - - -	0	2	6
Ditto, Single - - - - -	0	1	6
Chairs, per Dozen - - - - -	0	1	6
Chairs, Mahogany, each - - - - -	0	0	3
not Mahogany, each - - - - -	0	0	2
Chimney Pots, each - - - - -	0	0	3
Cabbages, per Dozen - - - - -	0	0	1
Carrots, per Hundred - - - - -	0	0	2
Deals, per Load containing Fifty Cube Feet - - - - -	0	3	0
Dogs, each - - - - -	0	1	6
Earthenware, per large Crate - - - - -	0	1	6
per small Crate - - - - -	0	1	0
Fish, per Prickle or Pad - - - - -	0	0	1
per Trunk - - - - -	0	0	2
per Bushel or Sieve - - - - -	0	0	1

	£	s.	d.
Fruit, per Bushel or Sieve - - - - -	0	0	1
Flour, per Sack of Five Bushels - - - - -	0	0	3
Faggot, per Hundred - - - - -	0	0	9
Fire Wood, per Chord - - - - -	0	0	9
Feathers, per Hundred Weight - - - - -	0	0	3
Foxes, each - - - - -	0	5	0
Fowls, and every other sort of Poultry, per Head - - - - -	0	0	1
Flint Stones, per Ton - - - - -	0	0	3
Glass Ware, per large Crate - - - - -	0	1	6
per small Crate - - - - -	0	1	0
Window, per Crate - - - - -	0	1	6
Grindstones, each - - - - -	0	0	3
Grate or Range, large - - - - -	0	2	0
small - - - - -	0	1	0
Gunpowder, per Barrel - - - - -	0	2	0
Garden Stuff, per Bushel or Sieve - - - - -	0	0	2
Hay, per Load of Thirty-six Trusses - - - - -	0	1	6
Hops, per Bag - - - - -	0	1	0
per Pocket - - - - -	0	0	9
Hams, Bacon, or Tongues, per Hundred Weight - - - - -	0	0	3
Herrings, Red, per Barrel - - - - -	0	0	6
Hogshead packed with Goods not enumerated in Schedule - - - - -	0	2	0
Hoops, per Bundle - - - - -	0	0	3
Hurdles, per Hundred - - - - -	0	3	6
Harpsichord - - - - -	0	4	0
Harps, each - - - - -	0	2	6
Hemp, per Hundred Weight - - - - -	0	0	3
Horses, each - - - - -	0	5	0
Hares, Pheasants, and all other Game, per Head - - - - -	0	0	3
Hides, raw or tanned - - - - -	0	0	4
Hogs, per Score - - - - -	0	3	0
Iron, per Hundred Weight - - - - -	0	0	3
per Ton - - - - -	0	4	0
Pots, each - - - - -	0	0	1
Kelp, per Ton - - - - -	0	2	0
Laths, per Twenty Bundles - - - - -	0	1	0
Lath Wood, Six Feet per Fathom - - - - -	0	2	0
Five Feet Ditto - - - - -	0	1	6
Lead, per Hundred Weight - - - - -	0	0	3
per Ton - - - - -	0	4	0
Lime, per Load, of Twenty-eight Bushels - - - - -	0	0	3
Leather, per Hide - - - - -	0	1	0
Leeks, per Dozen Bundles - - - - -	0	0	3
Lumber, and every other Article not specified before in this Table, per Foot Cube - - - - -	0	0	0½
Dossier, Hundred Weight - - - - -	0	0	3
Meal or Middlings, per Hundred Weight - - - - -	0	0	3
Mahogany, in Logs or Planks, per Foot Cube - - - - -	0	0	1
Masts, Ten Inches in Diameter or upwards, each - - - - -	0	4	6
under Ten Inches, each - - - - -	0	3	0
Millstones, large, each - - - - -	0	2	0
small, each - - - - -	0	1	6
Molasses, per Puncheon - - - - -	0	1	0
Mustard, per Thirty-Pound Barrel - - - - -	0	0	3
Marble, per Ton - - - - -	0	4	0
Nuts, per Bag - - - - -	0	0	2
Nails, per Bag - - - - -	0	0	2
Oil Cakes, per Thousand - - - - -	0	3	0

