ANNO TRICESIMO TERTIO

Georgii III. Regis.

CAP. LXXX.

An Act for making and maintaining a Navigable Canal from the *Oxford* Canal Navigation, at *Braunſton*, in the County of *Northampton*, to join the River *Thames* at or near *Brentford*, in the County of *Middleſex*, and alſo certain Collateral Cuts from the ſaid intended Canal. [30th *April* 1793.]

WHEREAS it is practicable to make and maintain a Canal for the Navigation of Boats, Barges, and other Veſſels, from the preſent Oxford Canal, in the Parish of Braunſton, in the County of Northampton, through, by, or near the Towns of Daventry, Newport Pagnell, Leighton Buzzard, Rickmanſworth, and Uxbridge, in the ſeveral Counties of Northampton, Buckingham, Bedford, Hertford, and Middleſex, to unite with the Preamble.

the River Thames at or near Brentford, in the County of Middlesex, and also certain Collateral Cuts hereinafter described, to communicate with the said intended Canal, which said Canal and Collateral Cuts will open a certain Communication for the cheap and easy Conveyance of Goods, Wares, Provisions, and Merchandize, and all heavy Commodities, between the Irish and British Channels, and the Ports of Hull and London, and the several intermediate, populous, and manufacturing Towns and Places through, and by Means of, several Canals already made in this Kingdom, whereby the Intercourse of Trade and Commerce between the several Places aforesaid will be greatly promoted and facilitated, Manufactures encouraged and increased, and the Agriculture of the Country, throughout the Line and Neighbourhood of the said Canal and Collateral Cuts, materially assisted, by being supplied with Lime and other Manure at a moderate Expence, and will tend very much to reduce the Price of Coals throughout the whole Line and Neighbourhood of the said Canal and Cuts, and will be in other Respects of great publick Utility; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Most Noble Francis Egerton Duke of Bridgewater, the Most Noble George Grenville Nugent Temple Marquis of Buckingham, Knight of the Most Noble Order of the Garter, the Right Honourable Philip Stanhope Earl of Chesterfield, the Right Honourable William Ann Holles Capel Earl of Essex, the Right Honourable George Fermor Earl of Pomfret, the Right Honourable George John Spencer Earl Spencer, the Right Honourable Thomas Villiers Earl of Clarendon, Robert Abbey, Edward Adams, Thomas Adams, William Adams, Francis Agard, John Anderton, William Andrews, Oliver Aplin, James Arnold, George Meyrick Ascough, Thomas Astle, Robert Atkins, Abraham Awson, Thomas Ainsworth,

Proprietors.

ANNO REGNI

GEORGII III.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ;

TRICESIMO TERTIO.

At the Parliament begun and holden at *Weſtminſter*, the Twenty-fifth Day of *November Anno Domini* 1790, in the Thirty-firſt Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued, by ſeveral Prorogations, to the Thirteenth Day of *December* 1792; being the Third Seſſion of the Seventeenth Parliament of *Great Britain*.



LONDON:

Printed by CHARLES EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1793.

worth, the Honourable Edward Bouverie, Sir William Bowyer Baronet, William Babington, Anthony Backhouſe, Daniel Baker, Junius Baker, Samuel Bankart, James Bankart, Edward Bankart, John Barker, John Bartlett, Henry Bayly, William Belcher, Thomas Bennett, George S. Benton, Thomas Berry, John Birt, James Boot, Henry Bowles M. D. George Bown, Philip Box, Richard Brabant, Robert Bree M. D. John Bree M. D. Thomas Bree M. D. Francis Breedon, William Browne, William Browne, Richard Brown, the Reverend Henry Bromfield, George Brooks, Joſeph Brooks, William Buck, the Reverend William Buckle, James Dicker Budd, Richard Burgh, John Burford, Thomas Burkitt, Richard Burton, John Caldecott, Samuel Caldecott, Peter Capper, John Edward Carter, John Carter the younger, Iſaac Carter, John Cartwright, William Chambers, Henry Chambers, William Chance, Acton Chaplin, Joſiah Chapman, Daniel Chaſe, John Chaſe, William Charteris, Samuel Churchill the younger, Thomas Clare D. D. Joſeph Clarke, Hamlet Clarke, Samuel Clark, Thomas Clay, Samuel Clay, John Coates, Timothy Cobb, William Cole, Henry Cole, Joſhua Cooke, Edward Cooke, George Cooke, John Collingridge, Thomas Collett, John Cope of Birmingham, John Cope Druggiſt of the ſame Place, John Cowper, William Cox of Derby, William Cox of Leiceſter, John Cox, the Reverend Holford Cotton, John Cradock, William Cradock, Richard Curtis, John Dadley, Thomas Davies, John Davy D. D. Thomas Day, Richard Darell, Edmund Dayrell, the Reverend John Langham Dayrell, William Deacle D. D. Samuel Deacon, Robert Dent, Peter Denys, Benjamin Dickens, William Dickenſon, Thomas Dickenſon, Samuel Dickenſon, Kenelm Digby, Robert Dimſdale, Thomas Douglas, John Downing, Samuel Dumbleton, John Eames, Samuel Eboral, William Elliott, William Elverſon, Thomas Emerton, Thomas Eweſdin, Giles Fairbrother, John Farr, the Reverend William Fell L. L. D. James Fell, John Field, William Firmadge, Thomas Fidkin, Thomas Foden, Edmund Ford, Jonathan Forſter, Robert Forſter, Thomas Francis, Thomas Freeman, William Henry Freemantle, Thomas Freer, Stamp Garrard, John Geary, William Gilby, Thomas Golby, William Golby, James Golby, Thomas Godfrey, James Goddington, John Goode,

Francis Goode, William Goldſmith, Elizabeth Gleed, Elizabeth Grant, Thomas Grant, John Grant, Edward Oakley Gray, Robert Gray, William Grahame, Tobias Green, John Groſvenor, William Gurden, Richard Gutteridge, John Gwillim, Sir Thomas Hanmer Baronet, Graham Hanmer, Edward Hanmer, Joſeph Hall, John Hall, Charles Maurice Hardy, Henry Harding, Thomas Harriſon, John Harriſon, Henry Bagſhaw Harriſon, Edward Harriſon the younger, Edward Harris, Richard How, Henry Hawley, Joſeph Hawtyn, William Hayes, Francis Hayes, Hugh Henſhall, the Reverend Luke Heſlop, Joſeph Hewitt, Samuel Heyrick, William Heyrick, John Heyrick the younger, Richard Heydon, Thomas Higginſon, John Higgins, Thomas Hill, William Hilliker, William Hodgekinſon, John Hollier, John Hollingworth, Thomas S. Hollingworth, John Holland, Solomon Holloway, John Holmes, the Reverend Robert Holt, Philip Homer, Arthur Homer, Thomas Homer, William Homer, Thomas Hootton, John Walter Hootton, William Hopkins, Richard Horwood, William Horton, John Houghton, Edward Hutchins, Thomas Hutchins, Joſeph Hutchins, Abraham Hume, William Hunt, George Pitt Hurſt, George Jackſon, the Reverend J. Jacques, Robert Jee, Thomas Wightman Jee, S. G. Jemſon, John Jenkinſon, John Jephcott, Edward Inge the younger, Joſeph Inkerſole, William Inkerſole, Thomas Inkerſole, Robert Johnſon, Edward Johnſon of Braunſton, Edward Johnſon of London, John Kettlebury, John King, Thomas Kitelee, Joſeph Kitelee, William Kirby the elder, John Malmbury Kirby, Sir Jonathan Lovett Baronet, Thomas Lake, the Reverend Stephen Langſton, Colwell Langdon, Thomas Langford, Charles Latham the younger, John Lawton, William Leaper, William Lea, George Lee, John Linnett, William Jeff Lockett, Thomas Lockwood, Jeremiah Lowe of Coventry, Jeremiah Lowe of Oxford, Richard Longman, George Luck, Martin Lucas, William Lucas, John Manſell, William Marſh, William Marſh M. D. John Marſhall, John Dayrell Martin, the Reverend William Maſter, William Mavor D. D. Francis Mead, William Minſhull, Matthias Mogridge, R. B. Morgan, James Morpott, John Langton Morpott, Harry Morris, Francis Moore, William Mott, Richard Moul, Sir Roger Newdigate Baronet, George Nelſon, Charles Newcombe, Daniel

Daniel Norton, William Oldham, Samuel Oliver, Peter Oliver, I. Baſs Oliver, William Oliver, William Orme, George Oſborn, George Owen, William Praed Eſquire, John Parker, Joſeph Parker, Benjamin Parker, George Parrott, John Parſons, Henrietta Pauncefort, Matthew Payne, William Payne, Richard Payton, I. P. Perry, John Peter, John Percival, James Pickard, William Atkins Pinkard, William Pratt, Philip Parry Price M. D. William Tomkyns Price, John Price, the Reverend Thomas Propert, William Rabone, Joſeph Rabone, I. H. Rann, the Reverend Joſeph Rann, David Rattray M. D. Thomas Rawbone, John Reeves, John Remington, Richard Richardſon, William Richardſon, Thomas Rickards, Theophilus Richards, William Robinſon, William Rogers, Noah Rollaſon, John Roper, John Rotheram, Rowland Rouſe, Thomas Ruſſell, Abraham Samuel, Joſeph Scrivener, John Seaton, William Selby, George Sharp, Samuel Saliſbury Shaw, Thomas Sherratt, Thomas Sheppard, Samuel Shenſtone, William Shenſtone, James Shipton, Samuel Simcock, James Simpſon, William Simpſon, Charles Simpſon, the Reverend Robert Simſon, Robert Simſon M. D. Richard Siret, Thomas Sleath, Joſeph Sleath, the Reverend Edward Orlebar Smith, Michael Smith, Charles Smith, George Smith, William Smith, Drummond Smith, Chriſtopher Smith, John Southam, John Sparrow, William Spell, Chriſtopher Staveley, Henry Peter Stacey, Richard Stevens, John Stephenſon, John Stone, John Stoney, Benjamin Sutton, Thomas Swinburn, Thomas Thompſon Eſquire, Edward Tatham D. D. William Thacker the younger, George Thomas, James Tibbetts, Thomas Tite, John Tookey, Thomas Towers, Thomas Trinder, John Twells, Frances Uthwatt, Paul Vaillant, John Viggors, John Villers, James Villers, Charles Waiſtall, William Walford, the Reverend George Watkins, James Wall, Jeremiah Wall, George Wallis, William Walker, Philip Hoddle Ward, Thomas Wartnaby, William Wartnaby the younger, Edward Watts, Thomas Watts, Harry Watts, Benjamin Way, William Weſton, Henry Whateley, James Whitmay, Matthew Whitton, Samuel Whitwell, Fiennes Wickham, John Wilkinſon of Northampton, John Wilkinſon of Leiceſter, Joſeph Wilkes, Philip Williams, Newman Williatt, Robert Williatt, David Willis, Houghton Wilſon, Thomas Wilſon, Benjamin Wilſon, John Walker

ker Wilson, Bradford Wilmer, John Wilmer, George Wood, John Woodcock, Richard Woodfield, Richard Woodward, John Worley, Marc Wratislavia, Leeson Wright, James Wyatt, Lancelot Wyatt, and James York, together with such Person or Persons, Bodies Politick, Corporate and Collegiate, as they, or the major Part of them, present at the first General Assembly to be holden for the Purposes of this Act, shall nominate and appoint under their Hands, and the several and respective Successors, Executors, Administrators, and Assigns of the said Persons herein-before named, and of the Person or Persons, Bodies Politick, Corporate and Collegiate, so to be nominated and appointed, being Proprietors of any Share or Shares in the Navigation hereby authorized to be made, are and shall be, and they are hereby united into a Company for the carrying on, making, completing, and maintaining the said intended navigable Canal and collateral Cuts passable for Boats, Barges, and other Vessels, according to the Rules, Orders, and Directions herein-after expressed; and shall for that Purpose be One Body Politick and Corporate, by the Name and Style of The Company of Proprietors of the Grand Junction Canal, and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued; and that the said Company of Proprietors shall and may have Power and Authority to purchase Lands to them and their Successors and Assigns, for the Use of the same Navigation, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and the said Company of Proprietors shall be and are hereby authorized and impowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make and complete a Canal, to be called The Grand Junction Canal, and to be navigable and passable for Boats, Barges, and other Vessels, from and out of the Oxford Canal, in the Parish of Braunston aforesaid, into and through the several Parishes, Townships, Hamlets, or Places of Drayton, Daventry, Welton, Thrupp,

Their Powers.

Main Line.

Long Buckby, Whilton, Norton, Brockhall, Dodford, Weedon Beck, Stowe, Lower Heyford, Bugbrook, Gayton, Bliſworth, Stoke Bruern, Road, Grafton Regis, Yardley Gobyon, Furtho, and Coſgrove, in the County of Northampton; Woolverton, Bradwell, Stantonbury, Great Linford, Newport Pagnell, Willen, Little Woolſton, Great Woolſton, Woughton, Simpſon, Fenny Stratford, Water Eaton, Stoke Hammond, Soulbury, Linſlade, Grove, Slapton, Horton, Ivinghoe, Pightleſthorn, Cheddington, and Marſworth, in the County of Buckingham; Leighton Buzzard, in the County of Bedford; Tring, Aldbury, North Church, Great Berkhampſtead, Bovingdon, Hemel Hempſtead, Abbots Langley, King's Langley, Watford, and Rickmanſworth, in the County of Hertford; the Pariſh of Denham, in the County of Buckingham; and the ſeveral Pariſhes, Townſhips, Hamlets, or Places of Hatefield, Uxbridge, Cowley, Hillingdon, Drayton, Harlington, Hayes, Southall, Heſton, Norwood, Hanwell, Iſleworth, and Ealing, in the County of Middleſex, to unite with the River Thames at the Place where the Eaſtern Branch of the River Brent is received by the River Thames; and alſo to make a Collateral Cut for the Navigation of Boats, Barges, and other Veſſels, to branch from and out of the ſaid intended Canal in the ſaid Pariſh of Daventry, to the North-eaſt End of the Town of Daventry aforeſaid; and alſo another Collateral Cut, for the like Purpoſe, to branch from and out of the ſaid Canal, in the Pariſh of Gayton aforeſaid, in, to, or through, the ſeveral Pariſhes, Townſhips, Hamlets, or Places of Gayton, Rothers Thorpe, Wootton, Hardingſtone, Duſton, and Northampton, in the ſaid County of Northampton, to join the preſent Navigation of the River Nen there; and alſo another Collateral Cut, for the like Purpoſe, to branch from and out of the ſaid Canal, in the Pariſh of Coſgrove aforeſaid, through the ſaid Pariſh of Coſgrove to the Turnpike Road leading to London at Old Stratford, in the ſaid County of Northampton; and alſo another Collateral Cut, for the like Purpoſe, from and out of the ſaid Canal, in the Pariſh of Rickmanſworth aforeſaid, to the Town of Watford

Cut to *Daventry.*

To *Northampton.*

To *Old Stratford.*

To *Watford.*

Watford aforesaid; and to supply the said intended Canal and Collateral Cuts whilst making, and at all Times for ever after the same shall be made, with Water from all such Brooks, Springs, Streams, Rivulets, Rivers, Waters, and Watercourses, which are or shall flow, or be found in digging or making the said Canal and Collateral Cuts respectively, or within the Distance of Five Miles from either or each of the Two Head Levels of the said intended Navigation at or near Braunston and Marsworth aforesaid respectively, and within the Distance of Three Miles from any other Part of the said Canal and the several Collateral Cuts aforesaid, or any of them, or from any Reservoir or Reservoirs which shall belong thereto; and also to erect and make, at such Place or Places, such Fire Engines, or other Machines, and such Reservoirs for supplying with Water the said intended Canal and Collateral Cuts, or any of them, or any Part or Parts thereof, or any Mill which may be affected in consequence of this Act, and also such and so many Soughs, Tunnels, Feeders, Aqueducts, and Channels, for supplying the said Reservoirs, Canal, and Collateral Cuts, with Water, and for conveying Water from any such Reservoirs to the said Canal and Collateral Cuts, as by the said Company of Proprietors shall be deemed necessary and proper; and also for effecting the Purposes aforesaid, within the like Distance from any Part of the said intended Canal and Collateral Cuts, to cleanse, scour, and dig, open, deepen, enlarge, or straighten the Streams, Brooks, or Watercourses, which come, or may be brought into, or communicate therewith respectively, and to dig, cut, or raise the Banks of any of the said Streams, Brooks, or Watercourses, for bringing Water into the said intended Canal and Collateral Cuts, or any of them; and to make such proper Trenches or Passages for Water in, upon, or through the Lands or Grounds adjoining or near to the said intended Canal or Collateral Cuts, or any of them, or such Streams, Brooks, or Watercourses as aforesaid, or any of them, as the said Company of Proprietors shall think fit; and for the Purposes aforesaid, the said Company of Pro-

prietors,

prietors, their Deputies, Servants, Agents, and Workmen, are hereby authorised and impowered to enter into and upon the Lands and Grounds of any Person or Persons, Bodies Politick, Corporate or Collegiate, whatsoever, and to survey and take Levels of the same, or any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary and proper for making the said intended Canal and Collateral Cuts, and any such Reservoir or Reservoirs, Feeders, and Aqueducts, and all such other Works, Matters, and Conveniences, as they shall think proper and necessary for making, effecting, preserving, improving, completing, maintaining, and easy using the said intended Canal and Collateral Cuts, and other Works; and also to bore, dig, cut, trench, sough, get, remove, take, carry away, and lay Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got, in making the said intended Canal and Collateral Cuts, or other Works, or in making any Reservoir or Reservoirs, Feeders or Aqueducts, or out of the Lands and Grounds of any Person or Persons adjoining, or lying convenient thereto, and which may be proper, requisite, or necessary, for making, carrying on, continuing, maintaining, or repairing the said intended Canal, Collateral Cuts, or other Works, or which may hinder, prevent, or obstruct the making, using, or completing, extending, or maintaining, the same respectively, or in making, using, completing, extending, and maintaining of such Reservoirs as aforesaid, or of any such Feeders, Trenches, Passages, Aqueducts, and Watercourses as aforesaid, as shall be necessary and proper to convey Water to or from the said intended Canal and Collateral Cuts, or any of them, according to the Intent and Purpose of this Act; and to make, build, erect, and set up, in or upon the said intended Canal or Collateral Cuts, or any of them, or upon the Lands adjoining or near the same respectively, such and so many Bridges, Piers, Arches, Tunnels, Aqueducts, Sluices, Flood-gates, Weirs, Pens for Water, Water Stanks, Reservoirs, Dams, Wharfs, Quays, Houses,

