ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. XCVIII.

An Act for widening, deepening, enlarging, altering, and improving the Haven of the Town and Port of *Great Grimſby*, in the County of *Lincoln*.

[14th *May* 1796.]

Preamble.

WHEREAS the River or Haven within the Port or Member Port of *Great Grimſby*, in the County of *Lincoln*, is ſo warped and ſilted up, as not only to render it no longer practicable for Ships to navigate ſo far up the ſame as to reach the Place or Places, Quays or Wharfs, which have been aſſigned and appointed for the landing or diſcharging, lading or unlading of Goods, Wares, or Merchandize within the ſaid Port, but to be navigable for Sloops only, and at certain Times of the Tide; but if the ſaid River or Haven were widened, deepened, and rendered more ſtraight, and the Courſe and Direction thereof in Part varied; and alſo if a Lock were to be erected and fixed therein for pounding up a ſufficient Quantity or Depth of Water, and other Works made for the Improvement thereof; and if for the ſupplying the ſame with an additional Quantity of Land Water, and the better ſcouring out and keeping open the Outfall of the ſaid Haven into the River *Humber*, the Water of a certain Beck called *Freſhney*, which

which runs in or between the Two adjoining Pariſhes of *Great Coates* and *Little Coates*, in the ſaid County of *Lincoln*, and in or between *Great Coates* and *Great Grimſby* aforeſaid, were conveyed into the ſaid Haven, it would admit, and much more conſtantly, Veſſels of a conſiderably larger Burthen, whereby the Trade and Commerce of the ſaid Town and Port of *Great Grimſby* would be reſtored and conſiderably increaſed, and the Publick in general greatly benefitted, and in Caſes of ſtrong North-eaſt Winds would afford a very ſafe and convenient Retreat for Coaſters and other Ships and Veſſels, as well navigating the *German Ocean* as the River *Humber*, and for Want whereof a great many Ships have been greatly damaged, and others totally loſt: And whereas the ſeveral Perſons herein-after named are deſirous, at their own proper Charge and Expence, to widen, deepen, and ſtraighten the ſaid Haven, and to divert in Part the Courſe and Direction thereof, and alſo to make, complete, and maintain all ſuch other Works and Things as aforeſaid for the Improvement thereof; but cannot effect the ſame without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable *Charles* Lord *Tarborough*, Sir *John Nethorpe* Baronet, *George Robert Heneage*, *Ayſcoghe Boucherett*, *George Tennyſon*, *Thomas Dixon*, *Henry Elliſon*, *John Elliſon* and *George Parker*, *William Hornby*. *Richard Baſſett*, *William Holgate* and *Joſeph Anningſon* Eſquires; Lieutenant Colonel *John Henry Loft*, the Reverend *Charles Weſton*, *Marmaduke Alington*, *William Thorold*, *John Grantham*, *John Parkinſon* of *Healing*, *John Searle*, *Francis Swan*, and *Charles Wray Haddleſey* Clerks; the Mayor and Burgeſſes of the Borough of *Great Grimſby*, the Royal Friendly Society of *Great Grimſby*, *Joſeph Aſhton*, *George Babb*, *William Bancroft*, *Chriſtopher Bell*, *Appleton Beniſon*, *Richard Borman*, *John Borman*, *William Botterill*, *Samuel Bourn*, *John Simon Branſtrom* and *Frederic Kuſel*, *John Codd*, *Robert Cooke*, *John Cortis*, *Chriſtopher Epworth*, *Gilbert Farr*, *Henry Wallis Farr*, *Edward Hackford*, *William Hardy*, *Thomas Hewſon*, *Edward Holgate*, *John Hoult*, *Joſeph Johnſon*, *William Joys*, *James Kerr*, *William King*, *John Loft*, *William Loft*, *John Lloyd*, *William Ludlam*, *William Lumby*, *Charles Manby*, *Thomas Marſh*, *John Mills*, *George Moore*, *Richard Nell* junior, *Gabriel Neve*, *Richard Nicholſon*, *John Nicholſon*, *Robert Parkinſon* of *Healing*, *Joſeph Philipſon*, *John Raiſbeck*, *William Richardſon*, *Maurice Searle*, *William Smelle*, *Tyrwhit Smith*, *Philip Skipworth*, *Robert Story*, *Henry Swan*, *Richard Taylor*, *John Turner*, *Joſeph Waite*, *John Waleſby*, *Thomas Walkington*, *William Watſon* and *George Wilcockſon* Gentlemen, and *Elizabeth Willſon* Spinſter, and their ſeveral and reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, together with ſuch other Perſon or Perſons, Bodies Corporate and Politick, who ſhall at any Time hereafter be poſſeſſed of One or more Share or Shares of or in the Money to be raiſed under or by Authority of this Act, for the ſeveral Purpoſes herein mentioned, are, and ſhall be united into a Company, with full Power and Authority from Time to Time to direct the enlarging, ſtraightening, altering, varying, improving, ſupporting, and maintaining the ſaid Haven, and the Quay or Wharf adjoining thereto, and alſo ſuch Locks, Piers, or Jetties, Sluices, Aqueducts, Culverts, Weirs, Bridges, Towing Paths,

Dams, Trenches, Cuts, or Drains, Toll Houſe, and Warehouſe, and for making, completing, and maintaining all ſuch other Works, Requiſites, Matters, and Things, as ſhall or may be neceſſary for carrying this Act into full and complete Execution, according to the ſeveral Rules, Orders, and Directions, and under and ſubject to the ſeveral Proviſoes, Regulations, and Reſtrictions, herein-after mentioned, expreſſed, and contained, and ſhall for that Purpoſe be One Body Politick and Corporate by the Name of *The Grimſby Haven Company*, and by that Name ſhall have perpetual Succeſſion, and a Common Seal, and by that Name ſhall and may ſue and be ſued; and alſo ſhall have full Power and Authority to purchaſe Lands, Tenements, and Hereditaments to them, and their Succeſſors and Aſſigns, for the Uſe of the ſaid Works or Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and alſo to ſell, convey, or exchange, any of the Lands, Tenements, or Hereditaments, to be ſo purchaſed as and for the Purpoſes aforeſaid; and any Perſon or Perſons, or Bodies Politick, Corporate, or Collegiate, may give, grant, bargain, ſell, or convey, to the ſaid Company, any Lands, Tenements, or Hereditaments, for the Uſe of the ſaid Works or Undertaking, without Licence or Alienation.

Proprietors incorporated.

II. And be it further enacted, That there ſhall be One Annual General Aſſembly or Meeting of the ſaid Haven Company, or Company of Proprietors, for carrying this Act into Execution, the Firſt of which Meetings ſhall be holden at the *Granby Inn*, in *Great Grimſby* aforeſaid, upon that Day Four Weeks next after the paſſing of this Act; and the like General Aſſembly or Meeting ſhall be held on the Second *Monday* in *September* in every Year for the future, at or before the Hour of Eleven of the Clock in the Forenoon, at ſuch Place as ſhall from Time to Time be aſcertained and fixed at any preceding General Meeting; of which ſaid Firſt and every ſubſequent General Meeting, publick Notice ſhall be given in the *Lincoln* and *Stamford* Newſpaper, or in ſome other Newſpaper which ſhall at that Time be circulated in the County of *Lincoln*, and ſhall alſo be publiſhed or given in ſuch other Manner as the ſaid General Aſſembly ſhall direct, at leaſt Fourteen Days before ſuch Meeting; each of which ſaid General Aſſemblies ſhall have Power and Authority to adjourn themſelves from Time to Time, and from Place to Place, as they ſhall think proper, until the Time of holding the next Annual General Aſſembly, on the Second *Monday* in *September*; and any ſuch General Aſſembly ſhall have Power to order a Common Seal to be made, and from Time to Time to alter and change the ſame, and alſo to call for, audit, and ſettle, all Accounts of Monies received, laid out, and diſburſed for or on Account of the ſaid Undertaking, by all Officers and other Perſons appointed or employed by or under the ſaid Company in and about the ſaid Undertaking, and to do and tranſact all other Buſineſs reſpecting or in anywiſe relating to or concerning the ſame Undertaking, and all and every or any of the Works, Matters, and Things by this Act directed or authorized to be done.

General Aſſembly of the Company.

Firſt Meeting.

Subſequent Meetings.

Notice thereof to be given.

Empowered to adjourn, and order a Common Seal;

to audit Accounts.

III. And be it further enacted, That the ſaid Company at their ſaid firſt Meeting, and afterwards annually at their Annual General Aſſembly or Meeting, ſhall elect a Chairman to preſide at ſuch Meetings, who ſhall continue in his Office for the Space of One Year, and ſhall not afterwards be diſqualified from being re-elected; and in caſe of the Death or Re-

Company to appoint a Chairman.

ſignation of ſuch Chairman before the regular Determination of his Office, the ſaid Company, at their next General or Special Meeting to be holden next after ſuch Death or Reſignation ſhall have taken place, and before any other Buſineſs ſhall be introduced, done, or tranſacted, at any ſuch next General or Special Meeting, ſhall elect and chuſe from amongſt themſelves ſome other Perſon in the Room and Place of the Perſon whoſe Office ſhall ſo have become vacant as aforeſaid, and the Perſon ſo elected as laſt-mentioned ſhall continue in ſuch Office during the whole Time the Perſon whoſe Office ſhall ſo have become vacant would otherwiſe have been entitled to have continued therein; and in caſe at any ſuch General or Special Aſſembly to be holden under or by virtue of this Act, ſuch Chairman ſo appointed ſhall not attend, the Proprietors and Proxies then preſent, or the major Part of them, ſhall appoint from amongſt themſelves ſome other Perſon to be and act at ſuch Meeting or Aſſembly as Deputy Chairman in the Room and Place of ſuch abſent Chairman, and ſo from Time to Time when and ſo often as the Caſe ſhall happen.

Committee to be choſen.

IV. And be it further enacted, That the ſaid Company ſhall, and they are hereby authorized and required, at their ſaid Firſt Meeting, or at ſome ſubſequent Meeting, as ſoon afterwards as conveniently may be, and in like Manner at the Annual General Aſſembly or Meeting, to chuſe, nominate, and appoint, not more than Nine nor leſs than Three Perſons from amongſt themſelves, to be a Committee for the ſeveral Purpoſes herein-after mentioned; and in caſe any of the ſaid Committee ſo to be appointed, ſhall, before the Expiration of the Term for which they ſhall be reſpectively choſen, die or refuſe to act, or ſhall remove to any remote or other Situation, ſo as to render his Attendance inconvenient, then, and in every ſuch Caſe reſpectively, it ſhall be lawful for the Remainder of the ſaid Committee, or the major Part of them, and they are hereby required from Time to Time, within Two Calendar Months next after ſuch Death, Refuſal to act, or Removal ſhall be known, to elect, nominate, and appoint, One other Perſon from amongſt the ſaid ſeveral Proprietors in the Room and Stead of ſuch Perſon ſo dying, refuſing to act, or removing; and every Perſon ſo choſen to be of the ſaid Committee, ſhall have the like Power and Authority as the Perſon in whoſe Place and Stead he ſhall be ſo choſen was veſted with; and in order to defray the Expence of their Meetings, it ſhall and may be lawful for the ſaid Committees, and they are hereby allowed to expend or detain to themſelves a reaſonable Sum of Money out of the capital Stock of the ſaid Proprietors, for their Expences in attending all and every ſuch Meetings.

Vacancies by Death, &c. to be ſupplied.

The Acts of the Majority of the Committee to be binding;

V. And be it further enacted, That in all Caſes where any Power is given to or veſted in the ſaid Committee, or any Act directed to be done by them at any Meeting for carrying into Execution any of the Powers given by this Act, the Opinion, Determination, or Judgement of the major Part of the Members authorized to form ſuch Meeting, ſhall be taken and conſidered as the Act and Judgement of the whole Body ſo aſſembled: Provided always, that no Reſolution ſhall be taken or Buſineſs done, (except for the Purpoſe of Adjournment), at any of the Meetings of the ſaid Committee, unleſs Three Perſons at leaſt of ſuch Committee ſhall be preſent; and the Committee ſhall, at all their Meetings, before they proceed to any other Buſineſs, elect a Chairman of ſuch Meeting, and

but not leſs than Three for doing Buſineſs.

and that no Member, although he may be a Proprietor of Two or more Shares in the ſaid Haven Navigation, ſhall have more than one Vote in the ſaid Committee except the Chairman, who ſhall be choſen by and out of the ſaid Committee as aforeſaid, and who in caſe of an Equality of Votes upon any Queſtion agitated in the ſaid Committee, ſhall have the caſting Vote although he ſhall have given One Vote before; and no Perſon holding any Place, Office, or Employment under the ſaid Company, ſhall be capable of being choſen to ſerve upon any Committee during the Time of his Continuance in ſuch Place, Office, or Employment.

Each Member to have but One Vote, except Chairman, &c.

Perſons holding Places under the Company not to be upon the Committee.

VI. And be it further enacted, That the ſaid Committee ſo to be choſen as aforeſaid, or ſuch of them as ſhall be preſent at the General Aſſembly when they ſhall be choſen, ſhall and may fix a Time and Place for the Firſt Meeting of the ſaid Committee, and they may at ſuch Firſt and every other Meeting execute all and every or any of the Powers and Authorities hereby veſted in the ſaid Committee, and from Time to Time to adjourn the ſame, and all other Meetings to be ſo held by them, as they ſhall think fit; and if at any Place appointed for ſuch Meeting, Three or more of ſuch Committee ſhall not appear within Two Hours of the Time fixed for holding ſuch Meeting, any One or more of the ſaid Committee who may be then preſent, or in caſe of the Non-attendance of every of them, then the Clerk for the Time being to the ſaid Company, ſhall and may, and is and are hereby authorized to adjourn the Meeting of the ſaid Committee, to be held at the ſame Place or within the ſame Town, between the Hours of Ten of the Clock in the Forenoon, and Two in the Afternoon, on ſuch Day as he or they ſo making ſuch Adjournment ſhall think proper, ſo as the ſame be within One Calendar Month next afterwards, of which Time and Place of Adjournment, Notice ſhall be forthwith given to ſuch of the ſaid Committee who ſhall happen not to have been preſent at the Time of making ſuch Adjournment; and if no ſuch Adjournment ſhall be made, then and in ſuch Caſe any Three or more of ſuch Committee may, by Advertiſement in the ſaid *Lincoln* and *Stamford* Newſpaper, or in any other Newſpaper then in Circulation in the ſaid County of *Lincoln*, appoint another Meeting of the ſaid Committee, to be held at ſuch Place as they ſhall appoint, at any Time not ſooner than Ten Days, nor later than Twenty Days after ſuch Notice, and ſo from Time to Time as often as the Caſe may happen.

Meetings of Committees,

may be adjourned.

VII. And be it further enacted, That the ſaid Committee ſhall, and they are hereby authorized and empowered, from Time to Time, to make ſuch Call or Calls of Money from the Treaſurer or Treaſurers to the ſaid Company, for defraying the Expences of or carrying on the Works of the ſaid Undertaking, as they from Time to Time ſhall find wanting and neceſſary for that Purpoſe, and to appoint and direct to whom and in what Manner the ſame ſhall be paid on Account thereof; and they are alſo hereby inveſted with full Power and Authority to direct and manage all and every the Affairs of the ſaid Company, as well in contracting for the Sale or purchaſe of or otherwiſe agreeing for any Lands, Tenements, Hereditaments, Dues, Rights, and Liberties, for the Uſe or Benefit of the ſaid Company or Undertaking, as in placing and diſplacing under Officers, Servants, and Agents, and in contracting and agree-

Committee empowered to make Calls for Money;

and to make Contracts, and manage all the Affairs of the Company.

agreeing with any Workmen, Artificers, or other Perſons whomſoever, for the making and doing all and every or any Part of the Work or Buſineſs to be done in or about the enlarging, ſtraightening, and improving the ſaid Haven, and other the Works for improving, completing, and preſerving the Navigation thereof; and alſo with any Perſon or Perſons for Timber, Stones, or other Materials which ſhall be wanted in and for all or any of ſuch ſeveral Works and Purpoſes, as ſhall from Time to Time be reſpectively directed by the ſaid Company to be done and performed by virtue and in purſuance of this Act; every ſuch Contract to be reduced into Writing, which ſhall ſpecify the ſeveral Works to be done, the Prices to be paid for the ſame, and the Time or Times when or within which the ſaid Works are to be done and completed, and the Forfeitures or Penalties to be incurred and paid for or in reſpect of any Breach or Non-performance of ſuch Contract; and being ſigned by the ſaid Committee, and by ſuch Perſon or Perſons with whom they ſhall ſo contract or agree, ſhall be valid and effectual in the Law, and carried into Execution; and the due and complete Performance thereof ſhall and may be enforced by Action at Law or otherwiſe, by and in the Name or Names, and at the Suit of or againſt the ſaid Company, or the ſaid Committee for the Time being, or either of them, and the Perſon or Perſons ſo contracting, his, her, or their Executors or Adminiſtrators, according to the Tenor and true Meaning thereof; and in all Caſes where any pecuniary Penalties ſhall be recovered of or from any Contractor or Contractors, the ſame ſhall be paid to the Treaſurer appointed by virtue of this Act, and applied for the Purpoſes of carrying on and ſupporting the Works directed by this Act; and the ſaid Committee by themſelves, or the Clerk to the ſaid Company, ſhall keep a full and true Account of all Monies diſburſed, and Payments made by them, and by all and every Perſon and Perſons employed by or under them, and of all and every Sum and Sums of Money which they ſhall receive on Behalf or in reſpect of ſuch Haven, Navigation, and Undertaking, from any Collector of the ſaid Rates or other Officer, or from any other Perſon or Perſons whomſoever employed in or having any Concern, Dealing, or Tranſaction with the ſaid Haven, Navigation, and Undertaking, or in or with any Part or Parts thereof, and ſhall regularly, by themſelves or the ſaid Clerk, write, inſert, and enter in a Book or Books, to be from Time to Time provided at the Expence of the ſaid Company for that Purpoſe, Notes, Minutes, or Copies (as the Caſe ſhall require) of every ſuch Contract, Bargain, Receipt, and Diſburſement, and of all other their Orders and Proceedings, which Book or Books ſhall be depoſited with and kept locked up under the Care and Direction of the ſaid Committee, but to which the ſaid Company, and every Member thereof, ſhall have free Acceſs for his, her, or their Inſpection, without Fee or Reward.

Committees may compound Penalties of Contracts.

VIII. Provided always, and it is hereby further enacted and declared, That it ſhall be lawful for the ſaid Committee, from Time to Time, as they ſhall think fit, to compound and agree with any Perſon or Perſons againſt whom any Action or Actions, Suit or Suits, ſhall or may have been brought for any Penalty or Penalties on Account of any Breach or Non-performance of any ſuch Contract or Contracts, for ſuch Sum or Sums of Money as they the ſaid Committee ſhall think proper, ſo as the Sum ſo compounded and agreed for be not leſs than the Injury or Da-

mage ſuſtained by the Breach or Non-performance of ſuch Contract or Contracts, and all the Coſts, Charges, and Expences which ſhall or may have been incurred or occaſioned thereby.

Committee may make Bye Laws, &c.

IX. And be it further enacted, That it ſhall be lawful for the ſaid Committee, from Time to Time, to make and frame, ordain, and eſtabliſh ſuch Bye Laws, Rules, Regulations, Orders, and Ordinances, as they ſhall think fit, for the good Government of the Clerks, Collectors, Haven Maſter, Aſſiſtants, Servants, and others appointed or employed under or by virtue of this Act, and for the better regulating the ſaid Haven, Lock, and other Works, and the mooring and ſtationing of Veſſels there, and for the well governing, ordering, and managing of the Officers, Crew, Boatmen, and Servants employed therein, and for the Relief and Aſſiſtance of the Ships and Veſſels reſorting to or ſeeking Shelter at, or in the ſaid Haven; and alſo for the better regulating, governing, managing, and uſing the ſeveral Works, Matters, and Things by this Act authorized and directed to be made, done, and performed, as well whilſt the ſame are doing as after they ſhall be finiſhed, and for the more ſafe and convenient ſhipping and lading, landing and diſcharging, carrying and conveying, laying and depoſiting, of Goods, Wares, and Merchandize upon, to, or from, the ſaid Quays or Wharfs, and for the better governing and regulating Porters, Carters, and Carmen, and others carrying Goods, or uſing or driving Horſes, Waggons, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, or Merchandize to or from the ſaid Quays or Wharfs, and for preventing Damage being done to any ſuch Goods, Wares, or Merchandize by the iſſuing of Water through Spouts from Houſes or Buildings; and alſo from Time to Time, as they the ſaid Committee ſhall ſee Occaſion, to repeal, add to, amend, or alter, ſuch Bye Laws, Rules, and Orders, and to annex and appoint reaſonable pecuniary Penalties, not exceeding Forty Shillings, for the Non-obſervance, Non-performance, or other Breach of any of ſuch Bye Laws, Rules, and Orders, or any Part of them, and alſo to make ſuch other Orders, Rules, and Regulations as ſhall be neceſſary or expedient for all and every other the Purpoſes of this Act, and the due Execution thereof; and all ſuch Penalties ſhall be levied and recovered in ſuch Manner as herein-after is directed.

Company may remove Members of the Committee, and inſpect, annul, or alter the Bye Laws made by Committee, and make others.

X. Provided always, That it ſhall be lawful for the ſaid Company, at any Annual or other General Meeting, or any Special Meeting to be aſſembled for ſuch Purpoſe, of which Fourteen Days publick Notice ſhall be given in like Manner as aforeſaid, to remove or diſplace any Perſon or Perſons choſen to be of ſuch Committee as aforeſaid, or any Officer or Officers under them, and to chooſe and appoint new ones in their Place and Stead; and alſo to inſpect and conſider the Bye Laws, Rules, and Orders made by the ſaid Committee, and if they ſhall ſee fit to repeal, annul, add to, amend, or alter them, or any of them, or any Part thereof, and to make and frame others for any of the Purpoſes of this Act, or the complete and effectual Execution thereof; and all and every ſuch Bye Laws, Rules, and Orders which ſhall be ſo altered or made by the ſaid Company, at any ſuch General or ſpecial Meeting, may from Time to Time, and at any Time afterwards, be varied, altered, or repealed, and others made in Stead thereof, at any General Meeting of the ſaid Company, but not by the ſaid Committee or otherwiſe.

Bye Laws, &c. to have the ſame Efficacy as if enacted.

XI. And it is further enacted, That all and every ſuch Bye Laws, Rules, and Orders as ſhall be ſo made and framed, or ordained and eſtabliſhed by the ſaid Company, and alſo by the ſaid Committee for the Time being, and which ſhall not be repealed, annulled, altered, or varied by the ſaid Company as aforeſaid, ſhall reſpectively be obſerved and kept, and carried into Execution, and ſhall have the ſame Force, Operation, and Effect, to all Intents and Purpoſes, as if the ſame were reſpectively enacted and declared by this Act, and ſhall be ſufficient in any Court of Law or Equity for the Juſtification and Indemnification of all Perſons who ſhall act under or enforce the ſame, ſo as the ſaid Bye Laws, Rules, and Orders, or any of them, be not contrary to any expreſs Clauſe or Proviſion in this Act contained, or the general Law of this Realm; and the ſaid Committee for the Time being ſhall, and they are hereby required to cauſe true Copies of all ſuch Bye Laws, Rules, and Orders, or of ſo much thereof as ſhall concern or relate to the Regulation and Management of the ſaid Haven, Lock, and other Works, or of any Officers, Servants, Labourers, or Aſſiſtants, or other Perſons employed in or about the ſame, or of the Perſons reſorting to or making uſe thereof, to be written or printed in large Characters, and fixed upon or near to ſome publick and conſpicuous Part of each Quay or Wharf, and alſo upon ſome other publick and conſpicuous Place in the ſaid Town of *Great Grimſby*.

Copies of ſome of them to be fixed on the Quays, and in the Town.

General Meetings to be adjourned, if not Proprietors or Proxies of 50 Shares preſent.

XII. And be it further enacted, That if at ſuch Firſt General Meeting of the ſaid Company to be held as aforeſaid, or at any future General Aſſembly hereby directed or authorized to be held, there ſhall not be preſent within Three Hours after the Time fixed for holding the ſame, Perſons who either as Proprietors or Proxies ſhall together have Fifty Shares, no Election or Appointment of a Chairman or Committee, or other Buſineſs ſhall be made, done, or tranſacted, but ſuch Aſſembly or Meeting ſhall be adjourned to ſuch Time and Place, within Twenty-one Days next afterwards as the ſaid Proprietors and Proxies preſent, or the major Part of them, ſhall appoint, at which adjourned Meeting the Choice of the ſaid Chairman and Committee ſhall be reſpectively made, and all other Matters and Things ſhall be tranſacted which might or ought to have been done at ſuch General Aſſemblies to be held as herein-before directed; and all Acts done in purſuance of this Act by the ſaid Company at ſuch General Aſſemblies or Meetings, ſhall be determined by a Majority of the Proprietors and Proxies then preſent, and ſhall be valid and concluſive upon ſuch Majority concurring therein; and in all Caſes where the Number ſhall be equal, the Chairman for the Time being, or the Perſon ſupplying his Place as aforeſaid, ſhall have the caſting Vote; but if at any ſuch adjourned Aſſembly Proprietors of or Proxies for or to the Amount or Extent of Fifty Shares in the Whole ſhall not attend, then nothing more ſhall be done or tranſacted but adjourning the ſaid Meeting to the ſame or ſome other Place, to be held within Twenty-one days then next enſuing, and ſo from Time to Time until Proprietors holding in their own Rights and as Proxies Fifty Shares ſhall aſſemble and be preſent together, when the ſeveral Matters and Things which might have been done and tranſacted at the former Aſſemblies, if a ſufficient Number of Proprietors had attended, may be done, performed, and executed at ſuch adjourned Aſſembly or Meeting, ſuch publick Notice of every ſuch Meeting, to be ſo held by or in conſequence of any

If at Adjournment there be leſs than required then Adjournment *toties quoties*.

ſuch Adjournment as aforeſaid, having been firſt given as is directed and required with reſpect to the ſaid other General Aſſemblies or Meetings; and in caſe there ſhall not appear at the Time and Place appointed for holding any ſuch General Aſſembly as aforeſaid, Proprietors holding in their own Right or as Proxies Fifty Shares, each and every of the Principals who ſhall not be preſent at ſuch Aſſembly by himſelf or herſelf, or his or her Proxy, before the Adjournment thereof, ſhall forfeit to the ſaid Company for every ſuch Share which he, ſhe, or they ſhall then have in the ſaid Haven Navigation and Undertaking, the Sum of Ten Shillings, to be deducted out of the next Dividend of the Profits of the ſaid Undertaking.

Penalty on Principals not attending by themſelves or Proxies, in conſequence whereof Meetings are loſt.

XIII. And be it further enacted, That if at any Time it ſhall appear to Twenty or more of the Proprietors, poſſeſſing amongſt them Fifty Shares at the leaſt, that for the more effectually carrying this Act into Execution a Special Meeting of the ſaid Company is neceſſary to be held, it ſhall be lawful for ſuch Twenty or more Proprietors, to cauſe Notice thereof to be given in the Manner herein-before mentioned, or otherwiſe, as any General Meeting ſhall direct and appoint, declaring in ſuch Notice the Place where and the Time when ſuch Meeting is to be held, the ſame not being leſs than Ten or more than Twenty-one Days after ſuch Notice given, and alſo ſpecifying in ſuch Notice the Reaſon for and Intention of every ſuch Meeting, and the Proprietors by themſelves and Proxies are hereby authorized to meet purſuant to ſuch Notice; and in caſe Twenty in Number of ſuch Proprietors, poſſeſſing at leaſt Seventy-five Shares, ſhall by themſelves or Proxies ſo meet and aſſemble together, then ſuch Proprietors (but not otherwiſe) ſhall and may proceed to the Execution of the Powers by this Act given them, with reſpect to the Matters and Things ſo ſpecified only; and all ſuch Acts of the ſaid Proprietors, or the major Part of them in Value, at ſuch Meeting aſſembled, ſhall be as valid and effectual as if the ſame were done at any General Aſſembly held in the Manner herein-before appointed.

Special General Aſſemblies.

XIV. And be it further enacted, That it ſhall be lawful for the ſaid Company, and they are hereby authorized and empowered, from and after the paſſing of this Act, by themſelves, their Deputies, Agents, Officers, Workmen, Servants, and Aſſiſtants, to widen, deepen, and render more ſtraight and convenient, by new Cuts or otherwiſe, the ſaid Haven extending from the Two Sluices or Bridges in the Port of *Great Grimſby* aforeſaid, to or near to a certain Place called *The Coal Hill*, in the Pariſh of *Great Grimſby* aforeſaid, and to vary or alter the ſaid Haven by making a new Cut from thence into the ſaid River *Humber*, ſo as at low Water Mark in the ſaid River there may be a greater Depth of Water at the intended Mouth or Entrance into the ſaid Haven when ſo altered, than there now is at the Mouth of the ſaid Haven in its preſent State; and in order to improve and complete the Navigation of the ſaid Haven, and the ſeveral other Works by this Act authorized to be done and executed, the ſaid Company ſhall and may, and are hereby empowered, by themſelves, their Deputies, Officers, Agents, Workmen, Servants, and Aſſiſtants, to dig and cut or raiſe the Banks of the ſaid Haven where the ſame ſhall be neceſſary, and alſo to cut and make uſe of the Soil of any Perſon or Perſons, Bodies Politick, Corporate, or Collegiate, in doing

Company empowered to make the ſeveral neceſſary Works for the Improvement of the Navigation of the Haven.

ſuch

ſuch Works or accompliſhing ſuch Purpoſes as aforeſaid; and alſo to dig up, remove, and take away, all Beds of Earth, Gravel, Clay, or Sand, and all other Obſtructions and Impediments whatſoever which may hinder or prevent Rafts, Boats, Lighters, Sloops, Ships, or other Veſſels, from being navigated or towed up the ſaid Haven, ſo as to make and maintain a complete and effectual Navigation at common Neap Tides, between the ſaid River *Humber* and the Part or Place in the ſaid Haven when ſo varied or altered, where a Lock is intended to be erected and fixed for Ships or other Veſſels drawing at leaſt Twelve Feet Water.

Company empowered to make a Lock to take the Water of *Freſhney*, and the ſeveral Springs called *Blow Wells*.

