ANNO UNDECIMO

Georgii III. Regis.

CAP. XLV.

An Act for improving and completing the Navigation of the Rivers *Thames* and *Isis* from the City of *London* to the Town of *Cricklade*, in the County of *Wilts*.

WHEREAS the carrying on and regulating the Navigation of the Rivers Thames and Isis from the City of London to the Town of Cricklade, in the County of Wilts, was, in and by an Act of Parliament made and passed in the Twenty-fourth Year of the Reign of his late Majesty King George the Second, intituled, An Act for the better carrying on and regulating the Navigation of the Rivers *Thames* and *Isis* from the City of *London* Westward to the Town of *Cracklade*, in the County of *Wilts*, vested in certain Commissioners therein appointed, who, for want of proper Powers, have not been able to prevent frequent Abuses and Exactions being committed by the Owners of several Towing-paths and other Passages on the Banks of the said Rivers, and by the Owners of Locks, Weirs, Turnpikes, Dams, Flood- Preamble.

Flood-gates, and other Engines, in and upon or near adjoining to the said Rivers, and also by several Bargemasters and their Servants navigating thereon; by reason whereof the Price of Water-carriage on those Rivers is very much raised, and the Navigation of the said Rivers greatly damaged, contrary to the Intent and Meaning of the said Act: And whereas, upon a Survey and Estimate made and taken of the necessary Expence of making proper Turnpikes, and of cleansing and imbanking divers Parts of the said Rivers, and for purchasing Lands for the making of Towing-paths, and of building Bridges across divers Streams that empty themselves into the said Rivers, and for other Purposes, in order to complete the Navigation of the said Rivers, it appears, that the same will amount to a considerable Sum of Money, which cannot be raised 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, for completing the said Navigation, and for preventing all Abuses and Exactions relating thereto, which may render the same less useful to the Publick, all Members of the House of Commons for the Time being, that do or shall reside within the Counties of Wilts, Glocester, Oxford, Berks, Bucks, Surry, and Middlesex, the Representatives in Parliament of the said Counties for the Time being, the Representatives in Parliament of the City of London and of all Towns within the said Counties for the Time being, the Lord Mayor and Aldermen of the City of London for the Time being, the High Bailiff of Westminster for the Time being, the Vice Chancellor and Heads of Colleges or Halls in the University of Oxford for the Time being, the Dean and Canons of Christ Church for the Time being, the Dean and Prebendaries of Westminster for the Time being, the Dean and Residentaries of Saint Paul's, London, for the Time being, the Dean and Canons of Windsor for the Time being, the Provost and Fellows of Eton College for the Time being, the Rectors and Incumbents for the Time being of the several Parishes that border upon the Thames, the Mayors and Recorders of Oxford, Abingdon, Wallingford, Reading, Henley, Maidenhead, and Windsor, and the Bailiffs and Recorder of Kingston upon Thames for the Time being, the Trustees or Commissioners

Commissioners.

ſioners of the River Wey, the Proprietors of the ſaid River, the Mayor, Aldermen, and Recorder of Guilford, the Bailiffs of the Town of Godalming, and all Perſons who do or ſhall at any Time reſide, or have an Eſtate of One hundred Pounds per Annum within the reſpective Counties of Middleſex, Surry, Berks, Bucks, Oxford, Glouceſter, and Wilts, ſhall be, and are hereby conſtituted Commiſſioners for putting in Execution all and ſingular the Powers in this Act contained; and that all and every Perſon and Perſons conſtituted and appointed a Commiſſioner or Commiſſioners by virtue or in purſuance of this Act, before he and they reſpectively take upon himſelf or themſelves to act as a Commiſſioner or Commiſſioners, (other than the adminiſtering the following Oath to one another, which they, or any Two of them, are hereby impowered and required to do) ſhall take and ſubſcribe the following Oath:

Oath.

I *A. B.* do ſwear, That I will, without Favour or Affection, truly, faithfully, and impartially execute, perform, and diſcharge the Office and Duty of a Commiſſioner, according to the Powers, Authorities, and Directions given and eſtabliſhed by an Act of Parliament *for improving and completing the Navigation of the Rivers* Thames *and* Iſis *from the City of* London *to the Town of* Cricklade, *in the County of* Wilts; and that I will execute the ſaid Act according to the beſt of my Skill and Knowledge.

So help me GOD.

Which Oath ſo taken and ſubſcribed as aforeſaid ſhall be kept by the Clerk of the Peace among the Records of the Seſſions of the Peace in and for the reſpective Counties where the ſame ſhall be ſo taken and ſubſcribed.

Qualification of Commiſſioners.

Provided always, That no Perſon, except the Mayor, Aldermen of Guilford, and the Bailiffs of the Town of Godalming, ſhall act as a Commiſſioner in any Caſe in the Execution of this Act, unleſs he ſhall be ſeiſed in his own Right, or in the Right of his Wife, of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds, or ſhall be Heir-apparent of ſome Perſon having ſuch Eſtate of the yearly Value of Two hundred Pounds, or ſhall be poſſeſſed of a perſonal Eſtate to the Amount of Three thouſand Pounds.

If diſqualified, ſhall forfeit 200*l.*

And be it further enacted, That in caſe any Perſon ſhall preſume to act as a Commiſſioner before he has

taken the said Oath, or if he shall have acted not being duly qualified, or whilst he was under any Disqualification by this Act, he shall, upon Conviction thereof, forfeit the Sum of Two hundred Pounds; to be recovered by the General Treasurer of the said Navigation, by Action of Debt, in any of His Majesty's Courts of Record at Westminster; and such Person shall prove that he is qualified as aforesaid, or otherwise shall forfeit the said Sum of Two hundred Pounds; which Sum, when recovered, after deducting of all Costs and Charges attending the Recovery thereof, shall be applied to and for the Purposes of this Act.

Time and Place of Commissioners first Meeting.

And be it further enacted, That the said Commissioners, or any Seven or more of them, for the better and more orderly putting in Execution the Powers hereby to them given, shall, for the First Time, meet on the Second Thursday after the passing of this Act at the Town-hall of Henley upon Thames; and afterwards, in the said Year, and every subsequent Year, without any previous Notice, on the First Saturday after the Twenty-fourth Day of June, at the Town-hall of Great Marlow, in the County of Bucks; on the First Saturday after the Twenty-ninth Day of September, at the Town-hall of Kingston, in the County of Surrey; on the First Saturday after the Twenty-fifth Day of December, at the Town-hall of Oxford; on the First Saturday after the Twenty-fifth Day of March, at the Town-hall of Reading, in the County of Berks; which Meetings, subsequent to the first-mentioned Meeting, shall be called Quarterly or Ordinary Meetings: And at any one of the said Quarterly or Ordinary Meetings it shall and may be lawful for any Commissioner then present to propose any Person to be a Commissioner, being an Inhabitant of any County bordering upon the Thames or Isis, provided such Person is otherwise duly qualified according to this Act, or is not thereby in any Manner disqualified to be elected a Commissioner; and if the Person so proposed shall be elected by a Majority of Commissioners present at the next Quarterly or Ordinary Meeting, he shall be a Commissioner to all Intents and Purposes, in the same Manner as if he had been appointed by this Act.

Ordinary Meetings how to be held.

Commissioners may be elected.

Method of adjourning.

And be it further enacted, That at any of the said Quarterly or Ordinary Meetings, and also at all General Meetings, it shall and may be lawful for any Seven or more of the said Commissioners to proceed to execute this Act, and all the Powers, Matters, and Things herein contained, and also to adjourn themselves, from Time to Time, and Place to Place, as they shall think necessary;

neceſſary; but in caſe it ſhall happen that Seven Commiſſioners ſhall not be preſent at any ſuch ordinary, or at any extraordinary or adjourned Meeting, then, and in ſuch Caſe only, it ſhall and may be lawful for any Two or more of the ſaid Commiſſioners to adjourn themſelves, from Time to Time, and Place to Place, as they ſhall think proper, until Seven or more Commiſſioners ſhall meet and be preſent at one Time, who ſhall adjourn themſelves, from Time to Time, to ſuch Place, and ſo from Place to Place within the Counties of Middleſex, Surrey, Berks, Buckingham, Oxford, Glouceſter, and Wilts, and near to the ſame Rivers, or ſome Part thereof, as they ſhall think proper: And the ſaid Commiſſioners, or any Three or more of them, are hereby impowered and authoriſed afterwards, at any Time or Times, when it ſhall happen that no General Meeting is appointed to be held by Adjournment, to appoint extraordinary General Meetings of the ſaid Commiſſioners for putting in Execution all or any of the Powers hereby in them veſted, at ſuch Times and Places as they ſhall think proper, within any of the Counties by or through which the ſaid Rivers run, upon or near the ſame, upon giving Ten Days Notice in ſuch publick News-papers as to the ſaid Commiſſioners ſhall ſeem meet, of the Time and Place which ſhall be, from Time to Time, appointed for ſuch extraordinary General Meetings, at which the Commiſſioners then preſent ſhall be at Liberty, and are hereby impowered to adjourn themſelves to ſuch Time and Place within any of the aforeſaid Counties near the ſaid Rivers as they ſhall think proper: And if it ſhall happen that a ſufficient Number of Commiſſioners ſhall not appear at any ſuch Meeting, then the Clerk to the ſaid Commiſſioners ſhall, by the like Notice, adjourn ſuch Meeting to the ſame Place for that Day Fortnight; and the ſaid Commiſſioners, or any Seven or more of them, aſſembled at ſuch extraordinary General Meetings, ſhall, at any of ſuch extraordinary, general, or adjourned Meetings, held at any of the reſpective Times and Places aforeſaid, or in purſuance of ſuch Notice aforeſaid, only for ſuch Number of Days as to them ſhall ſeem convenient, do and tranſact all ſuch Buſineſs relating to the ſaid Navigation, as to the ſaid Commiſſioners, or any Seven or more of them, ſhall ſeem expedient; and alſo, upon due Examination of any Perſon or Perſons touching any Matters or Things which concern the better carrying on and regulating the Navigation of the ſaid Rivers, or touching any Matters in Controverſy between Party and Party relating thereto, upon Oath, (which Oath they,

Commiſſioners may appoint extraordinary Meetings.