Warehouses, Toll-houses, Watch-houses, Landing Places, Weighing Beams, Cranes, Fire Engines, or other Machines, Dry Docks, and other Works, Ways, Roads, and Conveniences, as and where the said Company of Proprietors shall think necessary and convenient, for the Purposes of the said Navigation; and also from Time to Time to alter, repair, and amend, or discontinue the same, and to divert, alter, widen, enlarge, and extend any Bridges, Ways, Roads, Passages, or Conveniences, as well for the carrying and conveying of Coals, Stones, and other Minerals, Goods, Wares, Merchandizes, and other Articles, to and from the said intended Canal and Collateral Cuts, or any of them, as for the carrying and conveying of all Manner of Materials necessary for the making, erecting, finishing, altering, repairing, maintaining, amending, widening, or enlarging the said intended Canal, Collateral Cuts, and the Works of or belonging to the said Navigation, or useful for any Purpose therein; and also to place, lay, work, or manufacture the said Materials on the Grounds near to the Place or Places where the said Works, or any of them, shall be, or are intended to be made, erected, repaired, or done; and also to make, maintain, repair, and alter any Fences or Passages over, under, or through the said intended Canal and Collateral Cuts, or any of them, or the Reservoirs, Tunnels, Aqueducts, Soughs, Trenches, Passages, Feeders, Watercourses, and Sluices respectively, which shall communicate therewith; and also to make, set out, and appoint such Towing Paths, Banks, Roads, and Ways convenient for towing, haling, or drawing of Boats, Barges, and other Vessels, passing upon the said intended Canal, Cuts, and Trenches, with Men, Horses, or otherwise, and proper Places for Boats, Barges, and other Vessels, navigated upon the said intended Canal, Cuts, or Trenches, to turn, lie, or pass each other as they the said Company of Proprietors shall think convenient, and to construct, erect, and keep in Repair, any Piers, Arches, Aqueducts, and other Works, in, upon, and across any Rivers or Brooks, for the making, using, main-

maintaining, and repairing of the said intended Canal, Cuts, and Trenches, and Towing Paths on the Sides thereof, and to construct, erect, make, and do all other Matters and Things, which they shall think convenient and necessary for the making, effecting, extending, preserving, improving, and completing, and easy using of the said intended Canal, Collateral Cuts, and other Works, in pursuance of, and according to the true Intent and Meaning of this Act, they the said Company of Proprietors, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making Satisfaction in Manner herein-after mentioned, to the Owners or Proprietors of, and all Persons interested in the Lands, Tenements, or Hereditaments, Waters, Watercourses, Brooks, or Rivers respectively, which 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; and this Act shall be sufficient to indemnify the said Company of Proprietors and their Deputies, Servants, Agents, and Workmen, 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.

Houses, Gardens, &c. not to be injured, except such as are mentioned.

II. Provided always, and be it further enacted, That nothing herein contained shall authorize or impower the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Canal and Collateral Cuts, or any of them, or any other of the Purposes aforesaid, any House or other Building which was erected and built on or before the First Day of September One thousand seven hundred and ninety-two, or any Land or Ground which, on or before the said First Day of September was set apart, and used, as or for any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent of the Owners and Occupiers thereof, other than and except a Kitchen

Yard and Orchard in the Parish of Hillingdon, in the County of Middlesex, the Property of Fish De Burgh Esquire, in the Occupation of Joseph Allen; an Orchard in the Parish of Hillingdon, the Property of —— Williams, in the Occupation of Francis Mattinley; an Orchard in the said Parish of Hillingdon, the Property of William Greenhill, in the Occupation of Charles West; a Messuage or Tenement in Fenny Stratford, in the County of Bucks, the Property, and in the Occupation of John Welchman; Two Cottages or Tenements in Fenny Stratford aforesaid, the Property, and in the Occupation of —— Mayn; and also One other Cottage or Tenement in Fenny Stratford aforesaid, the Property of James Lucas, which are meant and intended to be made use of for the Purposes of this Act.

Not to lay Earth on the Inclosures in *Stoke Bruern*.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to impower the said Company of Proprietors to cause any of the Earth, Stone, Gravel, Sand, Rubbish, or Materials, to be removed or taken from out of the intended Tunnel, in the Parish of Stoke Bruern aforesaid, to be carried or laid upon any of the Inclosures in the Parish of Stoke Bruern aforesaid, or to empower the said Company of Proprietors to cause any of the aforesaid Earth, Stone, Gravel, or other Materials, which may be dug to make the said Canal, to be carried or laid on any of the Homesteads and small Mowing Grounds adjoining to the said Village of Stoke Bruern.

Breadth of Canal and Towing Paths.

IV. And be it further enacted, That the Lands or Grounds to be taken or used for such Canal and Collateral Cuts respectively, and for the Towing Paths thereto, and the Ditches, Drains, and Fences to separate such Towing Paths from the adjoining Lands, shall not exceed Twenty Yards in Breadth, except in such Places where any Docks, Basons, Reservoirs, or Pens of Water, shall be made, or where the said Canal and Collateral Cuts, or any of them, or any Part thereof, shall be raised higher or cut above Five Feet deeper than the present Surface of the Land, and except in such Places, where

where it shall be judged necessary for Boats and other Vessels to turn, lie, or pass each other, or where any Warehouses, Cranes, or Weigh Beams, may be erected, or where any Wharfs or other Places may be set out or appropriated for the Reception of any Coals, Lime, Lime Stone, or other Minerals, Timber, or other Goods, Wares, and Merchandizes, which shall be conveyed on the said Navigation, nor in any Place more than Forty-five Yards in Breadth.

Line of the Canal to be guided by Plans and Books of Reference.

V. And whereas a Map or Plan, describing the Lines of the said intended Canal and Collateral Cuts, and the Lands through which the same are intended to be carried (other than and except from the Orchard belonging to Fish de Burgh Esquire, in the Occupation of Joseph Allen, adjoining to the Publick Highway in the Parish of Hillingdon, in the said County of Middlesex, to the Brook called Bull Bridge Brook, in the Parish of Hayes, in the said County of Middlesex, and from Brentford Bridge to the River Thames aforesaid), together with a Book of Reference, containing a List of the Names of the Owners, or reputed Owners and Occupiers, of such Lands, hath been deposited at the Office of the Clerk of the Peace for each of the Counties of Northampton, Buckingham, Bedford, Hertford, and Middlesex: And whereas a Map or Plan, describing the Line of the said intended Canal between the said Orchard, belonging to the said Fysh de Burgh, and Bull Bridge Brook aforesaid, and the Lands through which the same is intended to be carried, together with a Book of Reference, containing a List of the Names of the Owners, or reputed Owners and Occupiers, of such Lands, hath been made, and signed by the said Fysh de Burgh, being a principal Owner of the said Lands, and by Edward Oakley Gray and Acton Chaplin, on Behalf of the Subscribers to the said Undertaking, and a Map or Plan, describing the Line of the said intended Canal from the said River Brent, along the Eastern Branch thereof, till its Junction with the River Thames aforesaid, and the Lands through which the same is intended to be carried, together with Reference containing a List of the Names of the Owners, or

reputed Owners and Occupiers, of such Lands, hath been made and signed by James Clitherow Esquire, and Robert Wallace Johnson Esquire, principal Owners of such Lands, and by the said Edward Oakley Gray and Acton Chaplin, on Behalf of the Subscribers to the said Undertaking: Be it therefore further enacted, That the said Plans, and Books of Reference so signed as aforesaid, or Duplicates thereof signed in like Manner, shall, before the said Company of Proprietors shall begin to make the Parts of the said Canal thereby respectively described, be deposited with the Clerk of the Peace for the County of Middlesex.

No Deviation from the Plans and Books of Reference, except in certain Cases.

VI. And be it further enacted, That the several Maps or Plans, and Books of Reference herein-before mentioned, shall remain in the Custody of the respective Clerks of the Peace; and all Persons shall, at any reasonable Times, have Liberty to inspect and peruse the same, and to make Copies thereof, or Extracts therefrom, at their Will and Pleasure, paying the respective Clerks of the Peace the Sum of One Shilling for every such Inspection; and after the Rate of Sixpence for every Two hundred Words of such Copies or Extracts of the said Books of Reference; and that the said Company of Proprietors, in making the said intended Canal and Collateral Cuts, shall not deviate more than One hundred Yards from the respective Lines thereof, so described in the said Maps or Plans and Books of Reference respectively as aforesaid, without the Consent, in Writing, of the Person or Persons through whose Lands or Grounds such Deviation shall be made: Provided always, That no Deviation shall be made from the Line or Course of the said intended Canal into any Lands or Grounds, not described in the said Plan and Book of Reference, without the Consent, in Writing, of the Person or Persons through whose Lands or Grounds such Deviation shall be made: Provided always, That no Advantage shall be taken of or against the said Company of Proprietors, or any Interruption be given to the making of the said intended Canal, on Account of any Error or Omission in the said Book of Reference, in case it shall

appear to any Five or more of the Commissioners hereinafter mentioned, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

VII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize the said Company of Proprietors to set out, appoint, or make Use of any Towing Path on any Part of the Lands in the Parish of Welton, in the County of Northampton, on the North-western Side of the said intended Canal. No Towing Path to be made North-west of the Canal in *Welton*.

VIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable the said Company of Proprietors to erect or build any House, Mill, or other Building (other than Ware-houses, Toll-houses, Watch-houses, and Cottages for their Workmen) for the Use of the said intended Canal and Collateral Cuts, upon the Lands which shall be set out for the Towing Paths, Wharfs, or Quays, on the Sides thereof, without the Consent, in Writing, 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 Canal or Collateral Cuts, or any of them, or any Trenches, or Sluices, hereby authorised to be made for the Use of any Mill or Mills hereafter to be erected near the same, or to cut down any Timberwood, Brushwood, or Underwood, upon any of the Estates or Lands through or into which the said Canal, Collateral Cuts, Trenches, Sluices, Roads, Passages, Works, or Conveniences, or any Part thereof respectively, shall be made, except such Timberwood, Brushwood, or Underwood as shall grow or be in or upon any of the Lands or Grounds which shall be taken or used for the making of the said Canal, Collateral Cuts, Towing-paths, Trenches, Sluices, Roads, Passages, or Conveniences respectively, as aforesaid; and the Proprietors of the respective Lands and Grounds on which such Timberwood, Brushwood, or Underwood shall stand, or be growing at the Time of the Commencement of this Act, their Heirs or Assigns, shall have No Building to be erected on the Towing Paths, except for the Navigation.

it in their Election to take such Timberwood, Brushwood, or Underwood respectively, when felled or cut down by the said Company of Proprietors, at such Price or Value as the same respectively shall have been estimated at or purchased by the said Company of Proprietors, which said Timberwood, Brushwood, or Underwood so to be fallen by the said Company of Proprietors, or by their Order, shall and may be carried and conveyed upon any Part of the said Canal and Collateral Cuts, free from all Rates to be raised and levied by virtue of this Act; but in case the same shall not have been estimated or purchased by them upon a Valuation separate and distinct from the Lands or Grounds upon which the same shall respectively grow, then at such Price or Value as shall be agreed on for that Purpose between such Proprietors or Owners of Land and the said Company of Proprietors, or their Agents, or in case of any Difference in the setting or ascertaining the same, then at such Price or Value as the Commissioners herein-after appointed shall direct or appoint; and the said Timberwood, Brushwood, and Underwood, so to be fallen by the said Company of Proprietors, or by their Order, shall and may be carried and conveyed upon any Part of the said Canal and Collateral Cuts, free from all Rates to be raised and levied by virtue of this Act; and if any House, Mill, or other Building, shall be erected upon any such Lands or Grounds, without such Consent as aforesaid, it shall be lawful for the Person or Persons who was or were Owner or Owners of such Lands or Grounds at the Time of setting out the same, for the Purposes aforesaid, his, her, or their Heirs or Assigns, to take, pull down, and remove such Houses, Mills, and other Buildings, without being guilty of Trespass, or being liable to any Action or Prosecution for so doing.

Bodies Politick impowered to fell and convey Lands.

IX. And be it further enacted, That after any such Part or Parts of the said Lands or Grounds shall be so set out and ascertained as aforesaid for making the said Canal and Collateral Cuts, or any Part or Parts thereof, and for providing and constructing the Wharfs, and other Works and Conveniences herein-before mentioned, or

any

any of them, it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees or Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunaticks, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed, or interested in their own Right, and for every other Person or Persons whomsoever, who is, are, or shall be seised, possessed of, or interested in any Lands, Grounds, and Hereditaments which shall be so set out and ascertained for the Purposes aforesaid, to contract for, sell, or convey the same, and every Part thereof, unto the said Company of Proprietors; and if it shall happen that by making the said Canal, or Collateral Cuts, or any of them, or the Conveyance of Water thereto, the Property of any Land Owner or Land Owners shall be separated into small Parcels, so as to render the Occupation thereof inconvenient, it shall be lawful for such Bodies Politick, Corporate and Collegiate, and all such other Person and Persons as aforesaid, by and with the Consent of the Commissioners hereby appointed, or any Five or more of them, to be testified by Writing, under their Hands and Seals, to contract for, sell, and dispose of, or to convey in Exchange for other Lands, all or any Part of such small Parcels of Land to any Person or Persons whomsoever, for such Price or Prices in Money or other Equivalent, as to such Land Owner or Owners shall seem reasonable; and all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be valid and effectual in Law, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding: And all Bodies Politick, Corporate or Collegiate, and all Persons whomsoever, so conveying or exchanging as

Lands separated into small Parcels may be exchanged or sold.

aforesaid, are hereby indemnified for or in respect of any such Sale or Exchange which he, she, or they, or any of them, shall respectively make by virtue or in pursuance of this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be made at the Expence of the said Company of Proprietors; and such of them as shall be made of any Lands or other Hereditaments to the said Company of Proprietors shall be made according to the Form following, videlicet:

Contracts and Sales to be made at the Expence of the Company.

Form of Conveyance to the Company.

I *A. B.* of of in Consideration of the Sum to me paid [*or* in Consideration of the Annual Rent of to me to be hereafter yielded and paid, by yearly or half-yearly Payments, *as may be agreed upon*] by the Company of Proprietors of the *Grand Junction Canal*, do hereby grant and release to the said Company, All [*describing the Premises to be conveyed*], and all my Right, Title, and Interest, to and in 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 making and maintaining the said *Grand Junction Canal*. In Witness whereof I have hereunto set my Hand and Seal, this Day of in the Year of our Lord

Which said Conveyances shall be kept by the Clerk or Clerks to the said Company of Proprietors, who shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons requesting the same, and shall have and receive Four-pence for every One hundred Words of each such attested Copy, and so in Proportion for any less Number of Words; and every such Conveyance as aforesaid which shall be made to any Person or Persons other than the said Company of Proprietors, shall be according to the following Form:

Form of Conveyance to other Persons than the Company.

I *A. B.* do hereby, by virtue and in pursuance of a certain Act of Parliament, intituled, [*insert the Title of the Act*], and by and with the Consent and Approbation of Five or more of the Commissioners appointed under, or by virtue of, the said Act, testified by their Signatures hereto, and in Consideration

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, ſituate conveyed to me by *C. D.* by Writing under his Hand and Seal, bearing even Date herewith], 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, as Witneſs my Hand and Seal, this
Day of

and every ſuch Conveyance ſhall be valid and effectual.

Satisfaction to be made.

X. Provided always, and be it further enacted, That all and every Body or Bodies Politick, Corporate or Collegiate, Truſtees, or other Perſons herein-before capacitated to ſell or convey Lands and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands or other Hereditaments through, in, or upon which the ſaid Canal and Collateral Cuts, Towing Paths, Quays, or other Works hereby authoriſed are intended to be made, or any of them, or of any Mills, Forges, or other Works, from which any Water to ſupply the ſaid Canal and Collateral Cuts, or any of them, may or ſhall be diverted, may accept and receive Satisfaction for the Value of ſuch Lands and Grounds, Mills, Forges, or other Works and Hereditaments, and for the Damages to be ſuſtained by making and compleating the ſaid Works herein-before directed, either in Groſs Sums, or by Annual Rents, as ſhall be agreed upon by and between the ſaid Owners and Occupiers reſpectively, or any of them, and the ſaid Company of Proprietors; and from and immediately after the Time of making and executing ſuch Sale and Conveyance, or any Contract or Contracts for the ſame, the ſaid Company of Proprietors may and ſhall be at Liberty to enter upon, and from thenceforth for ever to have, take, and enjoy the ſaid Lands, Grounds, and other Hereditaments, for the Uſes and Maintenance of the ſaid Canal and Cuts reſpectively, and for the ſupplying the ſame with Water, without any Interruption or Eviction whatſoever; and in caſe the ſaid Company of Proprietors, and the ſaid Parties

If Parties cannot agree, Price to be ſettled by Commiſſioners or a Jury.