	£	s.	d.
Oranges and Lemons, per Chest - - - - -	0	1	0
per Half Chest - - - - -	0	0	6
Oil, Train or Fish, per Barrel, and so in proportion for any greater or smaller Quantity - - - - -	0	2	0
Oak or Elm Planks, per Load containing 30 Cube Feet - -	0	2	0
Oysters, per Bushel - - - - -	0	0	3
per Firkin or smaller Barrel - - - - -	0	0	3
Ovens, each - - - - -	0	1	0
Ordinance, Pieces of, Brass or Iron, per Hundred Weight -	0	0	8
Onions, per Bushel - - - - -	0	0	2
Oatmeal, per Sack - - - - -	0	0	3
Oil, per Pipe - - - - -	0	1	6
per Hogshead - - - - -	0	0	8
per Half Hogshead - - - - -	0	0	4
per Jar - - - - -	0	0	1
per Chest - - - - -	0	0	2
per Half Chest - - - - -	0	0	1
Poultry, per Basket - - - - -	0	0	6
Potatoes, per Barrel - - - - -	0	0	3
per Ton - - - - -	0	3	0
Plums, per Box - - - - -	0	0	1
Potatoes, per Sack of Three Bushels - - - - -	0	0	2
Pale Cleft, per Thousand - - - - -	0	3	0
Posts and Rails, per Load of 50 Cube Feet - - - - -	0	2	0
Pewter, wrought, per Hundred Weight - - - - -	0	0	3
old - - - - -	0	0	3
Piano Fortes, each - - - - -	0	3	0
Pitch and Tar, per Barrel - - - - -	0	0	6
Parcels, none to be charged less than - - - - -	0	0	2
Straw, per Load - - - - -	0	1	6
Sugar Loaf, per Hundred Weight - - - - -	0	0	3
Raw, per Hundred Weight - - - - -	0	0	3
Salt, per Hundred Weight - - - - -	0	0	3
Spars, per Score - - - - -	0	1	0
Solder, per Hundred Weight - - - - -	0	0	3
Sophas, each - - - - -	0	2	0
Stone, per Ton - - - - -	0	2	0
Ditto, Paving, per Ton - - - - -	0	2	0
Slate, per Ton containing 24 Feet Cube - - - - -	0	2	0
Stove, Register - - - - -	0	1	6
other - - - - -	0	1	0
Sedan Chairs, each - - - - -	0	2	0
Salmon, per Kit - - - - -	0	0	6
Skins, Goat, Dog, Calf, Sheep, or Lamb, per Dozen - -	0	1	6
Soap, per Hundred Weight - - - - -	0	0	3
Starch, per Hundred Weight - - - - -	0	0	3
Staves, Pipe, per Hundred - - - - -	0	0	4
Hogshead, per Hundred - - - - -	0	0	3
Barrel, per Hundred - - - - -	0	0	2
Ends, per Hundred - - - - -	0	0	2
Shot, per Bag - - - - -	0	0	3
Salt Fish, per Hundred Weight - - - - -	0	0	3
Sheep, Lambs, Pigs, or Hogs, per Score - - - - -	0	3	0
Shrimp Baskets, each - - - - -	0	0	2
Tallow, Soap, or Candles, per Hundred Weight - - - - -	0	0	3
Tea, per Quarter Chest - - - - -	0	0	8
And so on in proportion for any greater or less Quantity than a Half Chest.			

	£	s.	d.
Treacle, per Hundred Weight	0	0	4
Timber, per Load containing 50 Cubic Feet	0	2	0
Tables, Dining, per Set	0	4	6
other Dining Tables, each	0	1	6
Card or Pembroke, each	0	1	0
every other, each	0	1	0
Tombstones, each	0	10	6
Marble	1	1	0
Tiles, plain, per Thousand	0	1	0
Hip or Gutter, per Thousand	0	1	6
Ridge or Pantiles, per Thousand	0	2	0
Mathematical, per Thousand	0	3	0
Paving, per Thousand	0	1	0
Turtle, each	0	3	6
Tobacco and Snuff, per Hundred Weight	0	0	4
Tallow, per Hundred Weight	0	0	3
Turbot, per Score	0	0	3
Trunk, Portmanteau, or Bundle, each	0	0	3
Vats packed with Goods not enumerated in Schedule, each per Foot Cube	0	0	0½
Ditto, per Hundred Weight	0	0	3
Violins or Bass Viols, each	0	0	6
Vinegar, per Hogshead	0	0	4
Wool, Yarn, or Cotton, per Hundred Weight	0	1	6
Wine (not British), Sweet Oil, or Spirits, for every Gallon contained in any Butt, Pipe, Puncheon, or Piece, or any Cask whatsoever	0	0	0½
Wine or Vinegar (British), per Gallon	0	0	0½
Oil, or Spirits in Bottles, per Dozen	0	0	6
per Pipe	0	2	0
per Hogshead	0	1	0
per Half Hogshead	0	0	6
All Goods not enumerated in this Table to pay at the Rate of One Half- penny per Cubic Foot, or Three-pence per Hundred Weight.			

The SECOND SCHEDULE to which this Act refers.

In the Parish of Herne.

No. on Plan.	Owners.	Occupiers.	Description of Property.
1	Archbishop of Canterbury	George Burge - -	Waste Land or Beach.
2	George Burge - -	Ditto - -	Land.
3	John Thorpe - -	Sampson Doydge -	Cottage and Land.
4	John Ashbee - -	William Pressly -	Ditto.
5	James Jarman - -	William Furgason -	Ditto.
6	{ Francis Cobb and } { William Cobb - }	Widow White - -	{ House, Stables, and } { Land. }
7	John Ashbee - -	{ — Corbin and } { — Clever - }	Cottage and Land.
8	Edward Charles - -	Edward Charles -	Mill and Land.
9	Stephen Busbridge - -	Stephen Busbridge -	Cottage and Land.
10	Charles Larken - -	Empty - - -	Ditto.
11	William Tassell - -	William Tassell -	Storehouse and Land.
12	William Bell - -	William Bell - -	Ditto.
13	{ Francis Cobb and } { William Cobb - }	Empty - - -	{ House, Buildings; } { and Land. }
14	John Searle Appleyard -	William Tassell -	House and Land.

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