In Matters of Controverſy Commiſſioners to adminiſter the following Oath.

they, or any Two of them, are hereby impowered, at such general or adjourned Meetings, to administer) and shall be in these Words:

The Oath.

I *A. B.* do swear, that such Information or Evidence as I shall give shall be the Truth, the whole Truth, and nothing but the Truth.

So help me GOD.

Officers how to be appointed,

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, at their First or at any succeeding General Meeting, by any Writing or Writings under their Hands and Seals, shall and may appoint a fit Person to be General Treasurer of the said Navigation, and also One other fit Person to be General Surveyor of the said Navigation, and also such other fit Person or Persons to be Receiver or Receivers, Collector or Collectors, of the Tolls or Duties arising therefrom; and, in like Manner, at their respective District Meetings, to appoint One fit Person in each District to be Clerk to the Commissioners acting therein, and also all such other Officers as the said Commissioners, or any Seven or more of them, shall think necessary, and allow them, or any of them, such Salary or Salaries as they, or the major Part of them so assembled, shall think proper; and also shall and may, from Time to Time, remove such Treasurer, Surveyor, Receivers, Collectors, Clerks, and other Officers, as they, or the major Part of them so assembled, shall see Occasion, and appoint others in their Stead.

and removed.

Commissioners may purchase Houses or Lands for making the necessary Works,

make Towing-paths, and other Conveniencies,

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Eleven or more of them, at any General Meeting, ordinary or extraordinary, are hereby impowered to make such Orders and Constitutions for the purchasing of Locks, Ferries, and Lands, for the Use of the said Navigation, and to purchase and make such Towing-paths, Banks, Roads, Bridges, Ferries, and Ways, for the towing, haling, or drawing of Boats, Barges, and other Vessels (with Horses or otherwise) passing in, through, or upon the said Rivers, and to purchase or make such Wharfs, Locks, Weirs, Bucks, Winches, Spikes, Dams, Flood-gates, and Engines, for the completing and carrying on the said Navigation, as the said Commissioners, or any Eleven or more of them, at such General Meeting shall think necessary and convenient for the Purposes aforesaid; and also to erect and maintain Pounds or Turnpikes on the said Rivers where Locks or Weirs are now made use of, and at all

such other Places on the said Rivers, as the said Commissioners, or any Eleven or more of them, at their General Meetings, to be held as herein before directed, shall judge proper, and so as each of the said Pounds or Turnpikes so to be erected in pursuance of this Act, be of the Dimensions of One hundred and thirty Feet long, and Eighty Feet wide; and also to settle and ascertain reasonable Rates and Prices to be taken from the Owners of all Barges, Boats, and Vessels, for the Use and Exercise of all the said Towing-paths, Ferries, Gates, and Bridges, either by Men or Horses, as they are now or shall be hereafter used, at the Discretion of the said Commissioners, by the Tenants or Occupiers of all such Pounds, Locks, Weirs, Bucks, Turnpikes, Winches, Dams, Flood-gates, and other Engines and Towing-paths in, upon, or near or adjoining to the said Rivers of Thames and Isis, or which do or may affect the Navigation of the same, or shall be deemed by the said Commissioners, or any Eleven or more of them, assembled at such Meeting or Meetings as aforesaid, to be necessary or useful thereto, between the said City of London and the said Town of Cricklade, for the Help and Assistance which Barges, Boats, or Vessels, may or shall receive thereby, or by means thereof, in their Passage upon the said Rivers, Regard being had as well to the Size, Burthen, or Tonage of such Boats, Barges, and Vessels, that shall navigate on the said Rivers, as to the Charges and Expences which have been and shall be laid out in the purchasing of the Land necessary for the said Towing-paths, and in building, repairing, enlarging, improving, and supporting, the said Towing-paths, Pounds, Weirs, Bucks, Winches, Turnpikes, Flood-gates, and other Engines; and also to make Orders and Regulations touching the Sizes and Draughts of all Boats, Barges, and other Vessels, navigating the said Rivers, and to settle proper Gages on the Sides thereof, and how deep they shall load at all Times, so as no Boat, Barge, or other Vessel whatsoever, navigating the said River, shall draw more than Three Feet of Water; and also to make and appoint all such other necessary Rates, Orders, Constitutions, Rules, and Regulations, concerning the said Navigation, and also concerning such Pounds, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates, and other Engines and Towing-paths, lying between the Places aforesaid, and the Shutting, Penning, Opening, Drawing, Use, or Management thereof, for the Benefit and Safety of the said Navigation; and making Satisfaction for the Loss or Damage any Owners or

and settle the Prices to be paid for the Use thereof;

make Regulations relating to the Vessels navigating the River;

make Satisfaction to Owners of Mills; and prevent Misbehaviour of Watermen.

Occupiers of Mills or Lands shall or may sustain thereby; and concerning all Barges, Boats, or Vessels passing by, through, or with the Help of the same, and Behaviour of all Bargemen, Boatmen, and Watermen, belonging to or working in such Barges, Boats, or Vessels, so as to remedy the Abuses which have been heretofore frequently committed, or may hereafter be committed by them in the Navigation; and to give such Reparation, Satisfaction, and Damages, to the Person or Persons aggrieved thereby, as likewise to the Owners or Occupiers of Lands, Meadows, or other Grounds, who shall be damaged by the Neglect or Refusal of the Owners of such Pounds, Weirs, Bucks, Winches, Turnpikes, and Flood-gates, in not opening and keeping open the same till the Water is sunk beneath the Water-mark, as to the said Commissioners, or any Eleven or more of them, shall seem meet.

Not to extend to prevent the present Course of the River.

Provided always, That nothing in this Act contained shall extend to authorise or impower the said Commissioners, or any other Commissioners hereafter to be appointed by virtue of this Act, to make any Cut or Cuts to divert the present Course of the said River in any Manner whatsoever between the Bridge at Maidenhead, in the County of Berks, and the City of London, nor any where above the said Bridge, except for the sole Purpose of making Turnpike Locks on the Sides of the present Locks.

Commissioners to settle the Price for Passage of Barges,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, at any General Meeting, or for any Three or more of them at any District Meeting, to settle the Price to be paid for the Passage of Barges or other Vessels, so as such Price, so far as regards the Locks now in being, be not less than the present Owners or Occupiers of such Locks are now intitled to take and receive by virtue of any former Act, or any Order made by the Commissioners acting under or by virtue thereof, nor more than Four-pence per Ton at any One Lock or Toll-gate through or near the said Locks, according to the Tonage of such Barges or other Vessels; which Price of Lockage shall be fixed up, painted in large Characters, on Boards, on the said Locks, as well as the Price of Towing at the Beginning and End of each Fare; and the said Commissioners, or any Seven or more of them, at any General Meeting, or any Three or more of them at any District Meeting, shall have Power, by a written Order, signed by them and directed to the Persons concerned, to oblige the Owners or Occupiers

piers of Locks to keep in Repair the several Locks and Weirs now in the said Rivers; and for Non-compliance with such Order, after Ten Days Notice, the said Commissioners, or any Three or more of them, whether they signed the same or not, are hereby impowered to repair such Locks and Weirs, and to levy the Expence by Distress and Sale of the Offender's Goods and Chattels; and the said Commissioners, or any Seven or more of them, at any General Meeting, or any Three or more of them at any District Meeting, are hereby impowered to fix a Mark or Marks at each Lock or Weir, below or above which Mark or Marks no Owner or Occupier of any Lock, Weir, or Mill, shall knowingly or designedly let the Water fall or rise, unless he is authorised thereto by Two Commissioners under their Hands, in case of any Repairs that may be wanting to the said Mill, Weir, or Lock, that may make it necessary to let the Water down below such Marks, but in no other Case whatever; and in case any Person or Persons shall act contrary to the above Directions, he shall forfeit the Sum of Fifty Pounds, to be recovered as herein after-mentioned.

and oblige Proprietors to keep up Locks and Weirs,

and to keep up the Water to a proper Height.