Parties interested in such Lands and Grounds, or other Hereditaments, cannot agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Commissioners herein-after appointed, in such Manner, and subject to such Verdict of a Jury, if required, as is herein-after directed; and all such yearly Rents or Sums as shall be agreed on between the said Company of Proprietors and the said Parties interested in such Lands and Grounds, or other Hereditaments, or as shall be so ascertained and settled as aforesaid, shall be charged on the Rates arising by virtue of this Act, and shall be paid by the said Company of Proprietors as the same shall become due and payable; and in case the same shall not be paid within Sixty Days next after the same shall so become due and payable, it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby required, by an Order under their Hands, to appoint One or more Person or Persons to receive the Rates, 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, the said Commissioners taking such Security from every such Collector for the due and faithful Execution of his Office, as they shall judge proper and sufficient; and every Person so appointed shall be deemed a Collector of the said Rates, and shall have the same Power and Authority for collecting the same as if he had been appointed a Collector of the said Rates by the said Company of Proprietors, until such yearly Rents or Sums, with the Costs and Charges of recovering and receiving the same, shall be to him, her, or them fully satisfied and paid; or it shall be lawful for such Bodies Politick, Corporate or Collegiate, Trustees, or other Person or Persons to whom such yearly Rents or Sums shall be due and owing as aforesaid, to sue for and recover the same, with Costs of Suit, by Action of Debt, in any of His Majesty's Courts of Record, or otherwise to seize and distrain any Boats, Vessels, or other Goods or Effects of the said Company of Proprietors, which shall be found upon the said Canal and Collateral Cuts, or any of them, or in or upon the Wharfs, Quays,

Yearly Rents charged on the Rates;

or the Company's Boats, &c. may be seized or distrained upon for the same.

Warehouses, or other Works thereto belonging, (Information of such Distress being immediately given to the said Company of Proprietors, by Notice in Writing delivered to some of their Clerks, Collectors of the Rates, or other known Officers, or affixed to some of their Wharfs or Quays near to the Place where such Distress was made), and to detain the same until Payment of such yearly Rents or Sums then due and owing, together with the reasonable Charges attending such Distress; and if such Distress shall not be redeemed within Ten Days next after making the same, and Notice thereof given in Writing as aforesaid, then such Boats, Vessels, or other Goods or Effects so distrained, shall and may be sold or disposed of, in such Manner as the Law directs in case of a Distress for Rent.

Qualification of Commissioners.

XI. And, for settling all Differences which may arise between the said Company of Proprietors and the several Owners of or Persons interested in any Lands, Grounds, Tenements, Mills, Mines, Waters, and other Hereditaments which shall or may be taken, used, affected or prejudiced by Reason of the Execution of any of the Powers hereby granted; be it further enacted, That every Person seized, or intitled in his own Right, or in the Right of his Wife, of or in a Freehold or Copyhold Estate, situate within the Counties of Northampton, Buckingham, Bedford, Hertford, and Middlesex, or any of them, of the clear yearly Value of One hundred Pounds, and also the eldest Son or Heir Apparent of every Person having such Estate as aforesaid, within the said Counties, or any of them, of the clear yearly Value of Five hundred Pounds, and also every Person residing within the said Counties, or any of them, and having a Personal Estate, or Real and Personal Estate together, of the Value of Three thousand Pounds, shall be, and are hereby appointed Commissioners for settling, determining, and adjusting, all Matters, Questions, and Differences which shall or may arise between the said Company of Proprietors and the several Proprietors of and Persons interested in any Lands, Grounds, Tenements, Mills, Mines, Waters, Hereditaments or Premises,

miſes, which ſhall or may be taken, uſed, affected, or prejudiced by the Execution of any of the Powers hereby granted.

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

XII. Provided always, and be it further enacted, That no Perſon ſhall act as a Commiſſioner for the Execution of the Powers hereby given in any Caſe where he ſhall be any Way intereſted or concerned in the Matter in Queſtion, or be a Proprietor of the ſaid Navigation, or (except in adminiſtering the Oath herein after mentioned) until he ſhall have taken and ſubſcribed an Oath to the Effect following, before any Three or more of the ſaid Commiſſioners, who are hereby authorized and required to adminiſter the ſame; videlicet:

Commiſſioners Oath.

I *A. B.* do ſwear, that I will, truly and impartially, according to the Evidence which ſhall be laid before me, and to the beſt of my Skill and Knowledge, execute and perform the Powers and Authorities veſted in me as a Commiſſioner, by an Act of Parliament made in the Thirty-third Year of the Reign of King *George* the Third, intituled, [*inſert the Title of the Act*].

Penalty on Commiſſioners acting not being qualified.

And if any Perſon ſhall preſume to act as a Commiſſioner in the Execution of this Act, not being qualified as herein-before mentioned, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of One hundred Pounds, 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 ſued ſhall prove that he is qualified as above, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Plaintiffs, than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Commiſſioners may act as Juſtices of the Peace;

XIII. And be it further enacted, That any of the ſaid Commiſſioners who ſhall be in the Commiſſion of the Peace for the ſaid Counties, or any of them, ſhall and may, nevertheleſs, act as Juſtices of the Peace in the Execution of this Act; but that no Perſon who ſhall have or accept any Place of Profit ariſing out of the Rates to be raiſed by virtue of this Act, or ſhall be a Proprietor

but not whilſt they hold any Place of Profit under the Act.

of any Share or Shares of the said Navigation, or shall be concerned or interested in any Contract or Bargain made, or to be made, for or on Account of the said Undertaking, shall be capable of acting as a Commissioner herein, so long as he shall hold or be interested in such Place of Profit, Share or Shares, Contract or Bargain as aforesaid.

First Meeting of the Commissioners.

XIV. And be it further enacted, That the said Commissioners shall hold their First Meeting for the Purposes of this Act, at such Time and Place as they shall be thereunto required by the First General Assembly of the said Company of Proprietors (to be held as hereinafter appointed), by publick Advertisement as herein-after mentioned; and the said Commissioners, at their said First Meeting, shall and are hereby required to appoint, out of Five Persons to be nominated by the said Company of Proprietors, such One or more of them as the said Commissioners shall think proper to be their Clerk or Clerks, and the said Commissioners shall have Power from Time to Time to remove any such Clerk, and appoint another in his Stead, out of Five Persons to be nominated as aforesaid, and every such Clerk or Clerks shall be paid for his or their Care and Trouble in the Execution of his or their Office by the said Company of Proprietors; and all the Orders and Proceedings of the said Commissioners, as well at this their First, as at any other subsequent Meeting, shall be regularly entered by their Clerk or Clerks, in a Book to be kept for that Purpose, and to be provided from Time to Time by the said Company of Proprietors; and such Entries, being signed by such Number of Commissioners respectively as are impowered by this Act to make such Orders, or carry on such Proceedings, or by their Clerk or Clerks, by the Orders and Directions of such Number of Commissioners as aforesaid, who shall be assembled at any such Meeting or Meetings, shall be deemed Originals, and shall be admitted as Evidence in all Courts of Law or Equity, but no such First or other Meeting whatsoever of the said Commissioners, except adjourned Meetings, shall at any Time be had, for putting into Execution any of the Powers or Authorities vested in them by this Act,

Proceedings of the Commissioners to be entered.

unless Fourteen Days previous Notice at least of every such intended Meeting shall be given in the Morning Herald, the General Evening Post, and the Saint James's Chronicle, or in any Three other London Newspapers, and in the Oxford, Buckingham, and Northampton Newspapers; and every Meeting of the said Commissioners, by virtue of this Act, shall be publick; and no Order, Direction, or Determination of the said Commissioners, or any of them, touching any of the Matters and Things herein contained (except in such Cases as are hereby otherwise directed) shall be valid and effectual, unless the same shall be made or done at a Meeting to be held in pursuance of this Act; and that all the Powers and Authorities by this Act given to, or vested in, the said Commissioners, shall and may, from Time to Time, be exercised by the Majority of the Commissioners present at every such Meeting, the whole Number present at any such Meeting not being less than Nine.

General Meeting of the Commissioners.

XV. And be it further enacted, That, upon any Refusal of any Owner or Owners, Occupier or Occupiers of, or any other Person or Persons interested in any Lands, Grounds, Tenements, Hereditaments, or other Premises which shall be marked or set out, taken, obstructed, damaged, or in anywise affected by the said Canal, Collateral Cuts or Works, or any of them, to accept the Money or the Compensation which shall be offered for or in respect of the same by the said Company of Proprietors, or their General or any other Committee, or by any of their Agents on their Behalf, it shall be lawful for the said Company or such Committee, or for such Owner or Occupier, or other Person or Persons so interested as aforesaid, to make Application in Writing, to any Five or more of the said Commissioners (although they shall not then be assembled together at a Meeting for the Purposes of this Act) requesting or desiring them to appoint a Meeting of the said Commissioners; and it shall be lawful for the said Commissioners so requested or applied to, or any Five or more of them, and they are hereby authorized and required, within Fourteen Days after such Request or Application made, to give publick Notice in Manner afore-

said, of such Meeting to be held at such Time and Place as they shall think proper, such Time not being less than Fourteen nor more than Twenty-one Days from the Day on which such Request shall be made to them as aforesaid; and the said Commissioners are hereby authorized, impowered, and required, notwithstanding any previous or intervening Adjournment of their Meetings, to assemble at the Time and Place to be so appointed, in order to put into Execution the Powers and Authorities hereby given to and vested in them; and in case the Business to be transacted at any Meeting to be held in pursuance of this Act, shall not be concluded and finished on or within the Day mentioned in such Notice, they the said Commissioners shall then adjourn themselves to, and shall afterwards meet at such Place and Time as they, or the Majority of them then present, shall think proper and convenient; and if it shall happen that there shall not appear at any Meeting to be held under the Powers of this Act, a sufficient Number of Commissioners to act at such Meeting, and to adjourn to any other Time, then and in such Case any Clerk to the said Commissioners shall and may, by publick Notice to be given in Manner aforesaid, appoint the said Commissioners to meet at the House where the last Meeting of the said Commissioners was so appointed to be held, on that Day Fortnight next after the Day of such last intended Meeting: Provided always, that every such Meeting of the Commissioners to be held upon such Request or Application as aforesaid, for the hearing or determining any Complaint, Controversy, Dispute, or Difference between the said Company of Proprietors, and any other Person or Persons, shall be held at some Place within Ten Miles of the Place where such Complaint or Dispute shall arise.

Meetings to determine Disputes, &c. to be held within Ten Miles of the Canal.

XVI. And be it further enacted, That the said Commissioners shall be, and they are hereby authorized and required to examine Witnesses on Oath to be administered by them, touching the Matters mentioned in the said written Application to be in Dispute, and they are hereby impowered and enabled, by Writing under their Hands and Seals, to determine and adjust, from Time to Time, on

Commissioners shall fix the Price of Lands.

on any such Request and Application as aforesaid, what Sum or Sums of Money shall be paid by the said Company of Proprietors (either in Gross or by an Annual Rent or Payment) for the absolute Purchase of, or as a Recompence for the Use of the Lands, Grounds, or Hereditaments, which shall be set out and ascertained as aforesaid, for making the said Canal and Collateral Cuts, or any Part thereof, and for other the Purposes hereinmentioned; and also to adjust and determine the Compensation to be made by the said Company of Proprietors, for any Damages which may or shall be at any Time or Times hereafter sustained by any Bodies Politick, Corporate, or Collegiate, or by any Person or Persons respectively, being Owners of or interested in any Lands, Grounds, Tenements, Mills, Mines, or other Hereditaments, for or by reason of the severing or dividing the same, or by reason of the making, using, repairing, or maintaining the said Canal and Collateral Cuts respectively, and the Reservoirs, Aqueducts, Feeders, Tunnels, Sluices, Trenches, Passages, Gutters, Watercourses, Roads, Ways, Railways, or other Works or Conveniences, or by supplying the same, or any of them, with Water as aforesaid, or by the flowing, leaking, or oozing of Water over or through the Banks of the said Canal and Collateral Cuts, Reservoirs, Sluices, and Trenches, or any of them, or over or through any Passages, Gutters, or Watercourses which shall be made pursuant to the Powers hereby given, or by not cleansing the same, or by diverting any Stream or Brook into the same, or by the Reason or Means of the Execution of any of the Powers herein contained.

If Parties are dissatisfied with the Determination of the Commissioners, Value to be ascertained by a Jury.

XVII. Provided always, and be it further enacted, That if the said Company of Proprietors, or their Committee for the Time being, shall be dissatisfied with any such Judgement or Determination, and shall give Notice thereof, in Writing, to any Nine or more of the said Commissioners, within Seven Days next after the same shall have been made, or if any such Body Politick, Corporate, or Collegiate, or any other Person or Persons so entitled or interested, for and on his, her, or their Part or

Parts, or for or on the Part of his, her, or their Cestuique Trust, or of any other incapacitated Person or Persons as aforesaid, shall in like Manner be dissatisfied with the Determination of the said Commissioners, and shall refuse to accept such Purchase Money, or Annual Rent or Recompence, or other Compensation so determined and adjudged by them the said Commissioners, upon due Tender thereof made by or on the Behalf of the said Company of Proprietors, and shall give Notice in Writing to any Nine or more of the said Commissioners of such Refusal, within Seven Days after such Tender shall have been made, and the Party or Parties giving such Notice as aforesaid shall therein request that the Matter or Matters so in Dispute may be submitted to the Determination of a Jury, then and in every such Case the said Commissioners shall, and they are hereby impowered and required, from Time to Time, to issue a Warrant under their Hands and Seals, to the Sheriff of the County in which the Matter in Question or Dispute shall arise, or in case such Sheriff or his Under Sheriff shall happen to be One of the Company of Proprietors of the said Navigation, or shall enjoy any Office of Trust or Profit under them, or shall be otherwise interested in the Matter or Matters in Question, then to the Senior Coroner of the said County, and in case he shall be so interested, then to the next Coroner of such County in Point of Seniority, who shall not be so interested, and if all the Coroners shall be so interested as aforesaid, then to the last Person who filled the Office of Sheriff of the said County then in being, who shall not be so interested as aforesaid, commanding such Sheriff or Coroner, or other Person (and the said Sheriff or Coroner, or such other Person is hereby impowered and required) to impannel, summon, and return a Jury of Twelve sufficient and indifferent Men qualified according to Law to be returned for Trials of Issues joined in His Majesty's Courts of Justice at Westminster, to appear before the said Commissioners at such Time and Place as in such Warrant shall be appointed, such Time not being less than Seven Days, nor more than Fourteen Days after such Warrant shall have been

ſerved upon the ſaid Sheriff, Coroner, or other Perſon; and in caſe a ſufficient Number of Jurymen ſhall not appear at the Time and Place appointed as aforeſaid, the ſaid Sheriff, Coroner, or other Perſon appointed as before-mentioned, ſhall return other honeſt and indifferent Men of the By-ſtanders, or of others who can be ſpeedily procured, to attend that Service, being ſo qualified as aforeſaid, to make up the ſaid Jury to the Number of Twelve, and every ſuch Jury and Juryman ſhall be liable and ſubject to the ſame Regulations, and to the ſame Pains and Penalties for Default, as if he and they had been returned for the Trial of any Iſſue joined in any of His Majeſty's Courts at Weſtminſter; 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 impowered and required to ſummon and call before them, and to hear and examine on Oath any Witneſſes touching the Matters in Queſtion, and may order and authorize the ſaid Jury to view the Place or Places, or Matters or Things in Controverſy; and ſuch Jury ſhall, upon their Oaths (which Oaths, as well as the Oaths of ſuch Witneſſes, the ſaid Commiſſioners are hereby impowered and required to adminiſter), enquire of, aſſeſs and aſcertain, and give a Verdict for the Sum or Sums of Money, or the Annual Rent or Rents, which ſhall be paid for the Purchaſe, or for the Hire and Uſe of ſuch Lands or Grounds, Mills, Mines, Waters, and Hereditaments, and the Compenſation which ſhall be made for the Damages ſuſtained as aforeſaid, and the ſaid Commiſſioners ſhall give Judgement for ſuch Purchaſe Money, Rent, Recompence, or Compenſation ſo aſſeſſed by ſuch Jury, which ſaid Verdict, and the Judgement thereupon pronounced by the ſaid Commiſſioners, ſhall be binding and concluſive, to all Intents and Purpoſes, againſt all Bodies Politick, Corporate, and Collegiate, and againſt all Perſons whomſoever.

Verdict of the Jury, &c. to be final.

XVIII. And whereas it may happen, that, by Reaſon of Abſence in Foreign Countries, or other Impediment or Diſability, not before provided for by this Act, there may not in certain Caſes be found any Perſon or Perſons,

If Parties are unable or unwilling to treat, a Jury to aſcertain the Value.

sons, who may be legally capacitated to treat and contract with the said Company of Proprietors for the speedy and absolute Sale and Conveyance to them of the Lands and Grounds, or other Hereditaments and Premises, which may be necessary and requisite for the Purposes of the said Navigation, and other Works and Conveniences, or concerning a proper Compensation for the Damages which may be done thereby to such Lands or other Premises as aforesaid; and it may also happen that the said Bodies Politick, Corporate, or Collegiate, or other Person or Persons, who is or are, under the Provisions in this Act contained, or otherwise, legally capacitated to treat and contract with the said Company of Proprietors for such speedy and absolute Sale and Conveyance, or for such Compensation as aforesaid, or of the Interest which he, she, or they may hold therein, may nevertheless refuse to enter into any such Treaty or Contract; be it therefore further enacted, That in either of these Cases, whensoever the same shall happen, it shall be lawful for the said Company of Proprietors, (after Notice in Writing given to the principal or other known Officer or Officers of such Body Politick, Corporate, or Collegiate, or to the Tenant or Tenants, Occupier or Occupiers, or other Persons interested in the Use, Produce, or Profit of such Lands, Grounds, Hereditaments, and Premises respectively, or left at the Place or Places of his, her, or their usual Abode, for the Space of Seven Days), to make Application to the said Commissioners, who shall, and they are hereby impowered and required forthwith to summon and return a Jury in Manner herein-before directed, and to summon and call before them, and before the said Jury, and to examine on Oath, to be administered by the said Commissioners, all and every such Person and Persons as shall be thought necessary to be examined as Witnesses touching the Matters in Question, and may order and authorize the said Jury to view the Premises; and the said Jury shall, on their Oaths, assess and ascertain the Sum or Sums of Money, or Annual Rent or Rents, which ought to be paid for the absolute Purchase of the

Premises

Premises in Question, or the Compensation which ought to be made for the Damages which may or shall be sustained as aforesaid; and the said Commissioners shall give Judgement accordingly for and respecting the same, which shall be binding and conclusive against all and every Person or Persons whomsoever, as herein-before mentioned or declared.