XV. And be it further enacted, That it ſhall alſo be lawful for the ſaid Company, and they are hereby required, at or near the intended Mouth or Entrance of the ſaid Haven, to fix One or more Buoy or Buoys, and alſo in or upon ſuch Part of the ſaid Haven as is above the Point or Place called *Greenſhore End*, to erect and fix One or more Lock or Locks, with Sea Gates, for the Excluſion of the Tide, and alſo to erect and build, at or near the Eaſt Side of the ſaid Lock, a Watch Houſe for Perſons to reſide therein, to have the Care and Management of the ſaid Lock, and receive the Rates and Duties granted by this Act; and as well for the better ſcouring out the Outfall of the ſaid Haven and for Prevention of the ſame warping up, as for occaſionally ſupplying that Part of the ſaid Haven lying within or above the ſaid intended Lock, and in which Part a certain and ſufficient Quantity of Water ſhall be pounded up as aforeſaid, the ſaid Company ſhall and may, and they are hereby authorized and required to make, and from Time to Time to cleanſe and keep open the ſame, ſo many and ſuch Cuts or Trenches from the ſeveral Springs, and from the Lands and Grounds lying within the Open Fields, Common Paſtures, and other Grounds, ſituated on the Eaſt and Weſt Sides of the Town of *Great Grimſby* aforeſaid, and alſo from all and every or any of the Springs or Pools of Water, uſually called or known by the Name of *Blow Wells*, lying by the Side of or near to any of the Drains or Watercourſes within the Pariſhes of *Great Grimſby* and *Little Coates* aforeſaid, which communicate or diſcharge their Waters into the ſaid Haven, and alſo from the ſeveral Springs, Pools, or Blow Wells, lying by the Side of or near to the ſaid Beck called *Freſhney*, in the Pariſhes of *Little Coates* and *Great Coates*, or contiguous thereto, as they ſhall think neceſſary for conveying the Water from and out of the ſaid ſeveral Lands and Grounds, Springs, Pools, or Blow Wells, into the ſaid Drains or Watercourſes, and the ſaid Beck reſpectively; ſo nevertheleſs that ſuch Springs, Pools, or Blow Wells, be not at any Time drained off, or ſo much exhauſted by Means of any ſuch Drainage, as to be no longer capable of affording a neceſſary Supply of Water to and for the Uſe of the reſpective Occupiers of the ſeveral Lands and Grounds lying within the ſeveral Pariſhes aforeſaid, or any or either of them; and ſo alſo that nothing herein contained ſhall extend, or be conſtrued to extend, to authorize or empower the ſaid Company, or any Perſon or Perſons employed by or under them, to take any of the Waters out of or from certain Blow Wells, from which the Lands and Grounds lying within the ſaid Pariſh of *Great Coates* are now ſupplied, by Means of a Pipe laid acroſs the ſaid Beck or River for that Purpoſe, (except ſo much of ſuch Water as may fall over a Bay which ſhall or may be erected or raiſed Twelve Inches above the Level of the Mouth of the ſaid Pipe ſo conveying the Water from and out of the ſaid Blow Wells into the ſaid

Lands and Grounds in *Great Coates* aforeſaid, and the ſaid Company are alſo hereby empowered to take, turn, divert, and convey, all and every the Waters from and out of the ſaid Beck or River called *Freſhney*, which run in or between the ſaid ſeveral Pariſhes of *Little Coates*, *Great Coates*, and *Great Grimſby*, into the Cuts, Drains, or Ditches, which ſhall and may be made, widened, deepened, enlarged, and ſtraightened, within the ſaid Pariſhes of *Little Coates* and *Great Grimſby*, to communicate from the ſaid Beck or River to the ſaid Haven; and in or upon the ſaid Beck or River to make, ſet down, and erect ſuch Cloughs, Weirs, or Sluices, as ſhall be thought requiſite for turning and diverting the Courſe and Current of the Water of the ſaid Beck or River as aforeſaid, and for carrying down the ſame through and along the old Channel thereof as after-mentioned: Provided nevertheleſs, that ſuch Clough, Weir, or Sluice, be drawn at leaſt Once in every Week, or oftener, if Occaſion ſhall require; and the Clough, Sluice, or Weir, which ſhall be fixed in, upon, or next to any of the Drains which ſhall be made or enlarged for receiving the Water of the ſaid Beck or River called *Freſhney*, ſhall be put or let down, in order that ſuch Water may have its uſual and accuſtomed Currency into the ſaid River *Humber*; and in order alſo to prevent ſuch Beck or River from being ſilted or warped up, and ſo as that the ſame may, at all Times and Seaſons of the Year, be a good and ſufficient Diviſion Fence between the ſaid ſeveral Lordſhips of *Little Coates*, *Great Coates*, and *Great Grimſby* aforeſaid; and alſo that the ſaid Company ſhall, if required by the Proprietor or Proprietors of any of the Lands or Grounds adjoining upon the ſaid Haven, or any of the Drains, Cuts, or Ditches, leading thereto or communicating therewith, where the Water ſhall be held up above the Surface of the ſaid Lands, make Soak Dikes, for the better Preſervation and Drainage of ſuch Lands reſpectively; and which Soak Dikes, where the Ground will admit thereof, ſhall, if required by the Proprietors of the ſaid Lands, be made to diſcharge their reſpective Waters into the ſaid Haven, at the Foot of the Lock to be erected therein, or into ſome of the Drains or Watercourſes falling into or communicating with the ſaid Haven; and alſo that the ſaid Company ſhall be, and they are hereby authorized and empowered, within or upon the ſaid Haven, and the ſaid ſeveral Cuts, Drains, or Ditches, hereby authorized to be reſpectively altered, varied, made, ſtraightened, and enlarged, and in and upon the Lands adjoining or near the ſame reſpectively, to erect, build, and make, any new or freſh Sluices or Flood Gates, or remove, lengthen, or enlarge, thoſe now ſtanding at the Two upper Extremities of the ſaid Haven, and alſo ſuch and ſo many Piers, Jetties, Flood Gates, Culverts, Weirs, Pens for Water, Staunches, Houſes, Warehouſes, and all ſuch other Works and Conveniencies, not herein particularly mentioned, as the ſaid Company ſhall think requiſite and neceſſary for or relating to the carrying this Act, and the ſeveral Purpoſes thereof, into full and complete Execution; and alſo from Time to Time, when and ſo often as Occaſion ſhall require, to remove, diſplace, alter, repair, and amend the ſame, and all and every or any of them, and to make, widen, and enlarge, any Bridges, Ways, Roads, Paſſages, and other Works or Conveniencies, as well for the carrying and conveying of Goods, Commodities, and other Things, to and from the ſaid Haven, as for the carrying and conveying of all Manner of Materials neceſſary for the making, erecting, finiſhing, altering, removing, repairing, amending, widening, enlarging, or ſtraightening,

Company empowered to make other neceſſary Works, &c.

the ſaid Works of and belonging to the ſaid Haven and Undertaking; and alſo to place, lay, work, and manufacture, any Materials on the Ground near to the Place or Places where the ſaid Works, or any of them, ſhall and are intended to be made, erected, repaired, or done, and to build and conſtruct the ſaid Lock or Locks, publick Quay, and the ſeveral Sluices, Bridges, Works, and Erections, belonging thereto, and alſo to make, ſet up, and appoint, ſuch Towing Paths, Banks, Roads, and Ways, convenient for towing, haling, or drawing of Sloops, Ships, and other Veſſels, paſſing in, through, or upon, the ſaid Haven, as they the ſaid Company ſhall think convenient, ſuch Towing Paths not to be more than Fifteen Feet wide at the Top of the Bank, and to be made and conſtructed for towing or haling with Men only; and to conſtruct and keep in Repair any Bridges, Arches, Paſſages, and other Works, in, upon, and acroſs any Brooks, Drains, or Ditches, for the making, uſing, maintaining, and repairing of the ſaid Haven, and the Towing Paths on the Sides thereof; and alſo to conſtruct, erect, make, and do all and every other Matter and Thing whatſoever, which they the ſaid Company ſhall think neceſſary and convenient for the making, effecting, extending, preſerving, improving, completing, and uſing, of the ſaid Haven and the Navigation thereof, in purſuance of and according to the true Meaning of this Act, they the ſaid Company doing as little Damage as may be in the Premiſes, and making Satisfaction in Manner herein-after mentioned to the Owners and Proprietors of ſuch Lands, Tenements, or Hereditaments, Waters, Watercourſes, Becks, Brooks, or Rivers reſpectively, as ſhall be taken, uſed, removed, diverted, or prejudiced, for all Damages to be by them ſuſtained in or by the Execution of all or any of the Powers of this Act; ſave and except to the Mayor and Burgeſſes of the Town and Borough of *Great Grimſby* aforeſaid, who, for the better facilitating the ſaid Undertaking, and in Conſideration of the great Advantage they will derive therefrom, have agreed to relinquiſh all Right, Claim, and Demand, to any Sum or Sums of Money, Rent or Rents, which they otherwiſe might have or claim for or in reſpect of the Land or Ground of or belonging to them the ſaid Mayor and Burgeſſes, which ſhall or may be neceſſarily had or uſed, damaged or injured, by the ſaid Company in carrying the ſaid Undertaking into Execution, or other the neceſſary Purpoſes of this Act, ſuch detached Pieces of Ground as herein-after mentioned being conveyed to them by the ſaid Company, in caſe the Creek thereto adjoining ſhall be wanted to be enlarged and ſtraightened; and this Act ſhall be ſufficient to indemnify the ſaid Company, their Agents, Officers, Workmen, and Servants, and all other Perſons whomſoever, for what they or any of them ſhall do by virtue of the Powers hereby granted, ſubject nevertheleſs to ſuch Proviſoes and Reſtrictions as are herein-after mentioned and contained: Provided always nevertheleſs, that it ſhall not be lawful for the ſaid Company to take more than Four hundred ſquare Yards of Land in the Whole from the Eſtates of *Charles* Lord *Yarborough*, *George Robert Heneage* and *George Tennyſon* Eſquires, for the Purpoſe of erecting Houſes, Warehouſes, or other Buildings thereon, nor ſhall any Part of any of ſuch Houſes, Warehouſes, or other Buildings, extend in Front next the ſaid Haven more than Fifteen Yards, without the Conſent of the Owners and Proprietors of ſuch Land reſpectively; and the Place or Places on which ſuch Houſes, Warehouſes, or other Buildings, ſhall be erected and built, ſhall be appointed, ſet out, and fixed by the ſaid Committee, at ſome Meeting to be held by them within Twelve Calendar Months

Months next after the paſſing of this Act; any Thing herein-before contained to the contrary notwithſtanding.

XVI. Provided always, and be it further enacted, That the Earth or Soil which ſhall ariſe from the enlarging and altering the ſaid Haven, they the ſaid Haven Company ſhall cauſe to be carried or removed from the Sides of the ſaid Haven, ſo and in ſuch Manner that the Top of the Banks thereof ſhall not be higher in any Part than Five Feet above the Water Line of the ſaid Haven; and if the ſaid Company ſhall not, within the Space of Twelve Calendar Months, have removed ſuch Earth or Soil in Manner as aforeſaid, that then and in ſuch Caſe it ſhall and may be lawful for the reſpective Owners of the Lands upon which ſuch Earth ſhall be laid, to take and uſe the ſame for the making of Bricks, or any other Purpoſe, to and for his, her, or their own proper Uſe and Benefit; any Thing herein contained to the contrary notwithſtanding.

Company to remove Soil, otherwiſe the Owners of the Lands on which the ſame ſhall be laid to uſe the ſame,

XVII. Provided alſo, and be it further enacted, That for preventing the Low Lands in the ſeveral Lordſhips of *Great Grimſby* and *Little Coates* aforeſaid, being flooded or injured by the Stoppage of the Waters ariſing or paſſing within or through the ſaid ſeveral Lordſhips, or either of them, and draining into and through the ſaid Haven, the ſaid Company ſhall, and they are hereby required, within the Drain or Ditch called *Piper Creek*, to erect and fix a Gauge Weir, the Summit whereof ſhall not exceed or be higher than the Level or Surface of the Loweſt Lands in the ſaid Lordſhip of *Little Coates*, except as to a certain Piece of Land there, and lying near to the ſaid *Piper Creek*, and containing Five Chains in Length or thereabouts, and which lies One Foot beneath the Surface or Level of other the Low Lands there, but for Security whereof, and to prevent the ſame from being overflowed by Means of the Water being there kept up to the Level of other the ſaid Low Lands and Grounds, they the ſaid Company ſhall and will at all Times well and ſufficiently embank, guard, and ſecure the ſame; and they the ſaid Company ſhall alſo cauſe the Level of ſuch Low Grounds (except as aforeſaid) to be marked upon the Lock intended to be erected and fixed in the ſaid Haven, and in ſuch Haven ſhall cauſe the Water to be at all Times kept below or within ſuch Mark; and between the Ebb of one Tide, and the Flow of the next, ſhall regularly and conſtantly ſluice or draw off the Water pounded up in the ſaid Haven by Means of the ſaid Lock, until the ſame ſhall be reduced Two Feet below ſuch Low Water Mark; and in caſe the Haven Maſter, or other Perſon having the Care or Management of the ſaid Lock, ſhall keep the Water pounded up within the ſaid Haven above the ſaid Mark, or ſhall neglect to draw off the ſame, or make ſuch Reduction during the Ebb of Tide as aforeſaid, by Means whereof the ſaid Low Lands ſhall be flooded, or any Damage or Injury ſhall be ſuſtained in conſequence thereof, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Three Pounds, to be recovered in ſuch Manner as is herein directed.

Proviſion for the Prevention of the Low Lands being flooded.

XVIII. Provided always, That nothing herein contained ſhall authorize or empower the ſaid Company, or any Perſon or Perſons acting by or under their Authority, to take, uſe, injure, or damage, for the Purpoſes

Buildings, &c. except ſuch as are mentioned, not to be injured;

poſes of the ſaid Undertaking, or any other the Purpoſes in this Act mentioned, any Houſe or other Building which was erected or built upon before the paſſing of this Act, or any Land or Ground which was then ſet apart and uſed as or for a Garden, Orchard, Yard, or Paddock, without the Conſent of the Owners and Occupiers thereof, other than and except a certain thatched Hovel or Stable ſituate, ſtanding, and being in a certain Cloſe in *Great Grimſby* aforeſaid, called *The Six Acres*, the Property of the ſaid Mayor and Burgeſſes, and which is now in the Occupation of the Reverend *William Thorold*, as their Leſſee; a certain Cloſe or Paddock in *Great Grimſby* aforeſaid, the Property of *George Robert Heneage* Eſquire, and now alſo in the Occupation of the ſaid *William Thorold*, and the Stables, Coach Houſe, and other Offices or Outhouſes therein ſtanding and being; and alſo except ſuch Gardens, Steps, and other Projections as have been made with the Conſent of the Lords of the Manor or otherwiſe, and for which no Compenſation was or hath been made, upon the Roads, Highways, or landing Places lying next or immediately adjoining upon the ſaid Haven; nor ſhall the ſaid Company be authorized or enabled, under or by virtue of any Thing in this Act contained, to erect or build any Houſe, Mill, or other Building upon the Lands which ſhall or may be ſet out for the Towing Paths, or landing Places, or other Purpoſes of the ſaid Navigation (except only and to the Extent aforeſaid) without the Conſent of the Perſon or Perſons who ſhall be Owner or Owners of ſuch Lands at the Time of ſetting out the ſame for the Purpoſes aforeſaid; or to convert or employ any Water that ſhall be brought into or diſcharged out of the ſaid Haven, or into or out of any of the Cuts, Drains, or Ditches communicating therewith, for the Uſe of any Mill or Mills hereafter to be erected near the ſame; and if any Houſe, Mill, or other Building, ſave as aforeſaid, ſhall be erected upon any ſuch Lands or Grounds, without ſuch Conſent as aforeſaid, it ſhall and may be lawful for the Perſon or Perſons, Bodies Politick or Corporate, who was or were Owner or Owners of ſuch Lands or Grounds at the Time of ſetting out the ſame for the Purpoſes aforeſaid, or his, her, or their Heirs, Succeſſors, Executors, Adminiſtrators, or Aſſigns, to take or pull down and remove ſuch Houſes, Mills, and other Buildings, without being deemed guilty of Treſpaſs, or liable to any Action or Proſecution for ſo doing.

nor any Buildings but for the Uſe of the Navigation to be erected on the Towing Paths, &c.

XIX. And whereas the Ground lying on the Weſt and South Sides of the Two Branches of the ſaid Haven, and next adjoining the Town, and which is a publick Quay and landing Place of and belonging to the ſaid Port of *Grimſby*, is very narrow and inconvenient, and upon the ſaid Haven being ſo improved and enlarged as by this Act is intended, will not be ſpacious and commodious enough for a publick Quay or landing Place, nor admit of Two Carriages to paſs each other, or any Cranes, Beams, or other neceſſary Engines or Conveniencies to be erected or fixed thereon; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Company, and they are hereby authorized and empowered to fill up and level the ſaid Two Branches of the ſaid Haven, and on the Eaſt and North Sides thereof, and from one Sluice Bridge to the other, to cut and make Two other and freſh Branches to communicate with the ſaid Haven, of ſufficient Depth, Width, and Capacity for Ships and other Veſſels, ſo as that the Ground on the Weſt and South Sides thereof, and between ſuch new or intended new Cuts or

The publick Quay to be enlarged, &c.

Branches, and the Warehouſes and Buildings adjoining the Town, and certain Ground of and belonging to *George Tennyſon* Eſquire, do not exceed or be of leſs Width or Breadth than Twenty Yards, except in ſuch Points or Places where it ſhall otherwiſe unavoidably happen, from preſerving a direct Line with reſpect to the adjoining Buildings, and alſo from the North-eaſt Corner of a certain Malt Kiln, to the North-weſt Corner of a certain Summer Houſe reſpectively of the ſaid *George Tennyſon*; and it ſhall and may be lawful for the ſaid Company, and they are hereby required, upon ſo much and ſuch Part of ſuch Ground only as ſhall be ſo left on thoſe Sides of the ſaid Two new Branches or Cuts lying next the Town, to make and erect commodious, good, and ſufficient Quays, Wharfs, or Landing Places, Cranes, Weighing Beams, and other Erections and Conveniencies as ſhall be thought requiſite for landing and diſcharging, lading and ſhipping of Goods, Wares, and Merchandize exported to, or imported from or into the ſaid Haven, ſo as in the doing thereof or by means or in conſequence thereof the Proprietors or Owners of the Warehouſes, Yards, Lands, and Premiſes adjoining next to and immediately upon the ſaid publick Quay, Wharf, or landing Place, or their reſpective Agents or Tenants, be not hindered or prevented from having at all Times a free and uninterrupted Paſſage to and Communication from their ſaid reſpective Premiſes through and acroſs the ſaid publick Quay, Wharf, or landing Place to the ſaid Haven, for the loading and unloading of any Goods, Wares, or Merchandize into or from out of any Ship or other Veſſel lying within that Part of the ſaid Haven as is or ſhall be oppoſite or near to their ſaid reſpective Buildings and Premiſes; and that it ſhall not be lawful for any Perſon or Perſons whomſoever, to lade or put, or cauſe to be laden or put off or from any Quay, Wharf, or other Place on the Land, within the ſaid Port of *Grimſby* (except as after mentioned) into any Ship, Veſſel, Lighter, Boat, or Bottom, any Goods, Wares, or Merchandize whatſoever (Fiſh taken by His Majeſty's Subjects, Beſtials, and Salt only excepted) to be brought from any of the Parts beyond the Seas, or to take up, diſcharge, or lay on Land, or cauſe or procure to be taken up, diſcharged, or laid on Land, out of any Ship, Veſſel, Lighter, Boat, or Bottom (being not in leak or wreck) any Goods, Wares, or Merchandize whatſoever (Fiſh taken by His Majeſty's Subjects, Beſtials, and Salt, only excepted) to be brought from any of the Parts beyond the Seas by way of Merchandize, but only upon ſuch open Place, Quay, or Wharf, Places, Quays, or Wharfs, as ſhall be enlarged and made as above-mentioned, or upon ſuch Quays or Wharfs as ſhall be built and provided in purſuance of this Act in Manner herein-after mentioned, without ſpecial Sufferance or Leave firſt had from the Commiſſioners or Officers of His Majeſty's Cuſtoms, upon the Penalty of the Forfeiture of all ſuch Goods, Wares, and Merchandizes ſo laden or diſcharged contrary to the true Meaning of this Act, or the Value thereof.

Proprietors of certain Ground adjoining the Haven empowered to make Quays.

XX. And be it further enacted, That it ſhall and may be lawful for all and every the Owners and Proprietors of the Lands and Grounds lying on each Side of the ſaid Haven, from and between the Place called the *Coal Hill*, and the ſaid Two Sluices at or near the Eaſt End of the Town of *Great Grimſby* aforeſaid, and which hath or have been heretofore ſet out and appointed to be the Place or Places, Quays or Wharfs, for the landing or diſcharging, loading or unloading of any Goods, Wares,

Wares, or Merchandizes, within the ſaid Port of *Grimſby*, at their own proper Charge and Expence, to make ſuch Erections, Buildings, Walls, and Staiths on their ſaid Lands lying on each Side of the ſaid Haven, from and between the ſaid Place called the *Coal Hill* and the ſaid Sluices, ſo ſoon as the ſaid Haven ſhall be widened, deepened, enlarged, and ſtraightened, as is hereby authorized, for the making the ſame convenient and complete Quays, Wharfs, or Landing Places, without any Interruption, Let, or Diſturbance, of, from, or by the ſaid Company, or any of their Agents or Servants, and without being liable to have the ſame, or any of them, or any Part thereof, at any Time afterwards removed, taken down, or altered; ſo as any of ſuch Works or Erections do not project into the ſaid Haven more than Six Feet, and ſo as all ſuch Places be open at all Times to the Officers of His Majeſty's Revenues; on which ſaid ſeveral laſt-mentioned Quays or Wharfs, when ſo made and erected, it ſhall be lawful to ſhip off, land, and diſcharge all weighable Goods, or Goods called *Sufferance Goods*, and all other Goods, Wares, and Merchandize whatever, which are permitted to be ſhipped off or landed in the Port of *London* as Sufferance Goods, and under the like Regulations.

Tunnels, &c. to be made for Convenience of the Occupiers of adjoining Lands.

XXI. And, to the End that the ſaid Navigation may be improved with as little Damage to private Property as poſſible, be it further enacted, That the ſaid Company ſhall, and they are hereby required to make or cauſe to be made, ſuch Bridges, Arches, Tunnels, Drains, or other Paſſages over the ſeveral Cuts, Drains, or Ditches aforeſaid, as ſhall be ſufficient at all Times to convey the Water from, and permit the Occupation of the Lands adjoining or lying near thereto, without obſtructing or impeding the ſame by Reaſon or Means of ſuch enlarging, ſtraightening, altering, and making the ſaid Cuts, Drains, or Ditches; and alſo ſhall divide and ſeparate, and keep conſtantly divided and ſeparated, the Towing Paths on the Side or Sides of the ſaid Haven, or ſuch Part or Parts thereof as ſhall be found neceſſary by the Commiſſioners hereby appointed, from the Lands or Grounds adjoining to ſuch Towing Paths, with a ſufficient Poſt and Rail, Ditch, Trench, or Bank, or other Fence ſufficient to keep in Sheep or other Cattle, to be ſet and made on the Lands and Grounds which the ſaid Company ſhall become poſſeſſed of for the ſeveral Purpoſes in this Act expreſſed; and alſo ſhall make, erect, and ſet up ſuch and ſo many convenient Gates, Bridges, Stiles, and other Conveniencies in, through, and over the Ditches and Fences to be by them ſo made on the Sides of ſuch Towing Paths as aforeſaid, and alſo ſuch and ſo many Bridges and Paſſages over, under, or through the ſaid Trenches, Streams, and Watercourſes, and of ſuch Dimenſions and in ſuch Manner as the Commiſſioners herein-after appointed ſhall from Time to Time judge neceſſary and appoint, for the Uſe of the Owners and Occupiers of the Lands and Grounds, Hereditaments and Premiſes, adjoining to ſuch intended Trenches, Streams, Watercourſes, and Towing Paths, or any of them reſpectively; and the ſaid Company ſhall not make any Cut, Trench, or Watercourſe, or any Part thereof, in or acroſs any common Highway, publick Bridle Way, or Foot Path, until ſuch Time as the ſaid Company ſhall have made and perfected ſuch Bridge or Bridges over, or convenient Paſſages through, or Arch or Arches under the ſaid Place or Places where the ſaid Cuts, Trenches, or Watercourſes reſpectively ſhall be intended to be made for ſuch Road, Way, or Path,

and of such Dimensions and in such Manner as the said Commissioners shall adjudge proper.

Certain Bridges to be made over the Drains in Lord *Yarborough*'s, the Corporation of *Grimsby*'s, and Mrs. *Lee*'s Lands.

XXII. And be it further enacted, That the said Company shall, and they are hereby authorized and required, at their own Expence, for the more convenient Occupation of the Lands of the said *Charles* Lord *Yarborough*, *Elizabeth Lee* Widow, and the Mayor and Burgesses of *Great Grimsby* aforesaid, to erect and build over the Cuts and Drains hereby authorized to be made or enlarged, and which shall be cut across the said Lands or the Roads leading into the same, good and sufficient Bridges for Horses and Carriages in such Parts and Places as the said *Charles* Lord *Yarborough*, *Elizabeth Lee*, and the said Mayor for the Time being, shall direct by Writing under his, her, and their Hands respectively, and at all Times for ever thereafter to keep and maintain the said Bridges in good and sufficient Repair for the Use of the Owners for the Time being of the said adjoining Lands, and his, her, and their Tenants, Servants, and others authorized and allowed by him, her, and them, to pass and repass over the same respectively.

Proprietors of Lands to make Bridges if Company neglect.

XXIII. And be it further enacted, That in case the said Company or their Agents shall fail or neglect to make, erect, and set up such Gates, Bridges, and Stiles, and other Conveniencies in and over the Fences on the Sides of the Towing Paths, or such Bridges, Arches, Tunnels, and Passages over, under, or through the said Cuts, Drains, and Ditches, Trenches, Streams, and Watercourses as aforesaid, for the Use and Convenience of the respective Owners or Occupiers of the Lands adjoining thereto, and from Time to Time to repair, maintain, and support such Gates, Bridges, Arches, Tunnels, and Stiles when made, erected, and set up, of such Dimensions and in such Manner as the Commissioners hereby appointed shall from Time to Time direct or appoint, for the Space of Three Calendar Months next after the Time to be appointed for those Purposes by the said Commissioners, then and in every such Case it shall be lawful for every or any of the said Owners or Occupiers of the said adjacent Lands or Grounds, who shall find themselves, himself, or herself aggrieved by any such Failure or Neglect, to make, erect, and set up all such Gates, Stiles, Bridges, Arches, Tunnels, and other Conveniencies aforesaid, as the said Commissioners shall have before directed or appointed to be made, erected, and set up by the said Company, and from Time to Time to repair and support the same respectively as Occasion shall require (in case upon Application to the said Commissioners, after Three Calendar Months previous Notice to the Treasurer or Clerk to the said Company of such intended Application) the said Commissioners shall and may authorize and direct such Repairs as aforesaid; and all the reasonable Costs and Charges thereof respectively, to be settled and allowed by the said Commissioners, shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, who shall have so made and erected or repaired the said Gates, Stiles, Bridges, Arches, Tunnels, Passages, or other Conveniencies as aforesaid, by the said Company within the Space of Twenty Days next after the same shall have been so settled and allowed, and an Account and Demand shall have been delivered and made thereof; and on Default of Payment of the said Costs and Charges within the Time aforesaid, the said Commissioners shall, and they are hereby required, by Warrant under their Hands

The Expence thereof, as settled and allowed by the Commissioners, to be repaid by the Company.

In Default of Payment to be distrained for;

Hands and Seals, to levy the Coſts and Charges by Diſtreſs and Sale of the Goods and Chattels of the ſaid Company in or upon the ſaid Haven, or the Quays, Wharfs, Warehouſes, or Buildings adjoining to or near the ſame reſpectively, to and for the Uſe of ſuch Perſon or Perſons who ſhall have ſo laid out and expended the ſame as aforeſaid, rendering to the ſaid Company, or to ſome of their Agents, the Overplus (if any ſuch there be) after deducting the reaſonable Charges of making ſuch Diſtreſs and Sale, to be ſettled by the ſaid Commiſſioners; or otherwiſe every or any of the ſaid Owners or Occupiers of Lands, who ſhall have made, erected, or repaired any ſuch Gates, Stiles, Bridges, Arches, Tunnels, Paſſages, and other Conveniencies as aforeſaid, upon the Failure or Neglect of the ſaid Company, ſhall and may have ſuch and the like Remedy againſt the ſaid Company for the Recovery of ſuch Coſts and Charges by Action at Law, to be commenced and proſecuted in ſuch Manner as in other Caſes is in and by this Act mentioned and directed.

or may be recovered by Action at Law.

Land Owners may alter Bridges at their own Expence, with Conſent of the Committee.

XXIV. Provided always, and be it further enacted, That if the ſeveral Bridges, Arches, Tunnels, Gates, Stiles, Paſſages, and other Conveniencies, which the ſaid Commiſſioners ſhall have limited and directed to be made by the ſaid Company, over, in, upon, or under the ſaid Cuts, Drains, Ditches, Trenches, Streams, and Watercourſes, ſhall at any Time or Times thereafter be found by the Owners or Occupiers of the Lands adjoining, to be too few in Number, or too inconveniently fixed for the Uſe and Occupation of ſuch Lands, that then and ſo often it ſhall be lawful for any or every of ſuch Owners or Occupiers, with the Conſent and Approbation of the Committee for the Time being, to be choſen in the Manner herein-before directed, upon Requeſt made to them for that Purpoſe, or in caſe of their Refuſal for the Space of Twenty-eight Days after ſuch Requeſt, then with the Conſent and Approbation of the ſaid Commiſſioners, to make, fix, and erect, at their own Coſts and Charges, One or more Gate or Gates, Stiles, Bridges, Arches, Tunnels, Paſſages, or other Conveniencies, of the ſame or the like Conſtruction with others made and erected by the ſaid Company, upon, in, over, or near the ſaid Cuts, Drains, Ditches, Trenches, Streams, and Watercourſes, in ſuch Places as ſhall be found and judged moſt neceſſary and convenient, for the better Uſe, Management, or Occupation thereof, and to repair and ſupport the ſame at their own like Coſts and Charges as Occaſion ſhall require, ſo as no Damage or Injury be thereby done to the ſaid Cuts, Drains, Ditches, Trenches, Streams, and Watercourſes, or the Banks thereof, or to obſtruct or weaken the Currency of the Land Waters, or their communicating with or falling into the ſaid Haven.

Company in Caſes of Floods to enter Lands to get Materials for Repair of Damages.

XXV. And whereas it may happen from Floods, extraordinary great Tides, or from ſome unexpected Accident, that the Lock, Sluices, Weirs, Flood Gates, Dams, Banks, Trenches, or other Works, of the ſaid Haven, or of the Drains communicating therewith, may be injured or deſtroyed, and the Lands thereby adjoining may ſuffer Damage, and that it may be neceſſary that the ſame ſhould be immediately repaired or rebuilt, to prevent any further or greater Damage; be it therefore enacted, That in every ſuch Caſe, and when and ſo often as the ſame ſhall happen, it ſhall be lawful for the ſaid Company from Time to Time, or for their

or

or any of their Servants, Agents, or Workmen, without any Delay or Interruption from any Perſon or Perſons whomſoever, to enter into or upon any Lands, Grounds, or other Hereditaments, adjoining or near to the ſaid Haven, Drains, and other Works and Conveniencies, or any of them, (not being the encloſed Ground whereon, or in which any Houſe or other Building ſhall or may ſtand), and to dig for, work, get, and carry away, and uſe, all ſuch Stones, Cobbles, Gravel, Soil, and other Materials as may be neceſſary or proper for the Purpoſes aforeſaid, without any previous Treaty or Contract whatſoever with the Owner or Owners, Occupier or Occupiers of, or other Perſon or Perſons intereſted in, ſuch Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereby as the Nature of the Caſe will permit, and making Recompence for the ſame to the Owners and Occupiers of, or other Perſons intereſted in, ſuch Lands, Grounds, or Hereditaments, within the Space of Three Calendar Months next after the ſame, in reſpect thereof, ſhall be ſettled and determined, or aſſeſſed, by the Ways and Means by this Act preſcribed and directed with reſpect to other Damages to be done or occaſioned by or for improving the Navigation of the ſaid Haven, and making and completing the Works of the ſaid Undertaking.

Damages not provided for to be ſettled by the Commiſſioners.

XXVI. And be it further enacted, That if at any Time or Times hereafter, any Perſon or Perſons ſhall ſuſtain any Damage in his, her, or their Lands, Tenements, or Property, by any ſuch Floods or Accidents, or otherwiſe, by Reaſon of the Execution of any of the Powers hereby given, or by Means of any Neglect or Omiſſion of the ſaid Company or Committee, or any Officer, or other Perſon employed by, or acting under them, for Recompence whereof no Proviſion is hereby made, then and in every ſuch Caſe, ſuch Damages ſhall from Time to Time be ſettled by the Commiſſioners hereby appointed, and be recovered, levied, and diſpoſed of in ſuch and the like Manner as is herein directed with reſpect to other Damages.

Company enabled to cleanſe adjoining Watercourſes at Land Owners Expence.

XXVII. And be it further enacted, That if at any Time hereafter the Beck, Drains, or Ditches, through which the Water ſhall be conveyed into any of the Cuts, Drains, or Ditches, hereby directed or authorized to be made, for the better Improvement of the Navigation of the ſaid Haven, ſhall, by Reaſon of their not being of a ſufficient Capacity, or ſufficiently cleanſed and kept open, hinder or obſtruct the Currency or free Paſſage of any ſuch Water or Waters, and if the ſame ſhall not be made more capacious or completely cleanſed and opened, within One Calendar Month after Notice in Writing ſhall have been given thereof, to the Owner or Owners, Occupier or Occupiers of the Lands adjoining or lying contiguous to ſuch Beck, Drains, and Ditches, or to the Conſtable or other Pariſh Officer where ſuch adjoining Land is a Common Paſture, by any Clerk or Agent of the ſaid Company, it ſhall then be lawful for the ſaid Company (an Order in Writing for that Purpoſe having been firſt obtained from the Commiſſioners hereby appointed) from Time to Time, as often as there ſhall be Occaſion, to widen, deepen, enlarge, open, and cleanſe, or cauſe to be widened, deepened, enlarged, opened, and cleanſed, the ſaid Beck, Drains, and Ditches; and the reaſonable Expence thereof, when aſcertained and allowed by the ſaid Commiſſioners, ſhall be repaid to the ſaid Company, by the Owners or Occupiers of ſuch Lands or Grounds to which the ſaid Beck,

Drains, and Ditches ſo enlarged, opened, and cleanſed, ſhall belong, or by the Conſtable or other Pariſh Officer where ſuch adjoining Land is a Common Paſture, and which Pariſh, on Account thereof, ſhall be wholly or in part liable to the Repair of ſuch Drains or Ditches; and in caſe of Refuſal to ſatisfy the ſame, for the Space of One Calendar Month after Demand ſhall have been made thereof, from the reſpective Owners or Occupiers of ſuch Lands and Grounds as aforeſaid, or ſuch Conſtable or other Pariſh Officers, for or by Reaſon as aforeſaid, all and every ſuch Charges and Expences ſhall and may be recovered in ſuch Manner as Forfeitures and Penalties are herein-after directed to be recovered.

Three certified Plans to be made and depoſited for publick Inſpection.