Provided always, nevertheless, and be it enacted by the Authority aforesaid, That any Owner or Occupier of any Mill shall and may, and they are hereby impowered, to draw down the Water without such Authority from the Commissioners as aforesaid, for the Repair of such Mill, or any Flood-gates or Water-works belonging thereunto, and for the Purpose of cleansing the Mill Stream; and also that it shall and may be lawful to and for all and every Person and Persons, having a Right or Privilege to fish with Nets or Bucks in any Part of the said Rivers, and to draw down the Waters for that Purpose, to retain, possess, and enjoy, the said Right and Privilege of Fishing, at all seasonable Times of the Year, and drawing down the Water, doing thereby no Damage or Prejudice to the Navigation, and causing thereby no Obstruction or Hinderance to the Boats, Barges, or Lighters, on the said Rivers; any Thing in this Act contained to the Contrary notwithstanding.

Water for repairing Mills or Fishing, may be drawn down.

And be it further enacted by the Authority aforesaid, That the Commissioners appointed by this Act, and their Successors, shall, from Time to Time, and at all Times hereafter, so build, construct, and keep in Repair the Locks, Bucks, Weirs, Pounds, and other Devices to be erected and constructed by the Authority of this Act, as that a sufficient Head of Water may be constantly pounded and kept up for the Purpose of working the

Commissioners to keep up a proper Head of Water for working Mills.

Mills

Mills contiguous and lying near to such Locks, Bucks, Weirs, or Pounds; and that in case any Damage shall accrue to any such Mill by the improper Construction or Use of any of the said Locks, Weirs, Pounds, or other Devices, so to be constructed as aforesaid, or any such Mill by any of the Means aforesaid shall be obstructed or hindered from working, that then and in such Case, the said Commissioners appointed by this Act, and their Successors, or any Three or more of them, shall, on Application to be made to their Clerk for that Purpose, by a Notice in Writing from any Owner or Occupier of a Mill so damaged or obstructed, or hindered from working, to be given to the said Clerk, or left at his usual Place of Abode, cause the said Locks, Weirs, Pounds, and other Devices, or such of them as shall be defective, to be well and sufficiently altered, repaired, and amended, within Twenty-one Days next after such Application shall have been made as aforesaid; and in case the said Commissioners, or their Successors, or any Seven or more of them, shall not, within the Time aforesaid, cause the said Locks, Weirs, Pounds, and other Devices, or such of them as shall be defective, to be well and sufficiently altered, repaired, and amended, it shall and may be lawful to and for Two Justices of the Peace near adjoining to such Mill so damnified or hindered from working, and they are hereby authorised and required to take a View of the said Locks, Weirs, Pounds, and other Devices, or such of them as shall be so defective, on Application for that Purpose to be made by the Owner or Occupier of the Mill so damnified or hindered from working; and if, upon such View, the said Justices shall find the said Locks, Weirs, Pounds, and other Devices, or any or either of them to be so constructed, or to be so out of Repair as to hinder or impede the working of the Mill of the Owner or Occupier so giving Notice as aforesaid, then the said Justices shall, by Writing under their Hands and Seals, certify what Repairs or Alterations are wanting to be made or done to the said Locks, Weirs, Pounds, or other Devices; which Certificate shall be delivered to the Clerk to the said Commissioners, or left at his usual Place of Abode; and in case the said Commissioners, or their Successors, or any Seven or more of them, shall not, within Twenty Days next after the said Certificate shall be left with, or delivered to their said Clerk as aforesaid, cause the said Locks, Weirs, Pounds, and other Devices to be so properly constructed or well and sufficiently repaired, as that the said Mills may not be

damaged or hindered from working as usual; that then, and in such Case, it shall and may be lawful to and for the Owners or Occupiers of such Mills, and they are hereby authorised to cause such Alterations, Reparations, and Amendments, to be made to the said Locks, Weirs, Pounds, and other Devices, as shall be mentioned in the said Certificate; and the said Commissioners and their Successors, or any Seven or more of them, shall pay, or cause to be paid, to the Person or Persons at whose Expence the said Alterations, Repairs, and Amendments, shall have been made, all such Costs, Charges, and Expences, as he or they shall have paid, expended, or been put unto on that Occasion; and also to the Owners or Occupiers of such Mills, all such Damages as they may have sustained by reason of such Want of Alteration or Defect in Reparation, such Costs, Charges, Damages, and Expences to be liquidated by such Two Justices as aforesaid, if any Dispute shall arise concerning the same; and in case of Nonpayment thereof for the Space of Twenty Days next after Demand for that Purpose made on the Collector of the Rates and Duties to be collected by virtue of this Act, it shall and may be lawful to and for the Person and Persons at whose Expences such Alterations, Repairs, and Amendments, shall have been made, and to and for the Owner and Occupiers of such Mills so damnified as aforesaid, and they are hereby authorised to receive all and every the Rates and Duties to be collected by virtue of this Act, until he and they shall have reimbursed himself and themselves all such Costs, Charges, Damages, and Expences, as he or they shall have sustained or been put unto in making such Alterations, Repairs, and Amendments, as aforesaid, or by reason of the Defect or Want thereof.

Lock Dues to be paid to former Proprietors of Locks.

And whereas there are many Locks, Bucks, Weirs, and Winches, now in the said Rivers, the Owners or Occupiers whereof are by virtue of the said recited Act of Parliament of the Twenty-fourth Year of the Reign of His said late Majesty King George the Second, or of some Orders made by the Commissioners acting under the Authority thereof, intitled to receive a Toll or Rate for the Passage of Boats, Barges, and Lighters, through such Waters and Locks, and for the Use of such Winches: And whereas, by means of the said intended Navigation, and the Alteration of the Course thereof, all the Boats, Barges, and other Vessels, will be prevented and obstructed from passing or repassing to or from, or through the said Weirs and

Bucks: In order therefore to make a Satisfaction to such Owners and Occupiers of Locks, Bucks, Weirs, and Winches, for the Damage they may respectively sustain by reason of the said intended Navigation, and the Alteration of the Course thereof; be it further enacted, That from the Time of making any Alterations in the Navigation of the said Rivers in pursuance of this Act, whereby any Boat, Barge, Lighter, or other Vessel, shall be prevented or diverted from passing or repassing to, from, or through either of the said Weirs or Locks, or from using either of the said Bucks or Winches, there shall, from thenceforth, and for ever thereafter, be paid and allowed, and the Commissioners appointed, or to be appointed by or in pursuance of this Act, are hereby authorised, impowered, and required, to pay and allow unto the Owner or Occupier of every such Weir, Lock, Buck, or Winch, for every Boat, Barge, Lighter, or other Vessel, passing by and not making use of the same, such and the same Tolls, Rates, and Duties, clear of all Cares and Deductions whatsoever, as such Owners and Occupiers would have been intitled to have received and taken, had such Boat, Barge, Lighter, or other Vessel, so passing by, passed through and made Use of such Weirs, Locks, or Winches, by virtue of the said recited Act of Parliament, or any Order made by the Commissioners acting under or by virtue thereof; such Tolls to be accounted for and paid monthly at or upon the first Monday in every Month in every Year; and in case of Refusal or Nonpayment of the said Tolls, or any Part thereof, for the Space of Ten Days next after any of the Days before appointed for the Payment thereof as aforesaid, the Rates, Tolls, and Duties granted by this Act shall vest in such Owner or Occupier, until he shall have received sufficient to pay him the Tolls allotted him as aforesaid, together with the Costs and Charges occasioned by the Nonpayment of such Tolls; and that, until full Payment thereof, he shall have the same Powers and Authorities for demanding, collecting, and receiving the Rates, Tolls, and Duties granted by this Act, as are by this Act granted to the said Commissioners, their Collectors, or Receivers, or any of them.

Lock-dues and Lock-owners impowered to measure Barges, &c.

And, for the better ascertaining what Sum or Sums of Money shall from Time to Time be due and payable to such Owners or Occupiers of Locks, Weirs, Bucks, and Winches, be it further enacted, That such Owners or Occupiers, or such Person or Persons as they, either, or any of them, shall for that Purpose appoint, shall and may

may, at any Time or Times hereafter, have full and free Liberty and Power of measuring the Boats, Barges, and Lighters, and of inspecting, examining, and taking Copies, at their own Expence, of all such Books, Accounts, and Entries, as shall at any Time or Times thereafter, in pursuance of this Act, be made, entered, or kept at the Place nearest the Lock, Weir, or Winch, of the Owner or Occupier claiming such Toll, in order to see the Number of Boats, Barges, Lighters, and other Vessels that have passed by such Lock, Weir, or Winch, and the Quantity or Tonage of the Goods, Wares, Merchandises, or Commodities, which shall be carried or conveyed therein.