Expences of Commissioners, Witnesses, and Jury, by whom to be paid.

XIX. And be it further enacted, That whensoever 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 each of the said Jurors and Witnesses, in every such Case, such several and respective Sum and Sums of Money as shall be a reasonable and moderate Recompence for the Expences and Trouble of their Journey and Attendance; and in each and every Case where a Verdict shall be given for more Money, or for a greater Annual Rent, as a Recompence or Satisfaction for the absolute Sale of any Lands, Grounds, Mills, Waters, or other Hereditaments, of any Person or Persons whomsoever, or as a Compensation for any Damages done, or to be done, to such Lands or other Hereditaments or Property than had been previously offered by or on Behalf of the said Company of Proprietors before the Meeting of the said Commissioners, or than had been by them determined and assessed 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 of Proprietors, or where, by Reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into Contract with, and make Conveyances to, or receive Compensations from the said Company of Proprietors as herein-before mentioned, then, and in all such Cases, all the Expences of

calling such Commissioners, summoning such Jury, and taking such Verdict, shall be settled by the said Commissioners, and be defrayed by the said Company of Proprietors; but, if any Verdict shall be given for the same Sum or Rent that had been previously offered by or on Behalf of the said Company of Proprietors, or had been so determined or assessed by the said Commissioners, or for a less Sum than had been so previously offered, determined, or assessed, or in case no Damages shall be given by the Verdict, where the Dispute is for Damages only, or in case of such Refusal to enter into Treaty with, or make Conveyances to, or receive Compensations from, the said Company of Proprietors, by any Bodies Politick or Collegiate, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act, or otherwise, legally capacitated to treat and convey, or receive such Compensations as aforesaid, then, and in all such Cases (except where, by Reason of Absence or otherwise, any Person shall have been prevented from treating and agreeing as aforesaid), the Costs and Expences of calling a Meeting of such Commissioners, summoning such Jury, and taking such Verdict, 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 of Proprietors 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 so assessed and adjudged 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 shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged.

Persons requesting Juries to enter into Bonds to prosecute.

XX. Provided further, and be it further enacted, That all and every Person or Persons making Complaint, and requesting a Jury to be summoned, shall (before the said Commissioners shall issue out their Warrant for that Purpose) enter into a Bond, with Two sufficient Sureties, to the Treasurer to the said Company of Proprie-

for, in a Penalty of Fifty Pounds, with Condition to proſecute his, her, or their ſaid Complaint, and to bear and pay the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Verdict, in caſe the ſame ſhall be given for no greater, or for a leſs Sum or Rent than had been offered by, or on Behalf of, the ſaid Company of Proprietors, or than had been aſſeſſed by the Commiſſioners, before the ſummoning and returning the ſaid Jury or Juries, for the Purchaſe of, or as a Recompence for any Lands, Grounds, Mills, or Hereditaments, or as a Compenſation for any Damages, or in caſe no Verdict ſhall be found for Damages, where the whole Diſpute was, whether any Damage was or was not done as aforeſaid.

Notice of Injury to be given to the Proprietors before Complaint to the Commiſſioners.

XXI. And be it further enacted, That the ſaid Commiſſioners ſhall not, nor ſhall any of them be obliged or allowed, by virtue of this Act, to receive or take Notice of any Complaint or Complaints to be made by any Perſon or Perſons whomſoever, for any Injury or Damage by him, her, or them, ſuſtained, or ſuppoſed to be ſuſtained, unleſs Application ſhall have been made in Relation thereto by, or on Behalf of, ſuch Perſon or Perſons, to the ſaid Company of Proprietors, or to their Treaſurer or Clerk, or to their known Agent or Agents, or to ſome Collector or Collectors of the Rates ariſing from the ſaid Navigation, reſiding neareſt to the Place where the Cauſe of Complaint ſhall ariſe, 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.

Penalty on Sheriffs, &c. making Default.

XXII. And be it further enacted, That if any ſuch 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

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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 on Oath, or to give Evidence, every Perſon ſo offending reſpectively, having no reaſonable Excuſe to be allowed by the ſaid Commiſſioners, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

Compenſation to be made for Tithes.

XXIII. And be it further enacted, That full Recompence and Satisfaction ſhall be made by the ſaid Company of Proprietors for all the Tithes, both great and ſmall, of the Lands which ſhall be taken or made uſe of by them for the Purpoſes of this Act, to the ſeveral Perſons entitled to ſuch Tithes, according to their reſpective Intereſts therein, ſuch Tithes to be eſtimated at the Value they were of immediately before the taking and uſing of the ſaid Lands, ſuch Value to be aſcertained (in caſe of any Difference concerning the ſame) in like Manner as the Value of any other Lands or Hereditaments are hereinbefore directed to be aſcertained.

Verdict for Value of Lands and Damages to be aſcertained ſeparately.

XXIV. And be it further enacted, That the ſaid Commiſſioners and Juries reſpectively ſhall award all Determinations, Judgements and Verdicts, which they ſhall reſpectively make and give in the Execution of the Powers hereby veſted in them, concerning the Value of Lands, Mills, and other Hereditaments, ſeparately and diſtinctly from the Conſideration of any other Damages ſuſtained or to be ſuſtained as aforeſaid, and ſhall diſtinguiſh the Value ſet upon the Lands and other Hereditaments, and the Money aſſeſſed or adjudged for ſuch Damages as aforeſaid, ſeparately and apart from each other.

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

XXV. And be it further enacted, That upon Payment or legal Tender of ſuch Sum or Sums of Money, or giving ſuch Security as the ſaid Commiſſioners ſhall approve, for Payment of any ſuch Annual Rent as ſhall have been contracted or agreed for between the Parties, or determined and adjuſted by the ſaid Commiſſioners, or aſſeſſed by ſuch Juries in Manner reſpectively as aforeſaid, for the Purchaſe of any ſuch Lands, Waters, Mills, or other Hereditaments, or as a Recompence for

the yearly Produce or Profits thereof, or as a Compensation for Damages, as herein-before mentioned, to the Proprietor or Proprietors of such Lands and Premisses, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money, Rent, or Compensation respectively, at any Time after the same shall have been so agreed for, determined, or assessed, or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, then upon the Investiture thereof in such publick Funds or Government Securities bearing an Annual Interest, as the said Commissioners shall, by Writing under their Hands, appoint, in case the same shall exceed the Sum of Twenty Pounds, and if the same shall not exceed the said Sum, then on leaving or depositing the Money in the Hands of the Treasurer to the said Company of Proprietors, for the Use of such Proprietor, or other Person or Persons so interested or intitled as aforesaid respectively; and in all or any of the said Cases as often as the same shall happen, it shall be lawful for the said Company of Proprietors, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Grounds, and other Hereditaments respectively (or before such Payment or Tender by Leave of the Owners and Occupiers thereof), and then and thereupon such Lands and Grounds, Water Mills, and other Hereditaments, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest, of any Person or Persons therein, shall from thenceforth be vested in, and become the sole Property of the said Company of Proprietors, to and for the Purposes of this Act for ever; and such Tender, Payment, or Investiture shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to, and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remain-

der, of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, That before such Payment, Security, Tender, Investment, or Deposit, as aforesaid, it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut the Lands or Grounds of the Person or Persons intitled to such Payment or Security, for the Purpose of making the said Canal and Collateral Cuts, or any of them.

Verdicts to be recorded.

XXVI. And be it further enacted, That all the Determinations of the said Commissioners, which shall be submitted to and acquiesced in by the Parties concerned, and also the said Judgements and Verdicts (being first signed by the Commissioners present at the making of such Determinations, or taking of such Verdicts, and pronouncing of such Judgements respectively) shall be transmitted to, and be kept by the respective Clerks of the Peace, amongst the Records of the Quarter Sessions for the said Counties of Northampton, Buckingham, Bedford, Hertford, and Middlesex respectively, as the Case shall require, 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 whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Four-pence for every One hundred Words, and so in Proportion for any less Number of Words.

Power to provide Warehouses at a Distance from the Canal.

XXVII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to erect, or otherwise provide, any Warehouses or other Buildings for the depositing or keeping any Goods, Merchandize, or other Things, carried or conveyed, or intended to be carried or conveyed upon the said intended Canal, at any Distance from the said Canal which they shall judge necessary or convenient; and for that Purpose the said Company of Proprietors may and are hereby authorized and empowered to purchase, lease, or hire any Ground or Buildings

ings where they shall think proper, provided the Owners and Proprietors of, and other Persons interested in, such Ground or Buildings, and the Guardians, Committees, or Trustees, of such of them as shall be under any Disability, or Incapacity of acting for themselves, shall be consenting to sell or let the same (and which Consent they are hereby respectively authorized and impowered to give), but not otherwise.

Company obliged to purchase small Pieces of Land separated in making the Canal.

XXVIII. And be it further enacted, That where the said Company of Proprietors shall cut through any Land or Ground for the Purposes of the said Canal, they shall be obliged to purchase, not only such Part of the same Lands and Grounds as shall be actually taken or used, but also at the Option of the Owner or Owners of such Land or Ground, the Remainder thereof, so as the same do not exceed Two Acres in Quantity, over and above the Land or Ground which shall be actually taken or used for the Purposes of the said intended Canal; the Value thereof to be ascertained in the same Manner as by this Act is directed concerning the Land or Ground to be cut, taken, or used, for the Purposes of the said intended Canal.

Purchase Money belonging to Corporations, &c. to be laid out to the same Uses.

XXIX. And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, or Persons acting as Guardians, Committees, or Trustees, for or on Behalf of any Infants, Lunaticks, Idiots, Femes Covert, or other Cestuique Trusts, or to any Person or Persons whose Lands or Estates are limited in Settlement, for the Purchase or Exchange of, or the Damage to be done to, any Lands or Hereditaments, by virtue of the Powers herein-before or herein-after contained, shall, in case the same shall exceed the Sum of Twenty Pounds, be laid out as soon as conveniently may be by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees,

mittees, or other Trustees, Person or Persons aforesaid, in the Purchase of Lands, Tenements, and Hereditaments in Fee Simple, which shall be conveyed to or to the Use of such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or to or for such other Person or Persons, and for such Estates, and to, for, upon, and subject to such Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands and Grounds, Tenements, or Hereditaments, for or in respect whereof such Money shall be paid as aforesaid, were limited, settled, and assured at the Time when such Money was so agreed for, ascertained, or assessed respectively as aforesaid, or for such and so many of such Uses as shall be then existing and capable of taking Effect; and that such Conveyances and Settlements shall be made at the Expence of the said Company of Proprietors; and in the mean Time, and until such Purchase or Purchases shall be made, the said Money, and also such Sums of Money to be paid as aforesaid as shall not exceed Twenty Pounds, shall be placed out by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons, in some of the publick Funds, or on Government or Real Securities producing an annual Interest, in the Names of Two or more Persons, to be nominated by the Parties interested therein, and to be approved of by the said Commissioners, and the Interest arising or to be produced from any such Funds and Securities, and also the annual Rent for such Lands and Grounds, Mills, Tenements, and Hereditaments, where a Rent shall be fixed upon as aforesaid, shall be paid to such Person or Persons respectively, as would have been entitled for the Time being to the Rents and Profits of such Lands and other Premises so to be purchased, in case the same had been purchased and settled pursuant to the Tenor and true Meaning of this Act.

XXX. And be it further enacted, That the said Commissioners shall, and are hereby impowered to settle what

Commissioners to settle the Proportion

of the Money to be paid to the several Persons interested.

what Shares and Proportions of the Purchase Money, or Compensation for Damages, which shall be so agreed for, determined, and adjusted, or assessed in Manner respectively as aforesaid, shall be allowed to any Tenant, or other Person or Persons, having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interest therein, and with due Regard to the Rights and Interests of the Lord or Lords, Lady or Ladies, of any Manor or Manors whereof the Lands or Hereditaments to be affected by the said Canal are respectively holden.

Line of the Canal in *Osterly* Lands.

XXXI. Provided always, and be it further enacted, That when, and as soon as, the Line of the said Canal shall enter into the Lands and Grounds, commonly called and known by the Name of Osterley Lands, late the Estate of Robert Child Esquire, deceased, adjoining to a certain Lane, called Windmill Lane, in the Precinct of Norwood, in the said County of Middlesex, the Towing Path to be made for the Use and Enjoyment of the said Canal shall go, be made, and be carried on and along the North, North-east, and East Side of the Line of the said Canal; and so in like Manner on the North-east and East Side thereof, along and through all the Lands and Grounds belonging to the said Estate of Osterley, and the Lands and Grounds of James Clitherow Esquire, called Holly Mead and Strawberry Mead, in the Parishes of Isleworth and Hanwell, and another Meadow called Long Mead, Part of the Demesne Lands of the Manor of Burston, alias Boston, in the Township of New Brentford, within the said Parish of Hanwell, and the Demesne Lands of John Robinson Esquire, Part of the Manor of Wick, in the Parish of Isleworth, and the Demesne Lands of his Grace the Duke of Northumberland, Part of his Grace's Manor of Isleworth Syon, in the said County of Middlesex, as the Line of the said Canal shall run along, through or between the said last-mentioned Lands and Grounds in the said Precincts, Townships, and Parishes, until the said Canal shall come unto a certain Point or Place in the said Meadow Ground belonging to the said James Clitherow Esquire, called Long Mead,

Mead, to be fixed and ascertained where the River Brent runneth between the Lands and Grounds of the said James Clitherow and the said Duke of Northumberland, not less than Twenty Yards Eastward from the Point in the said Meadow, called Long Mead, that is opposite the Fence that separates the said Land of the said John Robinson, from the said Land of the Duke of Northumberland, and that then, and from that Point or Place so fixed and ascertained as aforesaid, the said Towing Path for the Use and Enjoyment of the said Canal shall cross the said River Brent, and shall go, be made, and be carried on and along the South-west and South Side of the Line of the said Canal, until the said Canal shall come to a certain Bridge, called Brentford Bridge, in the said County of Middlesex, and that then and from the said Bridge, called Brentford Bridge, the said Towing Path shall go, be made, and be carried on and along the East, North-east, and North Side of the River Brent and Line of the said Canal, upon and over a certain Common called Ham Common, in the said Township of New Brentford, to a certain Place or Point on the said Common called Ham Common, where the said River Brent separateth and divideth itself into Two Branches, each of which Branches runneth into the said River Thames, and that then, and from that Place so fixed and ascertained, the said Towing Path shall cross the East Branch of the said River Brent, and shall go, be made, and be carried on and along the South Side of the said River Brent and Line of the said Canal, until the same shall come unto and join the said River Thames.

XXXII. Provided always, and be it further enacted, That nothing herein contained shall authorize or impower, or extend, or be construed to extend, to enable the said Company of Proprietors, or any Person or Persons, acting by or under their Authority, to take, or use, for the Purposes of the said Canal, and to supply the same with Water, any Brooks, Springs, Streams, Rivulets, Rivers, Waters, or Watercourses, or to divert, alter, or make any Reservoir or Reservoirs, Soughs, Tunnells, Feeders, Aqueducts, Gutters, Cuts, or Channels,

No Water to be taken from, or Works erected within *Osterly* Lands, or the Lands of *John Robinson*, Esq. the Duke of *Northumberland*, or *James Clitherow*, Esq.

Channels, for supplying the said Canal or Reservoirs with Water, or for conveying Water from any such Reservoirs to the said Canal, or to take, open, deepen, enlarge, or straighten any Stream, Brook, or Watercourse, which comes into, or communicates with, the said Canal, or to dig, cut, or raise the Banks of any such Stream, Brook, or Watercourse, for bringing Water into the said Canal, or to make Trenches or Passages for Water, other than and except the said River Brent, or otherwise than taking the Waste Water which at present floweth into the River Brent, or which shall or may come into the Line of the said intended Canal, or to make, build, erect, or set up, in or upon, or adjoining to, the said intended Canal, any Houses, Warehouses, Landing Places, Weighing Beams, Cranes, Fire Engines, or other Buildings (other than and except such Toll Houses, Watch Houses, Cottages for the Habitation of Persons necessary to attend and take Care of the Locks to be erected upon such Canal, or temporary Sheds, for Cover for the Workmen, during the Time of making and completing the said Canal, nor to make, have, or use any Ways, Roads, or Passages, for the carrying or conveying of Coals, Stone, Chalk, Lime, or Minerals, Goods, Wares, Merchandizes, or any other Articles whatsoever, to and from the said intended Canal, in, upon, over, or through the said Lands or Grounds commonly called Osterly Lands, from a certain Lane called Windmill Lane, in the Precinct of Norwood, in the said County of Middlesex, at which Place the said Canal is to enter into the said Lands or Grounds of Osterly, nor in, upon, over, or through the Lands or Grounds of James Clitherow Esquire, John Robinson Esquire, or his Grace the Duke of Northumberland, adjoining to or within the Line of the said intended Canal, 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.

Land-owners may become Proprietors if they desire it.