XXVIII. And whereas a Level and Survey have been taken for aſcertaining the Practicability of improving the Navigation of the ſaid Haven by the ſeveral Ways and Means aforeſaid, and a Map or Plan, with a proper Book of Reference thereto, hath been made in conſequence thereof, in order to ſhew as well the Line or Courſe of the ſaid Haven, and the Enlargement, ſtraightening, and varying the ſame, as the new Cuts or Drains, and the ſtraightening and enlarging of the ſeveral old ones, for conveying into the ſaid Haven not only the Water of the ſaid Beck or River called *Freſhney*, but alſo of the ſeveral other Waters draining from the Lands above in the ſaid ſeveral Pariſhes of *Little Coates* and *Great Grimſby*, and the adjoining Pariſh of *Clee*; be it therefore enacted, That there ſhall be Three Parts made of the ſaid Map or Plan and Book of Reference, which ſhall be certified by the Right Honourable the Speaker of the Houſe of Commons, and ſeverally depoſited with the Clerk of the Peace for the Parts of *Lindſey*, in the County of *Lincoln*, the Town Clerk of the Borough of *Grimſby*, and with the Clerk to the ſaid Company, to which all Perſons ſhall have Liberty to reſort and examine, and make Extracts or Copies thereof as Occaſion ſhall require, paying for every ſuch Inſpection the Sum of One Shilling, and for every ſuch Copy or Extract after the Rate of Four-pence for every Seventy-two Words; and the ſaid Maps or Plans and Books of Reference ſo certified, or true Copies thereof, ſhall be, and are hereby declared to be good Evidence in all Courts of Law and Equity, or elſewhere; and the Clerk for the Time being to the ſaid Company, upon Twenty-one Days Notice to him given for that Purpoſe, ſhall, and is hereby required from Time to Time to produce the ſaid Map or Plan and Book of Reference, before the Commiſſioners named and appointed in or by virtue of this Act, or any Jury or Juries to be impannelled by virtue thereof, at the Time and Place to be mentioned in ſuch Notice, in order that the ſame may be then and there given in Evidence, ſuch Clerk to the ſaid Company having a reaſonable Sum of Money allowed for his travelling Expences, Abſence from Home, and Attendance on ſuch Occaſions.

Reſtrictions as to Deviations from the Plan.

XXIX. And be it further enacted, That the ſaid Haven Company, in ſtraightening, varying, and enlarging, the ſaid Haven, from the Junction of the Two Branches ſo intended to be varied and made as herein-before is mentioned, to the Place where the intended Lock ſhall or may be fixed and alſo in deepening and enlarging the Croſs Drain from the ſaid Beck or River called *Freſhney*, to the ſaid Drain called *Piper Creek*, ſhall adhere to the Courſe and Direction delineated in or upon the ſaid Map or Plan, and ſet forth in the ſaid Book of Reference, as nearly as Circumſtances render practicable; and in caſe of any Diſpute or Difference about the

Neceſſity of ſuch Deviation, the ſame ſhall be enquired into and determined by the ſaid Commiſſioners, or any Three or more of them; and in making, ſtraightening, varying, or enlarging, other the Cuts, Drains, or Ditches aforeſaid, for conveying into the ſaid Haven the Water of the ſaid Beck or River called *Freſhney*, the ſaid Company ſhall not deviate more than Twenty Yards from the Courſe or Direction delineated in the ſaid Map or Plan, and ſet forth in the ſaid Book of Reference, nor cut, carry, or convey, the ſaid Haven and Watercourſes into, through, acroſs, under, or over any Part or Parts of the ſeveral Eſtates, Lands, or Grounds, now or late belonging to, or reputed to belong to the ſaid ſeveral and reſpective Owners named or deſcribed in the ſaid Book of Reference, otherwiſe than and under the Circumſtances and within the reſpective Diſtances aforeſaid, from ſuch Part or Parts as are mentioned in the ſaid Book of Reference in that Behalf, or belonging to any other Perſon or Perſons not named in the ſaid Book of Reference, without the Approbation and Conſent in Writing, ſigned by the Perſon or Perſons to whom ſuch Eſtates, Lands, or Grounds, do or ſhall reſpectively belong.

Deviations in certain Caſes allowed to be made.

XXX. Provided nevertheleſs, That nothing in this Act, or in the ſaid Map or Plan, and Book of Reference contained, ſhall extend or be conſtrued to extend to reſtrain or prevent the ſaid Company from making the ſaid Haven, from the Junction of the Two Branches thereof downwards to the River *Humber*, of a ſufficient Width, Depth, and Capacity, for Two Ships or Veſſels, drawing Seventeen Feet Depth of Water, and of Thirty-two Feet Beam, to navigate the ſame, and paſs each other at ordinary Spring Tides; nor to hinder or prevent the ſaid Company from making ſuch Two Branches of ſufficient Capacity as to admit of Three ſuch Veſſels to be moored or lay abreaſt of each other, ſo nevertheleſs the intended Capacity of the ſaid Haven, and the Branches thereof, within the Extent or Limits aforeſaid, be ſettled and fixed by the ſaid Company, at ſome Meeting to be held by them within Twelve Calendar Months next after the paſſing of this Act; nor to hinder or prevent ſuch Deviation in the altering and varying the ſaid Haven through the Ground called *Fitty Ground*, and the Mud Shore to low Water Mark in the River *Humber* from the Courſe and Direction delineated in the ſaid Map or Plan, or from erecting a Lock in ſuch Part of the Haven, or Sluices, Cloughs, or Weirs in or upon the ſaid Watercourſes, Cuts, Drains, or Ditches reſpectively, as the ſaid Company or the Committee as aforeſaid ſhall think moſt expedient and proper, and beſt calculated to anſwer the Ends and Purpoſes of the ſaid Navigation and Undertaking; nor to prevent, hinder, or obſtruct, the Land Waters from and above the Eaſt and South Eaſt Sides of the Town of *Great Grimſby* aforeſaid, from being conveyed in, by, or through a new Cut or Drain, which the ſaid Company are hereby as well authorized as required to make, immediately next to and on the Eaſt Side of the Turnpike Road, leading from the Eaſt End of the ſaid Town, to or nearly to a certain Place there called the *Sand End*, inſtead of being made immediately next to and adjoining the Bank on the Eaſt Side of the ſaid Haven, as is ſo laid down in or upon the ſaid Map or Plan, in caſe the ſaid Waters cannot, without obſtructing the Drainage thereof, or injuring the Lands and Grounds adjoining, be taken into ſuch Haven, and fluiced through the ſaid Lock.

XXXI. Pro-

The Omiſſion in a Book of Reference of the Name of any Land Owner to be no Bar to the Undertaking.

XXXI. Provided always, and it is hereby further enacted, That the ſaid Company ſhall and may make, enlarge, ſtraighten, or vary, all and every or any of the Cuts, Drains, or Ditches into, through, acroſs, or over the Eſtates, Lands, or Grounds of any Perſon or Perſons whomſoever, into whoſe Eſtates, Lands, or Grounds, ſuch Deviation as aforeſaid ſhall extend, and alſo to make and erect all ſuch Buildings and Works as the ſaid Undertaking ſhall neceſſarily require, although their Names be not mentioned in the Book of Reference, or into the Eſtates, Lands, or Grounds of any Perſon or Perſons, whoſe Name or Names ſhall appear, to the Satisfaction of the ſaid Commiſſioners, and be by them certified under their Hands, to be by Miſtake omitted in the ſaid Book of Reference, or that inſtead thereof the Name or Names of ſome other Perſon or Perſons, to whom ſuch laſt-mentioned Eſtates, Lands, or Grounds do not belong, have or hath been by Miſtake inſerted therein, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Land may be entered for making further Surveys, &c.

XXXII. And be it further enacted, That it ſhall be lawful for the Agents and Servants of the ſaid Company, from Time to Time to enter upon the Lands or Grounds of the ſeveral Perſons, Bodies Politick, Corporate, or Collegiate, through or upon which the ſaid ſeveral Works hereby authorized are intended to be made, in order to make any freſh, further, or other Survey, and take a Level of the ſame, and ſet out and aſcertain ſuch Parts thereof as they ſhall think neceſſary or proper for the enlarging, ſtraightening, and varying, as well the ſaid Haven as the ſeveral Drains or Ditches aforeſaid, and the making ſuch new Cuts or Drains, and other the Matters and Conveniences aforeſaid; but nevertheleſs under and ſubject to the Proviſoes and Reſtrictions herein contained of and concerning the ſame; ſuch Agents or Servants making Satisfaction for the Damage they ſhall do thereby, to the Occupiers of ſuch Lands or Grounds for the Time being.

Bodies Corporate, &c. empowered to ſell and exchange Land, &c.

XXXIII. And be it further enacted, That it ſhall be lawful for all Bodies Politick, Corporate, or Collegiate, whether Aggregate or Sole, and for the Huſbands, Guardians, Truſtees, and Feoffees in Truſt, Committees or Attornies, Executors, Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes Covert, or other Perſon or Perſons, and to and for all Femes Covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, and to and for every Perſon or Perſons however incapacitated, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Meſſuages, Lands, Tenements, or Hereditaments, either to demiſe or leaſe the ſame, or any Part thereof, for any Term or Number of Years, at a certain Yearly Rent, or otherwiſe to contract for, ſell, and convey to the ſaid Company, or to ſuch other Perſon or Perſons as they ſhall nominate or appoint, as well for the Uſe of the Navigation of the ſaid Haven, and other the Purpoſes aforeſaid, as for making in future, out of or with the Surplus Money to ariſe by or from the Rates or Duties hereby impoſed, and Intereſt of Inveſtments, or the Money which may be borrowed on the Credit thereof, any Dock or Docks, or further or other Works, Accommodations, and Conveniencies,

all or any Part of ſuch Meſſuages, Tenements, or Hereditaments, which ſhall from Time to Time be ſo ſet out and aſcertained as aforeſaid; and where by the making the ſaid ſeveral Cuts or Drains, or ſtraightening any of the preſent Drains or Ditches for conveying ſuch Back or Land Waters as aforeſaid, the Property of any Land Owner or Owners ſhall be ſeparated into ſmall Parcels, ſo as to render the Occupation thereof inconvenient, it ſhall and may be lawful for ſuch Bodies Politick, Corporate, and Collegiate, and other ſuch Land Owners, to contract for, ſell, and diſpoſe of, or to convey in Exchange in lieu of other Lands, all or any Part of ſuch Lands, Tenements, or Hereditaments, through or near which the ſaid Cuts and Drains ſhall be made, enlarged, and ſtraightened, to the ſaid Company, or to any Perſon or Perſons whomſoever, for ſuch Price or Prices in Money, or other Equivalent, as the ſaid Commiſſioners ſhall adjudge to be reaſonable.

Land ſeparated into ſmall Parcels may be ſold or exchanged.

XXXIV. And be it further enacted, That immediately upon, and when and ſo ſoon as the Land or Ground ſhall be marked and ſet out for ſtraightening the ſaid Haven, and for altering and varying the Courſe and Direction thereof, for the Purpoſe of acquiring a greater Depth of Water at the Outfall or Mouth of the ſaid Haven, it ſhall be lawful for the Right Honourable *Charles* Lord *Yarborough* to have and take ſo much of the ſaid Haven, and the ſeveral Pieces or Parcels of detached Land lying beyond the ſame, and extending from thence Eaſtwards to the ſaid new intended Cut or Haven, ſo that the ſaid *Charles* Lord *Yarborough* may have as an entire and complete a Frontage upon or next to ſuch new or varied Part of the Haven, and as free and open a Communication with and to the ſame, as he now hath with reſpect to the ſaid Haven in its preſent State, he the ſaid *Charles* Lord *Yarborough* giving and granting to the Mayor and Burgeſſes of *Great Grimſby* aforeſaid, in Exchange for all ſuch detached Pieces or Parcels of Land and Haven Ground as aforeſaid, ſo much and ſuch Part and Parcel of the Salt Marſh or Fitty Land of him the ſaid *Charles* Lord *Yarborough*, as ſhall be ſettled and agreed upon by and between him and the ſaid Mayor and Burgeſſes; or in caſe of the Refuſal of the ſaid Mayor and Burgeſſes to make any ſuch Exchange, then in Exchange for ſo much and ſuch Part of the ſaid Salt Marſh or Fitty Ground, lying near to and communicating with certain Ground of and belonging to the ſaid Mayor and Burgeſſes, called the *Weſt March*, as the Commiſſioners, or the Jury to be impannelled in the Manner herein-after mentioned, ſhall allot and ſet out, in lieu and Exchange of and as a full Compenſation to the ſaid Mayor and Burgeſſes for ſo much of the ſaid Haven, and the ſeveral other Pieces or Parcels of Ground as ſhall be ſo detached and ſeparated by the Means and on the Account aforeſaid.

Lord *Yarborough* to have certain detached Pieces in Exchange.

XXXV. And be it further enacted, That in Conſideration that a certain Cloſe of Paſture Ground adjoining the Southern Branch of the ſaid Haven, and belonging to *George Robert Heneage* Eſquire, will by Means of enlarging ſuch Branch, and making a publick Quay on the Weſt Side thereof, be conſiderably reduced, he the ſaid *George Robert Heneage* ſhall and may purchaſe, and in like Manner as aforeſaid have and take, of and from the ſaid Mayor and Burgeſſes, but nevertheleſs at and for ſuch and the ſame Price or Value *per* Acre as ſhall be agreed, or otherwiſe, and by the Means by this Act preſcribed, be ſet upon and paid by the ſaid

George Robert Heneage Eſq. to be the Purchaſer of a Piece of Waſte Ground adjoining upon his Cloſe.

ſaid Company to the ſaid *George Robert Heneage*, for ſo much of his ſaid Cloſe as ſhall be ſo taken by the Reaſon or Means aforeſaid; and they the ſaid Mayor and Burgeſſes are hereby empowered, directed, and required, to make and convey to the ſaid *George Robert Heneage*, and His Heirs, for ſuch Compenſation, at and after the Rate or Price *per* Acre as aforeſaid, all that Piece or Parcel of Ground, containing Half an Acre or thereabouts, now lying Waſte in the ſaid *Eaſt Marſh* Common Paſture, and immediately next to and adjoining upon the ſaid Cloſe, on or towards the Eaſt; and upon Payment or Tender by the ſaid *George Robert Heneage*, or his Heirs or Aſſigns, or any Perſon or Perſons for or on his or their Behalf, to the Mayor or Chamberlains of the ſaid Borough, or any of them, of ſuch Compenſation as aforeſaid, the ſaid Piece or Parcel of Waſte Land, and the Fee Simple and Inheritance thereof ſhall from thenceforth be veſted in, and become the Property of the ſaid *George Robert Heneage*, and his Heirs and Aſſigns, freed and for ever diſcharged of all Right and Title of Common in, over, or upon the ſame, as fully and effectually as if the ſaid Mayor and Burgeſſes, or any other Perſon or Perſons having any Intereſt or Claim in, to, or upon the ſame, had actually conveyed the ſame.

George Tennyſon Eſq. to be the Purchaſer of the *Coal Hill* and other detached Pieces.

XXXVI. And be it further enacted, That *George Tennyſon* Eſquire, ſhall and may purchaſe, and in like Manner have and take of and from the ſaid Mayor and Burgeſſes, and the ſaid Mayor and Burgeſſes are hereby directed, required, and empowered, to make and convey to him and his Heirs, as well the ſaid Piece or Parcel of Land or Ground called or known by the Name of *The Coal Hill*, and which ſome Years ſince, by Means of ſtraightening that Part of the ſaid Haven lying againſt the ſame, did become the Frontage to the ſaid Haven when ſo altered, to the Excluſion of the then and preſent Owner of the Land next adjoining thereto, as ſo much of the ſaid Haven, and other the detached Pieces or Parcels of Land lying beyond and extending from thence Eaſtwards to the ſaid new Cut or Haven, after the ſame ſhall be ſo ſtraightened, altered, and varied, as aforeſaid, ſo that the ſaid *George Tennyſon* may have an entire and complete Frontage upon and next to the ſaid Haven, after, and in all ſuch Parts or Places where as aforeſaid the ſame ſhall or may be ſo ſtraightened, altered, and varied, oppoſite to other the Lands of him the ſaid *George Tennyſon*; the Price or Sum or Sums of Money, which all ſuch detached Pieces or Parcels of Land and Haven Ground ſhall be reaſonably worth, to be aſcertained, ſet, and fixed, in caſe of the Diſagreement of the Parties, in ſuch and the like Manner as in this Act is mentioned and preſcribed, with reſpect to the Land and Ground to be had and uſed by the ſaid Company for the Purpoſes of the ſaid Undertaking.

Company to convey certain detached Parcels of Ground to the Mayor and Burgeſſes.

XXXVII. And whereas the ſaid Mayor and Burgeſſes have agreed to permit and ſuffer the ſaid Company, in making and enlarging the ſaid Cuts, Drains, and Ditches, and in enlarging and improving the Navigation of the ſaid Haven, and conſtructing and making ſuch other Works and Things as by this Act are authorized to be done, to dig and cut, and to have and uſe certain Land or Ground of or belonging to them the ſaid Mayor and Burgeſſes, and alſo that certain Tolls or Dues hereinafter mentioned ſhall be aboliſhed and extinguiſhed, without requiring any Satisfaction or Compenſation for the ſame reſpectively, ſo as that the

Pieces

Pieces or Parcels of Land or Ground, which in ſtraightening the Courſe and Direction of a certain Ditch or Creek called *Piper Creek*, ſhall or may be ſeparated from certain Marſh Ground of and belonging to *Elizabeth Lee* Widow, together with ſo much of the ſaid Ditch or Creek as ſhall be left on the Eaſt Side of any ſuch new Cut or Cuts, and next to and adjoining the Ground of and belonging to the ſaid Mayor and Burgeſſes, called *The Weſt Marſh*, in caſe ſuch Ditch or Creek ſhall be wanted or required to be ſo ſtraightened, be conveyed and aſſured by the ſaid Company to the ſaid Mayor and Burgeſſes, and their Succeſſors and Aſſigns, ſo ſoon as the ſame ſhall or may be purchaſed by them of the ſaid Owner thereof; be it therefore enacted, That the ſaid Company ſhall, and they are hereby authorized and required, for the ſeveral Conſiderations aforeſaid, immediately upon and ſo ſoon as the ſame ſhall be purchaſed by them of the ſaid Owner thereof, to convey and aſſure unto and to the Uſe of the ſaid Mayor and Burgeſſes of *Great Grimſby*, and their Succeſſors and Aſſigns, ſo much of the ſaid Ditch or Creek called *Piper Creek*, and ſo much of the Land or Ground of the ſaid *Elizabeth Lee*, which, by Means of ſtraightening the Courſe and Direction of the ſaid Ditch or Creek (in caſe the ſame ſhall be neceſſary) ſhall be divided and ſeparated from other the Land or Ground of her the ſaid *Elizabeth Lee*, and to whom by reaſon of ſuch Separation and Diviſion, a Satisfaction or Compenſation ſhall be made, or adjudged to be made by the ſaid Company.

Power given to reconvey and make Exchanges.

XXXVIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Company, or ſuch other Perſon or Perſons to whom ſuch Conveyance ſhall be made, by any Writing or Writings to be by him, her, or them, ſealed and delivered in the Preſence of, and atteſted by Two or more credible Witneſſes, to ſell and diſpoſe of, or to convey in Exchange all or any Part of ſuch Lands, Tenements, or Hereditaments, which they may purchaſe as aforeſaid; all which Contracts, Agreements, Sales, Leaſes, Aſſignments, Conveyances, Aſſurances, and Exchanges, and which ſhall be made in the Form ſet forth in the Schedule to this Act annexed, or in any other Form of Words to that or the like Effect, ſhall be valid and effectual in the Law to all Intents and Purpoſes whatſoever; any Law, Statute, Uſage, or Cuſtom, to the contrary thereof in anywiſe notwithſtanding; and all Bodies Politick, Corporate, and Collegiate, and all Perſons whomſoever, ſo conveying or exchanging as aforeſaid, are hereby indemnified for what he, ſhe, or they, or any of them ſhall reſpectively do by virtue of or in purſuance of this Act; and all ſuch Contracts, Agreements, Bargains, Sales, Leaſes, Aſſignments, Conveyances, Aſſurances, and Exchanges, (other than thoſe which concern any Purchaſe or Exchange between any ſuch reſpective Land Owners) ſhall be made in the Form ſet forth in the Schedule to this Act annexed, or any other Form of Words to that or the like Effect, at the Expence of the ſaid Company, at whoſe Expence alſo the ſame ſhall be enrolled by the Clerk of the Peace for the ſaid Part of *Lindſey*, in the County of *Lincoln*, or the Town Clerk of the ſaid Borough of *Great Grimſby*, as the Caſe may be, and true Copies thereof ſhall be allowed to be good Evidence in all Courts whatſoever; for which Inrolment, or Copy thereof, the Clerk of the Peace or Town Clerk aforeſaid, ſhall have and receive from every Perſon or Perſons requiring the ſame, the Sum of Sixpence and no more for every Hundred Words, and ſo in Proportion for any leſs Number

Deeds to be inrolled.

Number of Words; and every ſuch Conveyance or Exchange as aforeſaid, which ſhall be made to any Perſon or Perſons other than the ſaid Company, ſhall be made in the Form in the ſaid Schedule ſet forth, or any other Form of Words to that or the like Effect.

Lands, &c. to be veſted in Company, upon Payment or Tender of Purchaſe Money.

XXXIX. And be it further enacted, That on Payment of ſuch Sum or Sums of Money, or giving ſuch Security as the Commiſſioners hereby appointed ſhall approve, for Payment of any ſuch Annual Rent, or ſetting out ſuch Land in Exchange as ſhall have been reſpectively contracted or agreed for between the Parties, or determined and adjuſted by the ſaid Commiſſioners, or aſſeſſed, awarded, and allotted, by ſuch Juries as ſhall be impannelled for ſuch Purpoſe, for the Purchaſe or Exchange of any ſuch Lands, Tenements, or other Hereditaments, or as a Recompence for the Yearly Produce or Profits thereof, or as a Compenſation for Damages as herein-after mentioned, to the Proprietor or Proprietors of ſuch Lands, Tenements, and Hereditaments, or to ſuch other Perſon or Perſons as ſhall be intereſted therein, or entitled to receive ſuch Money, Rent, or Compenſation reſpectively, or legal Tender thereof made to ſuch Proprietor or Proprietors, or Perſon or Perſons, or to the principal Officer or Officers of any ſuch Body Politick, Corporate or Collegiate; or if any Proprietor or Proprietors, or Perſon or Perſons ſo entitled or intereſted, or any of them cannot be found or aſcertained, or ſhall refuſe to accept ſuch Money, or the Security for ſuch Rents or ſuch Land in or by way of Exchange, then upon Payment and Delivery of ſuch Money or Securities, or ſetting out of any ſuch Land by way of Exchange as aforeſaid, to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall by Writing under their Hands appoint, for the Uſe of, and to be paid, delivered, or entered on upon Demand, without Fee or Reward, to ſuch Proprietor or Proprietors, or other Perſon or Perſons, Officer or Officers reſpectively as aforeſaid, ſuch Lands and Grounds, Tenements, and Hereditaments, and the Fee Simple and Inheritance thereof, together with the ſaid Yearly Profits, ſhall from thenceforth be veſted in and become the ſole and abſolute Property of the ſaid Company, to and for the Purpoſes of this Act for ever, or of ſuch Perſon or Perſons, and his, her, or their Heirs, who by virtue of this Act ſhall be entitled to purchaſe and have the ſame as aforeſaid, as fully and effectually as if every Perſon having any Eſtate or Intereſt in the Premiſes had actually conveyed the ſame; and ſuch Payment, Security, or Tender, and Land ſet out in Exchange, ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whom the ſame ſhall or ought to have been made, but alſo ſhall extend to, and ſhall be deemed and conſtrued to bar the Dower of the Wife of every ſuch Perſon, and all Eſtates Tail, and other Eſtates in Reverſion and Remainder of his, her, or their Iſſue, and of every other Perſon whomſoever: Provided nevertheleſs, that before ſuch Payment, Security or Tender as aforeſaid, or ſuch Land ſhall be ſo ſet out in Exchange as aforeſaid, it ſhall not be lawful for any ſuch Perſon or Perſons as aforeſaid, for his, her, or their own Uſe, by reaſon of or on the Account herein-before mentioned, or for the ſaid Company, or any Perſon acting under their Authority reſpectively, to have, dig, cut, or uſe, the Land or Ground, Hereditaments, or Premiſes, of the Perſon or Perſons entitled to ſuch Payment or Security for the Purpoſe of improving the Navigation:

Before Payment, &c. Land not to be uſed.

Navigation of the ſaid Haven, or any other of the Works hereby authorized to be made.

Commiſſioners appointed, and the Qualification required.

XL. And be it further enacted, That all Perſons ſeiſed of Freehold or Copyhold Eſtates of One hundred Pounds *per Annum* lying in the County of *Lincoln*, and the eldeſt Son and Heir Apparent of every Perſon ſeiſed of any ſuch Eſtates within the ſame County, of the yearly Value of Five hundred Pounds, and all Perſons reſiding within ſuch County having a Perſonal Eſtate alone, or a Freehold and Perſonal Eſtate together, of the Value of Three thouſand Pounds, ſhall be and are hereby appointed Commiſſioners, as well for ſettling, determining, and adjuſting all Queſtions, Differences, Matters, and Things, which ſhall or may ariſe between the ſaid Company or Committee, and the ſeveral Owners and Proprietors of and Perſons intereſted in any Lands, Grounds, Tenements, and Hereditaments, that ſhall or may be affected or prejudiced by the Execution of any of the Powers hereby granted, as for all and every other the ſeveral Purpoſes in this Act mentioned.

Commiſſioners not to act where intereſted, and to take an Oath.

XLI. And be it further enacted, That no Perſon ſhall act as a Commiſſioner in any Caſe in the Execution of this Act, during the Time of his holding any Place of Profit ariſing out of the Rates or Duties to be had or collected under or by virtue of this Act, or of his being a Proprietor in the ſaid Haven Navigation, or concerned or intereſted in any Contract or Bargain to be made for any of the Purpoſes of this Act, or in any Caſe where he ſhall be anywiſe intereſted or concerned in the Matter in Queſtion; nor ſhall any Perſon act as a Commiſſioner in the Execution of this Act, until he ſhall have taken the Oath contained in the Schedule to this Act annexed, before ſome One of the ſaid Commiſſioners, who is hereby authorized and empowered to adminiſter the ſame, notwithſtanding ſuch Perſon ſo qualified as aforeſaid to act as a Commiſſioner ſhall not then have taken and ſubſcribed ſuch Oath himſelf; and if any Perſon by this Act made incapable of acting as a Commiſſioner, ſhall nevertheleſs preſume to act as ſuch in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit the Sum of Fifty Pounds to any Perſon who ſhall ſue for the ſame, to be recovered with full Coſts of Suit by Action at Law in any of His Majeſty's Courts of Record at *Weſtminſter*, and ſuch Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act: Provid d nevertheleſs, that ſuch of the ſaid Commiſſioners who are or ſhall be in the Commiſſion of the Peace for any of the Parts or Diviſions in the County of *Lincoln*, or be Mayor or a Juſtice for the Time being, of and for the Borough of *Great Grimſby*, ſhall and may, and are hereby authorized and empowered to act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Commiſſioners.

Penalty on Commiſſioners acting, not being qualified.

Commiſſioners may act as Juſtices of the Peace.

Commiſſioners when requeſted by Company, Committee, or Owners of Lands, to hold General Meetings.

XLII. And be it further enacted, That upon any Application to be made by the ſaid Company or Committee, or by any of the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments to be affected by the ſaid Undertaking, or any of the Works neceſſary or relating thereto, or by or in Execution of any of the Powers hereby given, or by Reaſon or Means of the Neglect or Omiſſion of the ſaid Company or

or Committee, or any Officer or other Perſon employed by or acting under them, unto the Commiſſioners appointed by and for the Purpoſes of this Act, or any Three or more of them, deſiring them to appoint a General Meeting of the Commiſſioners, the Commiſſioners ſo applied to, or any Three or more of them, may and ſhall, and they are hereby reſpectively authorized and required, within Fourteen Days after ſuch Requeſt or Application, to give Notice in Manner herein-after mentioned of a General Meeting, to be holden at ſuch Time and Place as ſhall be ſpecified in ſuch Notice, ſuch Notice not being leſs than Fourteen Days, or more than Twenty-one Days, from the Day on which ſuch Requeſt ſhall be made to them as aforeſaid; and the ſaid Commiſſioners, or any Three or more of them, are hereby authorized, empowered, and required to meet at the Time and Place ſo to be appointed, in order for carrying this Act, and the Powers and Authorities hereby given to and veſted in them, into Execution, and ſhall then adjourn themſelves, and afterwards meet at any ſuch Place as the ſaid Commiſſioners there aſſembled at ſuch Meeting, or the major Part of them, ſhall think proper and convenient; and if it ſhall happen that Three Commiſſioners ſhall not appear at any Meeting which ſhall be ſo appointed to be had or holden, and to adjourn to any other Time, then and from Time to Time, ſo often as the Caſe ſhall happen, ſuch Meeting ſhall be deemed adjourned to that Day Three Weeks, to be holden at the ſame Place.

Commiſſioners may call Meetings notwithſtanding Adjournments.

XLIII. Provided nevertheleſs, and be it further enacted, That it ſhall be lawful for Three or more of the ſaid Commiſſioners, and they are hereby empowered, although they ſhall not be aſſembled at a Meeting to be holden by virtue of this Act, from Time to Time and at all Times, upon any Requeſt made in Manner aforeſaid, by Notice in Writing ſigned by them and publiſhed in Manner hereby directed, to ſummon a Meeting of the ſaid Commiſſioners at ſuch Time and Place as ſhall be mentioned in ſuch Notice, for the ſettling and determining of ſuch Queſtions, Differences, Matters, or Things, as are herein directed to be ſettled and determined, notwithſtanding any Adjournment or Non-adjournment of the ſaid Commiſſioners.

Notice to be given of their Meetings.

XLIV. Provided always, That no Meetings of the Commiſſioners ſhall be good or effectual for any of the Purpoſes of this Act, unleſs previous Notice of the Time and Place thereof, and the Buſineſs propoſed to be done, under the Hand of the Clerk for the Time being of the ſaid Commiſſioners ſhall be firſt publiſhed in the *Lincoln* and *Stamford* Newſpaper, or ſome other Newſpaper then circulating in the County of *Lincoln*, and in ſuch other Manner as the ſaid Company ſhall at any General Meeting appoint, at leaſt Fourteen Days before every ſuch intended Meeting of the ſaid Commiſſioners, unleſs the Buſineſs to be tranſacted at any ſuch Meeting, of which ſuch Notice as aforeſaid ſhall have been given, ſhall not be concluded on the Day mentioned in ſuch Notice, in which Caſe the Commiſſioners may from Time to Time adjourn to the ſucceeding Day, or if ſuch Day be *Sunday*, then to the Day following, and in like Manner from Day to Day, and proceed in ſuch Buſineſs until the ſame be finiſhed, without any Notice to be given of the Meetings holden by any ſuch laſt-mentioned Adjournments.

Orders, &c. of Commissioners to be made by a Majority.

XLV. And be it further enacted, That no Order or Determination, or other Business, Matter, or Thing, shall be made, done, ended, or completed at any Meeting of the said Commissioners for any of the Purposes of this Act, unless Three or more Commissioners, or such larger Number as herein particularly mentioned shall be present, and the major Part of such Commissioners then present shall respectively concur therein; and the said Commissioners shall at all such Meetings as aforesaid defray their own Charges and Expence (other than and except their travelling Expences to and from *Great Grimsby* aforesaid, and their reasonable Expences during their necessary Continuance there) as often as the Business of or in anywise relating to the said Haven Navigation shall render such Meetings and Journies expedient, which Charges and Expences shall from Time to Time be borne and defrayed by the said Company out of the Monies to be raised under or by virtue of this Act.

Their Expences how to be defrayed.

All Meetings to be held at *Grimsby*.

XLVI. Provided always, That every Meeting of the said Commissioners, and also of the said Company and Committee shall be holden at some convenient Place to be for such Purpose from Time to Time appointed, within the Town of *Great Grimsby* aforesaid, and not elsewhere.

Commissioners to settle for Purchases;

XLVII. And be it further enacted, That they the said Commissioners are hereby empowered, by Writing under their Hands, to determine and adjust from Time to Time, the Lands to be given in Exchange for such detached Pieces or Parcels of Land as are hereby authorized to be had and taken, and the Value thereof respectively, and also what Sum or Sums of Money shall be paid by the said Company, and other the Persons hereby authorized to purchase, either by an Annual Rent or Payment, or by a Sum of Money in Gross, to and at the Election of such Bodies Politick, Corporate, or Collegiate, Person or Persons respectively, who shall be so entitled or interested as herein-before mentioned, for the absolute Purchase of the Lands or Grounds which shall be taken, or be cut, dug, damaged, or used, as well by such Person or Persons for his and their own Use and Uses, as by the said Company for the Purposes of this Act, or to facilitate the carrying on and effecting the Improvement of the said Navigation, or any Part thereof, or other the Purposes herein mentioned; and also to determine and adjust the Recompence to be made for any Damage which shall be occasioned by any of the Works of the said Navigation, or which may at any Time or Times hereafter be sustained by such Bodies Politick, Corporate, or Collegiate, or any Person or Persons respectively, being Owners of or interested in any Messuages, Lands, Tenements, and Hereditaments, for or by Reason of the improving the Navigation of the said Haven, or of supplying the same with Water, or by obstructing and impounding the Water, or by the flowing, leaking, or oozing of the Water over the Banks of the said Haven, Cuts, Drains, Ditches, Passages, Gutters, or Watercourses, which shall be made pursuant to the Powers hereby given for conveying Water into the said Haven, or by not cleansing the said Watercourses, Trenches, or Passages, or by turning or diverting any Streams, Becks, or Brooks into the same, or by Reason or Means of the Execution of any of the Powers, or Neglect, or Disobedience of the Orders and Directions herein contained and given, by the said Company, their Agents, Workmen, or Servants; and in case such Exchange, Price, or Value, Damage or Recompence respectively, cannot be settled, adjusted, and agreed on, by

and give Recompence for Damages.