Rates of Carriage and Hire of Horses how to be settled.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall have Power and Authority, and they are hereby required, at their said General Meetings, to assess and rate the Prices of the Carriage of all Sorts of Goods whatsoever, and the Rates or Fare to be given for the Use of any Horse or Horses, employed on the said Navigation from the said City of London, to the said Town of Cricklade, and back from thence to the said City of London, or to or from any Place or Places upon the said Rivers, to any other Place or Places upon the same, in such Boats, Barges, and other Vessels, and shall forthwith give publick Notice in Writing, to be signed by the said Commissioners at such their Meetings, or any Seven or more of them, to be stuck up at the several Locks and Turnpike-gates on the said Rivers, and at the Market Places or Church Doors of such Towns and Parishes as they shall think proper within the respective Districts, and also to be printed and published in some of the publick Newspapers, of which publick Notice the several Owners of Boats, Barges, and other Vessels navigating on the said Rivers, are hereby required to take Notice, as also of the Rates and Prices to from Time to Time set and assessed, and of all other Rates, Fares, and Prices, which shall at any Time or Times hereafter, at such respective Meetings as aforesaid, be rated and assessed by virtue of this Act; and if any Owner and Proprietor of any such Barge, Boat, or other Vessel shall, at any Time after the Expiration of Twenty Days next after the publishing of such Notice, take for the Water-carriage of any Goods or Merchandises above the Rates and Prices so set as aforesaid, every Person so offending shall forfeit the Sum of Twenty Pounds: And if any

Persons taking higher Rates, or acting contrary to the Rules prescribed,

any Person whatsoever shall act contrary to any other Rules, Orders, or Constitutions which shall be made in pursuance of this Act, either for the Benefit of the Proprietors or Owners of Mills, Locks, Lands, Grounds, or Meadows near or adjoining to the said Rivers, or either of them, or otherwise howsoever, every such Person so offending shall, for every such Offence, likewise forfeit the Sum of Fifty Pounds, unless in the Case of Offences for which other Penalties and Forfeitures are herein otherwise inflicted; all which respective Penalties and Forfeitures shall and may be recovered in a summary Way by Information or Complaint made to the said Commissioners, at any of their General Meetings, or at any of their District Meetings, in the Manner herein after directed; and shall go and be applied, One Moiety to the Informer or Informers, and the other Moiety to the Party or Parties aggrieved by any such Offence, and shall and may be levied by Distress and Sale of the Offender's Goods and Chattels in Manner herein-after directed.

to forfeit 50*l.*

Provided always, and be it further enacted, That no Order, Rule, or Regulation, made by the said Commissioners at any General Meeting, shall be altered or repealed at any extraordinary General Meeting; and that it shall and may be lawful to and for the said Commissioners, at any of the said Quarterly or Ordinary Meetings, or at any Adjournment thereof, to alter, annul, or repeal any Order, Rule, or Regulation made by the said Commissioners at any former Meeting or Adjournment whatsoever held in pursuance of this Act, or to make any new Order, Rule, or Regulation, touching and concerning the same, as the Occasion and Circumstances of the Case may then require, and as to them shall seem expedient; but no such Alteration, Repeal, or new Order, shall be made, or deemed good and sufficient, unless Twenty Days Notice of such Alteration or Repeal be fixed in Writing, upon the Locks and Turnpike-gates upon the said Rivers, and at the Market Places, and Church Doors of such Towns and Parishes, as they shall think proper, within their respective Districts.

No Order to be altered,

unless Notice shall be given.

And be it further enacted by the Authority aforesaid, That the said Navigation shall, and the same is hereby directed to be divided into Six Parts or Districts; *viz.* delicet, That the First Part or District of the said Navigation shall be accounted, deemed, and taken to be between the said City of London and the City Stone above Staines Bridge; and that the Second Part or District shall be accounted, deemed, and taken to be between the City

Navigation to be divided into Districts.

Stone above Staines Bridge aforesaid and Boulter's Lock; and that the Third Part or District shall be accounted, deemed, and taken to be between Boulter's Lock aforesaid and Maple Durham; and that the Fourth Part or District shall be accounted, deemed, and taken to be between Maple Durham aforesaid and Shillingford; and that the Fifth Part or District shall be accounted, deemed, and taken to be between Shillingford aforesaid and Oxford; and that the Sixth Part or District shall be accounted, deemed, and taken to be between Oxford aforesaid and Cricklade, in the said County of Wilts.

First Sub-division Meetings to be appointed by the First General Meeting.

And be it further enacted by the Authority aforesaid, That the Time and Place of the First Meeting in every District shall be appointed by the First General Meeting to be holden at Henley; and that the Commissioners living within their respective Districts, or any Three or more of them, shall and may hold a District Meeting at the Time and Place so appointed, and afterwards at all Times and at any Place bordering upon the said Rivers within their respective Districts, as any Two such Commissioners shall, either by Adjournment from Time to Time, or by any Writing under their Hands directed to the District Clerk, appoint; of which District Meeting, the said Clerk is hereby required, on Pain of forfeiting Five Pounds, at the Discretion of the said Commissioners, to affix Notice in Writing at the Market Places, or on the Principal Door of each Parish Church in such Towns or Parishes as are not Market Towns that are adjoining to the said Rivers, as the said Commissioners shall appoint within that District, Ten Days before the Time appointed for the holding such District Meeting, or if that cannot be, as many Days Notice as can conveniently be given, Regard being had to the Necessity of the Case; and at such District Meeting, the said Commissioners, or any Two of them, shall have Power to adjourn themselves from Time to Time, and from Place to Place, as they shall think proper for enforcing the Execution of such Orders and Constitutions as shall be made at any of the General Meetings of the said Commissioners to be held as aforesaid; and at such District Meetings the said Commissioners, or any Three or more of them, or the major Part of them present, shall have Power, and are hereby authorised in a summary Way, upon Examination of the Parties, and all Witnesses to be produced by them upon Oath, which Oath shall be in the same Words as the Oath herein before directed for the Examination of any Person or Persons as aforesaid, (and which Oath they are hereby impowered to administer) to hear and determine

Manner of adjourning and appointing others.

Notice to be given.

Commissioners to determine Complaints.

termine all such Complaints and Informations as shall be made or laid against all and every Person and Persons accused of offending against this Act, or any of the Rules, Orders, Regulations, or Constitutions to be made in pursuance or by virtue thereof; and, upon Conviction of the Offender or Offenders, to levy such Penalties as the said Commissioners are by this Act impowered to set, or are hereby made payable or forfeited for the Offences whereof such Offenders shall be respectively convicted, by Distress and Sale of the Offenders Goods and Chattels, rendering the Overplus to the Offender or Offenders, by Warrant or Warrants under the Hands and Seals of the said Commissioners, or any Three or more of them, to be directed to the Constables, Tithingmen, or other Peace Officers of the several Liberties or Places wherein or near whereunto any such Goods or Chattels by such Warrant directed to be distrained shall be; and all such Constables and other Officers are hereby commanded to obey and execute such Warrants accordingly: Provided that every Person against whom any Complaint or Information shall be made or laid at any of the said District Meetings, shall have at least Ten Days Notice of such Complaint or Information, under the Hand of the Clerk appointed, as herein after mentioned, to attend the said Commissioners at their respective District Meetings.

Persons aggrieved may appeal to a General Meeting.

Provided also, That it shall and may be lawful for any Person whose Fine, Penalty, Forfeiture, or Damage adjudged against him at any of the said District Meetings, shall exceed the Sum of Five Pounds, and who shall think himself aggrieved thereby, to appeal to the next General Meeting of the said Commissioners to be held after the Expiration of Twenty Days from the Time that the Party aggrieved shall have Notice of the Adjudication of such District Meeting of the Commissioners, at such of the respective Places herein before appointed for the holding of General Meetings as shall be nearest to the Place where the Matter of Complaint shall originally arise (but not afterwards), upon giving Ten Days Notice in Writing of such Appeal to the Party or Parties appealed against, or leaving such Notice at his, her, or their last Place of Abode; and such Commissioners, at such General Meeting, shall hear and determine such Appeal, and give such Costs to either Party as they shall think reasonable.

Commissioners impowered to take Views;

And whereas, for the more effectual putting the Powers herein contained in Execution, it may be frequently necessary to view the several Cuts, Pounds, Locks, Weirs,

Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates, and other Engines, and the several Towing-paths upon or near the said Rivers; be it enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, at any of their General or District Meetings, may appoint any Number of Commissioners (but not a less Number than Two) as they shall think fit, who are hereby authorised and impowered to go and view any Cuts, Pounds, Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates, and other Engines in, upon, near, or adjoining to the said Rivers, and likewise to view all Towing-paths, Gates, Bridges, and Places proper for the fixing a Water-mark at all Pounds, Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates, and other Engines, and to inquire into the Estate, Condition, Reparation, and Circumstances thereof, and to inquire also by Information upon Oath (which shall be in the same Words as the Oath herein-before directed for the Examination of Witnesses as aforesaid, and which Oath they are hereby impowered to administer) what Rates or Prices have formerly been paid to or taken by the Owners or Proprietors of such Pounds, Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates, or other Engines in, upon, near, or adjoining to the said Rivers, or in any-wise affecting the same, as likewise by the Owners of Towing-paths adjoining to the said Rivers, and the several Sums that are now paid to or taken by such Owners, Proprietors, or Occupiers, from the several Barge-masters navigating on the said Rivers; which Information or Informations thus taken, shall be signed by Two of the said Commissioners at least, and shall be by them transmitted to or reported at the next General Meeting of the said Commissioners, who, or any Seven or more of them, shall make such Order and Determination as shall to them seem just, so as such Order do not compel or oblige any such Owner or Occupier to take less Toll than he is now intitled to take and receive by virtue of any former Act, or any Order made by Commissioners acting under or by virtue thereof, Ten Days Notice in Writing of such Information and intended Order being first given to the Person or Persons whom the same may concern, or left at his or their last Place of Abode.

and to inquire into the Prices formerly paid to Owners of Locks, &c.