XXXIII. And be it further enacted, That, in case any Person, or Body Politick, Corporate or Collegiate, who now is or are Owner or Owners, or in the actual Possession,

ſeſſion, or intitled to the Rents and Profits of any of the Lands within the Line of, or to be cut through, taken, or uſed, for making the ſaid intended Canal and Collateral Cuts, or any of them, and who did not originally ſubſcribe towards the Purpoſes of this Act, for a Sum which will intitle him or them to Ten Shares at the leaſt in the ſaid Undertaking (provided an Eighth Part of a Mile or more in Length of ſuch Land ſhall be ſo cut through, taken, or uſed) ſhall be deſirous of becoming a Proprietor or Proprietors of a Share or Shares in the ſaid Undertaking, and ſhall, by Writing under his or her Hand, or the Common Seal of ſuch Body Politick, Corporate or Collegiate, (atteſted by ſome credible Witneſs or Witneſſes, to be delivered to the ſaid Company of Proprietors at their firſt General Aſſembly), ſignify ſuch Deſire, and the Sum he, ſhe, or they, is or are willing to contribute and advance for or towards the Purpoſes of this Act, then, and in every ſuch Caſe, the ſaid Company of Proprietors ſhall, and are hereby required at ſuch firſt General Aſſembly to admit every ſuch Perſon, or Body Politick, Corporate or Collegiate, to be a Proprietor or Proprietors of the ſaid Undertaking, and every ſuch Perſon, and Body Politick, Corporate, or Collegiate, ſhall, from and after ſuch firſt General Aſſembly, be united and incorporated with, and be Part of, the ſaid Company of Proprietors, and ſhall be a Proprietor or Proprietors of a Share in the ſaid Undertaking for every One hundred Pounds of the Money in ſuch Writing mentioned, (not exceeding One Share for every ſuch Eighth Part of a Mile in Length of ſuch Land as aforeſaid, and not exceeding ſuch Number of Shares as will make up the Whole of the Shares to which ſuch Perſon, or Body Politick, Corporate or Collegiate, ſhall be entitled, either as an original Subſcriber, or original Subſcribers, or otherwiſe, to the Number of Ten), in like Manner, in all Reſpects, and to all Intents and Purpoſes, as if ſuch Perſon, or Body Politick, Corporate or Collegiate, had been herein-before named, and conſtituted Part of the ſaid Company of Proprietors.

XXXIV. And

Lessees may become Proprietors where Land Owners decline it.

XXXIV. Provided always, and be it further enacted, That in case any Body Corporate or Collegiate, so entitled as aforesaid, shall refuse, or decline to subscribe in their corporate Capacity, it shall and may be lawful to and for the Lessee or Lessees holding and being in Possession of any Lands under the said Body Corporate or Collegiate (except Lessees at Rack Rent), to become a Subscriber or Subscribers, in his, her, or their own Names, for as many Shares in the said Undertaking as are in the Proportion above mentioned, to the Lands in their respective Possessions, and through which the said intended Canal or Collateral Cuts, or any of them, is or are to pass, and in the same Manner as if such Lands were their own respective Freeholds, and the said Lessee or Lessees so subscribing as aforesaid to be admitted as Proprietors in the said Undertaking for the Shares by him, her, or them so subscribed, in like Manner, upon the same Terms, and with all the same Privileges and Advantages as shall be enjoyed by any other Proprietor in the said Undertaking.

Reservoirs to be provided for supplying the Rivers *Gade*, *Colne*, and *Bulborne*, with as much Water as shall be taken for the Use of the Canal.

XXXV. Provided always, and be it further enacted, That, before any of the Brooks, Streams, Rivulets, Waters, Watercouses or Springs, which now supply the Rivers or Streams of Gade, or Colne, or the Berkhempstead River called Bulborne, or any of the Streams or Cuts which are formed out of, or communicate with, such Rivers or Streams, or any of them, shall be taken or used, for the Use or Supply of the said intended Canal, and before the said Rivers or Streams of the Gade, the Colne, or the Bulborne, or such other Streams or Cuts be diminished by Means thereof, the said Commissioners shall, and are hereby authorized and required, to set out in some Place or Places, as near to the Line of the said intended Canal and to such Brooks, Streams, Rivulets, Waters, Watercourses, or Springs respectively, as they shall judge most proper and convenient, a Piece or Pieces of Land, for the making and forming a Reservoir or Reservoirs, for collecting Flood Water sufficient to supply such Rivers, Streams, and Cuts, with a Quantity of Water, equal at least to what shall be taken from the

said Rivers, Brooks, Streams, Cuts, Rivulets, Waters, Watercourses, or Springs, for the Use or Supply of the said intended Canal; and that the said Company of Proprietors shall, at their own Expence, make, and for ever afterwards support and maintain, a Reservoir or Reservoirs, of such Extent, and in such Manner, together with such Aqueducts or Feeders from such Reservoirs to such Rivers, Streams, and Cuts respectively, as shall be sufficient for the Purposes aforesaid; and the same shall at all Times be made use of for supplying and serving with Water such Rivers, or Streams and Cuts, and the Mills thereon respectively; and that whenever there shall be a Want of Water in any of the said Rivers, Streams, or Cuts, for the Use or Supply of any Mill or Mills thereon, it shall be lawful for the Person who shall be appointed as herein-after mentioned, by the Majority of the Mill Owners who may be affected thereby, and he is hereby impowered and directed, at the Instance of the Occupiers of such Mill or Mills, to let off from any such Reservoir or Reservoirs, and to convey to any such River, Stream, or Cut, by Means of such Aqueducts, or Feeders, above such Mill or Mills, such Supply of Water as shall be equal at least to the Quantity taken from such River, Stream, or Cut, above such Mill, for the Use or Supply of the said Canal: And the Occupiers of the several Mills which may be affected by the taking of the Water, which supplies any such Rivers, Streams, or Cuts as aforesaid, or the major Part of them, who shall attend a Meeting to be held for that Purpose, upon Notice given to each of them, may, and are hereby empowered, from Time to Time, to appoint a proper Person or Persons to attend and have the Care, Oversight, and Management, of such Reservoirs, Aqueducts and Feeders, and for letting off or conveying the Water from the same into such Rivers, Streams, or Cuts as aforesaid; and every such Person or Persons shall be allowed and paid, by the said Company of Proprietors, such Salary for his or their Trouble as the said Commissioners shall direct and appoint.

XXXVI. Provided also, That in case a sufficient Quantity of Flood Waters cannot be collected and obtained to answer the Purposes aforesaid, at all Times and Seasons of the Year, then whenever, and as soon as it shall appear, that such a sufficient Quantity of Flood Water cannot at all Times be collected and retained, for the Purpose of constantly supplying such Rivers, Streams, or Cuts, and serving such Mills with a Quantity of Water, equal at least to what shall be taken from them for the Use or Supply of the said intended Canal, the said Company of Proprietors shall not, at any Time thereafter, take or use, or have any further Communication with, any of the Waters of the said Rivers, Streams, or Cuts, or either of them, or with the Brooks, Streams, Rivulets, Waters, Watercourses, or Springs, which now supply the said Rivers, Streams or Cuts, for any Purpose whatsoever relating to the said intended Canal; but shall, from thenceforth, absolutely cease to take or use, and cause to be taken or used, the said Waters, or any Part thereof, for any Purposes whatsoever relating thereto, except it be the Waste Waters only thereof, after the same are discharged from the said Rivers, Streams, or Cuts, any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

An equal Quantity of Water to be returned to the River *Brent* as shall be taken from it.

XXXVII. And be it further enacted, That if any Loss or Diminution of Water shall happen by the said intended Canal, or any of the Works thereof, to the River Brent, the said Company of Proprietors shall, by Reservoirs and Aqueducts, or other sufficient Means, from Time to Time, cause to be delivered into the said River such a Quantity of Water at the least as shall be so lost by Means of the said intended Canal.

Waste Water from the Summit at *Marsworth* to be conveyed Southwardly.

XXXVIII. And be it further enacted, That the said Company of Proprietors shall cause the Waste Waters of the said intended Canal happening at the Summit thereof, at or near Marsworth, in the County of Buckingham, to flow from the said Canal in a Southward Direction, in order that the same may run into the said Rivers or Streams of Bulborne, Gade, and Colne, or some of them.

XXXIX. And

XXXIX. And be it further enacted, That no Occupier of any Mill on the Line of the said intended Canal, or any of the said Collateral Cuts, or his Servants, Workmen, or other Person or Persons by his Order, or in his Employment, or with his Consent, or Approbation, shall at any Time after the completing of the said intended Canal, wantonly, wastefully, or unnecessarily, draw down the Water of the River, Stream, or Cut, upon which such Mill shall be erected, so as to prevent, obstruct, or hinder, the Navigation of the said intended Canal, upon Pain of forfeiting, for every such Offence, any Sum not exceeding Five Pounds. Millers not unnecessarily to draw down the Water of their Mill Streams to the Prejudice of the Navigation.

XL. Provided always, That nothing in this Act contained shall hinder or prevent the Occupiers of any Mills erected or standing on the Line of the said intended Canal, or any other Persons, from having or taking, or from making use of, at all Times, the Water over or upon which their Mills are respectively erected or standing, for all such necessary Uses and Purposes as before the making of the said intended Canal they were accustomed to do.

XLI. And be it further enacted, That if any of the Rivers, Streams, or Cuts, which shall communicate with the said intended Canal, shall not, in their present State, be sufficiently deep for the Purpose of the said intended Navigation, and the said Company of Proprietors shall cause the same to be deepened, then, and in such Case, the said Company shall make sufficient Amends to the Occupiers of the respective Mills thereon for all Loss and Injury they shall sustain by Loss of Time, Hindrance of Work, or otherwise, by Means of the deepening of such Rivers or Streams respectively, the Amount of such Loss and Injury to be ascertained and recovered in like Manner as herein directed, with respect to ascertaining and recovering any other Damage to be done by virtue of the Powers herein contained. If the Company deepen any Streams, they shall make good the Damage the Occupier of any Mill thereon shall sustain.

XLII. And be it further enacted, That when, and as often as, any Mill on the Line of the said intended Canal shall require to be rebuilt, or the Foundation, or any other Part thereof, to be repaired, then, and in every such Company to divert the Water from Mill Streams for rebuilding or repairing any Mill.

such Case, the said Company of Proprietors, or their Clerk or Agent, shall, immediately upon receiving Notice thereof in Writing from the Occupier of such Mill, cause a good and sufficient Bay to be made on the River, Stream, or Cut, by which such Mill is supplied with Water, or use other sufficient Ways and Means, within Seven Days from the Delivery of such Notice, whereby the Water of such River, Stream, or Cut, may be diverted from such Mill during the Time of such rebuilding or repairing; and that when, and as often as any Repairs shall be necessary to be done to the said intended Canal, or any of the Works thereof, whereby a Decrease of the Water in the said Canal may become necessary, the said Company of Proprietors shall cause a Bay to be made across the said intended Canal, sufficient to keep and preserve the Water in the Heads of all Mills near to which such Repairs shall be wanted, and which shall be affected thereby, to their usual Height, in order that no Loss or Injury shall or may, by Means of such Repairs, be sustained to such Mills, or the Occupiers thereof; and in case the said Company of Proprietors shall not be fully able so to do, or in case there shall at any Time be any Loss or Waste of the Water of the said intended Canal, by reason of any of the Pounds, Pound Gates, Locks, Banks, Aqueducts, or other Works belonging thereto, not being kept in good and sufficient Repair, and any Injury or Damage shall in either of the said Cases be thereby occasioned to the Occupier of any such Mill, the said Company of Proprietors shall make Compensation to such Occupier for such Injury or Damage, such Compensation to be ascertained and recovered in like Manner as herein directed, with respect to ascertaining and recovering the Value of any other Damage to be done by virtue of the Powers herein contained.

Navigation of the *Brent* not to be impeded.

XLIII. And be it further enacted, That, in making, forming, and continuing the Line of the said intended Canal, in, along, or near the said River of Brent, or any Part thereof, no Embankment shall be made, or other Thing done, whereby, or by Means whereof, the Free Navigation of the River of Brent, as heretofore anciently

used and enjoyed, may or shall be prevented, impeded, or hindered, or the Houses, Warehouses, Wharfs, Lands, Tenements, and Grounds, on the Banks of, or near adjoining to, the said River Brent, shall be injured; but that it shall and may be lawful, to and for the Owners, Proprietors, Possessors, and Occupiers, of the several Houses, Warehouses, Wharfs, Lands, Tenements, and Grounds, on, along, or near adjoining to, the said River of Brent, to have the full, free, and uninterrupted Use and Enjoyment thereof, and the Navigation of the said Canal, and also of the said River of Brent, as heretofore had, used, and enjoyed, by them and their Predecessors; and that nothing in this Act contained shall extend, or be construed to extend, to charge, or make the said Owners, Proprietors, Possessors, and Occupiers, of such Houses, Warehouses, Wharfs, Lands, Tenements, and Grounds, liable to the Payment of any Tolls, Rates, or Duties, whatsoever, upon account of, and for any Goods, Wares, and Merchandizes whatsoever, carried upon the said Canal, or upon the said River of Brent, or upon account of any Barges, or other Vessels navigating the said Canal, or the said River of Brent, in such Part of the said River and Line of the said proposed Canal, as lie within the Parishes of Hanwell, Isleworth, and Ealing, between the Mill in the Occupation of Richard Bax and Company, and the Junction of the said Canal and River with the River of Thames, or to the Payment of the Toll or Duty of One Halfpenny per Ton, herein-after made payable for Goods and other Things passing into or from the River Thames, provided such Goods and other Things shall not be navigated upon any Part of the said Canal, between the said Mill, in the Occupation of Richard Bax and Company, and Braunston aforesaid: And that the said Company of Proprietors shall not, in the making, forming, and continuing, of the said intended Canal, or Embankment of the said River of Brent, cause the Waters thereof to be so much raised, as to overflow, injure, or in any wise damage the Houses, Warehouses, Wharfs, Lands, Tenements, or Grounds, lying near to the said River of Brent.

To prevent Injury to the Mills of *Bax* and Company.

XLIV. And be it further enacted, That, in order effectually to prevent the Water of the said intended Canal, or the Waters of the Brent, or Thames, from being thrown back, or penned, into the Mill Tail of Richard Bax and Company, at or near to Brentford, the said Company of Proprietors shall, by proper Tumbling Bays, and other sufficient Means, so cause the Water of the said Rivers, and of the said Canal, to pass away, as that the Water in the said Mill Tail may not at any Time, by Means of the said Canal, be raised higher than the same usually is at low Water Mark at the said Mill Tail, when the said Mill is shut down.

No Injury to be done to the Pipes and Aqueducts for supplying *Uxbridge* and *Hillingdon* with Water.

XLV. And whereas the Town of Uxbridge, and some Part of the Parish of Hillingdon, are supplied with Water, for the Use of the Inhabitants thereof, from a certain Cut or Stream in the said Parish of Hillingdon, and, in order thereto, certain Pipes or Aqueducts are laid within the Ground, over which the said Navigable Canal is intended to pass; be it therefore further enacted, That the said Company of Proprietors, in the forming and making the said intended Canal over any of the said Pipes or Aqueducts, shall use effectual Means to prevent any Injury or Destruction of the said Pipes or Aqueducts: And, in case any such Injury shall be inevitably done thereto, whereby the Owner or Occupier of the Water Works, to whom the said Pipes or Aqueducts belong, shall sustain any Loss or Damage, the said Company of Proprietors shall make full Satisfaction to such Owner or Occupier of the said Water Works for such Loss or Damage; and that they shall, from Time to Time, upon Notice being given to them, or to their Clerk or principal Agent for that Purpose, at their own Charges and Expences, cause all such Pipes and Aqueducts to be well and sufficiently repaired and amended within Seven Days after the Delivery of such Notice, so far as the said Pipes or Aqueducts shall be covered by the said Canal or the Towing Path thereof.

The Canal to be carried by Aqueducts across the

XLVI. And whereas the Cut, Stream, or River, upon which a certain Mill at Uxbridge aforesaid, now in the Occu-

Occupation of Messieurs Mercer, and several other valuable Mills, are erected, is derived from the main Body of the River Colne, at a certain Place in the Parish of Hillingdon, called The Point, near a certain Bridge, called Saint John's Bridge, and, if the said intended Canal should pass through, intersect, or communicate with the said Cut, Stream, or River, between the said Point and the Town of Uxbridge, the said Cut, Stream, or River, may be greatly injured: Be it therefore further enacted, That the Waters of the said intended Canal shall not, in any Instance or Place, pass through, or have any Communication with, the Water of the said Cut, Stream, or River, between the said Place called The Point, and the said Town of Uxbridge, but that the Waters of the said intended Canal shall be conveyed over the Cut, Stream, or River, in good and sufficient Aqueducts, of such sufficient Height, and so elevated above the said Cut, Stream, or River, as to leave Room and Space under such Aqueduct fully sufficient for the free and uninterrupted Passage of the Waters of the said Cut, Stream, or River.

River *Colne*, between the *Point* and *Uxbridge*.

XLVII. Provided always, and be it further enacted, That all the Surplus Water arising between the Town of Uxbridge aforesaid and the River Brent, which may not be necessary for the Purposes of the said Canal, shall be carried by a Weir or Tumbling Bay into the Stream or Brook, called Cranford Brook, and which said Weir or Tumbling Bay shall be erected upon the said Canal at the most convenient Part for the above Purpose, and be for ever after maintained and repaired by and at the Expence of the said Company of Proprietors.

Surplus Water below *Uxbridge* and the *Brent*, to be conveyed into *Cranford Brook*.