Where Parties are dissatisfied with the Com-

Commissioners Determination.

by and between the said Company, or their Agent or Agents for the Time being, or such other Person or Persons so empowered to purchase and take in Exchange respectively as aforesaid, and such Proprietors of and Persons interested in such Lands, Grounds, Tenements, Hereditaments, or Waters as aforesaid; and if the said Company, for and on the Part and Behalf of themselves, or their Committee for and in their Behalf, or any such Body Politick, Corporate, or Collegiate, or other Person or Persons so interested or entitled as aforesaid, for and on his, her, or their Part or Parts shall refuse to submit any such Matter to the Determination of the said Commissioners, or shall be dissatisfied with any Determination which shall be by them made as aforesaid, or if any such Body Politick, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons interested as aforesaid, shall refuse to receive upon due Tender thereof made, such Purchase Money or Annual Rent, or such Recompence or Land in Exchange as shall be so determined to be paid or given, or shall upon Notice in Writing given to the principal Officer or Officers of such Body Politick, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of such Lands, Tenements, Hereditaments, or Premises, for the Space of Twenty Days next after such Notice neglect or refuse to treat, or shall not agree with the said Company or their Committee, or by Reason of Absence shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement as shall be convenient for the Improvement of the Navigation of the said Haven, and other the Works and Purposes aforesaid, or shall not, within the before-mentioned Space of Twenty Days, produce and evince a clear or satisfactory Title to the Premises they are in Possession of, or to the Interest they claim therein, then and in every such Case the said Commissioners shall, and they are hereby empowered and required, from Time to Time, to issue a Warrant under their Hands and Seals to the Sheriff of the County of *Lincoln* for the Time being; or in case such Sheriff or his Under Sheriff shall be interested in the Matter or Matters in Question, then to any Coroner or Coroners acting for or resident within the Parts of *Lindsey* in the same County, not interested as aforesaid, requiring such Sheriff or Coroner to impannel, summon, and return a Jury of Twelve sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues joined in His Majesty's Courts at *Westminster*, to appear before the said Commissioners at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Fourteen or more than Twenty-one Days after such Warrant shall be served upon the said Sheriff or Coroner; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Sheriff or Coroner shall return other honest and indifferent Men that can or may be speedily procured, to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Commissioners are hereby empowered to summon and call before them, all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in Question, and to order and authorize the said

a Jury to be impannelled.

Commissioners to summon Witnesses.

ſaid Jury, or any Seven or more of them, to view the Place or Places, or Matter in Controverſy, which Jury upon their Oaths (ſuch Oaths, as well as the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Commiſſioners, or any One or more of them, are or is hereby empowered to adminiſter) ſhall enquire of, aſſeſs, aſcertain, and ſet out, the Sum or Sums of Money, Annual Rent, or Land, to be paid or given for the Purchaſe of or in Exchange for ſuch Lands, Tenements, Waters, or other Hereditaments, or the Recompence to be made for the Damages that may or ſhall be ſo ſuſtained as aforeſaid; and the ſaid Commiſſioners ſhall give Judgement for ſuch Purchaſe Monies, Rent, Exchange, or Recompence ſo to be aſſeſſed and made by ſuch Jury, which ſaid Verdict, and the Judgement thereupon pronounced as aforeſaid, ſhall be ſigned by the ſaid Commiſſioners, and ſhall be binding and concluſive, to all Intents and Purpoſes, againſt all Bodies Politick, Corporate, and Collegiate, and all other Perſons whomſoever: Provided always, that Notice of the Time and Place of making ſuch Enquiry and Aſſeſſment by a Jury as aforeſaid, ſhall be given to or left at the uſual Place of Abode of the Party or Parties intereſted in, or the Tenant or Occupier of the Premiſes in Queſtion, or with the head or principal Officer of any Body Politick, Corporate or Collegiate, at leaſt Fourteen Days before ſuch Enquiry.

The Verdict of the Jury, and Commiſſioners Judgement thereon, to be final.

Previous Notice to be given.

XLVIII. And be it further enacted, That all the Determinations of the ſaid Commiſſioners, which ſhall be ſubmitted to and acquieſced in and by the Parties concerned, and alſo the ſaid Judgements and Verdicts, (being firſt ſigned by Three of the ſaid Commiſſioners, who ſhall be preſent at the making of ſuch Determination, or taking of ſuch Verdicts and pronouncing ſuch Judgements reſpectively), ſhall be tranſmitted to, and be kept by, the Clerk of the Peace for the Parts of *Lindſey*, in the ſaid County of *Lincoln*, or Town Clerk for the Borough of *Great Grimſby* aforeſaid, as the Caſe may be, amongſt the Records of the Quarter Seſſions for the ſaid Parts and Borough reſpectively, and ſhall be deemed to be Records of the ſaid Quarter Seſſions, to all Intents and Purpoſes; and the ſame, or true Copies thereof, ſhall be allowed to be good Evidence in all Courts, and upon all Occaſions whatſoever; and all Perſons ſhall have Liberty to inſpect the ſame, paying for ſuch Inſpection the Sum of One Shilling; and to take or make Copies or Abſtracts thereof, or take Extracts therefrom, paying the Sum of Sixpence for every Hundred Words contained in every ſuch Copy, Abſtract, or Extract, and ſo in Proportion for any leſs Number of Words.

Determinations of Commiſſioners and Verdicts to be recorded.

XLIX. Provided always, and it is hereby further enacted, That the ſaid Commiſſioners and Juries reſpectively ſhall, in all Determinations, Judgements, and Verdicts, which they ſhall reſpectively make and give in Execution of the Powers veſted in them by virtue of this Act, concerning the Value of Lands and Premiſes, and Amount of Damages ſuſtained or to be ſuſtained, ſeparate and diſtinguiſh the Value of Lands and Premiſes, and the Money aſſeſſed or adjudged for Damages from each other; and the ſaid Commiſſioners are hereby authorized and required to ſettle what Shares and Proportions of the Purchaſe Money, or Recompence for Damages, which ſhall be ſo agreed for by the ſaid Company, or determined and adjudged by the ſaid Commiſſioners, or aſſeſſed by the ſaid Juries, in Manner reſpectively as aforeſaid, ſhall be allowed and paid to each

Verdicts to diſtinguiſh Value of Lands, and Damages.

each Tenant or other Perſon, having a particular Eſtate, Term, or Intereſt in the Premiſes, for his, her, or their reſpective Intereſts therein; all which ſaid Determinations, Judgements, and Verdicts, ſhall be final, and concluſive to all Intents and Purpoſes whatſoever, and ſhall not be removed by *Certiorari*, or other Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, or any other Court; any Law or Statute notwithſtanding.

Commiſſioners not to receive Complaint until Company ſhall have been firſt applied to.

L. And be it further enacted, That the ſaid Commiſſioners ſhall not, nor ſhall any of them be obliged by virtue of this Act, to receive or take Notice of any Complaint 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 any Work, Act, Matter, or Thing done under or in purſuance of this Act, unleſs Application hath or ſhall have been made in reſpect thereof, by or on Behalf of ſuch Perſon or Perſons, to the ſaid Company or Committee, or to the known Agent or Agents of the ſaid Company, or Collector of the Rates or Duties ariſing from the ſaid Navigation, within the Space of Six Calendar Months next after the Time that ſuch ſuppoſed Injury or Damage ſhall have been ſuſtained, or the doing or committing thereof ſhall have ceaſed.

Security to be given for proſecuting Complaints;

and paying the Expences if no greater Allowance be made.

LI. Provided alſo, and be it enacted, That all and every Perſon and Perſons making Complaint, and requeſting ſuch Jury as aforeſaid ſhall (before the ſaid Commiſſioners ſhall be obliged to iſſue out their Warrant or Warrants for the ſummoning of ſuch Jury) firſt enter into Bond, with One or more ſufficient Surety or Sureties, to the Clerk of the ſaid Company for the Time being, in the Penalty of Fifty Pounds, to proſecute ſuch his, her, or their Complaint, and to bear and pay the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, in caſe a Verdict ſhall be given for no more or a leſs Sum or Rent, or Land by way of Exchange, than ſhall have been offered by or on the Behalf of the ſaid Company, or other Perſon or Perſons, or than had been aſſeſſed or ſettled by the ſaid Commiſſioners before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or any ſuch Damage as aforeſaid.

Expences in what Manner to be ſettled, and how to be paid.

LII. And be it further enacted, That whenever a Jury is or ſhall be called by the Commiſſioners as aforeſaid, or any Witneſs or Witneſſes is or ſhall be examined by and before the ſaid Commiſſioners alone, or by and before the ſaid Commiſſioners and Jury jointly, as herein-before directed, the ſaid Commiſſioners ſhall, and they are hereby required according to their Diſcretion, to give and award to the ſaid Jurors and Witneſſes in every ſuch Caſe, ſuch Sum or Sums of Money as ſhall be a reaſonable Recompence for the Expences and Trouble of their Journey and Attendance; and in each and every Caſe, where a Determination or Verdict ſhall be made or given for more Money, or for a greater Annual Rent, as a Recompence or Satisfaction for the abſolute Sale of any Lands, Grounds, Hereditaments, or Premiſes, of any Perſon or Perſons whomſoever, or as a Compenſation for any Damages done to ſuch Lands or other Premiſes, or more Land, or of a greater Value, ſhall be awarded in Exchange than had been previouſly offered, made, or ſet out, by or on Behalf of the ſaid Company, or ſuch other Perſon or Perſons as aforeſaid, before the Meeting of the ſaid Commiſſioners, or than had been

been by them determined, aſſeſſed, and awarded as aforeſaid, or where any Verdict ſhall be found for any Damages, where the Diſpute is for Damages only, and where no Compenſation had been previouſly offered or tendered in reſpect thereof by and on Behalf of the ſaid Company, then and in every ſuch Caſe, all the Expence of calling Meetings of ſuch Commiſſioners, ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be ſettled in like Manner by the ſaid Commiſſioners, and defrayed by the ſaid Company; but if any Determination or Verdict ſhall be given for no more or a leſs Sum, Rent, or other Compenſation, than had been previouſly offered by or on Behalf of the ſaid Company, or had been ſo determined or aſſeſſed by the ſaid Commiſſioners, or in caſe no Damages ſhall be given by the Verdict where the Diſpute is for Damages only, or Land of leſs Value ſhall be ſet out in Exchange, then and in every ſuch Caſe the Coſts and Expences of calling a Meeting of ſuch Commiſſioners, ſummoning ſuch Jury, and taking ſuch Verdicts, ſhall be ſettled in like Manner by the ſaid Commiſſioners, and be borne and paid by the Perſon or Perſons with whom the ſaid Company or other Perſon or Perſons ſo alſo empowered to purchaſe or make Exchanges as aforeſaid, ſhall have ſuch Concerns, Controverſies, or Diſputes; which ſaid Coſts and Expences, having been ſo ſettled, ſhall and may be deducted out of the Money, or any ſuch Annual Rent or Rents ſo aſſeſſed, adjudged, and ſettled as aforeſaid, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons, and the Payment or Tender of the Remainder of ſuch Sum or Sums of Money, Rent or Rents, ſhall be deemed and taken, to all Intents and Purpoſes, to be a Payment or Tender of the whole Sum or Sums, Rent or Rents, ſo aſſeſſed, adjudged, and ſettled; and if the Diſpute or Controverſy ſhall be for Damages only, and no ſuch Damages ſhall be given or aſſeſſed by the ſaid Jury or Commiſſioners, or if ſuch Perſon or Perſons, Bodies Politick or Corporate, who ſhall be ſo adjudged to bear and pay any ſuch Coſts and Expences as aforeſaid, ſhall not be entitled to have or receive from the ſaid Company, or other Perſon or Perſons, any Recompence or Satisfaction from which the ſaid Coſts and Expences can be deducted, then, and in every ſuch Caſe, the ſaid Company ſhall and may recover of and from the Perſon or Perſons making Appeal to the ſaid Commiſſioners or Jury, the Coſts to be aſſeſſed as aforeſaid by ſuch Commiſſioners, in any of His Majeſty's Courts at *Weſtminſter*: Provided always, that whenever any Perſon or Perſons ſhall, by reaſon of Abſence or otherwiſe, have been prevented from treating, One Half of ſuch Coſts, Charges, and Expences, ſhall be borne and defrayed by the ſaid Haven Company, and the other Half by ſuch other Perſon or Perſons as aforeſaid.

Penalties (for Default) on Sheriff, Jury, and Witneſſes.

LIII. And be it further enacted, That if any Sheriff, Under Sheriff, Coroner, or other Perſon, herein-before directed to act in the Place of ſuch Sheriff, ſhall make Default in the Premiſes, every ſuch Perſon ſhall for every ſuch Offence forfeit the Sum of Twenty Pounds; and if any Perſon ſo ſummoned and returned as aforeſaid upon any ſuch Jury ſhall not attend, or attending ſhall refuſe to give his Verdict on Oath, or ſhall in any Manner wilfully neglect his Duty, or if any Perſon ſo ſummoned to give Evidence ſhall not appear, or appearing ſhall refuſe to be examined upon Oath, or to give Evidence, every ſuch Perſon ſo offending, having no reaſonable Excuſe to be allowed of by the ſaid Commiſſioners, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding

ing Five Pounds, to be reſpectively levied and recovered in ſuch Manner as herein-after is mentioned; and every ſuch Penalty which ſhall be paid by or recovered from any Perſon who ſhall have been ſummoned to give Evidence as aforeſaid, ſhall go and be paid to the Perſon or Perſons who ſhall appear to the ſaid Commiſſioners to be injured by the Default of ſuch Witneſs.

Perſons giving falſe Evidence may be proſecuted.

LIV. And be it further enacted, That all and every Perſon and Perſons who, in any Examination to be taken by virtue of this Act, ſhall give falſe Evidence before the ſaid Commiſſioners, or before any Juſtice or Juſtices of the Peace, ſhall and may be proſecuted for the ſame, and upon Conviction thereof ſhall be ſubject to ſuch Puniſhment and Diſqualifications, as any Perſon or Perſons can or may be ſubject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Money due to Corporations and Truſtees exceeding £. 20 to be laid out to the ſame Uſes.

LV. And be it further enacted, That all and every Sum and Sums of Money, which is or are to be paid for the Purchaſe of or in Recompence for the Damage done to any Lands, Tenements, or Hereditaments as aforeſaid, to any Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors or Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees whatſoever, for and on Behalf of any Infants, Lunaticks, Ideots, Femes Covert, or other Ceſtuique Truſts, or to any Perſon or Perſons whoſe Lands are limited in ſtrict Settlements, or who are otherwiſe incapable by Law of ſelling or diſpoſing, or exchanging the ſame, ſhall, in caſe the ſame exceeds the Sum of Twenty Pounds, be laid out and inveſted by ſuch Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, or Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, or other Perſon or Perſons, as ſoon as conveniently may be, in the Purchaſe of Lands, Tenements, or Hereditaments, in Fee Simple, and conveyed to or to the Uſe of ſuch Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, or ſuch other Perſon and Perſons, and for ſuch Eſtates, and to, for, upon, and ſubject to ſuch Uſes, Truſts, Limitations, Remainders, Proviſoes, and Contingencies, as the Meſſuages, Lands, Tenements, or Hereditaments for or in reſpect whereof ſuch Purchaſe Money or Monies ſhall be ſo paid as aforeſaid, or Lands, Tenements, and Hereditaments ſhall be ſo received in Exchange as aforeſaid, were limited, ſettled, and aſſured, at the Times ſuch Purchaſe Monies or Exchanges were ſo agreed for or aſcertained reſpectively as aforeſaid, or ſo many of ſuch Uſes as ſhall be then exiſting and capable of taking Effect, all and every of which Conveyances and Settlements (other than thoſe which concern any Purchaſe or Exchange between or amongſt any of the reſpective Land Owners as aforeſaid) ſhall be made at the Expence of the ſaid Company; and in the mean Time, and until ſuch Purchaſe or Purchaſes ſhall be made, the ſaid Monies ſhall be placed out by ſuch Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, or other Perſon or Perſons, in ſome of the publick Funds, or on Government or Real Securities, bearing and producing an Annual Intereſt in the Names of Two Perſons, the One to be nominated by the Party or Parties

ties intereſted therein, and the other by the ſaid Commiſſioners; and the Intereſt ariſing or to be produced from ſuch Funds or Securities, and alſo the Annual Rent for ſuch Lands, Tenements, or Hereditaments, where a Rent ſhall be fixed upon as aforeſaid, ſhall be paid to ſuch Perſon or Perſons reſpectively, as would for the Time being be entitled to the Rents and Profits of ſuch Lands, Tenements, and Hereditaments ſo to be purchaſed, in caſe the ſame were purchaſed and ſettled purſuant to the Tenor and true Meaning of this Act.

Money allowed for Damages how to be recovered.

LVI. And be it further enacted, That in Default of Payment of ſuch Sum or Sums of Money, at ſuch Times and in ſuch Manner as ſhall be agreed upon and determined, or aſſeſſed and awarded for Damages of any Kind by virtue of this Act, it ſhall be lawful for the ſaid Commiſſioners to appoint One or more Perſon or Perſons (from whom the ſaid Commiſſioners ſhall take a proper Security) to collect and receive the Rates or Duties by this Act impoſed, and thereout, in the Firſt Place, to pay all ſuch Damages as aforeſaid, with the Coſts (if any) occaſioned by ſuch Default of Payment, together with legal Intereſt, to be computed from the Time ſuch Damages ſhall be awarded, and alſo the Coſts and Expences of collecting and receiving the ſaid Rates or Duties; and every Perſon ſo appointed ſhall be deemed a Collector of the ſaid Rates or Duties, and ſhall have the like Powers and Authorities for collecting the ſame as if he had been appointed a Collector by the ſaid Company, until ſuch Sums of Money, with the Coſts and Charges of collecting and receiving the ſame, ſhall be paid; and the Money ſo to be collected or received by ſuch Perſon or Perſons, ſhall and is hereby declared to be as ſo much Money received to the Uſe of ſuch Perſon or Perſons who ſhall be entitled to receive ſuch Satisfaction for Damages as aforeſaid, in Order and Courſe reſpectively as ſuch Determinations ſhall be in Priority of Time; and after ſuch Damages, Intereſt, Coſts, and Expences ſhall be paid and ſatisfied, the Power and Authority of every ſuch Collector of the ſaid Rates or Duties, to be appointed by the Commiſſioners as aforeſaid, ſhall ceaſe and determine, or otherwiſe ſuch Party or Parties ſo aggrieved may ſue for and recover the ſame from the ſaid Company, with full Coſts of Suits, by Action at Law in any of His Majeſty's Courts at *Weſtminſter*.

Damages not ſatisfied within Six Months to be levied by the Sheriff.

LVII. Provided always, That in caſe the Damages, Intereſt, and Coſts, provided to be ſatisfied out of the Rates or Duties ariſing from the ſaid Haven Navigation, ſhall not be paid and ſatisfied within the Space of Six Calendar Months next after the ſame ſhall have been ſo determined or aſſeſſed as aforeſaid, that then and in ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, upon Complaint made to them by or on Behalf of the Perſon or Perſons ſuſtaining ſuch Damages, to iſſue their Warrant under their Hands and Seals to the Sheriff of the County of *Lincoln* aforeſaid, authoriſing and empowering ſuch Sheriff to levy and raiſe the Damages ſo to be determined and aſſeſſed, by Diſtreſs and Sale of the Goods and Chattels of the ſaid Company, together with ſuch reaſonable Charges as the ſaid Commiſſioners ſhall in ſuch Warrant direct or appoint.

Satisfaction to be made for Tythes.

LVIII. And be it further enacted, That full Recompence and Satisfaction ſhall be made by the ſaid Company by an Annual Rent or Rents, and

and not otherwiſe, for all ſuch Tithes as would have been iſſuing from or out of any of the Lands which ſhall be taken or made uſe of for the Purpoſes of this Act, to the ſeveral Perſons who now are, or at any Time hereafter might have become entitled to ſuch Tythes, according to their reſpective Intereſts therein, ſuch Tythes to be eſtimated at the Average Value of the Four Years commencing at *Michaelmas* One thouſand ſeven hundred and ninety-one, and ending at *Michaelmas* One thouſand ſeven hundred and ninety-five, ſuch Value to be aſcertained, in caſe of any Difference reſpecting the ſame, in ſuch and the like Manner as the Value of any Lands or other Hereditaments is herein-before directed to be aſcertained.

Annual Rents to be charged upon the Rates, Dues, &c.

LIX. And be it further enacted, That all and every Yearly Rents or Sums, as ſhall be agreed upon or ſettled and aſcertained as herein mentioned to be paid and payable by the ſaid Haven Company, ſhall be charged and chargeable on the Rates, Dues, or Duties, ariſing by virtue of this Act, and ſhall be paid by the ſaid Company as the ſame ſhall become due and payable; and in caſe of Non-payment thereof, within Thirty Days next after the ſame ſhall become due, it ſhall be lawful for the ſaid Commiſſioners, by Order under their Hands and Seals, to appoint One or more Perſon or Perſons, taking ſuch Security from him or them as the ſaid Commiſſioners ſhall judge ſufficient, to receive the Rates, Dues, or Duties hereby granted and made payable, and to pay the ſame to ſuch Perſon or Perſons to whom ſuch Yearly Rents or Sums ſhall be due and unpaid as aforeſaid, until ſuch Yearly Rents or Sums, with the Coſts and Charges of recovering and receiving the ſame, ſhall be fully ſatisfied and paid; or otherwiſe the ſaid Yearly Rents or Sums may be ſued for and recovered, with Coſts, by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, or, at the Election of the Parties entitled thereto reſpectively, may be recovered by Diſtreſs and Sale of the Goods and Chattels of the ſaid Company in ſuch Manner as the Law directs in Caſes of Diſtreſs for Rent, but ſo nevertheleſs that the Goods and Chattels of no other Perſon or Perſons than the ſaid Company ſhall be ſeiſed or diſtrained by virtue of the Powers hereby given.

Company empowered to raiſe Money amongſt themſelves.

LX. And for enabling the ſaid Company to begin, make, and complete, the ſaid Undertaking, and all and every the Works, Matters, and Things, by this Act authorized and directed to be done; be it enacted, That it ſhall be lawful for the ſaid Company to raiſe and contribute amongſt themſelves, and in ſuch Proportions as to them ſhall ſeem meet and convenient, a competent Sum of Money for improving and preſerving the Navigation of the ſaid Haven, and other the Purpoſes in this Act mentioned, provided the ſaid Sum doth not exceed the Sum of Twenty thouſand Pounds in the Whole, (except as herein-after mentioned), and that the ſame be divided into ſo many and ſuch Number of Shares as herein-after directed, each Share not to exceed One hundred Pounds, and that no Perſon ſubſcribing thereto, or becoming a Proprietor in ſuch Navigation or Undertaking, do or ſhall become a Proprietor of leſs than One Share; and the Money ſo to be raiſed, is hereby directed and appointed to be laid out and applied, in the Firſt Place, in the Payment and Diſcharge of all Expences incurred in obtaining this Act, and of taking Surveys and Levels, and in making Plans and Eſti-

Money how to be applied.

mates,

mates, and doing and providing all other Matters and Things preparatory and previous thereto or in conſequence thereof; and all the Reſidue and Remainder of ſuch Money ſhall be laid out, applied, and diſpoſed of, for and towards the improving the Navigation of the ſaid Haven, and making, doing, and executing, all ſuch Works, Matters, and Things, as ſhall be requiſite for that Purpoſe or conducive to that End, and for all and every other the Purpoſes of this Act, and to or for no other Uſe, Intent, or Purpoſe whatſoever.

The Money to be divided into Shares.

LXI. And be it further enacted, That the ſaid Sum of Twenty thouſand Pounds, or ſuch Part thereof as ſhall be raiſed by the ſeveral Perſons herein-before named, and by ſuch other Perſon or Perſons who ſhall or may at any Time hereafter become a Subſcriber or Subſcribers to the ſaid Navigation, ſhall be divided and diſtinguiſhed into Two hundred equal Shares or Parts, ſuch Shares to be numbered in regular Progreſſion, and every ſuch Share ſhall always be diſtinguiſhed by the Number to be appointed for the ſame, and the ſaid Two hundred Shares ſhall be, and are hereby veſted in the ſeveral Perſons ſo ſubſcribing the ſame, their ſeveral and reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, to their and each and every of their own proper Uſe and Behoof, proportionably to the Sum or Sums they ſhall ſeverally raiſe and contribute; and all and every the ſaid Shares are hereby declared to be Perſonal Eſtate, and tranſmiſſible and deſcendible as ſuch, and not of the Nature of Real Property; and all Bodies Politick and Corporate, and all Perſons, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe and pay in the Sum of One hundred Pounds, or ſuch Sum or Sums as ſhall be demanded in lieu thereof, towards the commencing, carrying on, and completing the Improvement of the Navigation of the ſaid Haven, ſhall be entitled to and receive, after the ſame ſhall be completed and effected, the entire and net Diſtribution of Two hundredth Part of the Profits and Advantages that ſhall or may ariſe or accrue by the Rates and other Sums of Money to be raiſed, recovered, or received, by the ſaid Company by virtue of this Act, and ſo in Proportion for any greater Number of Shares; and every Body Politick or Corporate, or Perſon or Perſons having ſuch Property of One Two hundredth Part or Share in the ſaid Undertaking, and ſo in Proportion as aforeſaid, ſhall bear and pay a proportionable Sum for and towards the carrying into Execution, and completing the ſaid Undertaking, in Manner herein directed and appointed.

Every Subſcriber of One Share to be deemed a Proprietor,

and to have a Vote for each Share.

LXII. And be it further enacted, That every Body Politick or Corporate, and every incorporated Society, or other Perſon, who ſhall by virtue of this Act have ſubſcribed or undertaken for One Share of the ſaid Navigation, and their, his, or her reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, ſhall be deemed a Proprietor for every ſuch Share, and ſhall have a Vote for each and every ſuch Share in every General and Special Meeting to be held as herein appointed for carrying on the ſaid Undertaking, and for the Management of the Concerns of the ſaid Navigation and Company, which Vote may be given by them, him, or her, or by their, his, or her Proxy, ſuch Proxy being duly conſtituted in Manner herein-after mentioned, and every Vote by ſuch Proxy ſhall be as good and ſufficient, to all Intents and Purpoſes, as

as if such Principal had voted in Person; and whatsoever Question, Election, or Removal, of Officers, or other Matter and Thing shall be made, proposed, discussed, or considered, in any General or Special Assembly or Meeting to be holden by virtue of this Act, shall be finally determined by the Majority of Votes and Proxies then present as aforesaid, reckoning One Vote for each Share: Provided nevertheless, that no Person shall hold, or give, or deliver more Proxies than for Twenty Shares, and the Appointment of all such Proxies shall be in the Form set forth in the Schedule to this Act annexed, or in Words to that or the like Effect.

No Person to be Proxy for more than 20 Shares.

Proprietors to have Securities made them under the Common Seal.

LXIII. And be it further enacted, That the said Company of Proprietors shall and may, at the First General Assembly to be held after all or any Proprietor or Proprietors shall have paid, according to the Directions of this Act, the Sum of Thirty Pounds *per Centum* of his, her, or their respective Subscriptions, or as soon afterwards as conveniently may be, execute under the Common Seal of the said Company One separate and distinct Deed for each of the said Shares, and deliver the same, upon Demand, to such Proprietor or Proprietors having made such Payment of Thirty Pounds *per Centum* as aforesaid, every such Proprietor paying to the Clerk Two Shillings and Sixpence and no more for every such Deed or Instrument, and the Entry thereof, as herein is directed, which said Deeds respectively shall vest in such Proprietor or Proprietors, his, her, or their Successors, Executors, Administrators, or Assigns, One Two hundredth Share of the Property of the said Company, but subject to the creating and making more Shares, not exceeding One hundred Shares of One hundred Pounds each, according to the Power hereinafter given to the said Company, in case they shall find it necessary to raise more Money for completing the Improvement of the Navigation of the said Haven and other the Works aforesaid, and which Deeds shall be in the Form contained in the Schedule to this Act annexed, or in Words to that or the like Effect; and in case the said Company shall be necessitated to create or make such additional Shares for the Purposes aforesaid, they shall and may, in like Manner, execute a separate and distinct Deed for each Share of One hundred Pounds so to be raised, and which Deeds respectively shall vest in the Person or Persons advancing the same, his, her, or their Successors, Executors, Administrators, and Assigns, a proportional Part of the Property of the said Company, and shall for such additional Shares be in the Form in the said annexed Schedule contained, or in Words to such and the same Effect; and all which said several before mentioned Deeds, and the Shares therein granted, and all Right and Interest to the same, may be sold, assigned, or transferred by the respective Proprietor or Proprietors to whom the same shall have been given, his, her, or their Successors, Executors, or Administrators, to any Person or Persons whomsoever, in such or the like Form of Words as in the before-mentioned Schedule is contained.

New Deeds to be given upon old ones being worn out or destroyed.

LXIV. And be it further enacted, That if any of the Deeds for or respecting the Shares of the Company aforesaid, shall be worn out, damaged, or defaced, then, upon the same being brought and shewn at some General Assembly of the said Company, such Deeds may be cancelled and destroyed, and other similar Deeds given under the Seal of the said Company, to the Person or Persons in whom the Property of such Deeds,

and the Shares therein mentioned, ſhall be at that Time veſted; or in caſe ſuch Deeds ſhall be burnt or totally deſtroyed, that then, upon due Proof thereof, freſh Deeds or Securities ſhall be given to the Perſon or Perſons who were the Owner or Owners of or entitled to ſuch Deeds ſo burnt or deſtroyed, ſo as that a due Entry of the Transfer of ſuch Deed or Deeds (if any ſuch have been made) ſhall have been entered by the Clerk of the ſaid Company in Manner herein directed.

General Aſſembly or Committee to make Calls.

LXV. And be it further enacted, That every General Aſſembly of the ſaid Company of Proprietors, to be held as herein mentioned, or ſuch Committee as ſhall be elected and choſen by or at ſuch General Aſſembly or otherwiſe, in the Manner hereby preſcribed, ſhall have Power from Time to Time to make ſuch Call or Calls of Money from the ſaid Company of Proprietors, for defraying the Charge and Expence of carrying on and completing the Works of the ſaid Undertaking, as they from Time to Time ſhall find wanting or neceſſary to be provided with for the ſeveral Purpoſes aforeſaid, ſo as that each Call ſhall not exceed the Sum of Fifteen Pounds for every Hundred Pounds, excluſive of any Arrears of Calls made by the ſaid Subſcribers, or any Committee by them appointed, previous to the paſſing and for the Purpoſes of this Act, and ſo as no Call be made but at the Diſtance of Three Calendar Months at the leaſt from each other, and ſo as One Calendar Month's Notice thereof at the leaſt (except the Firſt Call after the paſſing of this Act, which may be at Ten Days Notice) be given by the Clerk of the ſaid Company, by publiſhing the ſame in the *Lincoln* and *Stamford* Newſpaper, or ſome other Newſpaper circulated in the ſaid County of *Lincoln*, or in ſuch other Manner as the ſaid Company ſhall at any General Aſſembly direct or appoint; which Money, when ſo called for, ſhall be paid into the Hands of the Treaſurer or Treaſurers of the ſaid Company for the Time being, to be paid and applied in ſuch Manner as the ſaid Company, or the ſaid Committee, ſhall from Time to Time appoint and direct, for the Uſe of the ſaid Undertaking.

No Perſon to ſell after Call made, without firſt paying the ſame.

LXVI. And be it further enacted, That after any ſuch Call of Monies ſhall have been made as aforeſaid, no Perſon or Perſons ſhall ſell or transfer any Share or Shares, which he, ſhe, or they ſhall then have in the ſaid Undertaking, until the Monies called for upon their reſpective Share or Shares, ſo to be ſold, ſhall have been firſt paid, or unleſs the ſame ſhall at the Time or Times of ſuch Transfer be paid to the Treaſurer of the ſaid Company, upon the Penalty of forfeiting ſuch Share or Shares to the ſaid Company, in Truſt, for the Benefit of the Reſt of the ſaid Proprietors, ſuch Forfeiture or Forfeitures nevertheleſs to be notified and declared at a General Aſſembly in Manner herein-after directed.