And be it further enacted by the Authority aforesaid, That if it shall appear, either by View of any Two or more of the said Commissioners, or upon Complaint made on Oath (to be taken and administered as herein-before directed) to any Three or more of the said Commissioners, at any of the said District Meetings, that any Owner,

Penalty on removing Water-marks.

Owner, or Occupier of any Pound, Lock, Weir, Turnpike, Dam, or Flood-gate, or any other Person or Persons, hath removed any Water-mark so as aforesaid set and appointed by the said Commissioners, that the Person or Persons removing the same shall forfeit and pay any Sum not exceeding Fifty Pounds, nor less than Ten Pounds; to be recovered at any of the said Meetings in a summary Way, by any Person or Persons who will complain or inform thereof, and levied by Distress and Sale of the Offender's Goods and Chattels in Manner aforesaid.

Commissioners to order District Surveyors, &c. to open Flood-gates, in case of an Overflow,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Two of the said Commissioners, upon the Complaint of and Oath made by the General or District Surveyor, or by any of the Occupiers of the Meadows above, that the Water runs over the Water-mark, and that their Meadows are in Danger of being overflowed, to send, under their respective Hands and Seals, a Warrant, directed to the said General or District Surveyor, or to the Constable or Constables of the Parish or Place, or some neighbouring Parish or Place, thereby authorising and impowering him or them to give Notice of such Complaint to the several Tenants or Occupiers of the said Pounds, Locks, Weirs, Turnpikes, Dams, and Flood-gates; and on their Refusal to open the same, to compel the said Tenants or Occupiers of the said Pounds, Locks, Weirs, Turnpikes, Dams, and Flood-gates, to open and keep open the same, as Occasion shall require, till the Water is sunk below the Water-mark, and no longer: And if any Damage shall be sustained by the Tenants or Occupiers of such Meadows, occasioned either by the Occupiers or Tenants of such Pounds, Locks, Weirs, Bucks, Turnpikes, Dams, and Flood-gates, penning the Water above the Water-mark, so as aforesaid, set by the said Commissioners, or neglecting, or refusing to open or keep open the same as aforesaid, after such Notice as aforesaid, any Three or more of the said Commissioners shall, at any of their District Meetings to be held as aforesaid, within the Space of Ten Days next ensuing, on Proof made on Oath as aforesaid of the Damage or Damages, order such Satisfaction as to them shall seem just: And if any of the Tenants or Occupiers of any Pounds, Locks, Weirs, Bucks, Turnpikes, Dams, or Flood-gates, shall refuse to pay such Sum or Sums of Money so ordered within Three Days after such Order made, and Notice thereof given, he or they so refusing shall forfeit the Sum of Forty Shillings, over and above the Sum and Sums so ordered; to be levied by Distress and Sale

and award Satisfaction for Damages done thereby.

Penalty on Persons refusing to make Satisfaction.

of

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of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any Three or more of the said Commissioners as aforesaid.

Commissioners to remove Obstructions.

And whereas great Nuisances, Annoyances, Inconveniencies, and Damages, do often happen on the said Navigation to light-loaded Barges, Boats, and other Vessels passing the same, by Timber and deep-loaded Barges, Boats, and other Vessels lying across or aground in the said Rivers, and by Stones, Dung, Muck, and Compost, and other Nuisances lying and being in the Towing-paths, and other Places belonging to the same, and thereby obstructing and preventing the Passage of such light-loaded Vessels: For Remedy whereof, be it further enacted by the Authority aforesaid, That it shall and may be lawful for any One or more of the said Commissioners, on his or their View, or on Complaint thereof made to him or them by the said General or District Surveyor, or by the Owners or Navigators of light-loaded Barges, Boats, or other Vessels, to order the Proprietors of such Timber, Dung, Muck, or Compost as aforesaid, and the Owners or Navigators of such deep-loaded Barges, Boats, or others Vessels, (by Warrant under his or their Hand and Seal or Hands and Seals), forthwith to remove such Obstructions, by carrying away the same, or lightening their said Vessels, or otherwise, in such Manner as the said Commissioner or Commissioners shall think fit, and to suffer the said light-loaded Barges, Boats, or other Vessels to pass; and upon Non-compliance with such Order, to assess and levy, by Warrant under such Commissioner or Commissioners Hands and Seals, or Hand and Seal, to be directed to the said General Surveyor, or to the Constable or other Peace Officer of the Parish or Place wherein, or near to the Place where such Complaint shall arise, such Penalty not being more than the Sum of Ten Pounds, nor less than the Sum of Forty Shillings, upon the Goods and Chattels of the Offender and Defenders, or the Tackle belonging to his or their Barge or Barges, as the said Commissioner or Commissioners shall think proper or adequate to the Damage sustained by the Owner or Owners of such light-loaded Barge, Vessel or Vessels, and to be paid to the Treasurer for the Time being, and by him to the Person or Persons sustaining the Damage, as the said Commissioner or Commissioners shall direct.

Commissioners not to act where interested.

Provided always, and be it further enacted by the Authority aforesaid, That no Commissioner or Commissioners shall act in the Execution of this Act, or any of

the Powers herein contained, where he or they is or are any Ways particularly interested, under the Penalty of One hundred Pounds; to be levied by Distress and Sale of the Offender's Goods and Chattles by Warrant under the Hands and Seals of Three or more of the other Commissioners; which Penalty or Forfeiture shall and is hereby directed to go to the same Uses as other Penalties by this Act are to be applied.

Provision for Persons used to draw Barges, and unable to gain a Livelihood.

And forasmuch as the drawing Barges by Horses, instead of Men, on all or many more Banks than at present have Horse Towing-paths, may deprive many Men who are now employed in drawing such Barges of their usual Livelihood, and as several such Men are or may become, through Sickness, Age, or bodily Infirmity, disabled from earning their daily Bread by any other Sort of Labour, be it enacted, That any Seven or more Commissioners, at any General Meeting, may certify under their Hands and Seals to the Treasurer of the said District, or to the General Treasurer, the Case of such disabled Man, and the Treasurer to whom such Certificate shall be directed is hereby required to relieve the said disabled Man, with such Sum, not exceeding Four Shillings per Week, as shall be directed or specified by the said Commissioners, until the said Certificate shall be revoked by them, or by any Seven or more Commissioners at any General Meeting as aforesaid.

Wharfingers shall keep Entries of all Goods delivered;

And be it further enacted, That every Wharfinger upon the Banks of the said Rivers shall keep a Book, wherein all Goods shall be entered in the same Order as they shall be brought to his Wharf in order for Carriage, and shall moreover give a Receipt, if required, to the Person delivering the same; and every Barge-master carrying Goods for Hire, that loads from that Wharf, shall deliver to the Wharfinger in Writing the Name of the most distant Place to which such Barge shall or may be bound, and the Bargemaster shall then take into his Barge the Goods which shall have been first entered at the said Wharf, and consigned to the Place so named as aforesaid, or to any other Place or Places not more than Ten Miles short of the same, without any other Preference, (except as is herein after excepted) than the Priority of Entry in each Wharfinger's Book; which Book the Wharfinger is hereby required to shew to such Bargemaster at the Time of putting such Goods on Board his Barge, and shall give a Bill of Lading for the same, expressing the Time or Times of Entry, for which Entry the said Warfinger shall be paid One Penny for every Entry, and no more; and such Wharfinger

which shall be forwarded according to Prority of Entry.

and

and Bargemaster respectively shall forfeit any Sum not exceeding Five Pounds, nor less than Twenty Shillings, on being convicted before any Two Commissioners of not having made due and regular Entries, or of altering, or permitting to be altered, his or their Book or Books, in order to give undue Preference, or of not shewing his Book or Books as aforesaid, or not giving such Bills of Lading, expressing the Time or Times of Entry, or of not carrying the Goods according to Priority of Entry as aforesaid; to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any Two or more of the said Commissioners, One Moiety of which Penalty shall go to the Informer, and the other Moiety to the Person aggrieved.

Proviso. Provided always, That no such Entry shall be made until such Goods so to be entered shall be actually brought to the Wharf or Warehouse where the same are intended to be entered.

Rules for Bargemasters and Wharfingers. Provided also, That in all Cases where any Bargemaster shall take and carry any Goods or Merchandise to any Place or Places whatsoever, over and above or for want of such Goods or Merchandise as are herein before, in the First Place, directed to be taken and carried, he shall take and carry the same to every such Place or Places respectively, without other Preference than the Priority of Entry in each Wharfinger's Book as aforesaid, under the like Penalties herein before mentioned, excepting always such Goods or Merchandise as may be of a perishable Nature, which shall at all Times be taken and carried in Preference to any other Species of Goods or Merchandise consigned to the same Place or Places respectively; and upon Complaint being made of any of the Matters aforesaid before any Two Commissioners, they are hereby impowered to summon any such Wharfinger to attend with his Book or Books of Entry, and such Wharfinger is hereby required to attend accordingly; and in case such Wharfinger shall neglect to attend with his Book or Books according to such Summons, he shall forfeit any Sum not exceeding Five Pounds, nor less than Twenty Shillings; to be levied by Distress and Sale of his Goods and Chattels.