XLVIII. And be it further enacted, That in case any Part of certain Commons, or Parcels of Waste Ground, called Cow Moor and Uxbridge Moor, or either of them, situate in the Parishes of Hillingdon and Harefield, or One of them, shall be taken for the cutting and forming of the said intended Canal, the said Commissioners shall cause One Calendar Month's Notice at least to be given, immediately after Divine Service, in the Churches of the said Parishes, of the Time and Place when and where

Restrictions respecting certain Commons.

where the said Commissioners intend to hold their Meeting for settling and ascertaining the Purchase Money for such Part of the said Common or Waste Ground as shall be intended to be taken as aforesaid, or the Compensation for Damages done thereto, in order that the Persons interested may attend to make their Claims: And that the Purchase Money of and for the Common or Waste Ground so to be taken shall be placed out at Interest in the Publick Funds, in the Names of Three Trustees to be chosen by the major Part of such Persons interested in the said Common or Waste Ground present at the said Meeting, to remain there, and the Dividends, Interest, and Proceed thereof, to be from Time to Time again laid out at Interest, in order that the same may accumulate, until the major Part of the Persons interested, and being of Capacity so to do, shall join in signifying their Desire in Writing to the said Trustees, of having the same sold out of the said Funds, for the Purpose of using and disposing of the same for some publick Use, Benefit, or Advantage: And the said Trustees, and the Survivors or Survivor of them, and the Executors or Administrators of such Survivor, are and is hereby authorized, on such Application being made to them, him, or her, to sell all such Monies out of the said Publick Funds, and use and dispose of the same accordingly.

Canal not to communicate with the *Colne* below *Uxbridge*.

XLIX. Provided always, and be it further enacted, That wherever the said intended Canal shall cross the River Colne below the Town of Uxbridge, the same shall be carried over the said River by a proper and sufficient Aqueduct, so as to prevent the Water in the said Canal from communicating with the Water in the said River, such Aqueduct to be made of such Height as that the Water in the said River shall at all Times have free Passage under the same.

Tumbling Bay to be erected upon the *Colne* above the *Point*.

L. And be it further enacted, That the said Company of Proprietors shall cause to be erected upon the River Colne, above the aforesaid Place, called The Point, a good and sufficient Tumbling Bay, by Means whereof the Waste Waters of the said River may be diverted therefrom, before the Separation of the said River into Two

Streams, at the said Place called The Point; and also that they shall cause the said Waste Water by sufficient Means to fall into and again become a Part of the said River, above the said Place called The Point, in order that the Two Branches of the said River below The Point may receive equal Advantages therefrom.

To prevent Mr. *Hanmer's* Mill from Injury.

LI. Provided always, and be it further enacted, That no Water shall be taken for the Use of the said intended Canal from the Stream which crosses the Road leading from a Bridge, called Red Bridge, in the said Parish of Soulbury, to the Town of Soulbury, and which flows into the River at or near the said Bridge, on the West Side of the said River, above the Mill called Smewne's Paper Mill, the Property of Edward Hanmer Esquire.

Soil of the Lands to be laid at a Distance from Materials for making the Canal.

LII. Provided always, and be it further enacted, That before any Clay, Gravel, Sand, Rubbish, or other Materials (except Soil) to be dug or got in the cutting or making of the said intended Navigation, and not used for some of the Works thereof, shall be laid upon any Land adjoining, or near thereto, all the Soil of such Land, and also of the Lands so cut for the said Navigation, within the Depth of Nine Inches, shall be taken and removed, and shall be laid in distinct Heaps from such Clay, Gravel, Sand, Rubbish, and other Materials; and that the said Clay, Gravel, Sand, Rubbish, and other Materials (except as aforesaid), shall be, in a proper and husbandlike Manner, most convenient for Cultivation, levelled within the Space on such Land adjoining, or near to, the said Navigation, from whence the Soil shall have been previously removed as aforesaid, and then the Whole of the aforesaid Soil shall be in like Manner spread upon and over the Surface of the said levelled Materials, so and in such Manner as to render it Land, as fit and proper as may be for the Purpose of Vegetation, Culture, and Husbandry; and that such levelling of Materials, and carrying and spreading of Soil thereon as aforesaid, shall be fully and effectually done and completed in each and every Close or separate Piece of Ground, in or through which the said Navigation shall pass or go, within Three Calendar Months

next after the same shall be cut and made through such Close, or separate Piece of Ground; and that, if the said Company of Proprietors, or any others employed by or under them, shall refuse or neglect, within the respective Times aforesaid, to remove the said several Soils, and level the said Materials, and then carry and spread the said Soils, in Manner herein-before specified and directed, then, and in every such Case, it shall be lawful for the Owner or Owners, Occupier or Occupiers, for the Time being, of the Close, Land, or Ground, wherein or whereon the Subject of such Refusal or Neglect shall be or arise, and he, she, and they respectively is and are hereby impowered to cause the Clay, Gravel, Sand, Rubbish, Materials, and Soils respectively, concerning which such Refusal or Neglect shall be made or arise, to be respectively removed, turned over, separated, levelled, and spread, so and in such Manner as to effect the bringing the Soil to the Surface, and thereby rendering it Land fit and proper for the Purposes aforesaid; and that then, and in every such Case, it shall also be lawful for all and every such Owners or Occupiers, and he, she, and they, is and are hereby impowered to recover all the Costs, Charges, and Expences of and attending the Work, which he, she, or they respectively shall so do, or cause to be done, as aforesaid, of and from the said Company of Proprietors, in such and the like Manner, and by such and the like Means, as are herein-before provided and prescribed for the Recovery of Satisfaction for Damages to be done by the said Company of Proprietors.

Not to diminish the Water of the *Thames* and *Isis* above *Dorchester Bridge*.

LIII. Provided always, That nothing in this Act shall extend to impower or enable the said Company of Proprietors to cut off, take away, divert, turn, alter, or diminish any Spring or Springs, Stream or Streams of Water, that have usually flowed, and do now flow, into the River Thames or Isis, and from thence into the navigable River Thames, unless the said Company of Proprietors shall, in lieu of any Water so diverted or taken, cause to be discharged into the said Rivers, at or above Dorchester Bridge, by a Reservoir or Reservoirs, or by

some other good and sufficient Ways, Means, or Devices, in all dry Seasons, between the First Day of May and the Thirty-first Day of October in every Year, a Quantity of Water, at least equal to that which shall be so diverted or taken into the said Canal, such Reservoirs, or Devices, to be made and maintained at the Expence of the said Company of Proprietors; and in case the said Company of Proprietors shall, at any Time, take any such Spring or Stream of Water, between the First Day of May and the Thirty-first Day of October in any Year, and during such Time, or any Part thereof, shall fail in causing to be discharged into the said Rivers, in Manner as aforesaid, such Quantity of Water as beforementioned, then the said Company of Proprietors shall make full Compensation to the Commissioners for the Navigation of the said Rivers Thames and Isis for all Injury and Damages sustained by such Defalcation, the same to be settled and ascertained by the Commissioners for the Navigation of the said Rivers Thames and Isis, at a General Meeting, to be specially convened for that Purpose; but if the said Company of Proprietors shall be dissatisfied with the Determination of the said Commissioners for the Navigation of the Rivers Thames and Isis, then such Compensation shall be settled and ascertained by a Jury, in like Manner as herein directed with respect to the Compensation to be made for Damage in other Cases.

Company enabled to raise Money.

LIV. And, to the End that the said Company of Proprietors may be enabled to carry on and complete the said Undertaking, be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute among themselves, in such Proportions as to them shall seem meet and convenient, a competent Sum of Money for making and compleating the said Canal and Collateral Cuts, and all the Works and Conveniences to the same belonging or requisite, and useful thereto respectively, so as that the same do not exceed the Sum of Five hundred thousand Pounds in the Whole, (except as herein-after is mentioned); and the Money so to be raised is hereby directed and appointed to be laid

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out, and applied in the First Place for and towards Payment, Discharge, and Satisfaction of all Fees and Disbursements for obtaining and passing this Act, and for making the Surveys, Plans, and Estimates, preparatory and incident thereto, and all other Expences relating to the same, and all the Residue and Remainder of such Money shall be used and applied for and towards making, completing, and maintaining the said Canal and Collateral Cuts, and other Works respectively, and for other the Purposes of this Act; and the said Sum so to be raised and contributed shall be divided and distinguished into as many equal Shares of One hundred Pounds each as the same shall amount unto, which Shares shall be numbered in numerical Progression, and the said Shares shall be deemed personal Estate, and shall be transmissible as such; and the said Shares shall be and are hereby vested in the said several Subscribers, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Behoof proportionably to the Sum which they shall severally subscribe and pay thereunto; and all and every the Bodies Politick, Corporate, and Collegiate, and all and every Person and Persons, and 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 carrying on and completing the said Navigation, shall be intitled to and receive, after the same shall be completed, the entire and net Distribution of a proportionable Part of the Profits and Advantages that shall and may arise and accrue by virtue of the Sum and Sums of Money to be raised, recovered, or received, by the Authority of this Act, and so in Proportion for any greater Number of Shares; and every Body Politick, Corporate, or Collegiate, Person or Persons, having One Share in the said Undertaking, and so in Proportion as aforesaid, shall bear and pay an adequate proportionate Sum of Money towards carrying on the said Undertaking, in Manner herein-after directed and appointed; and in case

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the said Sum of Five hundred thousand Pounds shall at any Time or Times be deemed or found insufficient for the making, completing, and maintaining the said Canal and Collateral Cuts, and other the Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the said Company of Proprietors to raise and contribute among themselves, in such Shares and Proportions, and in Manner and Form as is herein-before directed, or by the Admission of new Subscribers (as to them shall seem meet), any further or other Sum of Money, for perfecting and completing the said Navigation, not exceeding the Sum of One hundred thousand Pounds, and every such new Subscriber (if any) shall become a Proprietor in the said Navigation and Undertaking, and shall be intitled to exercise and enjoy the same Powers, Privileges, and Advantages, and shall also be liable to the same Restrictions, Penalties, and Forfeitures, as if such further or other Sum hereby allowed to be subscribed for and raised had been Part or Parcel of the said original Subscription; but in case the said Company of Proprietors shall be rather desirous to raise such further and other Sum, or any Part thereof, by Mortgage of the said Navigation and Undertaking, instead of by Contribution or Subscription, then and in such Case it shall be lawful for the said Company of Proprietors to borrow and take up at Interest, of and from any Person or Persons who shall be willing to advance and lend the same upon the Credit of the said Navigation, any such further Sum or Sums of Money not exceeding the said Sum of One hundred thousand Pounds, as to them shall seem fit and convenient; and they are hereby authorized and impowered to assign and make over their said Canal and Collateral Cuts and other Works, and the Rates to arise by virtue of this Act, or any of them, or any Part thereof, as a Security for any Sum or Sums of Money so to be borrowed, with Interest, to the Person or Persons who shall advance the same, or to his or their Trustee or Trustees, under the Common Seal of the said

If not sufficient, the Company may raise a further Sum among themselves:

Or by Mortgage.

Company, by Deed of Mortgage, according to the Form following, (that is to say):

Form of Mortgage.

WE the Company of Proprietors of the *Grand Junction Canal*, in Consideration of the Sum of to us paid by *A. B* of do hereby, by virtue of an Act of Parliament, passed in the Thirty-third Year of the Reign of King *George* the Third, intituled, [*set forth the Title of the Act*], bargain, sell, and transfer unto the said *A. B.* all and singular the Rates arising by virtue of the said Act, and also the said Navigation and Undertaking, and all the Right, Title, and Interest of us the said Company of Proprietors, of, in, and unto the same, to hold unto the said *A. B.* his Executors, Administrators, and Assigns, until the said Sum of together with Interest for the same, after the Rate of *per Centum per Annum*, shall be fully paid off and discharged. Given under our Seal, the Day of

And all Persons to whom such Mortgages shall be made, shall be equally entitled to their Proportion of the said Rates and Premises, according to their respective Sums in such Mortgages mentioned to be advanced, without any Preference by Reason of the Priority of Date of any such Mortgage, or on any other Account whatsoever; and the Money so to be borrowed is hereby directed and appointed to be laid out and applied for and towards the making, completing, and maintaining the said Navigation and Works hereby authorised to be made, and other the Purposes of this Act, and to no other Use or Purpose whatsoever; and an Entry or Memorial of every such Mortgage, containing the Date thereof, and an Account of the Name or Names of the Party or Parties (with their proper Additions) to whom the same shall have been made, and of the Sum of Money borrowed, together with the Rate of Interest to be paid thereon, shall, within Thirty Days next after the Date thereof, be written and inserted gratis in One or more Book or Books to be kept for that Purpose by the Clerk to the said Company of Proprietors, which Book or Books shall

and

and may be perused at all seasonable Times by the Proprietors or Creditors of the said Navigation, without Fee or Reward; and all and every Person or Persons to whom any such Mortgage shall have been made, 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 therein, to any Person or Persons whomsoever, which Transfer shall be made according to the Form following; (that is to say):

Form of Transfer of Mortgages.

I *A. B.* of in Consideration of the Sum of paid by *C. D.* of do hereby transfer a certain Mortgage made by the Company of Proprietors of the *Grand Junction Canal*, bearing Date the Day of for securing the Principal Sum of and the Interest now due and hereafter to become due thereon, and all my Right and Property therein, to the said *C. D.* his Executors, Administrators, and Assigns. In Witness whereof, I have hereto set my Hand and Seal, this Day of in the Year of our Lord

And every such Transfer shall, within Thirty Days after the Date thereof, be produced and notified to some Clerk to the said Company of Proprietors, who shall thereupon cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sums of Money thereby transferred, in the said Book or Books to be kept for entering the said original Mortgages, for which last mentioned Entry such Clerk shall be paid the Sum of Two Shillings and no more; and after such Entry made, every such Assignment shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators and Assigns, to the full Benefit of the original Mortgage; and it shall not be in the Power of such Person or Persons who shall have made any such Assignment or Assignments, at any Time afterwards to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; and the Interest of the Money to be so borrowed by Mort-

Interest to be paid in Preference to Dividends.

gage as aforesaid shall be paid half-yearly to the several Persons entitled thereto, in Preference to any Interest or Dividends due and payable by virtue of this Act to the said Company of Proprietors, or to any of them.

Five *per Cent.* to be paid to the Proprietors till the Works are completed.

LV. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby required, out of the Money to be raised as aforesaid, during the Time the said intended Canal and Collateral Cuts, and all Things necessary for making, completing, and maintaining the same shall be carrying on, and until the same shall be completed and finished, to pay unto every Body Politick, Corporate or Collegiate, or other Person or Persons, their several and respective Successors, Executors, Administrators, and Assigns, who has or have subscribed, or shall hereafter subscribe and advance any Money towards carrying on and completing the said Undertaking, Interest for the Money so advanced after the Rate of Five Pounds per Centum per Annum, from the Time that such Money shall have been so advanced as aforesaid, unless the Majority of the said Proprietors present at any General Assembly shall resolve or determine that such Interest shall not be paid, or that a lower Rate of Interest shall be paid in respect of such Money.

Subscribers to have a Vote for every Share, by themselves or Proxies, not exceeding 10 Shares.

LVI. And be it further enacted, That every Body or Bodies Politick, Corporate or Collegiate, or other Person or Persons, who shall, by virtue of this Act, have subscribed or undertaken for One or more Share or Shares of and in the said Undertaking, and his, her, and their Successors, Executors, Administrators, and Assigns, shall be and be deemed a Proprietor and a constituent Part of the said Corporation hereby created, and shall have a Vote for every such Share in every General Assembly to be held as herein-after appointed for carrying on the said Undertaking, which may be given by him, her, or them, or by his, her, or their Proxy or Proxies duly constituted under his, her, or their Hand or Hands, and such Vote or Votes by Proxy shall be as valid as if such Principal or Principals had voted in Person; and whatever Question or Questions, as to the

Election of proper Officers, or the Determination of any other Matter or Thing, shall be proposed, discussed, or considered in any General Assembly of the said Company of Proprietors to be held by virtue of this Act, the same shall be finally determined by the Majority of Votes and Proxies then present, computing One Vote for every Share: Provided nevertheless, That no Body or Bodies Politick, Corporate or Collegiate, or any Person, shall be entitled to give more than Ten Votes, on Account of his, her, or their Number of Shares in the said Navigation; and that no Person shall give or deliver more Proxies than for Five absent Proprietors; and the Appointment of every Proxy shall be made according to the Form following: But not to have more than Ten Votes, nor act as Proxy for more than Five Shares.

I *A. B.* of One of the Proprietors of the *Grand Junction Canal*, do hereby nominate, constitute, and appoint *C. D.* of in my Name, and in my Absence, to vote or give my Assent or Dissent to any Business, Matter, or Thing relating thereto, which shall be proposed at any General or Special Assembly of the Proprietors of the said Canal, or any Adjournment thereof, at all Times hereafter, until I shall revoke this Appointment by Notice in Writing under my Hand to some Clerk to the said Company of Proprietors. In Witness whereof I have hereunto set my Hand and Seal, this Day of Form of Proxy.

And at every General Assembly of the said Company of Proprietors, One of the Proprietors present shall be appointed Chairman, and shall not only have a single Voice as a Proprietor, but in case of an Equality of Votes shall have the decisive or casting Vote, although he may have given One Vote before in relation to the Matter in Question.