Calls not complied with, the Money may be ſued for.

LXVII. And be it further enacted, That if any Perſon or Perſons who hath or have ſubſcribed or engaged for One or more Part or Parts, Share or Shares of or in the ſaid Undertaking, ſhall neglect or refuſe to pay the ſame, or his, her, or their rateable or proportionable Part or Parts thereof, or any Arrears of any ſuch Call ſo heretofore made as aforeſaid, at the Time or Times when the ſame ſhall be ſo called for, and appointed to be paid as aforeſaid, it ſhall be lawful for the ſaid Company, or the ſaid Committee, in the Name of the ſaid Company, to ſue

for and recover the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and if ſuch rateable Part of any ſuch Share or Shares ſhall remain unpaid or undiſcharged for the Space of Two Calendar Months after the Time ſo appointed for Payment thereof as aforeſaid, then he, ſhe, or they ſo neglecting or refuſing, ſhall forfeit the Sum of Five Pounds for every Hundred Pounds of his, her, or their reſpective Share or Shares, Parts and Intereſts in the ſaid Navigation, Undertaking, and Premiſes; and in caſe ſuch Perſon or Perſons ſhall, after Notice, refuſe or neglect to pay his, her, or their rateable or proportionable Part or Share, or Parts or Shares of the ſaid Money, to be called for after ſuch Firſt Call as aforeſaid, for the Space of Six Calendar Months after the Time appointed for Payment thereof as aforeſaid, then he, ſhe, or they ſo neglecting, ſhall forfeit all his, her, and their reſpective Share and Shares, Parts, and Intereſts, in the ſaid Navigation, Undertaking, and Premiſes, and all the Profit and Benefit thereof; all which Forfeitures ſhall go to the Reſt of the Propoprietors, in Proportion to their reſpective Intereſts in the ſaid Undertaking.

Penalty of 5*l.* on each Share for Neglect of Payment for Two Months.

Shares to be forfeited upon Six Months Neglect.

LXVIII. Provided always, That no Advantage ſhall be taken of any Forfeiture of any Share or Shares in the ſaid Navigation and Undertaking, unleſs the ſame ſhall be declared to be forfeited at ſome General Aſſembly of the ſaid Company, who ſhall meet within Six Calendar Months next after ſuch Forfeiture ſhall happen to be made; and every ſuch Forfeiture ſhall be an Indemnification and Diſcharge to and for every Proprietor ſo forfeiting, againſt all Suits, Actions, or Proſecutions whatſoever, to be commenced or proſecuted for any Breach of Contract or other Agreement between ſuch Proprietor ſo forfeiting, and the Reſt of the ſaid Company of Proprietors, with regard to carrying on the ſaid Undertaking.

No Forfeiture unleſs declared at a General Meeting.

To be a Diſcharge to all Suits.

LXIX. And be it further enacted, That if any Owner or Owners of any Share or Shares in the ſaid Undertaking, ſhall die before Calls ſhall be made for the full Sum to be advanced on each Share which he, ſhe, or they ſhall have been poſſeſſed of or entitled unto, without having made Proviſion by Will or otherwiſe how ſuch Share or Shares ſhall be diſpoſed of, and the Money paid in upon Calls for the future, then and in ſuch Caſe the Executors or Adminiſtrators of any ſuch Owner or Owners ſo dying, and the Truſtee or Truſtees, Guardian or Guardians of any Infant, or other Perſon or Perſons whomſoever entitled to the Eſtate and Effects of ſuch deceaſed Owner, ſhall be indemnified for paying any Sum of Money when called for as aforeſaid to complete any ſuch Subſcription; and if ſuch Owner deceaſed ſhall not have left Aſſets ſufficient, or in caſe the Executors, Adminiſtrators, Truſtees, or Guardians, ſhall refuſe or neglect to anſwer ſuch Calls or Payments, the ſaid Company ſhall be, and are hereby empowered, authorized, and required to admit any other Perſon or Perſon, to be a Proprietor or Proprietors of the Share and Shares of ſuch Owner or Owners deceaſed, on Condition that he, ſhe, or they ſo admitted, do and ſhall, on or before ſuch Admiſſion, pay to the Executors or Adminiſtrators of ſuch deceaſed Owner or Owners, or to the Truſtee or Truſtees, Guardian or Guardians of any Infant or others entitled to his, her, or their Effects, the full Sum and

Executors, &c. of Owners of Shares indemnified for ſatisfying Calls.

Company may admit others where Owners die without Aſſets, or their Executors, &c. neglect anſwering Calls.

Sums of Money which ſhall have been by ſuch Owner or Owners in his, her, or their Lifetime, by virtue of any Call or Calls, or otherwiſe, advanced upon ſuch Share or Shares; and in Default of ſuch Calls being anſwered and made good in Manner aforeſaid, it ſhall be lawful for the ſaid Company to ſell and diſpoſe of the Share or Shares of ſuch deceaſed Owner or Owners, and to pay and apply the Money ariſing by ſuch Sale (after deducting the reaſonable Charges occaſioned thereby) to and for the Benefit of the Repreſentatives of ſuch deceaſed Owner or Owners.

Proofs required where Rights accrue by Marriage or Death.

LXX. And whereas much Inconvenience may ariſe by the frequent Tranſpoſition and Change of the Right and Title to the Shares of and in the ſaid Undertaking, by the Marriage and Death of Proprietors, and it may be difficult in ſuch 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 or Share of the Profits of the ſaid Undertaking in Right of Marriage, ſhall be entitled to receive the ſame, an Affidavit, containing a Copy of the Regiſter of ſuch Marriage, or the Effect of ſuch Regiſter, ſhall be made and ſworn to by ſome credible Perſon, before a Maſter or Maſter Extraordinary in Chancery, or One of His Majeſty's Juſtices of the Peace, and ſhall be tranſmitted to the Clerk for the Time being 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 that before any Perſon or Perſons, who ſhall claim any Part or Share of the Profits of ſuch Undertaking, under or by virtue of any Will or Bequeſt, or in a Courſe of Adminiſtration, ſhall be entitled to receive the ſame, the ſaid Will or the Probate Copy thereof, ſhall be produced and ſhewn to the ſaid Clerk or an Affidavit, containing a Copy of ſo much of ſuch Will as ſhall relate to the Diſpoſition of the Share or Shares of the Teſtator, or of the Letters of Adminiſtration, in caſe the Proprietor ſhall have died inteſtate, ſhall be ſo made and ſworn to by the Executor or Executors of ſuch Will, or by the Adminiſtrator or Adminiſtrators of the Eſtate and Effects, (as the Caſe may happen to be), or affirmed in caſe of ſuch Executor or Adminiſtrator being a Quaker, 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 as before directed, and who ſhall be paid for every ſuch Affidavit and Entry the Sum of Two Shillings and no more.

The Mayor and Burgeſſes of *Grimsby* and the Friendly Society there, enabled to purchaſe Shares.

LXXI. And be it further enacted, That it ſhall be lawful for the Mayor and Burgeſſes of the Town or Borough of *Great Grimsby*, and the Royal *Grimsby* Friendly Society, eſtabliſhed at *Great Grimsby* aforeſaid, and they are hereby reſpectively authorized, enabled, and empowered, with the Money or Effects belonging to ſuch Corporation and Society reſpectively, to become Subſcribers to or purchaſe Shares in the ſaid Undertaking, Works, and Premiſes, on Account of and for the Uſe and Benefit of ſuch Corporation and Friendly Society reſpectively, any Ordinance, Statute, Law, Charter, Grant, or other Matter or Thing to the contrary thereof in anywiſe notwithſtanding; and that it ſhall be lawful for the ſaid Mayor and Burgeſſes, by the Mayor or his Deputy

Mayor or his Deputy, and Steward of Friendly So-

ciety, to vote for such Shares, &c.

Deputy for the Time being, and for the ſaid Friendly Society, by One of the Stewards thereof for the Time being, to repreſent the ſaid Corporation and Society reſpectively, and to vote to the Extent of the Shares which ſhall be held by the ſaid Mayor and Burgeſſes, and by the ſaid Friendly Society reſpectively, at all Meetings which ſhall or may be held by the ſaid Haven Company.

If 20,000 *l.* be inſufficient, Company may raiſe 10 000 *l.* more amongſt themſelves, or by Admiſſion of new Subſcribers, or Committee, may raiſe the ſame by Mortgage.

LXXII. And be it further enacted, That in caſe the ſaid Sum of Twenty thouſand Pounds herein-before authorized to be raiſed, ſhall be found inſufficient for the ſeveral Purpoſes in this Act mentioned and expreſſed, then and in ſuch Caſe it ſhall be lawful for the ſaid Company of Proprietors, and they are hereby authorized and empowered to raiſe and contribute amongſt themſelves, either rateably and in Proportion to the ſeveral Sums by them reſpectively advanced and paid, or by ſuch and ſo many of them as ſhall be willing and deſirous of raiſing and advancing the ſame or any Part or Parts thereof, any further or other Sum or Sums of Money for ſuch the Purpoſes aforeſaid, or any of them, not exceeding the Sum of Ten thouſand Pounds; and in Default of the Whole, or ſo much thereof as ſhall be ſo neceſſarily wanted being ſo raiſed, it ſhall be lawful for the ſaid Company to ſupply and make good ſuch Want or Deficiency by the Admiſſion of new Subſcribers, and every Subſcriber towards raiſing ſuch further or other Sum of Money, ſhall ſtand intereſted in all the ſaid Profits and Powers of the ſaid Navigation, proportionably to the Sum he or ſhe may ſubſcribe thereunto, as generally and extenſively, to all Intents and Purpoſes, as if ſuch further Sum or Sums hereby allowed to be ſubſcribed for had originally been Part of the ſaid Sum of Twenty thouſand Pounds, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding; or otherwiſe, and in Default of the ſame, or any Part thereof, being ſo raiſed as aforeſaid, it ſhall be lawful for the ſaid Committee to borrow and take upon Mortgage at Intereſt, not exceeding legal Intereſt, all or any Part of the ſaid Sum of Ten thouſand Pounds upon the Credit of the ſaid Navigation, Undertaking, and Premiſes, and the Rates and Duties ariſing by virtue of this Act, or any Part thereof, as to them ſhall ſeem convenient; and they the ſaid Committee are for that Purpoſe hereby fully authorized and empowered, under the Common Seal of the ſaid Company, to mortgage, aſſign, and make over the ſaid Haven, Works, and Premiſes, and the Rates and Duties ariſing and to ariſe by virtue of this Act, or any Part thereof, (the Coſts and Charges of making ſuch Aſſignment to be paid out of ſuch Rates and Duties), as a Security for all and every Sum or Sums of Money ſo to be borrowed by them at Intereſt as aforeſaid, not exceeding legal Intereſt, to all and every Perſon and Perſons, his, her, or their, Truſtee or Truſtees, who ſhall advance the ſame, in the Form ſet forth in the Schedule hereunto annexed, or in Words to that or the like Effect; and all and every Perſon and Perſons, to whom any ſuch Mortgage or Aſſignment ſhall be made, ſhall be equally entitled to his, her, or their Proportion or Proportions of the ſaid Rates, Duties, and Premiſes, according to the reſpective Sum or Sums in any ſuch Mortgage or Aſſignment mentioned to be advanced by him, her, or them, without any Preference by Reaſon of Priority of any ſuch Security, or on any other Account whatſoever, and the Money ſo borrowed ſhall be applied in ſuch Manner as other the Monies, to be raiſed by virtue of this Act, are directed

or authorized to be applied, and to no other Uſe, Intent, or Purpoſe whatſoever; and all and every Perſon and Perſons to whom any ſuch Mortgage or Aſſignment, or Mortgages or Aſſignments ſhall be made as aforeſaid, or who ſhall be entitled to the Money thereby ſecured, may from Time to Time aſſign or transfer his, her, or their, Right, Title, Intereſt, or Benefit to the Principal and Intereſt thereby ſecured, to any Perſon or Perſons whomſoever, by ſuch Form of Aſſignment as is ſet forth in the Schedule to this Act annexed, or in Words to that or the like Effect, and every ſuch Aſſignee may in like Manner, and under the Regulations in this Act directed and preſcribed, aſſign again, and ſo *toties quoties*; and it ſhall not be in the Power of any Perſon or Perſons, who ſhall have made ſuch Transfer or Aſſignment, at any Time afterwards to annul, make void, or diſcharge the ſame, or the original Mortgage, or any Monies thereby ſecured, or any Part thereof; and after ſuch Entry as hereafter mentioned, every ſuch Transfer or Aſſignment ſhall entitle ſuch Aſſignee, his, her, or their Succeſſors, Executors, Adminiſtrators, and Aſſigns, to the full Benefit of the original Mortgage.

Mortgagees empowered to aſſign their Securities.

LXXIII. Provided always, That no Perſon to whom any ſuch Mortgage, Aſſignment, or Transfer ſhall be made as herein mentioned, ſhall be deemed a Proprietor of any Share, or ſhall be capable of acting or voting as ſuch, either as Principal or Proxy, at any Meeting of the ſaid Company, for or on Account of his, her, or their having lent and advanced any Sum or Sums of Money on the Credit or Security of any ſuch Mortgage, Aſſignment, or Transfer, under or by virtue of this Act.

Mortgagees not to be deemed Proprietors.

LXXIV. And be it further enacted, That the Intereſt of the Money which ſhall be ſo borrowed by or on Mortgage as aforeſaid, ſhall be paid to the ſeveral Perſons entitled thereto, out of the Principal Monies which ſhall be raiſed by virtue of this Act, until ſuch Time as the ſaid Rates ſhall become payable, and thence afterwards by and out of ſuch Rates and Duties, in Preference to any Intereſt or Dividends due and payable by virtue of this Act to the ſaid Company of Proprietors, or any of them, and ſhall from Time to Time be fully paid and diſcharged, or provided for, before the Yearly or other Intereſt or Dividends due to the ſaid Proprietors ſhall be made, paid, or divided.

Intereſt of Mortgage Money to be firſt paid.

LXXV. And be it further enacted, That all and every Deed, Transfer, Mortgage, or Aſſignment, of any Share, Right, or Intereſt, of or in the ſaid Navigation, Works, and Premiſes, which ſhall have been made in purſuance of the Powers and Directions hereby given, ſhall, within Thirty Days next after the reſpective Dates thereof, be produced and ſhewn to the Clerk for the Time being to the ſaid Company, who ſhall thereupon make an Entry or Memorial thereof in One or more Book or Books to be kept for ſuch Purpoſe, containing the Dates thereof, and the Names of the Parties thereto, and the Sum or Sums borrowed or taken by way of Mortgage, and the Rate of Intereſt to be paid in reſpect thereof, and the ſaid Clerk ſhall be paid the Sum of Two Shillings and Sixpence for every ſuch Entry in ſuch Book or Books, which ſhall and may be peruſed *gratis* at all ſeaſonable Times by all and every Perſon and Perſons in anywiſe intereſted therein.

Transfers and Aſſignments to be entered by the Clerk.

Impoſition of Tonnage and other Rates and Duties.

LXXVI. And be it further enacted, That in Conſideration of the Charges and Expences the ſaid Company will incur and ſuſtain in widening, deepening, ſtraightening, and varying, the ſaid Haven, and in making, erecting, and providing, the ſeveral Works, Matters, and Things, by this Act authorized to be executed, done, and performed, for the Improvement and Preſervation of the Navigation thereof, and alſo in making a Quay or Wharf, and other Conveniencies and Accommodations for the Trade of the ſaid Port, and in ſupporting, maintaining, and keeping, the ſame reſpectively in Repair for the future, it ſhall and may be lawful for the ſaid Company, and they are hereby authorized and empowered, from Time to Time, and at all Times, from and after the ſaid Haven ſhall be ſo enlarged, varied, and improved, and rendered capable of admitting Ships or other Veſſels to enter into and navigate the ſame, to aſk, demand, recover, and receive, for every Coaſting or other Ship or Veſſel coming into or going out of the ſaid Haven or Harbour within the Port of *Grimſby* aforeſaid, and not going to or coming from any Port or Place lying within or adjoining upon the Rivers *Humber*, *Trent*, or *Ouſe*, or other navigable Rivers or Waters extending ſtill further within Land, or which ſhall unlade or put on Shore, or lade or take on Board any of their Cargo or Freight, or any Goods, Wares, or Merchandize, within or from off the ſaid Haven; and alſo to aſk, demand, recover, and receive, for all Goods, Wares, Merchandize, Commodities, or other Things whatſoever, in Rafts or otherwiſe, which ſhall be brought, carried, or conveyed, into or out of the ſaid Haven in or by any Ship, Sloop, or other Veſſel navigating the ſaid Rivers *Humber*, *Trent*, or *Ouſe*, or going to or coming from any other River, navigable Canal, Haven, Creek, or other Water falling into or communicating therewith, or with any or either of them, by Tonnage or otherwiſe, ſuch Sum and Sums of Money, Tolls, Rates, or Duties reſpectively, as the ſaid Company, at any General or Special General Aſſembly or Meeting to be held as in and by this Act is directed, ſhall from Time to Time order, direct, and appoint, not exceeding the ſeveral Tolls, Rates, or Duties, next herein-after mentioned; (that is to ſay),

For every Ship or Veſſel coming to or going between the Port of *Grimſby*, and any Port to the Northward of *Yarmouth*, or any Port to the Southward of the *Holy Iſland* (not laden with Corn, Grain, or Seeds, or if in Part ſo laden, then for the Reſidue of the Tonnage of ſuch Ship or Veſſel) Two-pence *per* Ton:

For every Ship or Veſſel coming to or going between the Port of *Grimſby*, and any Port or Place between the *North Foreland* and *Shetland*, on the Eaſt Side of *England* (except and in Manner as laſt mentioned) Three-pence *per* Ton:

For every Ship or Veſſel trading between the ſaid Port of *Grimſby*, and any Port or Place in *Great Britain* (except all ſuch Ports and Places to which the Communication is by Means of the River *Humber*, or any other River, navigable Canal, or Water falling into or communicating either mediately or immediately with the ſaid River *Humber*, and alſo except and in Manner as firſt above mentioned) Sixpence *per* Ton:

For every Ship or Veſſel trading between the ſaid Port of *Grimſby*, and any Port or Place in *Denmark*, *Sweden*, or *Norway*, below *Elſinore*, or any Port or Place in *Germany*, *Holland*, *Flanders*, *France*, to the Eaſt-

ward of *Uſhant* Inland, the Iſlands of *Guernſey* and *Jerſey*, Ten-pence *per* Ton:

For every Ship or Veſſel trading between the ſaid Port of *Grimſby*, and any Port or Place in the *Baltic* Seas, and all other Ports or Places above the *Sound*, or between the ſaid Port and any Iſland or Place or Port of *Europe*, to the Weſtward of *Uſhant*, without the Streights of *Gibraltar*, One Shilling and Three-pence *per* Ton:

For every Ship or Veſſel trading between the ſaid Port of *Grimſby*, and every Port or Place in the *Weſt Indies*, *North* and *South America*, *Africa*, *Greenland*, or any Place to the Eaſtward of the North Cape of *Norway*, all Places within the *Streights of Gibraltar*, and all Iſlands and Places in the Ocean to the Southward of *Cape Saint Vincent*, not before named, One Shilling and Nine-pence *per* Ton:

For every Foreign Ship or Veſſel coming to or going (with Merchandize) from the ſaid Port of *Grimſby*, to any of the before-named Ports or Places, double the Tonnage, Rate, and Duty above mentioned, unleſs ſuch Ship or Veſſel belongs to and be the ſole Property of a *Britiſh* Owner or Owners:

For every Ship or Veſſel ſailing Coaſtways or otherwiſe, and coming into the ſaid Haven in Ballaſt to be laid up (ſuch Ship or Veſſel not having made the laſt preceding Voyage from and out of the ſaid Port of *Grimſby*, and paid Duty accordingly upon her Departure from and out of the ſaid Haven, and not being regularly employed in the Trade of the ſaid Port) for every Ton (Coaſting Duty included) the Sum of Sixpence:

For every Ship, Sloop, or other Veſſel, coming into the ſaid Haven, to prevent being taken by an Enemy, or for the Repair of any Damage ſuſtained at Sea or otherwiſe, the Rates or Sums following; (that is to ſay),

For every One being Three-maſted or Two-maſted, and of the Burthen of Two hundred Tons or upwards, Twenty Shillings; for every One having Two Maſts, and of leſs Burthen than Two hundred Tons, Fifteen Shillings; and for every Veſſel being ſingle maſted, Ten Shillings:

For every Pack or Sheet of Wool, Woolflocks, Woollen or Bay Yarn, dried Pelts or Spetches, containing Twelve Tods or Three hundred and thirty-ſix Pounds, Four-pence:

For every Ton of Stone, Slate, Bricks, Tiles, Bar and other Iron, and Oak Bark, Sixpence:

For every Chaldron of Lime, uſually called *A Dozen*, and conſiſting of Thirty-two Baſkets, Three-pence:

For every Chaldron of Coals, Sleck, Cinders, Culm, Coke, and Charcoal, conſiſting of Forty-eight Buſhels, Four-pence:

For every Ton of Timber, Wood, Deals, Plank, and Battens, and all Kinds of Groceries, One Shilling:

For every Quarter of a Chaldron of Corn or Grain, Vetches, and Lintels, which ſhall be conveyed from or into the ſaid Haven, to or from any Port or Place within the Kingdom of *Great Britain* or elſewhere, Two-pence:

For every Ton of Linen and Woollen Yarn, Cotton, Flax, and Hemp, manufactured Goods of all Sorts, and every other Kind of Goods, Wares, or Merchandize, Commodities, or Things whatſoever, not before ſpecified, the Sum of Sixpence.

LXXVII. And

What to be deemed a Ton, Quarter, and Chaldron.

LXXVII. And, for the better aſcertaining the Tonnage, Weight, Meaſure, and Quantity of Stone, Timber, Coals, Corn, and other Goods and Things to be charged with the Payment of ſuch Rates and Duties as aforeſaid, it is hereby enacted and declared, That Sixteen Cubic Feet of Stone, Ten Yards of Flag Stone, from One Inch and an Half to Three Inches thick, and Ten Yards of lineal Curb Stone, from Three to Eleven Inches wide, and from Five to Seven Inches thick, Forty Feet of Oak, Fifty Feet of Aſh, Elm, Fir, Deal, Balk, Poplar, or other Timber, or Wood, not cut into Scantlings, and Thirty Deals and Battens, of Twelve Feet long, Three Inches thick, and from Nine to Twelve Inches in Breadth, ſhall, for the Purpoſes of this Act, be reſpectively deemed, rated, and eſtimated, as and for One Ton Weight, and Twenty hundred Weight, at One hundred and Twelve Pounds *per* Hundred Weight of Avoirdupoize, ſhall be deemed and eſtimated as and for One Ton Weight; and Eight *Wincheſter* Buſhels ſhall be deemed and taken, for the Purpoſes of this Act, to be a Quarter or a Fourth Part of a Chaldron; and that in all Caſes where there ſhall be a Fraction of a Ton, Quarter, or Chaldron, in the Weight or Meaſure of lading in any Ship, Sloop, or other Veſſel, ſo to be navigated in or upon the ſaid Haven, a Proportion of the ſaid Rates ſhall be demanded and taken by the ſaid Haven Company for ſuch Fraction, according to the Number of Quarters of a Ton or Chaldron, or the Fourth Part of a Quarter of Corn contained therein; and in all Caſes where there ſhall be a Fraction of a Quarter of a Ton or Chaldron, or the Fourth Part of a Quarter of Corn in any ſuch Weight or Meaſure of lading as aforeſaid, ſuch Fraction ſhall be deemed and conſidered as a whole Quarter of a Ton or Chaldron, or a Fourth Part of Two *Wincheſter* Buſhels of Corn, and ſhall be reſpectively rated and paid for accordingly.

Small Veſſels, &c. not to paſs the Lock without Conſent, or paying for Ten Tons.

LXXVIII. And be it further enacted, That no Lighter, Boat, or other Veſſel, ſhall paſs through the Lock to be erected and fixed in the ſaid Haven by virtue of this Act, without the Conſent of the ſaid Company, or their Clerk, in Writing firſt had and obtained, unleſs ſuch Lighter, Boat, or other Veſſel, ſhall pay a Duty or Rate equal to what would be paid by a Veſſel loaded with a Burthen of Ten Tons, unleſs ſuch Veſſel ſhall be returning after having gone through the ſaid Lock with a greater Burthen than Ten Tons, and paid accordingly.

Officers of the Cuſtoms not to clear Veſſels, &c. till Receipt produced of Payment of Duties.

LXXIX. And be it further enacted, That no Ship or other Veſſel outward-bound, ſhall be cleared at the Office of His Majeſty's Cuſtoms or Subſidies on ſuch outward-bound Voyage, by any Officer or Officers of His Majeſty's Cuſtoms of or for the ſaid Port of *Grimſby*, without producing a Receipt under the Hand of the Officer or Perſon empowered to collect the ſame, teſtifying the Payment of the Rates and Duties impoſed under the Authority of this Act, or a Certificate to that Effect, which Receipt or Certificate ſuch Officer or other Perſon is hereby required to give without Fee or Reward, upon Pain of Forfeiture of Twenty Pounds, One Moiety thereof to the ſaid Company, and the other Moiety thereof to the Maſter or Owner of ſuch Ship or Veſſel which ſhall or may be damnified by any ſuch Neglect or Refuſal; and every Cuſtomer or Collector, or their Deputies, who ſhall make or allow any Entries of Cuſtoms or Subſidies in any Ship or Veſſel before ſuch Receipt or Certificate ſhall be produced of the Payment of the

Penalty on Officers neglecting or refuſing.

Sums, Rates, or Duties impoſed by virtue of this Act, ſhall forfeit to the ſaid Company the like Sum of Twenty Pounds, both which ſaid Penalties ſhall or may be recovered at the Election of the Perſons entitled thereto, either by Diſtreſs and Sale of the Offenders Goods and Chattels, or by Suit or Action with full Coſts, in any of His Majeſty's Courts of Record at *Weſtminſter*, as other the Penalties hereby impoſed are hereby directed to be recovered.

Power to ſue or diſtrain on Non payment of Duties.

LXXX. And be it further enacted, That in caſe the ſaid Sums, Rates, or Duties payable by this Act, or any Part thereof, ſhall not, upon the ſame being demanded by the Collector or other Officer or Perſon appointed in purſuance of the Powers hereby given to receive and collect the ſame, be diſcharged and paid, then the ſaid Company ſhall and may ſue for and recover the ſame, with ſuch Coſts as aforeſaid, by Action of Debt, or on the Caſe, in any Court of Record; or ſuch Collector, Officer, or other Perſon, with One or more neceſſary Aſſiſtants, ſhall and may go on board any ſuch Ship or Veſſel, in reſpect whereof, or of any Goods, Wares, Merchandize, or Commodities on board thereof, ſuch Rates or Duties are or ſhall be due and payable, and take and diſtrain the ſame Ship or Veſſel, and all the Tackle, Apparel, and Furniture thereunto belonging, or any Part thereof, or all or any Part of ſuch Goods, Wares, Merchandize, or Commodities, with which ſuch Ship or Veſſel ſhall be laden, and the ſame to detain and keep until Payment ſhall be made thereof, and of all reaſonable Charges of ſuch Seizure and Diſtreſs; and in caſe of any Neglect or Delay in making ſuch Payment for the Space of Three Days after any Diſtreſs ſhall be taken as aforeſaid, that then it ſhall be lawful for the ſaid Collector or other Officer or Perſon as aforeſaid, to ſell the ſaid Diſtreſs, and therewith to ſatisfy him or themſelves, as well for and concerning the Rate or Duty ſo neglected or delayed to be paid for, and for which ſuch Diſtreſs ſhall have been made and taken, as alſo for his or their reaſonable Charge in taking, keeping, and ſelling ſuch Diſtreſs, rendering to the Maſter, Commander, or Owner, or other Perſon having the Rule or Command of the Ship or Veſſel of or from which ſuch Diſtreſs ſhall have been ſo made or taken, the Overplus on Demand, if any ſuch there ſhall be.

Perſons eluding Payment to continue chargeable and ſubject to a Penalty.

LXXXI. And be it further enacted, That if any Maſter, Commander, or other Perſon taking upon himſelf the Command, or appearing to be Maſter or Commander, or any Owner, Factor, or Conſignee, of any Ship or Veſſel, ſhall, at any Time after the Rates and Duties hereby charged ſhall become due and payable, elude or avoid, or attempt to elude or avoid the Payment of any ſuch Rates and Duties, in any Manner, or by any Method or Means whatſoever, ſuch Maſter, Commander, or other Perſon aforeſaid, ſhall forfeit to the ſaid Company the Sum of Ten Pounds, and ſhall alſo ſtand charged with and be liable to the Payment of the ſaid Rates and Duties which ſhall be reſpectively levied and recovered from ſuch Maſter, Commander, or other Perſon aforeſaid, in ſuch and the like Manner as Rates and Duties, Fines and Penalties, are herein-after directed to be ſued for, levied, and recovered.

Tonnage of Veſſels how to be aſcertained, &c.

LXXXII. And be it further enacted, That the Tonnage of every Ship or other Veſſel uſing or reſorting to the ſaid Haven, ſhall from Time to Time,

Time, and at all Times hereafter, as Occaſion ſhall or may require, be aſcertained according to the Rules laid down and preſcribed in and by an Act paſſed in the Twenty-ſixth Year of His preſent Majeſty's Reign, for the further Increaſe and Encouragement of Shipping and Navigation; and that the Owner or Maſter of every ſuch Ship or Veſſel ſhall cauſe the true Number of Tons Burthen thereof, and the Name or Names of the Owner or Owners thereof, and the Place to which ſuch Veſſel ſhall belong, to be painted or deſcribed in the Manner preſcribed, and under the like Penalty or Penalties as is or are impoſed in and by the ſaid laſt-mentioned Act, and alſo in and by One other Act paſſed in the Thirty-fifth Year of His ſaid Majeſty's Reign, for requiring Veſſels of certain Deſcriptions uſed on navigable Rivers and on inland Navigations in *Great Britain* to be regiſtered, or One of them, and whether the ſame, or either of them, ſhall at any Time or Times hereafter be repealed or not, or ſhall not continue in Force beyond the Term or Time for which the ſame was or were made.

Collectors, &c. to enter into and admeaſure Ships.

LXXXIII. And, to the Intent that the ſaid Rates and Duties by this Act impoſed or authorized to be taken, and which are directed to be aſcertained by the Tonnage of any Ship or Veſſel, may be truly aſcertained and paid; be it further enacted, That in caſe the Collector of the ſaid Rates and Duties, or ſuch other Perſon or Perſons as ſhall be empowered to receive the ſame, and the Maſter or other Perſon having Charge or Command of any Ship or Veſſel charged with the ſaid Rates or Duties, cannot otherwiſe agree about and adjuſt the Tonnage of ſuch Ship or Veſſel, that then and ſo often it ſhall be lawful for the ſaid Collector, or ſuch other Perſon or Perſons employed under or by Authority of this Act, to admeaſure any Ship or Veſſel in purſuance of this Act from Time to Time, and at all Times convenient and ſeaſonable, to enter into ſuch Ship or Veſſel, and to admeaſure the ſame in Manner as before mentioned; and if any Maſter, Commander, or other Officer, of any Ship or Veſſel, or any other Perſon whomſoever, ſhall obſtruct or hinder any ſuch Collector or other Perſon as aforeſaid in admeaſuring any ſuch Ship or Veſſel, for the Purpoſe of aſcertaining the Duty due and payable for or in reſpect thereof, every ſuch Maſter, Commander, or other Perſon ſo offending, ſhall for every ſuch Offence forfeit the Sum of Ten Pounds, to be recovered, levied, and diſpoſed of, in Manner herein mentioned.

Penalty on Maſters obſtructing, &c.

Maſters of Coaſting Veſſels to give an Account of their Lading.