Persons under Incapacity impowered to convey Lands. And be it further enacted by the Authority aforesaid, That after any Houses, Messuages, Mills, Lands, Tenements, and Hereditaments shall be set out and ascertained by the Surveyor of the said Navigation as fit and necessary for the Purposes before mentioned, it shall and

may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Truſtees, Feoffees in Truſt, Committees, Executors, and Adminiſtrators, and all other Truſtees and Perſons whatſoever, not only for or on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants, Iſſue unborn, Lunaticks, Ideots, 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 other Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, Tithes, or Grounds which ſhall be ſo ſet out and aſcertained as aforeſaid, or any Part thereof, to contract for, ſell, and convey unto the ſaid Commiſſioners and their Succeſſors, or to ſuch Perſon or Perſons as they ſhall nominate and appoint, for the Uſe of the ſaid Navigation, all or any Part of ſuch Meſſuages, Mills, Lands, Tenements, Tithes, and Hereditaments, which ſhall, from Time to Time, be ſo ſet out and aſcertained as aforeſaid, either in Conſideration of a Sum of Money to be paid in Groſs, or of an annual Rent or Payment to be charged and ſecured as is herein-after mentioned; and where, by making the ſaid Navigation, or any Alteration therein, the Property of any Land-owner ſhall be ſeparated into ſmall Parcels, ſo as to render the Occupation thereof inconvenient, it ſhall and may be lawful to and for ſuch Bodies Politick, Corporate and Collegiate, and other ſuch Land-owners, by and with the Conſent of the ſaid Commiſſioners, or any Eleven of them, or the major Part of them aſſembled at any General Meeting, to be teſtified by any Writing or Writings to be by them ſealed and delivered in the Preſence of and atteſted by Two or more credible Witneſſes, to contract for, ſell, and diſpoſe of, or to convey in Exchange, in lieu of other Lands, all or any Part of ſuch Lands and Grounds through which the ſaid Navigation ſhall paſs, to any Perſon or Perſons whomſoever, for ſuch Price or Prices in Money, or other Equivalent, as to the ſaid Commiſſioners, or any Eleven of them, or the major Part of them aſſembled as aforeſaid, ſhall ſeem reaſonable; and that all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances, ſhall be valid and effectual in the Law to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, or Cuſtom to the Contrary thereof in any-wiſe notwithſtanding: And that all Bodies Politick, Corporate or Collegiate, and all Perſons whomſoever ſo conveying or exchanging as aforeſaid,

or to make Exchanges.

said, are hereby indemnified for what he, she, they, or any of them shall respectively do by virtue or in pursuance of this Act: And that all such Contracts, Agreements, Sales, Conveyances, and Assurances, other than those which concern any Purchase or Exchange between any such respective Land-owners to be made as aforesaid, shall, at the Expence of the said Navigation, be inrolled by the Clerk of the Peace for the County wherein such Messuages, Mills, Lands, Tenements, or Hereditaments shall be situate respectively, and true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; for which Inrolment shall be paid to the aforesaid Officers respectively making the same the Sum of Three-pence, and no more, for every Two hundred Words, and so in proportion for any greater or less Number of Words.

Contracts to be inrolled, and Copies to be Evidence.

And be it further enacted by the Authority aforesaid, That if any such Corporation or Person, upon Notice to him, her, or them given, or left in Writing at the Dwelling-house or Place of Abode of such Person, or of the head Officer of such Corporation, or at the House of the Tenant in Possession of the Messuages, Mills, Lands, Tenements, or Hereditaments aforesaid, shall, by the Space of Twenty-one Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating; then, and in every or any such Case, the said Commissioners, or any Eleven or more of them, assembled as aforesaid, shall cause to be inquired into, ascertained, and assessed, by and upon the Oaths of a Jury of Twelve indifferent Men of the County wherein such Mills, Messuages, Lands, Tenements, or Hereditaments shall lie, (which Oath any One or more of the said Commissioners are hereby impowered to administer) what Damages will be sustained by and what Recompence shall be made to such Owners, Proprietors, Occupiers, or other Persons interested, for or upon account of the taking such Lands, Tenements, or Hereditaments into or for the Use of the said Navigation, Towing-paths, or other Purposes before mentioned: And in order thereto the said Commissioners, or any Eleven or more of them, assembled as aforesaid, are hereby impowered, from Time to Time, as Occasion shall be, to order and cause the said Jury to view the said Places in question, and use all lawful Ways and Means, as well for their own as the Jury's Information in the Premises,

On Refusal to treat,

the Value to be ascertained by a Jury.

as the Commissioners, or any Eleven or more of them, assembled as aforesaid, shall think fit; and after the said Jury shall have inquired of, ascertained, and assessed such Damage and Recompence, they the said Commissioners, or any Eleven or more of them, so assembled as aforesaid, shall thereupon order, adjudge, and determine the said Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners, Proprietors, or Occupiers of or other Persons interested in the said Lands, Tenements, and Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination, so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whatsoever claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, Ideots, Lunaticks, Cestuique Trusts, and Persons under any other Disability whatsoever, Corporations Aggregate or Sole, Ecclesiastical, Civil, or Eleemosinary, as well as all and every other Person or Persons whomsoever; and all and every such Owners, Proprietors, and Occupiers, and all and every Person and Persons interested in such Lands, Tenements, or Hereditaments, shall, upon Payment or Tender of the Sum or Sums of Money so assessed as aforesaid, be thereby and from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, to, or out of the same: And for the summoning and returning such Jury or Juries the said Commissioners, or any Eleven or more of them, are hereby impowered to issue out their Warrant to the Sheriff of the County wherein such Lands, Tenements, or Hereditaments shall lie, thereby commanding him to impannel, summon, and return Twenty-four indifferent Persons to appear before the said Commissioners, or any Eleven or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Number accordingly; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Commissioners, or any Eleven of them, shall swear, or cause to be sworn, Twelve, to be drawn by Ballot out of the said Twenty four; and in Default of a sufficient Number of Persons so impannelled, the said Sheriff

Sheriffs to summon Juries.

Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, who shall be sworn in like Manner, till the Number Twelve be completed, which Twelve shall be the Jury for the Purposes aforesaid; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Commissioners, or any Eleven or more of them, acting in the Premises, shall have full Power, from Time to Time, to impose any reasonable Fine on such Sheriff, or his Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or who shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence; and, from Time to Time, to recover, levy, and apply such Fine or Fines in the same Manner as any other Forfeiture or Penalty is by this Act directed to be recovered, levied, and applied, so as that no such Fine shall exceed the Sum of Five Pounds upon any One Person, for One Offence.

Jurymen may be challenged.

Sheriffs, &c. neglecting Duty, to be fined.

And be it further enacted by the Authority aforesaid, That in case any such Jury shall give in and deliver a Verdict or Assessment for more Monies as a Recompence for the Right, Interest, or Property, of any Person or Persons in any such Lands, Tenements, or Hereditaments, or for any such Loss or Damage than what shall have been agreed to and offered by the said Commissioners, or any Eleven or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid; that then, and in such Case, the Costs and Expences of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the said Commissioners, or any Eleven or more of them, out of the Profits of the said Navigation, or out of any Money to be borrowed upon the Credit thereof; but if any such Jury shall give and deliver a Verdict or Assessment for no more or for less Monies than shall have

How the Expences of Juries shall be defrayed.

have been agreed to and offered by the said Commissioners, or any Eleven or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property in, or Loss or Damage as aforesaid, that then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute.

Commissioners not to make Towing-paths, Banks, &c. without Consent of Proprietors.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to authorise and impower the said Commissioners to compel or oblige the Owner or Proprietor of any Garden, Orchard, Yard, Park, Paddock, inclosed Lawn, or planted Avenue to any House, which have been respectively used as such, Six Months before the passing of this Act, (except such where Towing-paths are now used) or the Owner or Proprietor of any Messuage or Tenement erected or built, or begun to be erected or built, Six Months before the passing of this Act, to pull down, let, sell, or convey, such Messuage, Tenement, Garden, Orchard, Yard, Park, Paddock, inclosed Lawn, or Avenue, or any Part thereof, to the said Commissioners, or any other Person or Persons; nor shall any Thing in this Act contained impower the said Commissioners to make any new Towing-path, Bank, Cut, Road, Bridge, Wharf, Lock, Weir, Buck, Winch, Spike, Dam, Flood-gate, Pound, Turnpike, Toll-gate, or Engine over, upon, or through any Garden, Orchard, Yard, Park, Paddock, inclosed Lawn, or planted Avenue to any House, without the Consent of the Owner or Proprietor thereof.

To prevent making Towing-paths through Mr. *Mitchell*'s Estate.