LVII. And be it further enacted, That the First General Assembly of the said Company of Proprietors for putting this Act into Execution shall be held at the Crown and Anchor Tavern in The Strand, London, upon the First Day of June One thousand seven hundred and First, and other General Assemblies.

ninety-three, at the Hour of Eleven in the Forenoon and the Second General Assembly of the said Company shall be held upon the Sixteenth Day of September then next ensuing, at such Place and Hour as the said Company of Proprietors at their said first Assembly shall appoint; and all future General Meetings of the said Company, except such special General Assemblies as hereinafter mentioned, shall be held on the first Tuesday in the Months of May and November respectively in every Year, at the Hour of Eleven in the Forenoon, at such Places as the said Company of Proprietors at their preceding General Assemblies shall, from Time to Time, direct and appoint, of which General Assemblies Fourteen Days previous Notice at the least shall be given by publick Advertisement in the Morning Herald, the General Evening Post, and the Saint James's Chronicle, or any Three other London Newspapers, and in such other Manner as the said Company of Proprietors at their respective General Assemblies shall direct; and the said Company of Proprietors, at such respective General Assemblies, shall chuse and elect out of such of the said Proprietors as at the Time of such Election shall respectively be possessed, in their own Right, of Five or more Shares in the said Navigation, One General Committee, and such other Committee or Committees as the said Company of Proprietors, at any such General Assembly, shall judge expedient, to manage the Affairs of the said Company of Proprietors as herein-after directed, the said General Committee to consist of Thirty-one Persons, and every such other Committee to consist of Nine Persons; and the said Company of Proprietors shall have Power and Authority at any such General Assembly to remove and displace any Person or Persons who shall have been chosen a Member or Members of such General or other Committee or Committees, or any Officer or Officers under them, and to revoke, alter, amend, or change any of the Rules and Directions herein prescribed and laid down with regard to their Proceedings among themselves, as to them shall seem meet (the Method of calling General or Special Assemblies, and their Time and Place

Place of meeting, and voting, and appointing Committees only excepted), and shall have a Power to make such new Rules, Bye Laws, and Orders for the good Government of the said Company, and the said General and other Committee or Committees, and their Servants, Agents, or Workmen, and for the whole, complete, and total Superintendance and Management of the said Navigation, and of the Bargemen, Watermen, Boatmen, and others who shall carry any Goods, Wares, or Merchandize upon any Part of the said Navigation, as to the said General Assemblies shall seem meet and fitting, and to impose and inflict such reasonable Fines or Forfeitures upon all Persons who shall offend against any such new Rules, Bye Laws, or Orders, as to such General Assembly shall seem meet, not exceeding the Sum of Five Pounds for any One Offence; which said Rules, Bye Laws, and Orders, being reduced into Writing, under the Common Seal of the said Company of Proprietors, shall be binding upon and observed by all Parties using or in any way concerned in the said Navigation, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that they be not repugnant to the Laws of this Realm, or to the Provisions and Directions in this Act contained, or to any of them: And every such General Assembly shall have Power to call for, audit, and settle all Accounts of Money received, laid out, and disbursed on Account of the said Navigation, by the Treasurer, Receivers or Collectors of the Rates, and other Officers by them appointed, or by any other Person or Persons whomsoever, employed by, or concerned for or under them, in and about the said Navigation, and the Works thereto belonging; but no Vote or Votes by Proxy shall be given, or have any Power in or as to the Audit and Settlement of Accounts; and the said Company of Proprietors shall have Power to adjourn themselves from Time to Time to such Place or Places as shall at such General Assemblies be thought meet and convenient.

General Assemblies for chusing Committees, to consist of 1000 Shares.

LVIII. Provided always, and be it further enacted, That if at any such General Assembly there shall not be Persons present who shall be possessed of One thousand Shares at the least in the said Navigation, either as Principals or Proxies, no Choice of any General or other Committee, nor any Removal of any Person or Persons from any such Committee, nor any Election of any Person or Persons in the Room of such of the Members of any such Committees who shall die or be so removed, shall be made at that Time, but in such Case there shall be another Assembly of the Proprietors of the said Navigation, at the same Place in the Week then next following, and on the same Day in that Week, and so from Time to Time until there shall be Persons present at such Assembly having such Number of Shares as aforesaid; and such Choice, Removal, or new Appointment of any Member of any such Committee shall then take Place, and not before, and the Persons then chosen to be of any such General and other Committees shall have the same Powers which they would have had, and shall continue in such Offices until such Time as they would have done had they been chosen by the said First Assembly hereinbefore appointed; and in case of Failure of the assembling of a sufficient Number of Proprietors having One thousand Shares as Principals or Proxies at such First Assembly, every Proprietor who shall not attend such Second Assembly in Person or by Proxy shall forfeit to the said Company of Proprietors, for every Share which he or she shall possess in the said Navigation or Undertaking, the Sum of Ten Shillings, to be deducted out of the next succeeding Payment of Interest or Dividends of the Profits of the said Undertaking, as the Case may happen; and in case no Interest or Dividends shall be payable to such Person or Persons so making Default as aforesaid within Six Calendar Months next after the making of such Default, then the Payment of such Forfeiture to be recovered by the Ways and Means herein-after appointed for the Recovery of any of the other Penalties or Forfeitures imposed by this Act.

LIX. And be it further enacted, That if it shall at any Time appear that, for the more effectually putting this Act into Execution, a Special Assembly of the said Company of Proprietors is necessary to be held, it shall be lawful for any Twenty-one or more of them, to cause Fourteen Days Notice at least to be given thereof in The General Evening Post, The Morning Herald, and The Saint James's Chronicle, or any Three other London Newspapers, or in such other Manner as the said Company of Proprietors shall at any General Assembly direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Assembly, and the Time when and Place where the same shall be held; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors, with respect to the Matters so specified only; and all such Acts of the Proprietors, or of the major Part of them met together at every such special Assembly (provided such major Part shall be possessed of One thousand Shares at the least in the said Navigation, either as Principals or Proxies) shall be as valid with respect to the Matter specified in such Notice as if the same had been done at General Assemblies. Assembly of Proprietors may be specially convened.

LX. And be it further enacted, That it shall be lawful for the said Company of Proprietors at any General Assembly, and they are hereby authorized and required, from Time to Time, to nominate and appoint, by Writing under their Hands, or the Common Seal of the said Company, a Treasurer or Treasurers, and One or more Collector or Collectors of the said Rates, and also One or more Clerk or Clerks to the said Company of Proprietors, (who shall also be Clerk or Clerks to the said General or other Committee or Committees), taking such Security for the due Execution of their respective Offices as the said Company of Proprietors shall think proper; and such Clerk or Clerks shall, in a proper Book or Books to be provided by the said Company of Proprietors for that Purpose, enter and keep a true and perfect General Assembly to elect and appoint Officers; and take Security from them.

Account of the Names and Places of Abode of the several Proprietors of the said Navigation, and of the several Persons who shall, from Time to Time, become Owners and Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company of Proprietors, and of the General and other Committee or Committees, by virtue of and under the Authority of this Act, and each of the said Proprietors of the said Navigation shall and may, at all convenient Times, have Recourse to, and peruse and inspect the same, and also the Book or Books to be kept by the Clerk or Clerks to the said Commissioners, gratis, and may demand and have Copies thereof, or of any Part thereof, paying for every One hundred Words so to be copied the Sum of Four-pence; and if any such Clerk or Clerks to the said Company and General or other Committees, or to the Commissioners, shall refuse to permit any Proprietors so interested as aforesaid to inspect or peruse such Book or Books of Proceedings at all convenient Times and Seasons, or refuse to make any such Copy or Copies at the Rate or Price aforesaid, he shall for every such Offence forfeit and pay the Sum of Ten Pounds; and whenever any Clerk shall die, or be removed, or quit the Service of the said Proprietors, and such Committee or Committees, as aforesaid, or the said Commissioners, it shall be lawful for the said General Committee of the said Proprietors to appoint some other fit Person or Persons in the Place of the Clerk or Clerks so dying, quitting, or being removed, until the then next General Assembly, when the Clerk so appointed, or some other Clerk, shall be nominated and appointed for the Purposes aforesaid.

Powers of the Committee, and Regulations respecting the same.

LXI. And be it further enacted, That no Member of the said General or any other Committee (although he may be a Proprietor of many Shares in the said Navigation) shall have more than One Vote in any Committee, except the Chairman, who shall be chosen by, and out of, the said Committee, and who, in case of an Equality of Votes upon any Question agitated in the said Committee, shall have the Casting Vote, although he may

may have given One Vote before; and that all the Powers and Authorities hereby vested in, or directed to be exercised by the said General and other Committee or Committees, may be done and exercised by the major Part of them present at their respective Meetings, the whole Number present not being less than Nine at such General Committee Meetings, nor less than Five at such other Committee Meetings; and every such General and other Committee as aforesaid shall, from Time to Time, make Reports of their Proceedings to the said General Assemblies of the Proprietors, and shall obey their Orders and Directions, and the said General and other Committee or Committees shall (subject nevertheless at all Times to such Orders and Directions as aforesaid) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Time and Place as they shall think fit; and, in order to defray the Expences of their Meetings, the said General and other Committee or Committees shall from Time to Time receive, out of the Capital Stock of the said Proprietors, such Sum or Sums of Money as shall be directed, adjusted, and settled, at such General Assemblies, and the said General and other Committee or Committees (subject nevertheless at all Times to such Orders and Directions as aforesaid) shall make Agreements and Bargains with the Workmen, Agents, Undertakers, and other Persons employed or concerned in making and compleating the said Navigation, and all and every Part or Parts thereof, and shall, by themselves or their Clerk or Clerks as aforesaid, keep a full and true Account of all Money disbursed, and Payments made by the said General and other Committee or Committees respectively, 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 Navigation, from any Collector or Collectors of the said Rates, or other Officer or Officers, or from any other Person or Persons whomsoever, employed in, or having any Concerns, Dealings, or Transactions with, the said Navigation and Undertaking, or in or with any Part or Parts thereof, and shall regularly,

by

by themselves or their Clerk or Clerks, as aforesaid, write, insert, and enter in a Book or Books to be from Time to Time provided, at the Expence of the said Company of Proprietors, 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 General and other Committee or Committees respectively; (provided always, that every Proprietor, upon every reasonable Desire, shall have free Access thereto, as herein-before mentioned, for his or her Inspection); and the said General Committee shall have Power, from Time to Time, (subject nevertheless to the Directions and Controul of any such General Assembly), whenever they shall judge it expedient, by Writing under their Hands, to appoint an Engineer or Engineers to inspect the Works of the said Navigation, and an Architect or Architects, for erecting and surveying any Buildings to be erected by the said Company of Proprietors, and also a Land Surveyor or Land Surveyors, for any Purpose relating to the Execution of this Act; and every such Engineer, Architect, and Land Surveyor, shall be paid by the said Company of Proprietors such Salary or Allowance as the said General Committee shall direct or appoint; and any such General Committee may remove any such Engineer, Architect, and Land Surveyor, whenever they shall think proper; and the said General Committee shall also have Power from Time to Time to make such Call or Calls of Money from the Subscribers to, and Proprietors of, the said Navigation, to defray the Expences of, or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds for every One hundred Pounds, and such Calls shall not be made but at the Distance of Three Calendar Months at least from each other; and such General and other Committee or Committees shall (subject nevertheless to the Orders and Directions of such General Assemblies

Committee to make Calls,

semblies as aforesaid) have full Power and Authority to direct and manage all and every the Affairs of the said Company of Proprietors, as well in contracting for and purchasing Lands, Messuages, Tenements, and other Hereditaments, and Materials, for the Use of the said Navigation, as in employing, ordering, and directing the Work and Workmen, and in placing and displacing Under Officers, Clerks, Servants, and Agents, and in making all Contracts and Bargains touching the said Undertaking; and every Owner or Owners of any One or more Share or Shares in the said Undertaking shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons, and at such Time and Place as the said General Committee shall from Time to Time appoint and direct; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part of the said Money so called for as aforesaid, at the Time and Place appointed by such General Committee, or within Twenty-one Days next ensuing, he, she, or they, so neglecting or refusing, shall forfeit a Sum not exceeding Forty Shillings for every Share; and, in case such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable Calls as aforesaid, for the Space of Six Calendar Months after the Time so appointed for Payment thereof, then he, she, or they so neglecting or refusing, shall forfeit his, her, or their respective Share and Shares in the said Navigation, and all the Profits and Benefits thereof; all which Shares so forfeited shall go to and be vested in the rest of the Company of Proprietors of the said Navigation, in Trust for, and for the Benefit of all the rest of the said Proprietors, in Proportion to their respective Interests in the said Navigation: Provided nevertheless, That no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Navigation, until after personal Notice shall have been given to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively by the Clerk for the Time being to the said Company of Proprietors, and the same Share

and appoint Officers, and make Contracts.

Shares may be forfeited;

But no Advantage to be taken of Forfeiture without personal Notice.

or Shares shall likewise be declared to be forfeited at some general or special Assembly of the Company of Proprietors, within Six Calendar Months next after such Forfeiture shall have been incurred; and every such Forfeiture shall be an Indemnification and Discharge to and for every Proprietor so forfeiting against all and every Action and Actions, Suits and Prosecutions whatsoever, to be commenced or prosecuted for any Breach of Contract or other Agreement between the Proprietor or Proprietors incurring such Forfeiture, and the rest of the said Company of Proprietors, with regard to carrying on the said intended Navigation and Undertaking.

On the Death of Subscribers before Share compleated Executors may do it.

LXII. Provided also, and be it further enacted, That if any Owner or Owners of any Share or Shares in the said Navigation shall happen to die before such Call or Calls shall have been made for the full Sum to be advanced on each Share, which he, she, or they shall have been possessed of or intitled to, without having made Provision by Will, or otherwise, how or in what Manner such Share or Shares shall be disposed of, and how or by what Means the future Calls in respect thereof shall be paid to the said Company of Proprietors for the Purpose of the said Navigation, then and in such Case the Executors or Administrators of any such Owner so dying, or the Trustee or Trustees, Committee or Committees, Guardian or Guardians of any Infant or Infants, or of any other Person or Persons entitled to the Estate and Effects of such Owner deceased, shall be indemnified against all and every such Infant or Infants, and against all and every other Person or Persons whomsoever, for or on account of his, her, or their having paid any Sum or Sums of Money when called for as aforesaid to compleat every such Subscription; and if such Owner or Owners deceased shall not have left Assets sufficient, or in case the Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians, shall refuse or neglect to answer such Calls, the said Company of Proprietors shall be and they are hereby authorized and required to admit any other Person or Persons to be Proprietor or Proprietors

of

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

Shares may be sold.

LXIII. And be it further enacted, That it shall be lawful for the several Proprietors of the said Navigation, his, her, or their respective Executors or Administrators, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Conveyance of which Shares shall be to the Form or Effect following:

Form of Conveyance of Shares.

I *A. B.* in Consideration of paid to me by *C. D.* do hereby bargain, sell, assign, and transfer to the said *C. D.* Share of the Navigation, called *The Grand Junction Canal*, (being N° of the Shares in the said Navigation), to hold to him the said *C. D.* his Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions, that I held the same immediately before the Execution hereof; and I the said *C. D.* do hereby agree to take and accept the said Share, subject to

the same Rules, Orders, Restrictions, and Conditions: As witness our Hands and Seals, the
Day of

And on every such Sale the said Deed of Conveyance (being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk or Clerks to the said Company of Proprietors shall have entered in a proper Book or Books, to be kept for that Purpose, a Memorial of such Transfer and Sale, for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid; and the said Clerk or Clerks is or are hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part of the Profits of the said Navigation, nor any Interest for such Share or Shares paid unto him, her, or them, or any Vote in respect thereof as a Proprietor or Proprietors of the said Navigation.

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

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

Regulations as to the Acquisition of Shares,

LXV. And whereas much Inconvenience may arise by the frequent Transfer and Sale of the Right and Title to the Shares of and in the said Navigation, 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 Navigation, 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 One of the Judges at Westminster, a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk or Clerks to the said Company for the Time being, who shall file the same, and make an Entry thereof, in the Book or Books which shall be kept by the said Clerk or Clerks for the Entry of Transfers and Sales of Shares in the said Navigation; and that before any Person or Persons, who shall claim any Part or Share of the Profits of the said Navigation, by virtue of any Bequest or Will, 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 Share or Shares of the Testator, or the Letters of Administration, in case the Proprietor shall have died intestate, shall be made and sworn to by an Executor or Executors of such Will, or by an Administrator or Administrators of the Estate and Effects (as the Case may happen to be) before One of the Judges at Westminster, a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall also be transmitted to the said Clerk or Clerks, who shall file and enter the same in Manner herein-before mentioned.

by Marriage,

or Will, or in Course of Administration.

LXVI. And, for the better Security of the several Proprietors of the said Undertaking to their respective Shares therein, be it further enacted, That the said Company of Proprietors shall, and are hereby required, at their Second General Assembly, to cause the Names

Names of Proprietors to be entered, and Tickets of their Shares delivered to them.

and proper Additions of the several Persons who shall be intitled to the Shares in the said Undertaking, with the Number of Shares to which they are respectively intitled, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the said Company of Proprietors, and after such Entry, to cause their Common Seal to be affixed thereto, and shall also cause as many Tickets to be prepared as there are Shares in the said Undertaking, bearing respectively the correspondent Numbers in the said Book, with the Common Seal of the said Company affixed to every such Ticket, and to cause to be delivered to every such Subscriber, upon Demand, a Ticket for every such Share to which he or she is intitled in the said Undertaking, every such Proprietor paying to the Clerk or Clerks Two Shillings and Sixpence, and no more, for every such Ticket, and such Ticket shall be admitted in all Courts whatever as Evidence of the Title of such Subscribers, his or her Executors, Administrators, and Assigns, to the Shares therein specified; but the Want of such Ticket shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

Rates of Tonnage.

LXVII. And, in Consideration of the great Charge and Expence which the said Company of Proprietors must incur and suffer in making and maintaining the Works hereby authorized to be made and maintained, be it further enacted, That it shall be lawful for the said Company of Proprietors, from Time to Time, and at all Times hereafter, to ask, demand, take, and recover, to and for their own proper Use and Behoof, the several Rates herein-after mentioned, for the Tonnage and Wharfage of all Minerals, Merchandize, and other Goods, Matters, and Things whatsoever, which shall be carried or conveyed upon the said Canal and Collateral Cuts, or any of them; (that is to say):

For all Lime and Limestone, the Sum of One Farthing per Ton per Mile:

For

For all Cattle, Sheep, Swine, and other Beasts, and all Flint and other Stones, and all Bricks, Tiles, Slate, Sand, and Fullers Earth, and all Ironstone, Pig Iron, and Pig Lead, and all Kinds of Manure, (except Lime), the Sum of One halfpenny per Ton per Mile:

For all Coal and Coke, the Sum of Three Farthings per Ton per Mile:

For all other Goods, Wares, Merchandize, and Things whatsoever, the Sum of One Penny per Ton per Mile:

Proportion of a Mile to be taken as Mile.