LXXXIV. And, for the more eaſy, effectual, and juſt Collection of the Rates and Duties hereby granted and directed to be paid for or in reſpect of any Corn or Grain, Vetches and Lintels, which any Ship, Sloop, or other Veſſel going from, or coming or reſorting to the ſaid Haven and Port of *Grimſby*, to or from any other *Britiſh* or any Foreign Port or Place, ſhall convey, carry, or contain, and alſo for and in reſpect of any Goods, Wares, Merchandize, or Commodities, which any Raft, Ship, Sloop, or other Veſſel going from, or coming or reſorting to the ſaid Haven and Port, to or from any Place through or by Means of the River *Humber*, or any Creek, navigable Canal, or other Waters communicating with or falling into the ſame, ſhall contain, carry, or convey; be it further enacted, That the Maſter, Owner, or Manager, of any Raft, Ship, Sloop, or other Veſſel, uſing or navigating in or upon the ſaid Haven, or any Part thereof, ſhall give to the Collector of the ſaid Rates

Rates or Duties, or to any other Officer or Perſon appointed by the ſaid Company for ſuch Purpoſe, at the Place where he or they ſhall on that Account attend, a juſt Account in Writing, ſigned by the Maſter, Owner, or Manager, or other Perſon or Perſons having the Command or Management of ſuch Raft, Ship, Sloop, or other Veſſel, of the Groſs Quantity or Total Amount of the Goods and other Things, and of their Nature, Sort, or Kind, which ſuch Raft, Ship, Sloop, or other Veſſel, as aforeſaid ſhall contain, or be freighted or laden with; and in caſe ſuch Goods or other Things ſhall be liable to the Payment of different Rates or Sums, then ſuch Maſter, Owner, or other Perſon ſhall ſpecify the Quantities of each Sort or Kind for which different Rates or Sums have or can be demanded; and in caſe he or they ſhall refuſe or neglect to give ſuch Account, or ſhall refuſe to produce his or their Invoice or Bill of Lading to the Officer or Perſon aforeſaid demanding the ſame, every Perſon ſo offending ſhall forfeit and pay to the ſaid Company, or ſuch Perſon as they ſhall appoint, the Sum of Ten Shillings for every Ton of Goods or other Things, and ſo in Proportion for any leſs Quantity than a Ton, which ſhall be in or conveyed by ſuch Raft, Ship, Sloop, or other Veſſel reſpectively, of which or of whoſe Lading ſuch Account ſhall be ſo neglected or refuſed to be given; and in caſe ſuch Maſter, Owner, Manager, or other Perſon aforeſaid, ſhall give or deliver in a falſe Account, that then and in every ſuch Caſe he or they ſhall forfeit and pay to the ſaid Company, or ſuch Perſon as they ſhall appoint, the Sum of Twenty Shillings on each and every Ton, and ſo in Proportion for any Quantity leſs than a Ton which ſhall exceed the Number of Tons mentioned and contained in ſuch Account ſo delivered and given in purſuance to the Directions of this Act, over and above the reſpective Sums, Rates, or Duties the ſame ſhall be charged with or liable to pay under or by virtue of this Act; and in caſe of Neglect, Refuſal, or Denial of Payment, on Demand made of ſuch Forfeiture or Forfeitures before-mentioned, or any Part thereof, to the ſaid Collector, or other Officer or Perſon appointed by the ſaid Company to collect the Rates and Duties by this Act granted, that then and in every ſuch Caſe the ſame ſhall be recovered and levied in ſuch Manner, and by ſuch and the like Methods, as ſuch Rates and Duties are hereby directed and appointed to be recovered and levied.

Penalty on Refuſal.

Penalty on giving falſe Account.

LXXXV. And be it further enacted, That if any Difference ſhall ariſe between any Collector of the ſaid Rates or Duties, and the Maſter or other Perſon having the Command, Charge, or Management, of any Raft, Ship, Sloop, or other Veſſel, or the Owner of any Goods, Wares, Merchandize, Commodities, or other Things, concerning the Weight and Quantity of ſuch Goods, Wares, Merchandize, Commodities, or Things, it ſhall be lawful for any ſuch Collector to ſtop and detain any ſuch Raft, Ship, Sloop, or other Veſſel, until the ſame ſhall be weighed, meaſured, or gauged, and to weigh, meaſure, and gauge, or cauſe to be weighed, meaſured, and gauged, all ſuch Goods, Wares, Merchandize, Commodities, or Things, as ſhall be therein contained; and in caſe the ſame ſhall upon ſuch weighing, meaſuring, or gauging, appear to be of greater Weight, Meaſure, or Quantity, than the Maſter, Owner, or Perſon having the Government, Care, or Management of the ſaid Raft, Ship, Sloop, or other Veſſel, declared the ſame to be, then ſuch Maſter or other Perſon aforeſaid, ſo declaring, ſhall pay the Coſts and Charges of

Freight to be weighed or meaſured in caſe of any Difference reſpecting the ſame:

If more appear than given in, to be at the Maſter's Charge;

of ſuch weighing, meaſuring, or gauging, and all ſuch Coſts and Charges; upon Refuſal of Payment thereof upon Demand, ſhall and may be recovered in ſuch and the ſame Manner as the ſaid Rates and Duties are hereby appointed to be recovered; but if ſuch Goods, Wares, Merchandize, Commodities, or Things, ſhall appear to be of the ſame or of a leſs Weight, Meaſure, or Quantity, than ſuch Maſter or other Perſon aforeſaid ſo declared the ſame to be, then the ſaid Collector ſhall bear and defray the Coſts and Charges of ſuch weighing, meaſuring, or gauging, and ſhall alſo pay to ſuch Maſter or other Perſon aforeſaid, or to the Owner or Owners of ſuch Goods, Wares, Merchandize, Commodities, or other Things, ſuch Damages as ſhall appear to the Mayor, or other Juſtice or Juſtices of the Peace acting for the Time being in and for the Borough of *Great Grimſby*, or for the Parts of *Lindſey* aforeſaid, in the ſaid County of *Linclon*, upon the Oath of One or more credible Witneſs or Witneſſes, to have ariſen from or in conſequence of ſuch Seizure or Detention; and in Default of Payment thereof, the ſame ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector, by Warrant under the Hand and Seal of ſuch Mayor or other Juſtice as aforeſaid, rendering the Overplus, if any, to the Owner of ſuch Goods and Chattels; and the ſaid Company or Committee may, if they think fit out of the Money to be raiſed by this Act, re-imburſe ſuch Collector the Monies ſo paid by or levied upon him, for or on Account of the Detention of any ſuch Raft, Ship, Sloop, or other Veſſel.

if leſs, then at the Charge of the Collector, who is to allow for Damages occaſioned by the Detention of the Veſſel.

Wharfage Duties to be paid.

LXXXVI. And be it further enacted, That there ſhall be paid to the ſaid Company, or to the Collector or other Perſon whom they ſhall appoint to demand, receive, and recover the ſame, over and above the Rates and Duties herein-before granted and authorized to be taken, and in ſuch and the ſame Manner as ſuch Rates and Duties are hereby directed and appointed to be paid and recovered, ſuch Sum *per* Ton or otherwiſe as the ſaid Company ſhall from Time to Time fix and appoint, not exceeding One Moiety of the Sum or Rate of Wharfage now had and taken within the Port of *London*, for all and every the Goods, Wares, Merchandizes, Commodities, or other Things which ſhall be landed or diſcharged upon any of the publick Quays or Wharfs of the ſaid Port of *Grimſby*, and which are hereby authorized and directed to be made and erected, repaired, and amended, and rendered more commodious and convenient by the ſaid Haven Company.

Goods to be removed from the Quays within a limited Time;

LXXXVII. And be it further enacted, That if any Perſon or Perſons, who ſhall have landed or cauſed to be landed and laid on any of the ſaid Quays or Wharfs, or in any of the adjacent Streets, Roads, or Avenues, any Timber, Wood, Iron, Stones, Coals, Bricks, Tiles, Slate, Lead, Lime, Dung, Manure, or any other Goods or Things of any Nature or Kind ſoever, (other than Materials for the neceſſary Uſe or Repair of the ſaid Quays or Wharfs, Haven, or any of the Works therein or thereto belonging), ſhall not convey or remove the ſame, and every of them, and every Part thereof, from off ſuch Quays or Wharfs, or from or out of ſuch Streets, Roads, or Avenues, within the Space of Forty-eight Hours next after the ſame ſhall have been ſo landed or laid thereon or therein reſpectively (unleſs a *Sunday* ſhall intervene, in which Caſe Twenty-four Hours longer ſhall be allowed), it ſhall and may be lawful for the ſaid Haven Maſter for the Time being, or his Aſſiſtants, and he and they are hereby

if not, to be ſecured by Haven Maſter,

hereby required to remove or cauſe the ſame to be removed to ſome Place or Places of Safety, and therein to detain and keep the ſame until Payment ſhall be made as well of the Charges of ſuch Removal and Detention, as of ſuch Forfeiture to the ſaid Haven Maſter and his Aſſiſtants for their Trouble in and about the ſame, as the ſaid Committee ſhall by any Bye Law, Rule, or Order, aſcertain and eſtabliſh; and if ſuch Charges and Forfeitures ſhall not be paid within the Space of Five Days after Demand made thereof by the ſaid Haven Maſter or his Aſſiſtants, then and in every ſuch Caſe ſuch Haven Maſter is hereby authorized and required to cauſe the ſaid Goods and Chattels ſo reſpectively ſecured, or a ſufficient Part thereof, to be appraiſed and ſold for Payment of the ſaid Charges and Forfeiture, and all other Expences relative thereto, and to the ſaid Appraiſement and Sale.

and detained until the Expence and Forfeiture incurred be paid.

If not paid within Five Days, Goods to be appraiſed and ſold.

LXXXVIII. And be it further enacted, That it ſhall be lawful for the ſaid Company, and they are hereby authorized and empowered, at any of their General Aſſemblies, by Writing under their Common Seal, at any Time or Times to let or demiſe the ſaid Haven, and Wharfage Rates and Duties by this Act granted, or either of them, from Year to Year, or for any Term not exceeding Three Years at any One Time, for the higheſt or beſt Rent or Rents that can or may be had or gotten for the ſame, either by publick Bidding or otherwiſe, provided that Twenty-one Days previous Notice of the Intention of the ſaid Company to leaſe or demiſe the ſaid Rates and Duties, or either of them, and of the Meeting to be held for that Purpoſe, be publickly given in ſuch or the ſame Manner as herein-before is mentioned; and every ſuch Leſſee, and his Servants or Agents, ſhall have the ſame Powers and Authorities for aſcertaining and receiving the ſaid Rates or Duties, as are hereby given to the ſaid Company and the Perſons employed by them.

Rates and Duties may be leaſed.

LXXXIX. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to charge any of His Majeſty's Ships of War, or other Ships or Veſſels employed in or upon His Majeſty's Cuſtoms, Exciſe, or Naval Service, or in the Conveyance of any Officers or Soldiers, or any Horſes, Arms, Ammunition, or Baggage, to them or any of them belonging, or of any Timber, Stores, or Things purchaſed, provided, or belonging to His Majeſty's Naval or Military Service, the Perſon or Perſons having the Care or Conduct of ſuch Timber, Stores, or other Things, producing a Certificate to that Purport or Effect from the Navy Board or Board of Ordnance; nor to charge any Lime, or other Article, Compoſition, Matter, or Thing whatſoever, to be uſed ſolely and for the only Purpoſe of manuring any Land or Ground, or any Cobbles, Stones, or other Materials for the making or Repair of any Road, Street, or Cauſeway; and alſo not to charge more than One Moiety or Half Part of the Rates and Duties which ſhall be then payable for or in reſpect of any Ship or Veſſel coming into that Part of the ſaid Haven as is below the Lock, or for or in reſpect of any Goods, Wares, or Merchandize with which any ſuch Ship or other Veſſel ſhall be freighted, when and at all ſuch Time and Times there ſhall not be good and ſufficient Room and Accommodation for every ſuch Ship or other Veſſel to lie, be moored, or deliver her Cargo in the upper or that Part of the ſaid Haven as is above the Lock, or in any Dock or Docks which ſhall or may at any Time or Times hereafter be made under or by Authority of

Exemption Dues of Veſſels in His Majeſty's Service, or conveying Stores, &c. for the Publick Service;

of Articles of Manure and Materials for Repair of Roads.

this Act; and if any Perſon ſhall claim or 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 Five Pounds.

Duties to be paid upon Entry Inwards or Clearance Outwards, but only Once for the ſame Voyage.

XC. Provided alſo, and be it further enacted, That the Tonnage, Rates, or Duties charged by this Act, on all Ships or Veſſels coming into or going from the ſaid Haven, from or to any Foreign Port or Place, ſhall be paid at the Time of every ſuch Ship or Veſſel's Entry Inwards or Clearance Outwards; or in caſe any ſuch Ship or Veſſel ſhall not enter as aforeſaid at the Cuſtom Houſe in or belonging to the ſaid Port, then at any Time before ſuch Ship or Veſſel ſhall proceed from out of the Haven and Port aforeſaid; but that nothing herein contained ſhall extend, or be conſtrued to extend to make any ſuch Ship or Veſſel ſo ſailing to or from any Foreign Port or Place, ſubject or liable to the Payment of the ſaid Rates or Duties, or any of them, more than Once for the ſame Voyage from or to any ſuch Foreign Port or Place, notwithſtanding ſuch Ship or Veſſel may go out and return with a Cargo or Loading of Goods or Merchandize; nor to make any Goods, Wares, Merchandize, Commodities, or other Things, which ſhall have been brought into the ſaid Haven by any Ship, Sloop, or other Veſſel, and for which the Rates and Duties charged thereon ſhall have been paid, ſubject or liable to any further or other Charge, Sum or Sums of Money, Rates, or Duties upon the ſame Goods, Wares, Merchandize, Commodities, or other Things being taken away or from thence in or by the ſame, or any other Ship, Sloop, or Veſſel whatſoever, and whether they, or any of them, or any Part or Parts thereof reſpectively, ſhall have been landed or put on Shore or not.

Goods for which the Duty ſhall have been paid, not to be liable to Duty again when reſhipped.

Certain Parts of the Tonnage Rates to be allowed by the Merchant to the Maſter.

XCI. And be it further enacted, That the ſaid Rates or Duties of Tonnage on Ships or Veſſels as aforeſaid (except only ſuch Ships or Veſſels as ſhall paſs Coaſtwiſe, and be called *Coaſting Veſſels*) ſhall be deemed and taken to be a Port Charge, and on producing a proper Acquittance for the Receipt thereof, Two Third Parts thereof ſhall be repaid to the Maſter or Owner of every ſuch Ship or Veſſel by the Merchant or Freightor, Merchants or Freightors, or by his or their Agent or Agents, or by the Shipper or Shippers, Receiver or Receivers, of ſuch Goods as may be taken on board of any ſuch Ship or Veſſel liable to the ſaid Rates or Duties of Tonnage, in caſe ſuch Ship or Veſſel hath a complete Loading, but if not, then only ſuch Part and ſo much of the ſaid Two Third Parts as the Tonnage of the Goods on board bears in Proportion to the ſaid Ship's complete Loading; and in caſe of Refuſal to repay ſuch Rates or Duties, or any Part thereof, the ſame ſhall and may be recovered by Action at Law as in other Caſes of Debt.

Duties to be exempt from Pariſh Rates, *&c.* when leſs than 5 *l. per Cent.* Dividend is paid;

but Land and Buildings belonging to the Company to remain liable.

XCII. And be it further enacted, That all and every the ſaid Rates or Duties hereby granted and authorized to be collected, had, and received, ſhall, during ſo long Time as the ſame ſhall not afford a Dividend to the ſaid ſeveral Subſcribers of Five Pounds *per Centum per Annum*, be exempted from the Payment of all and every Tax, Rate, Aſſeſſment, or Impoſition whatſoever, any Law or Statute to the contrary thereof notwithſtanding; but that all and every the Lands and Grounds, Warehouſes, and other Buildings (except the ſaid Lock or Watch Houſe with its Appurtenances), which ſhall belong to or be in the Occupation of the ſaid Company,

Company, ſhall and may from Time to Time be rated to all Parliamentary and Parochial Taxes and Aſſeſſments, or the ſaid Company in reſpect thereof, in the ſame Proportion as other Lands, Grounds, and Buildings lying near the ſame, or in the ſame Pariſh, and as the ſame Lands, Grounds, and Buildings ſo belonging to or occupied by the ſaid Company, would be rateable in caſe the ſame were the Property of Individuals in their natural Capacity.

Grimsby Corporation Tolls to be extinguiſhed.

XCIII. And whereas, the Mayor and Burgeſſes of the Town and Borough of *Great Grimſby* aforeſaid, and the Bailiffs of the ſaid Borough, are reſpectively entitled by Preſcription or otherwiſe to certain Tolls upon or for or in reſpect of certain Goods, Wares, and Merchandize brought into, carried out of, or ſold within the ſaid Town and Borough, and upon the Waggons, Carts, or Carriages conveying certain other Goods, Wares, or Merchandize, and alſo to certain Dues upon Veſſels coming into the ſaid Haven, by way of and in reſpect of Anchorage and Moorage; and as the Exaction or inſiſting in future upon the Payment of ſuch Tolls or Dues may be prejudicial to the ſaid Haven Navigation, and to the further Increaſe of the Trade and Commerce of the ſaid Town, the ſaid Mayor and Burgeſſes in Conſideration thereof, and of the great Advantage the Enlargement and Improvement of the ſaid Haven will be to their Property and to the ſaid Town, have agreed that all and every ſuch Tolls and Dues as aforeſaid ſhall be aboliſhed and extinguiſhed, and in Lieu and Stead thereof, or of ſo much thereof as the ſaid Bailiffs are entitled to, and are now in the Receipt of, and alſo in lieu of their Moiety of the Fines or Money cuſtomarily paid upon the Admiſſions of Perſons claiming the Freedom of the ſaid Borough, and called Burgeſs Money (the Whole of which Fines or Burgeſs Money is to be from thenceforward received by the ſaid Mayor and Burgeſſes) have conſented and agreed to pay to the ſaid Bailiffs for the Time being, the full and clear Yearly Sum of Twenty-five Pounds, and alſo to make good ſuch Deficiency in their Annual Fee Farm Rent, as is occaſioned by Allowance of Land Tax thereout, and which ſaid Annual Payments it hath alſo been agreed ſhall be a Charge upon the Lands and Grounds of the ſaid Mayor and Burgeſſes, and ſhall or may, on Nonpayment thereof, or of either of them, or any Part thereof, be diſtrained for in ſuch and the ſame Manner as Rents are authorized by Law to be recovered by Diſtreſs and Sale; be it therefore enacted, That immediately upon, and ſo ſoon as any of the Rates and Duties by this Act granted and authorized to be taken, ſhall be demanded, collected, and received, it ſhall not be lawful for the ſaid Mayor and Burgeſſes of the ſaid Town and Borough of *Great Grimſby*, or the Bailiffs thereof, or any other the Officers or Members of the ſaid Borough, or any other Perſon or Perſons in Truſt for them, or for their Uſe, or on their Behalf or Account, to demand, claim, collect, or receive any Toll or Tolls, Dues or Duties, or any Sum or Sums of Money, by way of or in the Nature of a Toll or Dues for or in reſpect or on Account of any Goods, Wares, or Merchandizes whatſoever, which ſhall from Time to Time, and at any Time then afterwards be brought into or carried out of the ſaid Town and Borough, or bought or ſold therein, or any Waggon, Cart, or other Carriage in which any Goods, Wares, or Merchandize may be ſo conveyed, or for or in reſpect of any Ship, Sloop, or Veſſel coming into the ſaid Haven, or the Cargo or Freight thereof; but all and every ſuch Toll and Tolls,

Dues

Dues and Duties of and belonging to the ſaid Mayor, Bailiffs, and Burgeſſes reſpectively, ſhall from thenceforth ceaſe and be for ever afterwards aboliſhed and extinct, any preſcriptive Right, Charter, Uſage, or Cuſtom to the contrary thereof in anywiſe notwithſtanding.

Lord *Yarborough*'s Beaconage Dues to be extinguiſhed.

XCIV. And whereas, the Right Honourable *Charles* Lord *Yarborough* is entitled to receive of and from, or for or in reſpect of every Ship, Sloop, or other Veſſel, coming into the ſaid Haven of *Great Grimſby*, by way of Beaconage Dues, certain Payments or Sums of Money, and certain ſpecifick Parts and Proportions of the Cargoes with which ſuch Ships or other Veſſels are freighted or laden; and as the Abolition and Extinction of ſuch Dues will be for the future greatly advantageous to the ſaid Company and the Publick, the ſaid *Charles* Lord *Yarborough* hath conſented and agreed, and is willing and deſirous that ſuch Payments or Beaconage Dues ſhall ceaſe and be no longer paid or payable, in Conſideration of and upon an adequate Price or Recompence by way of Annual Rent, to be charged upon the ſaid Rates and paid by the ſaid Company, who are hereby authorized and empowered to treat for and purchaſe the ſame, as ſhall be agreed upon between the ſaid Company and the ſaid *Charles* Lord *Yarborough*; or in caſe of their Diſagreement upon ſuch Recompence or Satisfaction for the ſame being paid to him by way of Rent as aforeſaid, as the ſaid Commiſſioners, or a Jury to be impannelled in ſuch Caſe and Manner as herein-after directed, ſhall think reaſonable and proper; be it therefore enacted, That the ſaid *Charles* Lord *Yarborough* ſhall be, and he is hereby authorized and required, for and in Conſideration of ſuch Annual Rent to be ſo agreed upon or ſettled as aforeſaid, to convey and aſſure to the ſaid Company the ſaid Beaconage Dues, in order and for the only Purpoſe that the ſame may be fully and abſolutely aboliſhed and extinguiſhed; and upon ſuch Annual Rent or Payment being agreed upon, or otherwiſe ſettled as a Compenſation in lieu thereof, he the ſaid *Charles* Lord *Yarborough*, or his Aſſigns, during his Life, nor any Perſon or Perſons after his Deceaſe, who otherwiſe would be entitled to the ſame, nor the ſaid Company, or any Perſon or Perſons for them, ſhall not, at any Time or Times after the Rates or Duties by this Act authorized to be had and received ſhall be collected and taken, be entitled to claim, demand, collect, or receive, by way of or in the Name or Nature of Beaconage Dues or otherwiſe, any Sum or Sums of Money, or any Goods, Articles, Wares, or Merchandize, of and from any Ship, Sloop, or other Veſſel coming into the ſaid Haven; but all ſuch Dues, Payments, and Demands ſhall from thenceforth ceaſe and be for ever extinguiſhed, and no longer paid or payable, any preſcriptive Right, Charter, Uſage, or Cuſtom, Will, or Settlement, or any other Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding.

Rates for Carriage of Goods from the Quays to the Town, and *vice verſa*, to be fixed by Committee.

XCV. And be it further enacted, That the ſaid Committee at any Meeting, and when and ſo often as they ſhall ſee Occaſion, ſhall, and they are hereby required to aſcertain, ſet down, and fix the Rates and Prices to be paid and payable for the carrying and conveying of any Goods, Wares, or Merchandize, and of Wood, Stone, Iron, and all other Matters and Things from the ſaid ſeveral Quays or Wharfs to any Part or Parts of the ſaid Pariſh of *Great Grimſby*, or from any ſuch Part or Parts to the ſaid Quays or Wharfs in, upon, or by any Horſe, Waggon, Cart, Dray, Truck, Sledge, or other Carriage, according to the Diſtances

Diſtances which the ſame ſhall be carried, and alſo for the loading or unloading thereof reſpectively, in all ſuch Caſes where the ſame ſhall be done or performed by the ſaid Carrier, or his Aſſiſtant or Aſſiſtants, as the ſaid Committee at any of their Meetings ſhall think reaſonable and proper; a Table of which ſaid Rates and Prices ſhall, from Time to Time, be written or printed in large Characters, and affixed upon ſuch Quays or Wharfs, and alſo in ſome conſpicuous Place or Places within the Town of *Great Grimſby* aforeſaid; and the ſaid Committee ſhall have Power to impoſe ſuch Penalties on Perſons taking any other Rates or Prices than as aforeſaid as they ſhall think proper, not exceeding Three Pounds on any One Perſon for One Offence.

Company to appoint a Haven Maſter, &c.

XCVI. And it is hereby further enacted, That the ſaid Company ſhall and may, at General or Special Aſſembly or Meeting hereby directed or authorized to be held, when and ſo often as they ſhall ſee Occaſion, to nominate and appoint, by Writing under their Seal, a proper Perſon to be Haven Maſter, together with One or more proper Aſſiſtants, who ſhall have full Power and Authority to direct the mooring and removing of all Ships and Veſſels coming into, or lying or being within or near to the Mouth or Entrance of the ſaid Haven, after the ſame ſhall have been ſo enlarged, ſtraightened, and varied, as before mentioned, and alſo from Time to Time, and when and ſo often as he ſhall ſee Occaſion, or be thereunto required by the ſaid Committee, to open the Lock Doors, or draw up the Sluices thereof for the Diſcharge of the upper or impounded Water, as well for the Prevention of the low Lands and Grounds being flooded as herein-before mentioned, as the better to ſcour out, cleanſe, and keep open that Part of the ſaid Haven lying below or between the ſaid Lock and the River *Humber*, and for preventing the ſame from being warped or ſilted up by Means of the Tide flowing into and over the ſame, ſo as Notice be given by the Haven Maſter to the Maſters or other Perſons having the Care of the Veſſels lying within the ſaid Haven, of ſuch Intention of opening the ſaid Lock Gates or draining off the ſaid impounded Water more than Two Feet in Depth at any one Time, Twelve Hours at leaſt before the ſame be done, under the Penalty of Ten Pounds, to be recovered in the Manner herein directed.

Company to appoint a Collector and Treaſurer,

XCVII. And be it further enacted, That the ſaid Company ſhall and may, in the Manner aforeſaid, from Time to Time appoint ſuch Collector or Collectors of the Rates and Duties hereby granted or authorized to be collected and received, and alſo ſuch Treaſurer or Treaſurers as they ſhall think fit to employ in the Execution of this Act; and ſuch Collectors and Treaſurers ſhall give Security for the due Execution of their reſpective Offices, to the Satisfaction of the ſaid Company or Committee, and ſuch Collector and Collectors, and all other Perſons who ſhall receive any Money under or by virtue of this Act, ſhall from Time to Time pay over all and every the Sum and Sums of Money, which ſuch Collector or Collectors, or other Perſon or Perſons ſhall receive by virtue of this Act, into the Hands of the ſaid Treaſurer or Treaſurers, or of ſuch other Perſon or Perſons, at ſuch Times and in ſuch Manner as the ſaid Company ſhall direct or appoint; and no ſuch Treaſurer or Treaſurers, or other Perſon or Perſons, ſhall iſſue any Sum or Sums of Money for the Uſe of or on Account of the ſaid Company, without an Order ſigned by a Ma-

jority of the Committee preſent at any Meeting; and the Treaſurer or Treaſurers ſhall be allowed all his or their Expences in the Execution of his or their Office.

Treaſurer, Collector, &c. to keep Accounts.

XCVIII. And be it further enacted, That the ſaid Treaſurers, Collectors, and other Officers, ſhall fairly enter in the Books to be by them reſpectively kept for that Purpoſe, an Account of all Monies by them reſpectively received and diſburſed, ſpecifying the Times when, and the Perſons from and to whom ſuch Monies were reſpectively received and paid and for what Purpoſes; which Books, or true Duplicates thereof, reſpectively ſigned by the ſaid Treaſurers, Collectors, or other Officers, together with the Vouchers for ſuch Expenditures, and alſo all Books and Papers in their Cuſtody reſpectively, relating to the Execution of this Act, ſhall be delivered to the Committee for the Time being, for the Uſe and Inſpection of the ſaid Company, Once at leaſt in every Year, and from Time to Time as often as the ſaid Company or the ſaid Committee ſhall require the ſame.

Company or Committee may ſummon Treaſurer, Collector, &c

XCIX. And be it further enacted, That the ſaid Company or the ſaid Committee ſhall and may reſpectively, at ſuch Time or Times as they ſhall think proper, ſummon before them, and if they think fit examine or cauſe to be examined upon Oath (which Oath any One of the ſaid Company or Committee is and are hereby empowered to adminiſter) the ſaid Treaſurers, Collectors, and other Officers and Perſons employed in or entruſted with the Receipt or Expenditure of all or any of the Monies to be raiſed or received by virtue of this Act; and in caſe any of the ſaid Treaſurers, Collectors, or other Officers or Perſons ſo employed or entruſted as aforeſaid, ſhall be found in Arrear, or ſhall refuſe to account or to pay the Money due upon the Balance of ſuch Account, according to the Directions of the ſaid Company or Committee, then and in every ſuch Caſe it ſhall be lawful, upon Application to any One or more of the Juſtices of the Peace for the County, Diviſion, or Liberty in which ſuch Perſon ſo refuſing or making Default ſhall reſide and dwell, for ſuch Juſtice or Juſtices, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, (and who is and are hereby authoriſed and required to grant the ſame), to levy, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo found in Arrear, or refuſing to account, or to pay the Money due upon the Balance of ſuch Account as aforeſaid, ſuch Sum or Sums of Money as he or they ſhall be required to account for, or ſhall be found due upon the Balance of his or their Account or Accounts; and for Want of ſufficient Diſtreſs it ſhall be lawful for any One or more of ſuch Juſtices of the Peace, upon Complaint on Oath made to him or them by any One or more of the ſaid Committee or Company, or by any of their Officers or Agents, by any ſuch Warrant or Warrants as aforeſaid, to commit ſuch Perſon or Perſons to the Common Gaol or Houſe of Correction of and for ſuch County, Diviſion, or Liberty, there to remain, without Bail or Mainprize, until he or they ſhall have made a true and perfect Account, and paid ſuch Monies as ſhall appear to be remaining in his or their Hands to the ſaid Company, or according to their Appointment, or ſhall have compounded for the ſame, and ſhall have paid ſuch Compoſition Money, (which Compoſition the ſaid Company or the ſaid Committee are hereby empowered to make), or

Officers refuſing to account,

their Goods may be diſtrained.

For Want of Diſtreſs may be committed.

the ſaid Company may and are hereby empowered to bring or cauſe to be brought any Action or Actions in any of His Majeſty's Courts of Record at *Weſtminſter* againſt ſuch Officer or Officers, or Perſon or Perſons ſo refuſing, neglecting, or making Default as aforeſaid, and againſt all and every ſuch Perſon or Perſons as ſhall become his or their Security or Securities, for the Recovery of the Monies that ſhall be in the Hands of or be due from ſuch Officer or Officers, or other Perſon or Perſons reſpectively, and upon ſuch Bond or Bonds as ſhall be entered into by them reſpectively. Or Company may bring Actions.

C. And be it further enacted, That the ſaid Company ſhall and may, at their ſaid Firſt or any ſubſequent General Aſſembly or Meeting, and from Time to Time, when and ſo often as Need be or Occaſion ſhall require, appoint a Clerk, who ſhall always attend the General Meetings and Aſſemblies of the ſaid Company, alſo ſuch Meetings of the ſaid Committee and Commiſſioners as ſhall be held by them reſpectively for the Purpoſes of this Act, and who ſhall, in proper Books to be provided for that Purpoſe, enter and keep true and perfect Accounts of the Names and Places of Abode of the ſeveral Proprietors of the ſaid Haven Navigation, and of the ſeveral Perſons who ſhall, from Time to Time, become Owners and Proprietors, or entitled to any Share or Shares, or to any Part of ſuch Shares of and in the ſaid Navigation, Undertaking, and Premiſes, and therein make from Time to Time ſuch Entry or Memorial, as herein directed, of all Mortgages, Transfers, or Aſſignments, and ſhall alſo in the ſaid Books, or ſome of them, ſtate and ſettle all Accounts, Receipts, Payments, and Diſburſements, relating to the ſaid Undertaking and Navigation, and alſo fairly and faithfully enter all Bye Laws, Rules, Orders, Acts, Proceedings, and Tranſactions, of the ſaid Company, Committee, and Commiſſioners reſpectively, by virtue of and under the Authority of this Act; and each and every of the ſaid Proprietors or other Perſons intereſted, ſhall and may, at all convenient Times, have Recourſe to and peruſe and inſpect ſuch Books *gratis*, and may demand and have Copies or Abſtracts thereof, or Extracts therefrom, paying Sixpence for every One hundred Words ſo to be copied; and if ſuch Clerk ſhall refuſe to permit ſuch Inſpection, or make any ſuch Copies, Abſtracts, or Extracts, at the Rate aforeſaid, within a reaſonable Time, he ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds; and the ſaid Orders, Acts, Proceedings, and Tranſactions of the ſaid Committee, and alſo of the ſaid Commiſſioners, ſhall, when entered, be reſpectively ſigned by the major Part, or ſo many and ſuch Number of them the ſaid Committee and Commiſſioners as are hereby empowered and required to make the ſame, and ſhall alſo be atteſted by the ſaid Clerk as a Witneſs thereto, and being ſo entered, ſigned, and authenticated, ſhall and may be produced and read in Evidence, without further Proof, in all Courts and upon all Occaſions whatſoever; and ſuch Clerk or Clerks ſhall be entruſted with Money from Time to Time, by an Order in Writing, ſigned by the ſaid Committee, upon the Treaſurer or Treaſurers, to enable him to pay petty Expences, and ſuch ſmall Sums as ſhall be found neceſſary, who ſhall account for the ſame to the ſaid Committee, and whoſe Accounts thereof ſhall be regularly examined and ſigned by the ſaid Committee when and ſo often as they ſhall ſee fit. Company to appoint a Clerk; to enter Proceedings, &c. Penalty on refuſing Inſpection, &c.