Provided always, and be it enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to impower the said Commissioners, or any of them, to make, or cause to be made, any new Towing-paths or Landing-places over or through any Lands or Grounds now belonging to Richard Mitchell Esquire of Culham Court, in the Parish of Wargrave, in the County of Berks; nor to build any Bridge on, nor to station any Boat or Float within Two hundred Yards of any Island or Lands belonging to the said Richard Mitchell; any Thing herein contained to the Contrary notwithstanding.

Upon Payment of the Money assessed, the Pre-

And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money so assessed as aforesaid, is and are hereby charged upon the Monies which

which shall be raised by virtue of this Act, and shall be paid thereout accordingly by the said Commissioners, or any Seven or more of them, or their Treasurer, to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof to such Persons, or their Agents, or upon leaving the same in the Hands of the Treasurer to the said Commissioners, for the Use of such Persons, or their Agents respectively, such Lands, Tenements, and Hereditaments, shall by the said Commissioners, their Surveyor or Surveyors, Workmen or Agents, be taken for the Use of the said Navigation and Purposes before mentioned. missions to vest in the Commissioners.

And be it enacted by the Authority aforesaid, That no Barge, Boat, or Vessel, shall draw more than Three Feet of Water; which Depth shall be ascertained by a strait white Line, One Inch broad, extending from Head to Stern, on each Side of every Barge, Boat, or Vessel; and if it shall appear to any Two or more of the said Commissioners, upon the Oath of One or more credible Witness or Witnesses, (which Oath the said Two or more Commissioners are hereby impowered to administer) that any Person or Persons hath or have navigated his or their Barge drawing more than Three Feet of Water, or that he or they hath or have not the said white Line on each Side of his Barge, every such Person and Persons so offending, and being thereof duly convicted by the said Commissioners, shall forfeit and pay not more than Twenty Pounds, nor less than Five Pounds; to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any such there be) to the Owner, after the Charges attending such Distress and Sale shall be deducted. Vessels not to draw more than Three Feet of Water.

Provided always, That nothing relating to the Draught of Water that such Barges, Boats, or Vessels, are to draw, or the Mark of any Line on such Barge, Boat, or Vessel, shall extend, or be construed to extend, to any Barge, Boat, or Vessel, that shall not be navigated beyond the Flux of the Tide. Not to extend to Barges, &c. not navigated beyond the Flux of the Tide.

And be it further enacted by the Authority aforesaid, That all the Orders of the said Commissioners shall be signed by such Number of Commissioners as are herein before impowered to make the same, and shall be kept by the Clerks to such Commissioners; and that such Clerks shall permit the same to be inspected by all Persons desiring the same at convenient Times, and shall deliver Copies thereof, or of any Part thereof, to any Person de- Commissioners Orders how to be signed.

firing the same, taking for the Searches One Shilling for each Search; and for Copies thereof, any Sum not exceeding the Rate of Three-pence for every Two hundred Words.

Rules, &c. made by the Commissioners to be transmitted to the several Clerks of the Peace,

and admitted as Evidence.

Provided nevertheless, and be it enacted by the Authority aforesaid, That all such Rules, Orders, Constitutions, and Assessments, as shall be made by the said Commissioners, or such Number of them as are hereby impowered to make the same, shall be, from Time to Time, fairly written in a Book or Books to be kept for that Purpose; and the same, or a Copy thereof, signed by the Clerk or Clerks to the said Commissioners respectively, who hath or have the Custody thereof, shall be taken, adjudged, and deemed good and sufficient Evidence in all Cases whatsoever.

Owners of Vessels subject to Damages done by the Crew.

And, for the further preventing the Damages and Mischiefs done and committed by disorderly Persons rowing, managing, haling, or towing the said Barges, Boats, and other Vessels, either with Men or Horses, and that the Owners of such Barges, Boats, and Vessels, may be more careful to prevent the same, be it enacted by the Authority aforesaid, That every Barge-master, or the Master of any Boat or Vessel, and Owner of any Barge, Boat, and Vessel, shall be, and is hereby made answerable and responsible for any Damage or Mischief that shall be done or committed by his or their Barge, Boat, or Vessel, or by the Whole or any of the Crew of his or their said Barge, Boat, or Vessel, or by Persons ordinarily belonging to and going with such Barge, Boat, or Vessel, either to the Goods and Commodities with which such Barge, Boat, or Vessel, is laden; or by fishing with Nets, or otherwise; or by shooting with Guns, or taking or destroying any Fish or Fowl; or to any of the Pounds, Locks, Lock-tackle, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates, or other Engines; or to any Bridge, Land, Tree, Meadow, or Ground, in and upon the said Rivers, or bordering or near adjoining thereto, either with Men or Horses; and the said Barge-masters, Barge-owners, and the Masters and Owners of any Boat or Vessel shall be, and are hereby made liable to make good all such Damages to be committed as aforesaid, and shall and may be sued and prosecuted for the same by Action of Trespass or otherwise: And if it shall appear that such Trespass or Damage was done by any of the Persons belonging to or employed in the Barge or other Vessel, whereof such Person

Perſon or Perſons was or were Maſter or Maſters, Owner or Owners, ſuch Maſter or Maſters, Owner or Owners, ſhall be found guilty, and the Plaintiff or Plaintiffs ſhall recover his or their Damages thereby ſuſtained, with his or their full Coſts of Suit; any Law or Uſage to the Contrary notwithſtanding.

Officers to give Security.

And be it further enacted by the Authority aforeſaid, That all and every Officer and Officers, or other Perſon or Perſons whatſoever, concerned in the Receipt of any of the Sums by this Act appropriated to the Uſes aforeſaid, before he or they ſhall be admitted to take upon him or them the Execution of any of ſuch Office or Offices, he or they ſhall be bound, with ſufficient Sureties, to the ſaid Commiſſioners and their Succeſſors, for the juſt and faithful Execution of ſuch Office or Employment, in ſuch Sum or Sums as by the ſaid Commiſſioners, or any Seven or more of them, ſhall be thought fitting.

Money may be borrowed.

And, forasmuch as the Money to be collected by the Receipt of the Rates, Tolls, or Duties, granted by this Act, will not be ſufficient for the ſpeedy improving and completing of the ſaid Navigation, and other the Purpoſes of this act; be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Eleven or more of them, ſhall and may, and they are hereby impowered, from Time to Time, by any Writing under their Hands and Seals, to aſſign over the ſaid Locks, Turnpikes, Toll-houſes, Rates, Tolls, and Duties, ariſing by virtue of this Act, or any of them, or any Part of them, but without Prejudice to the Owners and Occupiers of Locks, Bucks, Weirs, and Winches, now in the ſaid Rivers, or to the Tolls payable and to be paid in reſpect thereof, the Coſts, Charges, and Expences of aſſigning the ſame to be borne and paid out of ſuch Tolls or Duties, for any Time or Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money to be borrowed by the ſaid Commiſſioners, to ſuch Perſon or Perſons, or their Truſtees, who ſhall advance and lend the ſame, to ſecure the Repayment thereof, with legal or leſs Intereſt.

Notice to be given of borrowing Money.

Provided always, That no Money ſhall be borrowed by the ſaid Commiſſioners on the Credit of any of the ſaid Rates, Tolls, or Duties, after their Firſt Meeting, unleſs Notice be for that Purpoſe given in the Oxford and Reading News-papers, or in the London Gazette, and alſo fixed in Writing, under the Hand or Hands of

the Clerk or Clerks to the said Commissioners, at or upon all the Locks or Turnpike-gates then erected or made by virtue of this Act, at least Twenty Days before the borrowing of such Money.

Annuities not to exceed 10 *l.* *per Cent. per Ann.*

And be it further enacted, That it shall and may be lawful to and for any Person or Persons, to contribute, advance, and pay into the Hands of the said Treasurer or Treasurers, to be appointed as aforesaid, any Sum or Sums of Money, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of every such Contributor respectively, or the natural Life of such other Person as shall be nominated by or on the Behalf of such respective Contributor at the Time of Payment of his or her respective Contribution-money; which Annuity or Annuities shall not exceed the Rate of Ten Pounds per Annum for every One hundred Pounds, and so in proportion for any greater or less Sum to be advanced and paid as aforesaid; and shall be payable and paid by the said Treasurer or Treasurers by Quarterly Payments in the Year; the first of such Payments to begin and be made to the respective Purchasers and their Assigns, at the Expiration of the first Three Calendar Months next after Payment of his or her respective Purchase-money: Which Annuities shall be publickly sold to the best Bidder for the same, on Twenty-one Days Notice thereof being first given in the Oxford and Reading News-papers, or in the London Gazette, and a like Notice affixed upon such publick Places as the said Commissioners, or any Eleven or more of them, shall direct; which Money so to be borrowed, either by Way of Mortgage, or by granting Annuities, shall not exceed the Sum of Fifty thousand Pounds, and shall be applied and disposed of as the said Rates, Tolls, and Duties, are by this Act directed to be applied and disposed of, and to no other Use or Purpose whatsoever.

Annuities may be sold.

Money borrowed not to exceed 50,000 *l.*

Proviso.