CI. And

Company empowered to appoint further Officers,

CI. And be it further enacted, That the ſaid Company, at their Firſt Meeting, or at any ſubſequent Meeting, may, over and beſides the ſaid Treaſurer or Treaſurers, Collector, Haven Maſter, and Clerk, chuſe and appoint ſuch other Officer or Officers as they ſhall think neceſſary to employ in the Execution of this Act, and each and every of them the ſaid Officers, as well as all ſuch others as ſhall be ſo appointed as aforeſaid, ſhall be paid out of the Monies to be raiſed by virtue of this Act, ſuch Yearly or other Stipends, Salaries, or Allowances, as the ſaid Company, at a General Meeting aſſembled, ſhall think reaſonable; and the ſaid Company ſhall and may, from Time to Time, remove or diſplace any ſuch Treaſurer, Collector, Haven Maſter, Clerk, or other Perſon or Perſons whomſoever by them appointed in purſuance of this Act, and in the Room and Stead of the Perſon or Perſons ſo diſplaced, and alſo in the Room and Place of any ſuch Perſon dying, neglecting, or becoming incapable to act, to nominate and appoint, from Time to Time, ſuch other Perſon or Perſons as they ſhall think proper; and all and every ſuch Clerk, or other the Officers aforeſaid, who ſhall be ſo removed, or their Executors and Adminiſtrators, or other legal Repreſentatives of ſuch Clerk or other Officer dying, and all and every other Perſon and Perſons, who ſhall or may have, in his, her, or their Cuſtody, Keeping, or Poſſeſſion, any ſuch Book or Books as aforeſaid, or any Papers, Writings, Accounts, Proceedings, or other Documents, in anywiſe relating to or concerning the ſaid Navigation or Haven, ſhall, within the Space of One Calendar Month next after Notice in Writing, ſigned by Three or more of the ſaid Committee for the Time being, or a true Copy thereof, given to or left at the uſual Place of Abode of ſuch Perſon or Perſons, deliver and give up all ſuch Books, Papers, Writings, Accounts, Proceedings, or other Documents, unto ſuch Perſon or Perſons as the ſaid Committee by ſuch Notice ſhall order and appoint, whoſe Receipt for the ſame ſhall be a good and ſufficient Diſcharge to ſuch Perſon or Perſons ſo delivering ſuch Books, Papers, Writings, Accounts, Proceedings, or other Documents; and if any ſuch Perſon or Perſons, having in his, her, or their Cuſtody, Keeping, or Poſſeſſion, any ſuch Books, Papers, Writings, Accounts, Proceedings, or other Documents, ſhall refuſe or neglect ſo to deliver the ſame within the Time limited by ſuch Notice, and Demand made, he, ſhe, or they ſhall, for ſuch Offence, forfeit and pay the Sum of Twenty Pounds, which ſhall and may be recovered by Diſtreſs and Sale, or by Action at Law, and be applied and diſpoſed of in ſuch Manner as is herein directed with reſpect to the Recovery of other Monies due or to become forfeited to the ſaid Company.

with Salaries, &c.

and to diſplace them.

Books and other Documents to be given up by the Clerk, &c. under a Penalty.

Money, Duties, and Effects veſted in Company.

CII. And be it further enacted, That all and every Sum and Sums of Money, which ſhall at any Time or Times be ſubſcribed, advanced, and paid by any Perſon or Perſons for or in reſpect of any Share or Shares in the ſaid Haven Navigation, and alſo all the Monies which ſhall or may ariſe from the ſeveral Rates or Duties by this Act granted, or upon any other Account whatſoever, and alſo all Locks, Piers, Jetties, Sluices, Engines, Warehouſes, and other Buildings and Works, and all Boats, Lighters, and other Veſſels, and all other Matters and Things to be made, erected, built, or provided by the ſaid Company, and all Securities for Money and Effects of or belonging to the ſaid Navigation, ſhall be, and the ſame are hereby veſted in the ſaid Company, and

and the ſame, and every Part thereof, are hereby declared to be their Property and Eſtate.

The Surplus of Taxes after paying Ten *per Cent.* to be applied in Diſcharge of Arrears of Intereſt, and then to be placed out at Intereſt.

CIII. And be it further enacted, That if in any One Year ſubſequent to the paſſing of this Act, the ſeveral Rates or Duties to be taken by virtue thereof, after paying and ſatisfying all neceſſary Expences attending the Execution of this Act, and the maintaining, ſupporting, and preſerving the Navigation of the ſaid Haven, and all the Works, Buildings, and Erections thereto reſpectively belonging, and paying and ſatisfying all ſuch Rents, or other Annual Payments, or Sum or Sums of Money with which ſuch Rates or Duties ſhall or may be charged or ſubject to, ſhall produce or raiſe any larger Sum or Sums of Money than ſhall be ſufficient to make a Diſtribution amongſt the ſaid Proprietors of the ſaid Haven Navigation of Ten Pounds *per Centum*, upon the Principal Sum or Sums of Money which ſhall have been *bona fide* raiſed and expended for the Purpoſes of improving and preſerving the Navigation of the ſaid Haven, and ſhall be then due and owing thereon, or on the Security thereof, then and from thenceforth the ſeveral Proprietors, their Executors, Adminiſtrators, or Aſſigns, ſhall be paid with and out of the Exceſs or Surplus above ſuch Sum or Sums, Intereſt for their ſaid Principal Monies, at and after the Rate of Ten Pounds *per Centum per Annum*, from the Time ſuch Sums ſhall have been reſpectively advanced, to the Time of the Completion of the ſaid Undertaking, or of any of the Rates or Duties hereby authorized to be had and taken, being collected and received in reſpect thereof, and for which no Dividend or Intereſt ſhall have been paid or received, rateably and in Proportion to the ſeveral Sum or Sums by ſuch Perſon and Perſons ſo ſubſcribed, and *bona fide* paid and advanced as aforeſaid, without any Preference or Partiality for or on any Account or Pretence whatſoever; and when and ſo ſoon as all the Arrears of ſuch Intereſt ſhall have been fully paid and ſatisfied by and out of ſuch Exceſs or Surplus, ſuch Exceſs or Surplus ſhall from Time to Time, as the ſame ſhall afterwards accumulate and ariſe, be placed out by the ſaid Committee on Government or other ſufficient Securities, until ſuch Exceſs or Surplus ſhall amount to the Sum of Two thouſand Pounds, and which ſhall be applied in making good any Deficiencies that may have happened ſubſequent to any ſuch Inveſtment; and in Caſes of any Demolition of any of the Works of the ſaid Navigation, or other inevitable Accident, the ſame ſhall and may be employed in the Repair of and making good the ſame; the Intereſt of all and every ſuch Surplus Monies ſhall from Time to Time be applied for the ſame Purpoſes, as the ſeveral Rates or Duties to be taken by virtue of this Act are hereby directed to be applied and diſpoſed of.

Company to employ Surplus Money in making further Works.

CIV. And be it further enacted, That upon the ſaid Sum of Two thouſand Pounds Surplus Money being inveſted at Intereſt as aforeſaid, and all ſuch Deficiencies, Arrears, and Payments as aforeſaid having been ſatisfied, paid, and diſcharged, it ſhall be lawful for the ſaid Company, and they are hereby authorized and required from Time to Time, and at all Times, whenever Need or Occaſion ſhall require, but nevertheleſs at ſome General Aſſembly or Meeting, of which Twenty-one Days previous Notice, ſpecifying the Intent or Occaſion thereof, ſhall at leaſt have been given in ſuch and the like Manner as herein-before is directed,

to apply and diſpoſe of all, or ſo much and ſuch Part of the ſaid Surplus Money as the ſame ſhall from Time to Time accumulate or ariſe, in making ſuch Dock or Docks, Baſon or Baſons, Jetties, Piers, or other Works, Accommodations, and Conveniencies, as the increaſed Trade and Commerce of the ſaid Port of *Grimſby* may from Time to Time call for and require, but without Prejudice nevertheleſs to the ſaid Sum of Two thouſand Pounds, and ſo as no ſuch Surplus Money be ſo applied or diſpoſed of at any Time or Times when leſs than the ſaid Sum of Two thouſand Pounds ſhall remain inveſted at Intereſt to anſwer the Deficiencies and Contingencies aforeſaid.

Company enabled, for making further Works, to raiſe Money on the Credit of the Surplus.

CV. And, as ſuch further and additional Works and Conveniencies as aforeſaid may the more readily be obtained, and with much greater Facility be done and executed, if, on the Credit or Security of ſuch Surplus or Exceſs of Revenue, Power were given to borrow and take up at Intereſt ſuch Sum or Sums of Money as may be adequate to ſuch ſeveral and further Purpoſes as aforeſaid, or any of them: Now therefore, in order to enable the ſaid Haven Company to make and carry into Execution ſuch further and additional Works and Conveniencies, when the ſame ſhall ſo as aforeſaid become needful and requiſite, be it enacted, That it ſhall and may be lawful to and for the ſaid Company, at any Time or Times when the ſeveral Rates or Duties ſhall in any One Year, after paying all and every the Charges and Diſburſements attending the Execution of this Act, and making ſuch Diviſion amongſt the individual Members of the ſaid Company of Ten Pounds *per Centum* as aforeſaid, exceed the Sum of One hundred Pounds, (excluſive of the ſaid Sum of Two thouſand Pounds herein-before directed to be placed out at Intereſt as aforeſaid), to borrow and take up at Intereſt on the Credit of the ſaid Surplus of the ſeveral Rates or Duties, and Inveſtments aforeſaid, at ſome General or Special Aſſembly as aforeſaid, and of which ſuch Notice as aforeſaid ſhall have been given, ſuch Sum or Sums of Money as may be needful and adequate to the making, doing, and executing ſuch additional, and further and other Works, Accommodations, and Conveniencies as aforeſaid; and the ſaid Haven Company are hereby fully authorized and empowered to aſſign over the ſaid Surplus of Revenue as aforeſaid, or any Part thereof (the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Surplus), as a Security for any ſuch Sum or Sums of Money to be ſo borrowed with Intereſt, not exceeding legal Intereſt, to ſuch Bodies Politick or Corporate, or other Perſon or Perſons, or his, her or their Truſtee or Truſtees, who ſhall advance the ſame, in ſuch Form as is ſpecified and ſet forth in the Schedule to this Act annexed, or in or by Words to that or the like Purport or Effect; and all and every Bodies Politick or Corporate, or other Perſon or Perſons, and his, her, or their Succeſſors, Adminiſtrators, or Aſſigns, to whom any ſuch Aſſignment or Mortgage ſhall be made, ſhall be equally entitled to their Proportion of the ſaid Surplus of Revenue, according to the reſpective Sums in ſuch Securities mentioned to be advanced, to ſecure the Re-payment thereof with the Intereſt as aforeſaid, without any Preference by Reaſon of Priority of Aſſignment or on any other Account whatſoever, and the Money ſo borrowed ſhall be applied in the making and executing ſuch additional or further and other Works and Conveniencies for which the ſame ſhall have been borrowed, and in carrying the ſame into effectual and complete Execution, and every ſuch Aſſignment or Mortgage,

Mortgages and Aſſignments may be transferred;

ſhall and may be aſſigned or transferred, and ſuch Aſſignee may aſſign and transfer again *toties quoties*, in ſuch or the like Manner and Form, and with ſuch and the ſame Powers and Advantages, as to ſuch Surplus of Revenues as aforeſaid; and Entries or Memorials of every ſuch Mortgage, Aſſignment, or Transfer, ſhall be made by the Clerk to the ſaid Company as is herein-before directed and preſcribed reſpectively, with reſpect to the Aſſignment or Transfer of the ſaid Rates and Duties, for raiſing a further Sum of Money for completing the Works of the ſaid Undertaking, in caſe the Monies firſt raiſed ſhould prove not adequate or ſufficient for ſuch Purpoſes reſpectively, as fully, completely, and effectually, as if the ſame were again repeated and enacted.

to be entered in like Manner as Mortgages on the Rates, &c.

CVI. And whereas it may happen that by Reaſon of the increaſed Trade of the ſaid Town and Port of *Grimſby*, the ſaid Haven may be inſufficient for the Accommodation of all the Ships and Veſſels reſorting thither, and that a Dock or Baſon in conſequence thereof may become neceſſarily wanted; in order therefore to make Proviſion for the making of ſuch Dock or Baſon out of the ſaid Surplus Monies or the Monies to be borrowed on the Credit thereof as aforeſaid; be it enacted, That it ſhall and may be lawful to and for the ſaid Company, and they are hereby authorized and empowered, when and ſo ſoon as ſuch Dock or Baſon ſhall be neceſſarily wanted as aforeſaid, and there ſhall be a ſufficient Fund raiſed by and out of ſuch Exceſs or Surplus as before-mentioned, or Money adequate thereto ſhall be raiſed on the Security thereof, to make in and upon the moſt convenient Place or Places of the Ground lying within that Part of the ſaid *Eaſt Marſh* Common in *Great Grimſby* aforeſaid called *Fitty Ground*, and which ſhall lie contiguous to and on the Eaſt Side of the ſaid Haven, after the Courſe and Direction thereof ſhall have been ſo altered and varied as aforeſaid on the North or North-eaſt Side of the Bank there, or Point of high Water Mark, One or more Dock or Docks, Baſon or Baſons, to open into and communicate with the ſaid Haven above the Lock, with other neceſſary Conveniencies, ſo as no greater Quantity or more than Ten Acres of ſuch Fitty Land be had and uſed for any ſuch Purpoſe, without the Licence or Conſent of the Mayor and Burgeſſes of *Great Grimſby* aforeſaid, and ſo as the ſaid Company do pay unto the ſaid Mayor and Burgeſſes for ſuch Ten Acres, or leſs Quantity as ſhall or may be ſo taken by them, ſo much and ſuch Sum or Sums of Money in Groſs, or by an Annual Rent *per* Acre, as the ſaid Fitty Land, and other Land for forming ſuch Junction or Communication as aforeſaid, ſhall by the ſaid Commiſſioners or by a Jury, in ſuch and the like Manner as aforeſaid, be valued at *per* Acre, and which Valuation is hereby required to be made at ſuch and the ſame Time, or within the Space of Two Years next after the paſſing of this Act, as other the Land or Ground hereby authorized to be had and taken for other the Purpoſes aforeſaid, ſhall be made by the ſaid Commiſſioners or by a Jury, in caſe the Parties, or either of them, ſhall be diſſatisfied with the Judgement or Determination of ſuch Commiſſioners; and upon Payment or Tender of ſuch Compenſation to the Mayor or Chamberlains of the ſaid Borough for the Time being, ſuch Land or Ground at the Time or Times when the ſame ſhall be ſo wanted, may be had and uſed by the ſaid Company for ſuch Intents and Purpoſes as aforeſaid.

Company empowered to take Fitty Land wherein to make a Dock when the ſame ſhall become neceſſary, &c.

CVII. And

Any Dock to be afterwards made to be free upon Payment of Rates, but ſubject to neceſſary Regulations.

CVII. And be it further enacted That all and every ſuch Dock or Baſon, Docks or Baſons, as ſhall or may at any Time or Times hereafter be made by virtue of the Power and Authority hereby given, ſhall at all Times, after the ſame ſhall be ſo made, be open to and for the Reception and Uſe of all Ships or other Veſſels whatſoever, upon Payment of ſuch and the ſame Rates or Duties, and no greater, than ſhall be due or demandable under or by Authority of this Act for or in reſpect of any Ship or other Veſſel coming into the ſaid Haven, and alſo ſubject to ſuch and the ſame Regulations and Penalties as are hereby preſcribed and eſtabliſhed with reſpect to the ſaid Haven, and alſo to ſuch other Rules, Orders, and Regulations, as the ſaid Company, or any Committee, by them to be appointed as herein mentioned, ſhall from Time to Time think expedient and proper to be made, and which they are hereby reſpectively authorized and empowered to make and eſtabliſh in regard to the mooring and Management of any Ship or Veſſel uſing any ſuch Dock or Baſon, and with reaſonable Penalties, not exceeding Forty Shillings for the Non-obſervance or Breach thereof.

Surplus amounting to 100*l. per Annum*, the Duties may be reduced by the Company, or in their Default by the Commiſſioners.

CVIII. Provided nevertheleſs, and be it further enacted, That when and at any Time or Times after the paſſing of this Act, the ſeveral Rates or Duties to be collected by virtue of and under this Act, and the Intereſt of ſuch Surplus Money as ſhall or may be ſo placed on Government or other Securities as aforeſaid, ſhall in any One Year, after paying, ſatisfying, and diſcharging all neceſſary Charges and Expences attending the Execution of this Act and the ſeveral Purpoſes thereof, and all Annual Payments by way of Rent, Intereſt, or otherwiſe, and the making ſuch Dividends or Diviſions of or out of the Produce of the ſaid ſeveral Rates and Duties, and ſuch Inveſtments as aforeſaid, and to the Amount and Extent before-mentioned, exceed or amount to the net and clear Sum of One hundred Pounds, and no additional or further and other Works or Improvements ſhall be needful or wanting, or that it would be of greater publick Utility, and more conducive to the further Increaſe of the Trade of the Town and Port aforeſaid, to leſſen and reduce the ſaid Rates and Duties than to make any further or other additional Works or Conveniencies, it ſhall and may be lawful to and for the ſaid Company in any ſuch Caſe, and they are hereby authorized and required, and in caſe of their Neglect or Default for the Space of Three Calendar Months next after Requeſt ſhall have been made to them for ſuch Purpoſe in Writing, under the Hands of the ſaid Commiſſioners, or any Twenty-one or more of them, that then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Twenty-one or more of them, and they are hereby alſo authorized and required, at ſome General Aſſembly or Meeting, of which Twenty-one Days previous Notice, ſpecifying the Intent or Occaſion thereof, ſhall at leaſt have been given by the ſaid Company or Commiſſioners, as the Caſe may happen to be, to lower, diminiſh, and reduce, the Rates and Duties aforeſaid, or ſuch of them, and in ſuch Proportion and Degree as they ſhall in their Diſcretion think moſt proper, ſo as a Preference be given to the ſeveral Goods, Wares, and Merchandize hereby charged, but ſo nevertheleſs that any ſuch Reduction be not to the Injury or Prejudice of the ſaid Company, or any other Perſon or Perſons whomſoever, to whom any Sum or Sums of Money ſhall be then due and owing on the Credit of the ſaid Rates and Duties, or to whom the ſame may have been demiſed

or letten, and no greater or higher Rates or Duties ſhall be had and received than ſhall be ſo ſettled and allowed by the ſaid Commiſſioners; and in caſe any Deficiency ſhall be occaſioned for or by Reaſon of ſuch Reduction of the ſaid Rates or Duties, ſo that the ſame will not be ſufficient, after paying the ordinary Diſburſements, to make ſuch Diviſion as aforeſaid of Ten Pounds *per Centum* amongſt the ſaid Company of Proprietors, then it ſhall be lawful for the ſaid Company, at any Meeting to be held for that Purpoſe, of which ſuch Notice as laſt mentioned ſhall be given, to raiſe the ſaid Rates and Duties to ſuch a Rate or Proportion as will be ſufficient to make up ſuch Deficiency, ſo that the ſame or any of them do not exceed the higheſt Rate of the Sum or Sums of Money, Rates or Duties allowed to be taken under or by virtue of this Act.

Commiſſioners or Auditors appointed by them empowered to inſpect the Company's Accounts.

CIX. And, for the better enabling the ſaid Commiſſioners from Time to Time to aſcertain and be fully informed of the Amount or Extent of the Surplus of the Rates or Duties, and alſo in Default of the ſaid Company to make ſuch Reduction of the Rates and Duties aforeſaid, as the Caſe may be, without Prejudice to the ſaid Company, or other Perſon or Perſons concerned in the Navigation of the ſaid Haven, or in anywiſe intereſted therein, it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, from Time to Time, and at all Times, at any Meeting to be held for that Purpoſe, of which Four Days previous Notice ſhall have been given in the Manner herein-before mentioned, to call for and inſpect all and every the Book and Books of the ſaid Company, in which the Accounts of the ſaid Haven Navigation and Undertaking are entered and ſtated, or otherwiſe ſhall at any ſuch Meeting nominate and appoint One or more proper and competent Perſon or Perſons to inſpect, examine, and audit the ſaid Books and Accounts, who ſhall and may take Copies of ſuch Accounts, or make Extracts thereof, as to them the ſaid Commiſſioners or the ſaid Auditors ſhall ſeem neceſſary and proper; and if any Clerk of the ſaid Company, or other Perſon or Perſons in whoſe Hands or Cuſtody the ſaid Books and Accounts reſpectively ſhall then be, ſhall not permit or ſuffer the ſame reſpectively to be ſo examined and inſpected as aforeſaid, or Copies or Extracts to be made of or from any ſuch Accounts, or otherwiſe ſhall delay, hinder, or obſtruct the doing thereof, every Clerk or other Perſon ſo offending, ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, to be recovered and levied in ſuch and the like Manner as is herein-before preſcribed with reſpect to the Recovery of other the Penalties and Forfeitures hereby impoſed.

Clerks or thoſe having the Cuſtody of Accounts to forfeit 50*l.* for Refuſal.

Mayor and Burgeſſes empowered to leaſe a certain Part of the *Eaſt Marſh* Common.

CX. And whereas there is lying within the Common Paſture in *Great Grimſby* aforeſaid, called *The Eaſt Marſh*, and between the Turnpike Road there and the Bank on the Eaſt Side of the ſaid Haven, and which is ſeparated and detached from the Reſt of the ſaid Common Paſture by the ſaid Turnpike Road, a narow Screed or Parcel of Land, in Length from the North-eaſt End of a Cloſe belonging to *George Robert Heneage* Eſquire, called *The Haven Side Cloſe*, to the End of the ſaid Turnpike Road, Forty-ſix Chains, and containing Sixteen Acres or thereabouts, and which from its Situation by the Side of the ſaid Haven will be very convenient for the Purpoſes of Trade, and for the Erection of Warehouſes and other Buildings, were the Right of Common in or upon the ſame to

ceaſe and be abſolutely extinguiſhed; be it therefore enacted, That it ſhall and may be lawful to and for the Mayor and Burgeſſes of *Great Grimſby* aforeſaid, from Time to Time, and at all or any Time or Times from and after ſuch Alteration or Variation of the ſaid Haven, and the Ground from the Banks and Towing Paths on the Eaſt Side thereof ſhall reſpectively be ſet and ſtaked out, by publick Bidding or Biddings, to let and demiſe all and every the ſaid Screed or Piece or Parcel of Commonable Ground, or ſo much thereof as ſhall remain unoccupied and be not neceſſarily wanted for any of the Works or Conveniencies of or relating to the ſaid Haven Navigation and Undertaking, freed and diſcharged of and from all Right of Common which can or may be claimed therein or thereupon by any Mayor, Alderman, Common Councilman, and Free Burgeſs of the ſaid Borough of *Great Grimſby* for the Time being, or any of them, or any other the Members or Officers thereof, or of any other Perſon or Perſons whomſoever: Provided nevertheleſs, that at or near each Extremity, and at or about the Middle or Centre thereof, there be made or ſet out, convenient and ſufficient Roads, Ways, or Avenues as and by way of Common Staiths, for the Uſe of the Publick to and from the ſaid Turnpike Road to the ſaid Haven, ſuch as ſhall be made at or near the ſaid Extremities, not to exceed Ten Yards in Width; and the middle or central One not to exceed Eight Yards in Width; that not more than Twenty Yards in Length of ſuch Frontage next the ſaid Haven be let to any One Perſon or Perſons or Company, nor for any greater Term or Space of Time than Sixty Years, or for more than Twenty-one Years, in all ſuch Caſes where the Leſſee or Leſſees of any ſuch Piece or Parcel of Ground ſhall be under no Covenant or other Obligation to erect any Warehouſe or other Buildings thereon for the Purpoſes of Trade; and alſo that the Burgeſſes of the ſaid Borough who are concerned in Trade, as Timber, Coal, Corn, or other Merchandize, and who ſhall be in the actual Want of and require any ſuch Accommodation, have a Preference and be accommodated at a fair and reaſonable Rent, before any Part of ſuch Commonable Ground be demiſed or let by the ſaid Mayor and Burgeſſes to any other or indifferent Perſon or Perſons whomſoever.

Maſters of Veſſels not making them ſtationary before they come to the Lock or conforming to the Haven Maſter's Directions in mooring, or obſtructing his Removal of Veſſels in certain Caſes, to be ſubject to a Penalty of 5*l.*

CXI. And be it further enacted, That if the Owner, Maſter, Servant, or other Perſon having the Care of any Ship or Veſſel, ſhall not in coming into the ſaid Haven, and in his Approach to the ſaid Lock, make or cauſe ſuch Ship or Veſſel to be or become ſtationary at the Diſtance of Two hundred Yards at the leaſt from the ſaid Lock, or ſhall refuſe or neglect to moor or remove any ſuch Ship or Veſſel, according to the Directions of the ſaid Haven Maſter, after Notice to him or them given, or left in Writing on board the ſaid Ship or Veſſel, or ſhall obſtruct or hinder the ſaid Haven Maſter or any of his Aſſiſtants, at any Time or upon any Occaſion when there ſhall be a good and reaſonable Cauſe for the ſame being done, in the Removal of ſuch Ships or Veſſels into any other Part or Parts of the ſaid Haven above the Lock, or out of that Part to ſome other Part of the ſame Haven beneath or below the Lock, or into or out of any Dock or Baſon which ſhall or may hereafter be made under the Powers and Proviſions in this Act contained, or in removing any Ship or Veſſel from the publick Quays or Wharfs, to prevent any Delay or Obſtruction to or in the loading or unloading of any other Ship or Veſſel at any ſuch Quays or Wharfs, then and in every

ſuch Caſe every ſuch Owner, Maſter, or other Perſon having the Care of any ſuch Ship or Veſſel, ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds.

Haven Maſter for Miſbehaviour to be ſubject to a Penalty or be removed.

CXII. And be it further enacted, That in caſe the Haven Maſter, or his Aſſiſtant or Aſſiſtants for the Time being, ſhall not, in mooring or removing of Ships or Veſſels within or out of the ſaid Haven, or any Dock or Baſon which ſhall or may in future be ſo made as aforeſaid, act with that due Impartiality which the Nature of their Office ſhall require, or ſhall wilfully abuſe the Authority veſted in him or them for ſuch Purpoſes, or ſhall otherwiſe miſbehave him or themſelves in their Office, and Complaint ſhall be thereof made in Writing to the ſaid Company, or the ſaid Committee by them appointed, the ſaid Company or Committee ſhall and may enquire into the Nature of the Complaint, and upon Proof of the Offence complained of, and that no proper Satisfaction has been made or tendered for or in reſpect of the ſame, ſhall and may ſubject the Offender to a Penalty not exceeding Ten Pounds, or ſhall otherwiſe diſcharge the Offender from his Office of Haven Maſter or Aſſiſtant, as the Caſe may be, and ſhall within Fourteen Days next afterwards appoint another Perſon in his Room, and the Perſon ſo diſcharged ſhall be for ever afterwards incapable of being again appointed to the Office of Haven Maſter or Aſſiſtant; and all ſuch Penalties as aforeſaid which ſhall be ſo incurred, ſhall and may, upon Non-payment thereof, be recovered and levied in the ſame or like Manner as herein is preſcribed for the Recovery of other the Penalties or Forfeitures impoſed by this Act.

Veſſel ſunk to be weighed by the Haven Maſter at Owners Expence.

CXIII. And be it further enacted, That if any Boat, Lighter, or other Veſſel, which ſhall or may happen to be ſunk in or immediately off the Mouth or Entrance of or into the ſaid Haven, or within any Dock or Baſon that may in future be made as aforeſaid, and the Owner or Owners, or other Perſon or Perſons having the Care of any ſuch Boat, Lighter, or other Veſſel, ſhall not, without Loſs of Time, weigh or draw up the ſame, it ſhall be lawful for the ſaid Haven Maſter, or his Aſſiſtant or Aſſiſtants, to cauſe ſuch Boat, Lighter, or other Veſſel, to be weighed or drawn up; and in caſe the ſame ſhall not be redeemed, and all Expences paid within the Space of Seven Days, to ſell and diſpoſe thereof for the Satisfaction of all the Expences neceſſarily incurred and occaſioned in or about the weighing, drawing up, and ſelling or diſpoſing of the ſame.

Old Ships incumbering the Haven, &c. to be removed.

CXIV. And be it further enacted, That no Ship or Veſſel that ſhall be laid up as unfit for further Service ſhall be permitted to be or remain in the ſaid Haven or in any ſuch Dock or Baſon ſo to be made in future as aforeſaid, to incumber the ſame for above the Space of Six Calendar Months in the Whole, and that during all ſuch Time the Owner or Owners, Maſter or Commander, Factor or Agent of or for ſuch Ship or Veſſel ſhall keep the ſame conſtantly and ſufficiently moored, to prevent Damage or any Obſtruction being given to the free Paſſage of any other Ship or Veſſel; and that in every ſuch Caſe it ſhall be lawful for the ſaid Haven Maſter, his Deputy and Aſſiſtants, and every of them, to cauſe ſuch Ship or Veſſel ſo incapable or unſerviceable, which ſhall lie in the ſaid Haven or in any ſuch Dock or Baſon ſo to be made as aforeſaid

ſaid for above the Space of Six Calendar Months, or that ſhall be found looſe and unmoored within the ſame, to be removed out of the ſaid Haven, or any ſuch Dock or Baſon, and to lay and moor ſuch Ship or Veſſel on any Part of the Strand or Shore of the ſaid River *Humber*, within Highwater Mark, and as near to the ſaid Haven as conveniently may be; and upon Refuſal or Neglect of Payment to the ſaid Haven Maſter, his Deputy or Aſſiſtant, or any of them, by the Owner or Owners, Maſter, Commander, or Agents, of or for ſuch Ship or Veſſel, of the reaſonable Charges of removing and mooring ſuch Ship or Veſſel as aforeſaid, for the Space of Five Days next after Demand ſhall have been made thereof, then and in every ſuch Caſe it ſhall be lawful for the ſaid Haven Maſter, his Deputy, or Aſſiſtants, or any of them, to levy ſuch Charges and Expences, by Diſtreſs and Sale of ſuch Ship or other Veſſel, or any of her Tackle, Apparel, or Furniture, or any Part thereof, rendering the Overplus, if any ſuch there be, after deducting the Charges of the taking, keeping, and Sale of ſuch Diſtreſs, to the Owner or Owners, Maſter, Factor, or Agent, of or for ſuch Ship or other Veſſel, upon the ſame being demanded.

Expence thereof on Refuſal to be diſtrained for.

Timber not to be left in the Haven longer than 48 Hours without Conſent.

CXV. And be it further enacted, That no Wood or Timber which ſhall be delivered within the ſaid Haven, or in any ſuch Dock or Baſon which may hereafter be made as aforeſaid, ſhall be permitted to lie or remain therein for a longer Time than Forty-eight Hours after the Delivery thereof, without the Leave or Conſent of the Haven Maſter for the Time being, or his Deputy, and ſo as the ſame can or may be given without annoying or prejudicing any Ship or Veſſel within the ſaid Haven, or any ſuch Dock or Baſon as aforeſaid, or injuring or obſtructing the free Navigation thereof; and in caſe the ſame ſhall not be removed before the Expiration of the ſaid Forty-eight Hours, or within ſuch further Time as ſhall be ſo allowed as aforeſaid, the Owner or Owners thereof ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds.

Gunpowder and other combuſtible Matter to be removed after a limited Time.

CXVI. And be it further enacted, That no Gunpowder, Tar, Pitch, Roſin, Hemp, Flax, Faggots, Furze, Brandy, or other ſpirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Greaſe, Shavings of Wood, or other combuſtible or inflammable Matters or Things whatſoever, ſhall be ſuffered to be or remain upon the aforeſaid Quays or Wharfs, or upon the Deck of any Ship or Veſſel in the ſaid Haven, or in any ſuch Dock or Baſon ſo in future to be made, for above the Space of Twenty-four Hours after paſſing the Cuſtom Houſe Officers, nor any Gunpowder exceeding the Quantity of Six Pounds on board of any ſuch Ship or Veſſel beyond the ſaid Space of Time after the Arrival thereof; and if ſuch Goods and Things cannot be conveniently removed or taken from ſuch Quays or Wharfs, or Ships Decks, by Day Light, then and in every ſuch Caſe the Owners of ſuch Goods and Things reſpectively, ſhall be obliged, and are hereby required, to ſet and maintain at their own Expence a ſufficient Number of careful and ſober Perſons to guard and watch over the ſame, for ſuch and ſo many Hours, according to the Seaſon of the Year, as the ſaid Haven Maſter, or his Aſſiſtant or Aſſiſtants, ſhall direct and appoint; and no ſuch Pitch, Tar, Roſin, Turpentine, Oil, or other combuſtible Matter or Thing, ſhall at any Time hereafter be boiled or heated on board any ſuch Ship or Veſſel, or in any Boat, unleſs the ſame be alongſide of ſome Ship or Veſſel, nor within Twenty Feet of the Quays,

Staiths, or Warehouſes, on the Town Side of the ſaid Haven, (Carpenters Yards only excepted), and every Owner or Owners of ſuch Goods or other Things, or the Maſter or Mate of any Ship or other Veſſel making Default herein, ſhall forfeit and pay for every ſuch Offence the Sum of Five Pounds.

Gunpowder may be landed on *Sunday* or without a Sufferance.

CXVII. Provided nevertheleſs, and it is hereby enacted and declared, That in caſe any Ship or Veſſel in which any Gunpowder above the Quantity of Six Pounds ſhall happen to be, ſhall arrive in the ſaid Haven, or any ſuch Dock or Baſon as aforeſaid on a *Sunday*, or any Cuſtom Houſe Holiday, it ſhall be lawful for the Maſter or Commander of any ſuch Ship or Veſſel to land the ſame without a Sufferance or Leave from the Officers of His Majeſty's Cuſtoms of *Grimſby* for ſo doing, provided the ſame be done in the Preſence of a Tide Surveyor or Coaſt Waiter.

Fires on board not to be permitted after certain Hours,

except by Cuſtom and Exciſe Officers.

CXVIII. And be it further enacted, That no Perſon whomſoever ſhall have or keep, or cauſe to be had or kept, any Fire, Lamp, or Candle, lighted on board any Ship or Veſſel within the ſaid Haven, or any ſuch Dock or Baſon as aforeſaid, at any Time or Times whatſoever between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* in every Year, after the Hour of Seven in the Evening, or before the Hour of Seven in the Morning, nor at any Time or Times whatſoever between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, after the Hour of Eight in the Evening, or before the Hour of Five in the Morning, upon Pain of forfeiting for every ſuch Offence the Sum of Three Pounds: Provided nevertheleſs, that nothing herein contained ſhall extend to reſtrain or prohibit the Uſe of lighted Candles, the ſame being in Lanthorns, or otherwiſe guarded or properly ſecured by any Tideſman and other Officers of His Majeſty's Cuſtoms and Exciſe, who may be ſtationed on board any Ship or Veſſel to guard the ſame for the Security of the Publick Revenues, and in order to prevent the clandeſtine Running of cuſtomable and prohibited Goods from on board Ships or Veſſels in the Night, or to ſubject or make liable to the ſaid Penalty any ſuch Officer or Officers for or on Account thereof.

Penalty on Perſons getting Ballaſt near the Mouth of the Haven, or throwing any into it, &c.

or cutting Ropes.

CXIX. And be it further enacted, That if any Perſon or Perſons ſhall dig, raiſe, or take, or cauſe to be taken any Ballaſt into any Ship, Boat, or other Veſſel, within Two hundred Yards of the Mouth or Entrance into the ſaid Haven, or ſhall put, throw, or caſt any Ballaſt, Gravel, Sand, Stones, Soil, or Rubbiſh, into or off the Mouth or Entrance into ſuch Haven, or into any Drains, Cuts, Trenches, or Watercourſes, to be made or maintained by virtue of this Act, or into any Dock or Baſon that may hereafter be made as aforeſaid, or ſhall wantonly, wilfully, or maliciouſly cut, break, or in any Manner deſtroy or looſen, any Rope or other Thing by which any Ship or Veſſel lying in the ſaid Haven, or in any ſuch Dock or Baſon aforeſaid, ſhall be moored or faſtened, every ſuch Perſon ſhall for every ſuch Offence forfeit any Sum not exceeding the Sum of Five Pounds: Provided, that nothing herein contained ſhall hinder or reſtrain the Haven Maſter to be appointed in purſuance of this Act, or his Aſſiſtants, from exerciſing in a due and reaſonable Manner the Powers and Authorities hereby veſted in him

Not to abridge the Power veſted in the Haven Maſter.

him and them, with reſpect to the mooring or Removal of any ſuch Ships or Veſſels.

Penalty on Perſons opening Locks, Sluices, &c.

CXX. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall wantonly, wilfully, or unneceſſarily open or cauſe to be opened any Lock or Slaker, Water Gates, Paddle, Valve, Sluice, or Clough, which ſhall or may be fixed, erected, or made within the ſaid Haven, or any of the Cuts or Drains communicating therewith for the Improvement of the Navigation of the ſaid Haven, or in or at the Entrance of any ſuch Dock or Baſon ſo to be made as aforeſaid, or ſhall fluſh or draw off, or cauſe to be fluſhed or drawn off, the Water from any Part of the ſame, or ſhall leave any of the ſaid Locks, Water Gates, Slakers, Sluices, or Cloughs, open and running after any Ship or Veſſel ſhall have paſſed ſuch Lock or Water Gate belonging to the ſame, or ſhall draw or cauſe to be drawn any Slaker, Paddle, or Valve in any ſuch Lock, Sluice, or Clough, ſo as to miſpend, waſte, or divert, or change the Courſe and Current of the Water thereof, or any of them, otherwiſe than is by this Act authorized and required, or ſhall wilfully obſtruct, hinder, or prevent, any Officer or other Perſon in the Execution of this Act, every Perſon offending in any of the Caſes aforeſaid, ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds nor leſs than Twenty Shillings; and if any Lock Keeper, or other Officer or Servant belonging to the ſaid Company, ſhall give any unfair or improper Preference, or ſhew any Partiality to any Ship, Sloop, or other Veſſel in paſſing through the Lock upon the ſaid Haven, or in their Admiſſion to any ſuch Dock or Baſon as aforeſaid, ſuch Officer or other Perſon ſo offending, ſhall forfeit and pay Twenty Shillings to the Informer.

Owners of Veſſels anſwerable for Damage done by their Crews.

CXXI. And be it further enacted, That the Maſter or Owner of every Raft, Ship, Sloop, or other Veſſel navigating in or upon the ſaid Haven, ſhall be, and is hereby made anſwerable for any Damage, Spoil, or Miſchief that ſhall be done for or by Means of his or her Raft, Ship, Sloop, or other Veſſel, by any of the Mariners or Watermen, belonging to or employed in or about the ſame reſpectively, unto any of the Banks, Bridges, Locks, Water Gates, Docks, or Baſons, Quays, Wharfs, Piers, Jetties, Engines, or other Works in, upon, or near the ſaid Haven, or by loading or unloading any Ship, Sloop, or other Veſſel, or for any Treſpaſs or Damage that ſhall or may be done to the Owners or Proprietors of any Buildings, Erections, Lands, Tenements, Hereditaments, or Premiſes, adjoining to the ſame, or any of them, other than is authorized by this Act, and the ſaid Maſter or Owner of ſuch Raft, Ship, Sloop, or Veſſel, ſhall and may be ſued and proſecuted for the ſame in any Court of Record whatſoever, and if found guilty, or a Verdict paſs againſt him or her, or Judgement be given againſt him or her upon Demurrer or by Default, the Plaintiff in any ſuch Caſe ſhall recover and receive his or her Damages, with Double Coſts of Suit.

Maſters may recover back from their Servants Money paid for their Miſfeaſance.

CXXII. And be it further enacted, That in caſe the Maſter or Owner of any Raft, Ship, Sloop, or Veſſel, navigating or paſſing in or on the ſaid Haven, ſhall be compelled to pay any Penalty, or to make Satisfaction for any Damage by Reaſon of any Default done or committed by his or her Servant or Servants, every ſuch Servant ſhall be liable to repay ſuch

Penalty or Damages to such Master or Owner; and in case of Non-payment upon Demand thereof, and Oath made by such Master or Owner of the Payment by him or her of such Penalty or Satisfaction, and that the same hath not been repaid to him or her by such Servant although demanded, such Oath to be made before the Mayor or other His Majesty's Justices of the Peace for the Time being for the said Borough of *Great Grimsby*, or the Parts of *Lindsey* (as the Case may be), the same Penalty and Satisfaction shall be levied of such Servant by Distress and Sale in the Manner herein-after directed, and the Penalty or Satisfaction when recovered, shall be paid to such Master or Owner in Discharge of such Penalty or Satisfaction so by him or her paid for the Act or Default of such Servant as aforesaid; and in case no sufficient Distress can be had, such Mayor or other Justice of the Peace shall, and he is hereby required to commit such Servant to the Common Gaol of the said Borough or Parts of *Lindsey* (as the Case may be), there to remain without Bail or Mainprize, for any Time not exceeding Three Months, nor less than One Month.

Persons destroying the Works or obstructing their Erection or Repair, how to be punished.

CXXIII. And be it further enacted, That if any Person or Persons shall maliciously, wilfully, or wantonly demolish, break down, destroy, or set on Fire any of the Works, Erections, Buildings, Dams, or Banks to be constructed, erected, or made, or provided by virtue of this Act, or any Ship or Vessel lying and being in the said Haven, or in any Dock or Bason which may be so made in future as aforesaid, or shall so maliciously, wilfully, or wantonly do, commit, or occasion, any other Mischief, Damage, Injury, or Hurt, or obstruct, hinder, or prevent the carrying on, completing, supporting, or maintaining, any of the Works by this Act authorized to be made or done for the Improvement and Preservation of the Navigation of the said Haven or otherwise, every such Person and Persons so offending in any of the Cases aforesaid, shall be adjudged guilty of Felony, and subject to all the Pains, Penalties, and Disabilities thereof; and the Court by or before whom such Person or Persons shall be tried and convicted shall, and hereby have full Power and Authority to cause such Person and Persons to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or in Mitigation of such Punishment may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny; or otherwise every Person so offending, and being thereof lawfully convicted on the Oath of One credible Witness, before the said Mayor, or One or more other His Majesty's Justices of the Peace for the Borough or Parts of *Lindsey* aforesaid (as the Case may be) shall forfeit any Sum not less than double the Value of the Damage proved upon Oath to be done, at the Discretion of such Mayor, or other Justice or Justices; such Penalty, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus (if any) to such Offender; or such Offender shall and may be committed to the Common Gaol of the said Borough or Parts aforesaid (as the Case may be) for any Time not exceeding Six Calendar Months, at the Discretion of such Mayor, Justice, or Justices, before whom such Offender shall be convicted.

Haven and Drains not to be under the Controul of any Commission of Sewers.

CXXIV. And be it further enacted, That the said Haven, or any of the Drains, Cuts, or Ditches, Docks, or Basons, to be made and supported by and at the Charge and Expence of the said Company, under or by

by virtue of the Powers granted by this Act, ſhall not be ſubject to the Controul, Direction, Survey, or Order of any Commiſſion of Sewers, or to any Law or Statute relating to Sewers; any Law, Statute, or Charter relating thereto to the contrary notwithſtanding.

Future Applications may be made to Parliament by the Majority of the Proprietors for making navigable Communications with the Haven.

CXXV. And whereas the major or greater Part of the ſaid Haven Company may hereafter think it expedient to make Application to Parliament for Power to make certain navigable Communications with the ſaid Haven, or other Purpoſes than ſuch as are authorized by this Act, but by reaſon of Infancy or otherwiſe may not be able to obtain the Conſent and Concurrence of all the ſaid Company of Proprietors; be it therefore enacted, That in caſe the Perſons entitled to the greater Number of the Shares in the ſaid Haven Navigation ſhall, at any General Aſſembly of the ſaid Company, think proper to make any ſuch Application to Parliament as aforeſaid, it ſhall be lawful for them to order and cauſe the Common Seal of the ſaid Company to be affixed to any Petition for that Purpoſe, and ſuch Application to be proceeded in and proſecuted; and any Money ariſing by virtue of this Act, to be applied in defraying the Expences incurred by or in conſequence of any ſuch Application; and it ſhall be lawful for the Guardians, Truſtees, or Committees of the Owners or Proprietors of any ſuch Shares, being Minors, Lunaticks, or under any Diſability or Incapacity of acting for themſelves, and the Executors or Adminiſtrators of any deceaſed Owners or Proprietors of ſuch Shares, to apply any of the Money which ſhall come to their Hands as Guardians, Truſtees, Committees, Executors, or Adminiſtrators, as aforeſaid, towards defraying the proportionable Shares of the Expences incurred by and in conſequence of any ſuch Application, which ſhall be payable by the Perſons on whoſe Behalf they reſpectively act, or to raiſe Money for that Purpoſe by Mortgage of any ſuch Shares, which Mortgages they are hereby authorized to make by Writing under their Hands and Seals, and the ſame ſhall be valid and effectual.

Penalties and Forfeitures how to be recovered and applied.

CXXVI. And be it further enacted, That all Penalties, Fines, and Forfeitures, hereby inflicted or impoſed, or which ſhall be inflicted or impoſed by any Rule, Order, or Bye Law to be made in purſuance of this Act (of which Rule, Order, or Bye Law, when produced, all Juſtices are hereby required to take Notice), the Manner of levying and recovering whereof is not otherwiſe particularly directed, ſhall, (upon Proof of the Offences reſpectively given before any Mayor or Juſtice of the Borough, Parts, Diviſion, or County, wherein the Offence ſhall be committed, or where the Offender ſhall reſide or be, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more credible Witneſs or Witneſſes, which Oath ſuch Mayor or Juſtice of the Peace is hereby empowered and required to adminiſter), be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending or liable to pay the ſame, by Warrant or Warrants under the Hand and Seal of ſuch Mayor or Juſtice, and the Overplus, after ſuch Penalties, Fines, and Forfeitures, and the Charges of ſuch Diſtreſs and Sale are recovered and deducted, ſhall be returned, upon Demand, unto the Owner or Owners of ſuch Goods and Chattels, and the Monies ariſing from ſuch Penalties, Fines, and Forfeitures, when levied, ſhall (if not herein otherwiſe directed to be applied) be paid into the Hands of the Treaſurer or Treaſurers of the Monies to be raiſed by virtue hereof,

or the Clerk of the ſaid Company, to be applied and diſpoſed of for the Purpoſes of this Act, and to and for no other Uſe or Purpoſe whatſoever; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalties, Fines, and Forfeitures, ſhall not forthwith be paid, it ſhall be lawful for ſuch Mayor or Juſtice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction of the Borough, Parts, Diviſion, or County, where ſuch Offender or Offenders ſhall be committed, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties, Fines, and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied; and all and every the Mayor, Juſtice, and Juſtices, of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or any Rule, Order, or Bye Law, made in purſuance thereof, ſhall and may, for the more eaſy and ſpeedy Conviction of any ſuch Offenders, cauſe the Conviction to be drawn up in the Form of Words ſet forth in the Schedule to this Act annexed, or in any other Form of Words to the ſame Effect, as the Caſe ſhall require. Conviction.

CXXVII. Provided always, and be it further enacted, That no Part of the Goods and Chattels to be at any Time diſtrained by virtue of this Act, ſhall be ſold until the Fourth Day next after the ſame ſhall have been ſo diſtrained, and that it ſhall be lawful for the Perſon or Perſons convicted, at any Time before any ſuch Sale ſhall be made, to redeem ſuch Goods and Chattels by Payment of the Money for which the ſame ſhall have been ſo diſtrained, together with the Coſts and Charges of making and keeping ſuch Diſtreſs. Diſtreſs not to be ſold until the Fourth Day.

CXXVIII. Provided alſo, and be it further enacted, That it ſhall be lawful for the Mayor, Juſtice, or Juſtices of the Peace, or any of them, by whom any Judgement, Sentence, or Determination, ſhall be given, made, or pronounced, from Time to Time, where they ſee Cauſe, to mitigate, compound, or leſſen, any of the Penalties, Fines, or Forfeitures as aforeſaid, as he or they in his or their Diſcretion ſhall think fit, ſo as ſuch Mitigation or Compoſition do not extend to remit above One Moiety of the Penalty inflicted and directed to be levied by this Act, or any Rule, Order, or Bye Law, made in purſuance thereof; and every ſuch Mitigation or Compoſition ſhall be a ſufficient Diſcharge to the Perſons offending reſpectively, for ſo much of the ſaid Penalties, Fines, and Forfeitures, as ſhall be ſo mitigated, leſſened, or remitted. Penalties, &c. may be mitigated.

CXXIX. And be it further enacted, That when any Diſtreſs ſhall be made for any Penalty, Fine, or Forfeiture, 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, *ab initio*, on Account of any Irregularity which ſhall afterwards be done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity, may recover full Satisfaction for the ſpecial Damages, in an Action on the Caſe. Diſtreſs not to be void for Irregularity.

CXXX. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity, Treſpaſs, or other wrongful Proceedings, Where Action ſhall be brought for

Damage done by making any irregular Diſtreſs, Tender of Amends may be made, or Money paid into Court.

ceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed or occaſioned, or cauſed to have been committed or occaſioned every or any ſuch Irregularity, Treſpaſs, or wrongful Proceeding before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants in any 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 or they ſhall judge fit, whereupon ſuch Proceedings or Order and Judgement ſhall be had, made, or given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quaſhed for Informality or removeable by *Certiorari*.

CXXXI. And be it further enacted, That no Order which ſhall be made by any Mayor, Juſtice or Juſtices, by virtue of or under Authority of this Act, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*.

Perſons aggrieved may appeal to the Quarter Seſſions.

CXXXII. And be it further enacted, That all and every Perſon and Perſons who ſhall think himſelf, herſelf, or themſelves, aggrieved by any Order or Judgement made or given in purſuance of any Rule, Bye Law, or Order, of the ſaid Haven Company, or the Committee to be appointed by them, or by the Order or Determination of any Mayor, Juſtice or Juſtices of the Peace in purſuance of this Act (where ſuch Order or Determination is not declared to be final) may, within Six Calendar Months after ſuch Order or Determination ſhall have been made or given, complain to the Juſtices of the Peace at their next General Quarter Seſſions of the Peace to be held in and for the Parts of *Lindſey*, in the ſaid County of *Lincoln*, or the Town or Place wherein any ſeparate Juriſdiction ſhall be held, in which the Cauſe of Appeal ſhall ariſe, firſt giving Ten Days Notice at the leaſt in Writing, of ſuch Intention to complain, to the Party intereſted in ſuch Complaint; and the ſaid Juſtices ſhall, in a ſummary Way, either hear or determine the ſaid Complaint at ſuch Seſſions, or if they think proper may adjourn the Hearing thereof to the next General Quarter Seſſions of the Peace to be held for ſuch Parts or Place reſpectively, and if they ſee Cauſe may mitigate any Penalty, Fine, or Forfeiture, and may order any Money to be returned which ſhall have been levied in purſuance of ſuch Rule, Bye Law, Order, or Determination, and may alſo order ſuch Satisfaction to be made to the Party injured as they ſhall think reaſonable.

Limitation of Actions.

CXXXIII. And be it further enacted, That if any Action, Suit, or Information, ſhall be brought, commenced, or filed, againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in the Execution of any of the Powers or Authorities, or the Orders and Directions herein-before given and granted, every ſuch Action, Suit, or Information, ſhall be brought, commenced, or filed, within Six Calendar Months next after the Fact or Offence committed; or in caſe there ſhall be a Continuation of Damages, then within Three Calendar Months next after the doing or committing ſuch Damage ſhall have ceaſed, and not afterwards, and ſhall be laid or brought in the County where the Matter

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in Diſpute or Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action, Suit, or Information, ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and alledge that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear to have been ſo done, or if any ſuch Action, Suit, or Information, ſhall have been brought, commenced, or filed, after the Time ſo limited for bringing or filing the ſame, or ſhall have been brought in any other County or Place than as aforeſaid, then and in every ſuch Caſe the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or ſuffer a Diſcontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants ſhall have appeared, or if a Verdict ſhall paſs or be given againſt the Plaintiff or Plaintiffs, or if upon Demurrer, or otherwiſe, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants in every ſuch Caſe ſhall have Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

CXXXIV. And be it further enacted, That in order to prevent any Doubt, Difference, or Diſpute, that may ariſe with reſpect to the Extent, Bounds, and Limits, of the ſaid Port of *Grimſby*, it ſhall and may be lawful to and for His Majeſty, at any Time or Times within the Term or Space of Two Years next after the paſſing of this Act, by His Majeſty's Commiſſion out of His Court of Exchequer at *Weſtminſter*, to aſcertain, ſet out, limit, and appoint, the Extent, Bounds, and Limits, of the ſaid Port of *Grimſby*; or in Default thereof it ſhall and may be lawful to and for the Lords Commiſſioners of His Majeſty's Treaſury, and His Majeſty's Commiſſioners of the Cuſtoms, within One Year next after the Expiration of the ſaid Term of Two Years, by any Perſons whom they may appoint for that Purpoſe, to aſcertain, ſet out, limit, and appoint, the Extent, Bounds, and Limits, of the ſaid Port.

The Limits of the Port of *Grimſby* to be aſcertained.

CXXXV. And be it further enacted, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend, to take away, impeach, diminiſh, change, or affect, any Right which the Guild or Brotherhood of Maſters and Pilots Seamen of the Trinity Houſe of *Kingſton upon Hull* are now legally inveſted with, or can or may lawfully or equitably have or claim, of and from the Freighters, Maſters, or Owners, of all Ships or Veſſels uſing or trading from or to the Port of the ſaid Town of *Kingſton upon Hull*, or to any of the Places within the Limits and Liberties thereof; (that is to ſay), in all Havens, Creeks, and other Places, whereof the Cuſtomer of *Hull*, by virtue of his Office, heretofore had or now hath any Authority to take any Cuſtoms; and of and from the Merchants and Conſignees of Cargoes imported into and exported from the ſaid Port, or the Limits thereof as aforeſaid, for or in reſpect of the Goods, Wares, and Merchandizes, ſo imported and exported, certain Dues, Duties, and Payments, by the Names of Primage, Great Fines and Small Fines reſpectively; and alſo of and from the Maſters and Owners of all Ships and Veſſels (Ships belonging to His Majeſty and fiſhing Veſſels excepted) uſing or paſſing any of the Buoys by the ſaid Guild or Brotherhood fixed, placed, and continued, upon or near the Sands in the ſaid River *Humber*, for the Improvement

Saving the Rights of the Trinity Houſe of *Hull*.

and more ſafely navigating of the ſame River, a certain Rate or Duty called *Buoyage*, in Proportion and according to the Tonnage or Burthen of ſuch Ships or Veſſels.

Reſerving the Rights of the Corporation of *Hull*.

CXXXVI. And be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, impeach, diminiſh, change, or affect, any Rights, Dues, Duties, and Payments, Powers, Privileges, Juriſdictions, or Authorities, which the Mayor and Burgeſſes of the Town of *Kingſton upon Hull* aforeſaid are now lawfully entitled to, or can or may ſo lawfully or equitably claim to have.

Saving the Rights of the Dock Company at *Kingſton upon Hull*.

CXXXVII. And be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, impeach, diminiſh, change, or affect, any Rights, Dues, Duties, and Payments, Powers, Privileges, Juriſdictions, or Authorities, given and granted to the Dock Company at *Kingſton upon Hull* aforeſaid, by or by virtue of an Act of Parliament, paſſed in the Fourteenth Year of the Reign of His preſent Majeſty, for making and eſtabliſhing Publick Keys or Wharfs at *Kingſton upon Hull* aforeſaid, alſo for making a Baſon or Dock there, with Reſervoirs, Sluices, Roads, and other Works, and for other the Purpoſes therein mentioned, or which the ſaid Dock Company are now legally entitled to, or inveſted with.

General Saving.

CXXXVIII. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, impeach, diminiſh, change, or affect, the Right, Title, Eſtate, and Intereſt, of any other Perſon and Perſons, Bodies Politick and Corporate, but all and every ſuch Perſon and Perſons, Bodies Politick and Corporate, ſhall have, uſe, and exerciſe, all ſuch Right, Title, Eſtate, and Intereſt, as they and every or any of them had and enjoyed of, in, to, or out of, any of the Hereditaments and Premiſes herein named, or any of them, or any Part thereof, before the paſſing of this Act, or could or might have enjoyed in caſe this Act had not been made, otherwiſe than as the ſame are by this Act particularly and expreſsly taken away; any Thing herein contained to the contrary notwithſtanding.

Publick Act.

CXXXIX. And be it further enacted, That this Act ſhall be allowed in all Courts whatſoever as a Publick Act; and all Judges, Juſtices, and other Perſons are hereby required to take Notice of it as ſuch, without the ſame being ſpecially pleaded.

THE SCHEDULE

Of the ſeveral FORMS mentioned and referred to in and by the preceding Act.

Form of Conveyance to the Company.

I [*or* we] *A. B.* of in the County of in Conſideration of the Sum of to me [*or* us] paid [*or*, in Conſideration of the Annual Rent of to me [*or*, us] to be hereafter yielded and paid] by the *Grimſby* Haven Company, do hereby grant and releaſe to the ſaid Company, All [*deſcribing the Premiſes to be conveyed*] and all my [*or* our] Right, Title, and Intereſt, in and to the ſame, and every Part thereof, To hold to the ſaid Company for ever, by virtue and according to the true Intent and Meaning of the Act of Parliament paſſed for enlarging, altering, and improving of the ſaid Haven. In Witneſs whereof I [*or*, we] have hereunto ſet my Hand and Seal [*or*, our Hands and Seals] this Day of in the Year of our Lord

Form of Conveyance between Land Owners.

I *A. B.* of in the County of in Conſideration of the Sum of to me in Hand paid by *C. D.* at or before the Sealing and Delivery of theſe Preſents, the Receipt whereof I do hereby acknowledge [*or*, in Exchange for certain Lands ſituated conveyed to me by *C. D.* of in the County of by Writing under his Hand and Seal, bearing even Date herewith], Do hereby convey and aſſign to the ſaid *C. D.* All [*deſcribe the Premiſes*], To hold to the ſaid *C. D.* his Heirs and Aſſigns for ever. In Witneſs whereof I have hereunto ſet my Hand and Seal the Day of in the Year of our Lord

Form of Proxy.

I *A. B.* of One of the Proprietors of the *Grimſby* Haven Navigation, do hereby nominate, conſtitute, and appoint, *C. H.* of in the County of to be my Proxy, and in my Name and in my Abſence to vote and give my Aſſent or Diſſent to any Buſineſs, Matter, or Thing relating to the ſaid Navigation and Undertaking, that ſhall be mentioned or propoſed at any Meeting of the ſaid Haven Company, in ſuch Manner as the ſaid *C. H.* ſhall think proper, according to his [*or*, her] Opinion and Judgement, for the Benefit of the ſaid Navigation and Undertaking, or any Thing appertaining thereto. Witneſs my Hand the Day of in the Year of our Lord

Form of Security of original Share.

Grimſby Haven Company.

N°

THESE are to certify, That *A. B.* of is the Proprietor of the Share or Number being One Share of the *Grimſby* Haven Navigation, ſubject to the making more Shares of One hundred Pounds each, not exceeding the Number of One hundred ſuch additional Shares, and to the Rules, Regulations, and Orders of the ſaid Company; and the ſaid *A. B.* his [her, *or* their] Executors, Adminiſtrators, [*or* Succeſſors] and Aſſigns, is and are hereby entitled to the Profits and Advantages of ſuch Share. Given under the Common Seal of the ſaid Company, the Day of in the Year of our Lord

Form of Security of additional Share.

Grimſby Haven Company.

N°

THESE are to certify, That *A. B.* of is the Proprietor of the Share or Number being One additional Share of One hundred Pounds in the *Grimſby* Haven Navigation, ſubject to the Rules, Regulations, and Orders of the ſaid Company; and that the ſaid *A. B.* his, [her, *or* their] Executors, Adminiſtrators, [*or*, Succeſſors] and Aſſigns, is and are entitled to the Profits and Advantages of ſuch additional Share. Given under the Common Seal of the ſaid Company, the Day of in the Year of our Lord

Form of Transfer of Shares.

I *A. B.* of in Conſideration of the Sum of paid to me by *C. D.* of do hereby bargain, ſell, aſſign, and transfer to the ſaid *C. D.* his, [her, *or* their] Executors, Adminiſtrators, [*or* Succeſſors] and Aſſigns, Share [*or* Shares] being Number in the *Grimſby* Haven Navigation, to hold to the ſaid *C. D.* his [her, *or* their] Executors, Adminiſtrators, [*or* Succeſſors] and Aſſigns, ſubject to the ſame Rules and Orders, and on the ſame Conditions on which I held the ſame immediately before the Execution hereof; and I the ſaid *C. D.* do hereby agree to accept of the ſaid Share [*or* Shares] ſubject to the ſame Rules, Orders, and Conditions. Witneſs our Hands and Seals, the Day of in the Year of our Lord

Form of Mortgage of Rates.

WE, the Committee of the *Grimſby* Haven Company, by virtue of the Power and Authority to us given, in and by an Act, paſſed in the Thirty-ſixth Year of the Reign of His Majeſty King *George* the Third, for enlarging, altering, and improving the ſaid Haven, in Conſideration

of the Sum of to us in Hand paid by *E. F.* of Do hereby bargain, ſell, and transfer unto the ſaid *E. F.* his [her, *or* their] Executors, Adminiſtrators [*or* Succeſſors] and Aſſigns, all and ſingular the Rates and Duties ariſing by virtue of the ſaid Act, and alſo the ſaid Navigation and Undertaking, and all the Eſtate, Right, Title, and Intereſt of the ſaid Company in and to the ſame reſpectively, to hold to the ſaid *E. F.* his [her, *or* their] Executors, Adminiſtrators [*or* Succeſſors] and Aſſigns, until the ſaid Sum of together with Intereſt for the ſame, after the Rate of *per Centum per Annum*, ſhall be fully paid and ſatisfied. Given under the Common Seal of the ſaid Company the Day of in the Year of our Lord

Form of Aſſignment of Mortgage of Rates.

I [*or* We] of in the County of in Conſideration of the Sum of paid by *G. H.* of do hereby transfer and aſſign a certain Mortgage made by the Committee of the *Grimſby* Haven Company, bearing Date on the Day of for ſecuring the Principal Sum of with Intereſt for the ſame, and all my Right and Property in and to the ſaid Mortgage, and the ſaid Principal Money and Intereſt thereby ſecured, unto and to the only proper Uſe of the ſaid *G. H.* his [her, *or* their] Executors, Adminiſtrators [*or* Succeſſors] and Aſſigns. In Witneſs whereof I [*or* we] have hereunto ſet my Hand and Seal [*or* our Hands and Seals] the Day of in the Year of our Lord

Form of Mortgage of Surplus.

WE, the *Grimſby* Haven Company, by virtue of an Act paſſed in the Thirty-ſixth Year of the Reign of His Majeſty King *George* the Third, for enlarging, altering, and improving the ſaid Haven, in Conſideration of the Sum of Pounds to us in Hand paid by *J. K.* of in the County of do hereby bargain, ſell, and transfer unto the ſaid *J. K.* his [her, *or* their] Executors, Adminiſtrators [*or* Succeſſors] and Aſſigns, all and ſingular the Surplus or Exceſs of Revenue, or otherwiſe, of the ſeveral Rates or Duties ariſing by virtue of the ſaid Act, and alſo of the Intereſt of the ſeveral Sum and Sums of Money now due and owing, or belonging to us upon Government or any other Security or Securities, and all our Right, Title, and Intereſt in and to the ſame reſpectively, after and ſubject to the Payment and Diſcharge of Ten Pounds *per Centum per Annum* upon the ſeveral and reſpective Shares of and in the ſaid Navigation, and alſo of all and every the ſeveral Annual or other Rents, Sum or Sums of Money, Dues and Payments charged upon the ſaid Rates and Duties, or otherwiſe due and payable by us in reſpect of or on Account of the ſaid Haven, to hold to the ſaid *J. K.* his [her, *or* their] Executors, Adminiſtrators [*or* Succeſſors] or Aſſigns, until the ſaid Sum of Pounds, together with Intereſt for the ſame, after

after the Rate of *per Centum per Annum*, ſhall be fully paid and ſatisfied. Given under our Common Seal, the Day of in the Year of our Lord

Form of Aſſignment of Mortgage of Surplus.

I [*or*, We] of in the County of in Conſideration of the Sum of paid by *L. M.* of Do hereby transfer and aſſign a certain Mortgage, bearing Date on the Day of and made by the *Grimſby* Haven Company, of the Surplus of the Rates, Duties, and Monies veſted in or belonging to the ſaid Company, for ſecuring the Principal Sum of Pounds, with Intereſt for the ſame, and all my Right and Property in and to the ſaid Mortgage, and the ſaid Principal Money and Intereſt thereby ſecured, unto and to the only proper Uſe of the ſaid *L. M.* his [her, *or* their] Executors, Adminiſtrators [*or* Succeſſors] and Aſſigns. In Witneſs whereof I [*or* we] have ſet my Hand and Seal [*or* our Hands and Seals] the Day of in the Year of our Lord

Commiſſioners Oath.

I, *A. B.* do ſwear, [*or*, being one of the People called *Quakers*, do ſolemnly affirm], That I will, without Favour or Affection, truly and impartially, according to the beſt of my Skill and Judgement, execute the Powers and Authorities veſted in me as a Commiſſioner, by an Act made in the Thirty-ſixth Year of the Reign of His Majeſty King *George* the Third [*here ſet forth the Title of the Act*].

So help me GOD.

Conviction.

BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.* One of His Majeſty's Juſtices of the Peace for the Parts of *Lindſey* [*or* Borough of *Great Grimſby*] in the County of *Lincoln*, [*ſpecifying the Offence, and the Time and Place when and where committed, and the Fine, Penalty, or Forfeiture incurred, as the Caſe may be*] contrary to an Act of Parliament paſſed in the Thirty-ſixth Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of the Act*], *or* contrary to a certain Bye Law or Order of the *Grimſby* Haven Company, *or* the Committee of the *Grimſby* Haven Company [*as the Caſe may be*] by them made in purſuance or by virtue of the Powers and Authorities to them given and granted in and by an Act of Parliament paſſed in the Thirty-ſixth Year of the Reign of King *George* the Third, intituled, [*here ſet forth the Title of the Act*]. Given under my Hand and Seal, the Day and Year firſt above-mentioned.

FINIS.