Provided always, and it is hereby further enacted and declared, That such Sum and Sums of Money as shall be raised by Annuities, in Manner herein mentioned, and applied to the Discharge of the Money so borrowed upon the Credit of the said Tolls, and the Interest for the same, shall not be deemed or taken to be, any Part of the said Fifty thousand Pounds.

Annuities how to be paid.

And, for the better ascertaining and regulating the Payment of the said Annuities, be it further enacted by the

the Authority aforesaid, That the said Commissioners, or any Eleven or more of them, shall, by Warrants under their Hands and Seals (directed to such Person or Persons as shall be chosen and appointed Treasurer or Treasurers in Manner herein before mentioned), order and direct, from Time to Time, the several Quarterly Payments of the said Annuities to the respective Proprietors, as the same shall become due; which said Treasurer or Treasurers is and are hereby required, upon Receipt of such Warrant or Warrants, forthwith to pay the same out of the first Monies which shall be in his or their Hands, in pursuance of this Act; which Warrants shall be allowed in account to him or them on making up his or their Accounts.

Entries to be kept.

And it is hereby further enacted by the Authority aforesaid, That there shall be provided and kept a Book or Books, in which shall be fairly written, in Words at Length, the Names and Surnames, with the proper Additions and Places of Abode of all such Persons who shall be Purchasers of any of the Annuities aforesaid, and of all Persons by whose Hands the said Purchasers shall pay in any Sum or Sums of Money upon the Credit of this Act, and also the Sum and Sums so paid for the Purchase of such Annuity or Annuities, and the respective Days of Payment thereof; and also an Account of the Interest that shall be paid to the said Annuitant or Annuitants, from Time to Time, and by whom received, to which Book and Books it shall be lawful for the said respective Purchasers, their Executors, Administrators, and Assigns, Agent or Agents, from Time to Time, and at all seasonable Times, to have Recourse to, and inspect the same, without Fee or Reward.

Annuities not subject to Land-tax or other Tax.

And be it further enacted by the Authority aforesaid, That all and every of the Annuities so to be purchased under and by virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising by virtue of this Act; and all and every the Contributor and Contributors upon the Credit of this Act, duly paying the Consideration or Purchase-money for any such Annuities as aforesaid, or such Person or Persons as he, she, or they shall appoint, his, her, or their respective Assigns, shall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy the said respective Annuity or Annuities, during the Term of the na-

tural Life of the Person to be nominated by each such Purchaser or Contributor as above mentioned; and that all and every such Purchaser and Purchasers, and their Assigns respectively, shall have good, sure, absolute, indefeasible personal Estates, and Interests in the Annuities so by them respectively purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject and liable to the Tax charged upon Lands by Authority of Parliament, or to any other Parliamentary or Parochial Tax whatsoever.

Receipts to be given.

And be it further enacted by the Authority aforesaid, That every Contributor upon this Act for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase-money for the same, or any Part or Proportion thereof, shall have One or more Receipt or Receipts from the Person or Persons receiving the same, importing the Receipt of so much Purchase-money as shall be so paid; and upon Payment of the Remainder of such Purchase-money, if any, every such Contributor, his or her Assigns respectively, shall have an Order on Parchment or Vellum for Payment of the said Annuity or Annuities, for and during the Life of such Person as shall be nominated by such Contributor or Purchaser as aforesaid; which Order shall be signed by the said Commissioners, or any Eleven or more of them, at any Quarterly or Ordinary Meeting assembled; and after signing thereof, the same shall be firm, good, valid, and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act.

Assignments to be entered in a Book.

And be it further enacted, That all and every the Assignment and Assignments so to be made and granted by the said Commissioners, as aforesaid, shall be entered at Length in a Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers, to the said Commissioners; which said Book or Books shall and may be seen and perused by any Person or Persons interested or concerned therein, without Fee or Reward.

Assignments may be transferred.

And be it further enacted, That all and every Person or Persons to whom any such Assignment or Assignments shall be made by the said Commissioners, their Executors, Administrators or Assigns, shall and may, from Time to Time, by proper Words of Assignment to be indorsed on

the Back of his, her, or their Security or Securities, or otherwise, assign or transfer his, her, or their Right to the Principal and Interest Money thereby secured, or any Part thereof, to any other Person or Persons whomsoever; which said Transfer or Assignment shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers appointed, or to be appointed, by the said Commissioners, or any Seven or more of them; within Fourteen Days after the Date thereof, who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Date, Parties, and Sum of Money therein mentioned to be transferred in the said Book or Books to be kept for entering the said original Assignments, for which the said Clerk or Clerks, Treasurer or Treasurers shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry made, such Assignment or Transfer shall intitle such Assignee, his, her, and their Executors and Administrators, to the Benefit thereof and Payment thereon, and such Assignee may, in like Manner, assign again, and so toties quoties; and after such Notification it shall not be in the Power of such Person or Persons who shall have made such Assignments or Transfers to make void, release, or discharge the original Security, or any Monies thereby due, or any Part thereof.

Not to prejudice the Jurisdiction of the City of London, &c.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to take away any Rights, Jurisdiction, Power, or Authority of the Mayor, Commonalty, and Citizens of the City of London, or any other Body Politick or Corporate, or other Person or Persons whatsoever, or to enable the Commissioners to erect Weirs, Locks, Turnpikes, or Toll-gates within the Liberties or Jurisdiction of the City of London.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, or other Writing whatsoever, under the Hand and Seal or Hands and Seals, or only signed by any Commissioner or Commissioners for putting this Act in Execution, or any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in the Execution of any Power or Authority hereby vested in such Commissioners or Justices of the Peace, or any of them, shall be charged or chargeable with any Stamp-duty whatsoever.

And

Limitation of Actions.

And be it enacted and declared, by the Authority aforesaid, That if any Action shall be brought or Suit commenced against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be brought or commenced in the County or Place where the Cause of Action or Suit shall arise, and not elsewhere, and within the Space of Six Calendar Months next after the Cause of Action shall accrue, and not afterwards; and the Defendant or Defendants in such Action or

General Issue.

Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in Pursuance and by the Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought or commenced after the Time before limited for bringing or commencing the same, or shall be brought or commenced in any other County or Place; then, and in such Case, the Jury shall find for the Defendant or Defendants; and in such Case, or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action or Actions, or if any Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover

Treble Costs.

Treble Costs, and shall have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Expences of passing the Act how to be paid.

And be it enacted by the Authority aforesaid, That the Costs and Charges of obtaining this Act shall be paid by the General Treasurer of the said Navigation, appointed, as herein before directed, out of the First Money that shall be paid into his Hands in pursuance and according to the Directions of this Act, to Thomas Walker Esquire, Town Clerk of the City of Oxford, his Executors or Administrators, upon his or their producing to such Treasurer a Bill of Costs and Disbursements on account of passing this Act, signed by any Seven of the said Commissioners, or their Certificate or Allowance thereof; and the said Treasurer of the said Navigation is required to pay the same accordingly on Sight of such Bill, Certificate, or Allowance, so as aforesaid signed; and the Receipts of the said Thomas Walker, his Executors or Administrators, shall be good and sufficient Vouchers to such Treasurer, and allowed in his Accounts for what he shall so, as aforesaid, pay

to the said Thomas Walker, his Executors or Administrators, in pursuance of this Act.

Fines, &c. how to be recovered.

And be it further enacted, That all Fines and Forfeitures inflicted by this Act, or by any Rules, Bye-laws, or Constitutions to be made by the said Commissioners, or any Seven or more of them, by the Authority thereof, the levying and recovering of which said Fines and Forfeitures are not herein before particularly directed, shall be levied by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the County where the Offence shall be committed, for which such Fine or Forfeiture is inflicted; which said Justice or Justices is and are hereby authorised, within the Limits of their respective Jurisdictions, to hear and examine Witnesses upon Oath, and determine the same; and may, according to his or their Discretion, mitigate any Fine or Forfeiture herein before allowed to be mitigated; and all such respective Fines, Forfeitures, and Penalties by this Act imposed and inflicted, or authorised to be imposed and inflicted, the Application whereof is not herein before particularly directed, shall be paid into the Hands of the Treasurer or Receiver of the Monies to be raised by virtue of this Act, and shall be applied and disposed of for the Use of the said Navigation, and to and for no other Use or Purpose whatsoever.

Allowing Appeals to the Quarter Sessions.

Provided always, That any Person or Persons thinking himself or themselves aggrieved by any Order or Judgement made or given in pursuance of any Rule, Bye-law, or Constitution of the said Commissioners, or by the Order or Determination of any of the said Commissioners, may, within Three Calendar Months after such Order shall have been made, and Notice given, complain to the Justices of the Peace at their General Quarter Sessions to be held in and for the said Counties of Middlesex, Surrey, Bucks, Berks, Oxford, or Wilts respectively, where the Cause of Appeal shall arise, and not elsewhere, who shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions, or if they think proper adjourn the Hearing thereof to the next General or Quareer Session of the Peace to be held for the said Counties respectively; and if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned, which shall have been levied in pursuance of such Rule, Bye-law, Order, or Determination, and may also order

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such further Satisfaction to the Party injured as they shall think reasonable.

Publick Act. And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same. I

FINIS.