And in all Cases where there shall be a Fraction of a Mile in the Distance which any Boat or other Vessel shall be navigated, or pass upon the said intended Canal and Collateral Cuts, or any of them, such Fraction shall, in ascertaining the said Rates, be deemed and considered as a whole Mile; and that, in all Cases where there shall be a Fraction of a Ton in the Weight of Lading in any Boat, or other Vessel, so to be navigated on the said intended Canal and Collateral Cuts, or any of them, a Proportion of the said Rates shall be demanded and taken by the said Company of Proprietors for such Fraction, according to the Number of Quarters of a Ton contained therein.

Recovery of Rates.

All which said Rates shall be paid to such Person or Persons, at such Place or Places, near to the said Canal and Collateral Cuts, or any of them, in such Manner, and under such Regulations as the said Company of Proprietors, at some General or Special Assembly or Assemblies, shall direct or appoint; and in case of Denial or Neglect of Payment of any such Rates, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, the said Company of Proprietors may sue for the same by Action of Debt, or upon the Case, in any of His Majesty's Courts of Record at Westminster, or the Person or Persons to whom such Rates ought to have been paid may, and he or they

is and are hereby impowered to seize and distrain the Goods or other Things, for or in respect whereof any such Rates ought to have been paid, or any Part thereof, or the Boat or other Vessel laden therewith, and detain the same until Payment thereof shall be made, together with reasonable Charges for such Seizure and Distress; and if such Distress shall not be redeemed within Five Days next after the taking thereof, the same shall be appraised and sold as the Law directs, in Cases of Distress for Rent; and the said Company of Proprietors shall have full Power, from Time to Time, at any General or Special Assembly, to lower or reduce all or any of the said Rates, and again to raise the same to such Sums as they shall think proper, not exceeding the Sums before mentioned, as often as it shall be deemed necessary for the Interests of the said Navigation.

Rates may be altered.

Exemptions from Rates.

LXVIII. Provided always, and be it further enacted, That none of the said Rates shall be payable, or demanded, or taken, by virtue of this Act, for ō or in respect of any Officers or Soldiers upon their March, or any Horses, Arms, or Baggage, of or belonging to such Officers or Soldiers, or for or in respect of any Timber purchased or provided for the Use of His Majesty's Navy, or any Stores or other Things belonging to His Majesty's Naval or Military Service; the Person or Persons having the Care or Conduct of such Timber Stores, and other Things belonging to His Majesty's Service, producing a Certificate from the Navy Board, or the Board of Ordnance, that such Timber Stores, or other Things, are for His Majesty's Naval or Military Service; and that none of the said Rates shall be payable or demanded, or taken by virtue of this Act, for or in respect of any Gravel, Sand, or other Materials to be employed for the Purpose only of making or repairing of any publick Roads, provided the same do not pass any Lock to be made by virtue of this Act, but at such Time when the Water shall flow over the waste Weir of such Lock: And that the Person or Persons who shall own, or be concerned, or employed, in carrying such Gravel, or Sand, or other Materials, shall have free Liberty to make use

of

of the Towing Paths, Wharfs, or Quays belonging to the said Company of Proprietors, such Person or Persons not suffering the same to lie upon such Wharfs or Quays longer than may be necessary for the loading, unloading, and conveying thereof from and to the several Places where they are to be put on Board and unloaded; provided also, That if any Person shall claim and take the Benefit of any such Exemption, not being entitled thereto, or shall use or dispose of any of the Articles for which any such Exemption shall have been allowed in any other Manner than as before mentioned, he shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Further Allowance for Goods remaining upon a Wharf a certain Time.

LXIX. Provided always, and be it further enacted, That if any Minerals, or Timber, Goods, or Merchandize, or any other Matters or Things whatsoever, which shall be so carried and conveyed on the said Navigation, shall lie or remain upon any Wharf or Wharfs, Quay or Quays, belonging to the said Company of Proprietors, for above the Space of Twenty-four Hours, then and in such Case the said Company of Proprietors shall be entitled to receive such reasonable Rates or Allowances over and above the Rates herein-before authorized to be taken, as shall be agreed upon between the said Company of Proprietors, or their Agent or Agents, and the Owner or Owners of such Minerals, Timber, Goods, Wares, Merchandize, or other Things; and in case of any Dispute concerning the same, it shall be ascertained and adjusted by the said Commissioners.

Company empowered to lease the Rates.

LXX. And be it further enacted, That it shall be lawful for the said Company of Proprietors, 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 to farm the Rates hereby granted, or any Part or Parts thereof, upon the Whole or any Part or Parts of the said Canal, and Collateral Cuts, unto any Person or Persons for any Time or Term they shall think proper, not exceeding Three Years from the Commencement of any Lease; and every such

Lease shall be valid and effectual, and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Rates so let, shall, during the Continuance of every such Lease, be deemed Collectors of the Rates so let, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the said Company of Proprietors, provided publick Notice of the Intention to let the said Tolls, or any Part thereof, be given by Writing under the Hands of the said General Committee, or any Nine or more of them, by Advertisements published and continued in such Newspapers as aforesaid, at least Thirty-one Days prior to any such General Assembly, at which the said Rates or any Part thereof are proposed to be let as aforesaid.

Masters of *Boats* to give an Account of their Lading.

LXXI. And, for the better ascertaining, and more easy, effectual, and just Collection of the said Rates, hereby directed to be paid to the said Company of Proprietors, be it further enacted, That the Master, Owner, or other Person having the Care of every Boat or other Vessel navigating upon the said Canal and Collateral Cuts, or upon any Part or Parts thereof, shall give to the Collectors of the said Rates, or to any other Officers to be appointed for such Purpose by the said Company of Proprietors, at the Place or Places where he or they shall attend for that Purpose, a just Account, in Writing, signed by the Master, Owner, or other Person or Persons having the Care of such Boat or other Vessel, of the Quantities and Weight of such Goods, and other Things, and of their Nature, Sort, or Kind, which shall be embarked in or upon each such Boat or other Vessel, from whence brought, and where the same is intended to be landed; but if the Goods or other Things contained in any such Boat, or other Vessel, shall be liable to the Payment of different Rates, then such Master, Owner, or other Person, shall specify the Quantities liable to the Payment of each of the said Rates; and in case he or they shall neglect or refuse to give such Account, or shall refuse to produce his or their Invoice or Bill of Lading to the Officer demanding the same, or shall with Intent

to

to avoid the Payment of the said Rates, or any Part thereof, give a false Account, or deliver any Part of such Lading or Goods at any other Place or Places than what is or are mentioned in that Account, every Person so offending shall forfeit and pay the Sum of Twenty 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 be conveyed by such Boats or other Vessels respectively, of which or of whose Lading such Account shall be refused, or such false Account given, or whose Lading shall be delivered out as aforesaid, as the Case shall happen to be, over and above the aforesaid respective Rates which shall be payable for the same.

What Quantities of Timber and light Goods shall be deemed a Ton.

LXXII. And, for the better ascertaining the Tonnage of Timber or Wood to be charged with the Payment of such Rates as aforesaid; and the Content and Burthen of the Boats and other Vessels carrying and conveying such Timber or Wood, and also other Goods, Matters, and Things, on the said Canal and Collateral Cuts, be it further enacted and declared, That Forty Cubick Feet of Oak, Ash, or Elm Timber, and Fifty Cubick Feet of Fir or Deal Balk, Poplar, Beech or Birch, shall be respectively deemed, rated and estimated as and for One Ton Weight, and that One hundred and twenty Pounds Weight Avoirdupois shall be deemed and taken as and for One Hundred Weight, with respect to Coal or Coak, and One hundred and twelve Pounds Weight, with respect to other Articles, any Usage of rating or estimating the same to the contrary hereof notwithstanding; and if any Difference shall arise between any Collector of the said Rates, and the Master or other Person having the Care or Charge of any Boat or other Vessel, or the Owner of any Goods, Wares, Merchandize, or other Things, loaded or embarked therein, concerning the Measure of such Timber, or concerning the Weight or Quantity of the Goods, Wares, or other Matters or Things therein embarked or contained, it shall be lawful for any such Collector to stop and detain any such Boat or other Vessel, and to weigh, measure, or gauge, or cause to be weighed, measured, or gauged, such Boat or other Vessel, and

In case of Difference concerning the Weight, Collector may weigh them.

and all such Timber, Goods, Wares, and Merchandize, or other Matters or Things as shall be therein embarked or contained; and in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Measure, Weight, or Quantity, than the Account given thereof by such Master, Owner, or other Person having the Care or Charge of such Boat or other Vessel, then the Master, Owner, or other Person giving in such Account shall pay the Costs and Charges of such weighing, measuring, and gauging; all which Costs and Charges, upon Refusal of Payment upon Demand, shall and may be recovered and levied in the same Manner as the said Rates are hereby appointed to be recovered and levied; but if such Timber, Goods, Wares, Merchandize, or such other Matters and Things shall appear to be of the same, or of a less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Collector shall pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, or other Things, such Damages as shall appear to the said Commissioners, upon the Oath of any credible Witness (which Oath the said Commissioners are hereby impowered and required to administer) to have arisen from such Detention, and in Default of immediate Payment thereof, the same shall be recovered from the said Company of Proprietors by Action of Debt, in any of His Majesty's Courts of Record.

Power to fix the Price of small Parcels.

LXXIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors from Time to Time, at any General Assembly (with the Consent of the major Part of the said Commissioners present at any General Meeting of the said Commissioners) to ascertain and fix the Price, or Sum or Sums of Money to be charged or taken for the Carriage of any Parcel (not exceeding Five hundred Pounds Weight) upon the said Canal and Collateral Cuts respectively, or upon any Part thereof, and the said Company of Proprietors shall from Time to Time cause to be printed and affixed upon every

publick Wharf on the said Canal and Collateral Cuts, in some conspicuous Place, a List or Account, ascertaining and particularising the Price, or Sum or Sums of Money so to be charged or taken for the Carriage of such Parcels as aforesaid upon the said Canal and Collateral Cuts, or upon any Part of them; and in case any Owner or Master, or other Person having the Care of any Boat or other Vessel navigating or passing upon the said Canal and Collateral Cuts, or upon any Part or Parts thereof, after such printed Paper so ascertaining and particularising the Price, or Sum or Sums of Money, at which every such Parcel shall be so carried and conveyed, shall be so fixed up as aforesaid, shall demand or take for the Carriage of any such Parcels as aforesaid, more than the Price or Sum or Sums of Money in such List or Account ascertained and particularised for that Purpose, such Owner, Master, or other Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Navigation to be free upon Payment of Rates under certain Restrictions.

LXXIV. And be it further enacted, That all Persons whomsoever shall have free Liberty to use, with Horses, Cattle, and Carriages, the private Roads and Ways (except the Towing Paths), and likewise the Sluices, Trenches, or Passages, to be made by virtue of this Act, for the Purpose of conveying any Minerals, Merchandize, Timber, or other Goods, Wares, Merchandize, and other Things, to or from the said Canal and Collateral Cuts, and every Part thereof, without paying any Thing for the same; and also to navigate, and pass upon, and use the said Canal and Collateral Cuts, with any Boats or Vessels (of Pleasure or otherwise), and to employ the said Wharfs and Quays for loading and unloading such Minerals, Merchandize, Timber, and other Goods and Things, and also to use the said Towing Paths, with Men, or with Horses, or other Cattle, for haling and drawing such Boats and Vessels, upon Payment of such Rates, as shall be demanded by the said Company of Proprietors, not exceeding the Sums herein-before mentioned, provided the said Boats and other Vessels shall not, without the Consent of the said Gene-

tal Committee, use the said Navigation at any other Times than between the Hours of Seven in the Morning and Five in the Evening, during the Months of November, December, January, and February; between the Hours of Five in the Morning and Seven in the Evening, during the Months of March, April, September, and October; and between the Hours of Four in the Morning and Nine in the Evening, during the Months of May, June, July, and August, in every Year; and provided that no Boat or other Vessel of less Dimensions than Sixty Feet in Length, and Twelve Feet in Breadth, or of less Burthen than Thirty Tons, shall pass through any of the Locks to be made by virtue of this Act (unless the Water shall then run over the waste Weirs above the said Locks), without the Consent of the said Company of Proprietors, or their General or other Committee, in Writing, first had and obtained for that Purpose.

Drains to be made to convey Water from the Lands adjoining;

LXXV. And, to the End that the said Navigation may be carried on with as little Damage to private Property as possible; be it further enacted, That the said Company of Proprietors shall, and they are hereby required, at their own proper Costs and Charges, to make or cause to be made such Arches, Tunnels, Culverts, Drains, or other Passages over, under, by the Side of, or into the said Canal and Collateral Cuts, and the Trenches, Streams, and Watercourses communicating therewith, and the Towing Paths on the Sides thereof respectively, of such Depth, Breadth, and Dimensions, as shall be sufficient at all Times to convey the Water clear from the Lands adjoining or lying near to the said Canal or Cuts, without obstructing or impounding the same, and likewise to make, or cause to be made, such back Drain or Drains as may be necessary, and shall be sufficient to carry off any Water which may ooze or pass through any of the Banks of the said Canal and Collateral Cuts, or any of them, to the Prejudice of any of the Lands or Grounds contiguous thereto; and also to make proper Watering Places for Cattle in all Cases where, by Means of the said Canal or Collateral Cuts, or any of

and watering Places for Cattle.

them, the Cattle of any Person or Persons occupying Lands adjacent to the Canal and Collateral Cuts, or any of them, shall be deprived of their ancient Watering Places, and to supply the same at all Times with Water; and that all such Bridges, Arches, Tunnels, Culverts, Drains, and other Passages, shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good and sufficient Repair, by the said Company of Proprietors; and if at any Time after One Month's Notice in Writing shall, by or on Behalf of the said Owners or Occupiers of Lands adjoining or lying near to the said Canal and Collateral Cuts, or any of them, be given to the said Company of Proprietors, or to their Clerk or Clerks, known Agent or Collector, that the said Arches, Tunnels, Culverts, Drains, back Drains, or other Passages, or any of them, is or are not made, cleansed, maintained, and repaired, according to the true Intent and Meaning of this Act, it shall be lawful for any Person or Persons to apply for and obtain an Order in Writing, from any Nine or more of the said Commissioners at any Meeting, from Time to Time, as often as there shall be Occasion (and the said Commissioners are hereby authorized and required, at their Discretion, to grant such Order as aforesaid), enabling such Person or Persons to cleanse and repair such Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages accordingly; and the reasonable Expences thereof (to be ascertained by the said Commissioners) shall be defrayed by the said Company of Proprietors; and, in case of Neglect or Refusal to satisfy and defray such Expences, for the Space of Two Calendar Months after Demand thereof made upon the said Company of Proprietors, or upon their Clerk, or known Agent or Collector, such Expences shall and may be recovered and levied in such Manner as any other Money is by this Act directed to be recovered from the said Company of Proprietors: Provided always, That such Owner or Occupier of the said contiguous or adjoining Lands shall, at the Time of making such Complaint, have his or her respective Ditches, Drains, Passages for Water, and

Water-

Watercourses leading to or from the Drains, Culverts, and Passages of the said Canal and Collateral Cuts, and each and every of them, sufficiently cleansed and open to convey Water into the same: And provided also, That nothing herein contained shall extend to enforce the admitting of any Water arising from Floods into the said Canal and Collateral Cuts, or any of them, which may injure the said Navigation.

For fencing off Towing Paths.

LXXVI. And be it further enacted, That the said Company of Proprietors shall, at their own Costs (within Three Calendar Months after any Part of the said Canal and Collateral Cuts, and Towing Paths thereto respectively belonging, shall be dug out and formed) divide and separate, and keep constantly divided and separated the Towing Paths on each Side of the said Canal and Collateral Cuts, Trenches, or Passages, or such Part or Parts thereof respectively as shall be declared necessary by the said Commissioners, from the adjoining Lands or Grounds, by Posts and Rails, Hedges, Ditches, Trenches, Banks, or other Fences sufficient to keep off Sheep and other Cattle, to be set out and made on the Lands or Grounds which shall be purchased by, conveyed to, or vested in them as aforesaid; and the said Company of Proprietors shall, at their own proper Costs and Charges, from Time to Time, maintain and support the said Towing Paths, and the said Posts, Rails, Hedges, Ditches, Trenches, Banks, and other Fences so set up and made as aforesaid, and also shall, at their own like Costs and Charges, make, erect, and set up, and from Time to Time maintain and support such and so many convenient Gates, Bridges, and Stiles, in, over, and through all the Hedges and Fences to be by them so made on the Sides of such Towing Paths as aforesaid, in such Manner as the said Commissioners shall, at such publick Meetings, from Time to Time, judge necessary and appoint, for the Use of the Owners and Occupiers of the Lands and Grounds, Mills, or Hereditaments adjoining to such Canal, Cuts, and other Works, or any of them respectively; and the said Company of Proprietors shall not make the said Canal, or Col-

Collateral Cuts, or any Part thereof, or any Trench or Watercourse belonging to the same, in or across any common Highway, publick Bridle Way, or Foot Path, until they shall, at their own proper Costs and Charges, have made and provided a good and sufficient temporary Road, Bridle Way, or Foot Path, for the Accommodation of all Persons whomsoever, until a good and sufficient Bridge or Bridges, Passage or Passages, Arch or Arches, over, across, or under the said Highway, publick Bridle Way, or Foot Path, shall be made and perfected; and all such Gates, Stiles, Bridges, Arches, and other Works and Conveniences so to be made as aforesaid, shall from Time to Time thereafter be supported, maintained, and kept in sufficient Repair by the said Company of Proprietors.

Swivel or Draw Bridges to be shut after Vessels passed.

LXXVII. And be it further enacted, That if any Swivel Bridge, or Drawbridge, (except such as may be made for the private Use of any Owner or Occupier of Land), shall be laid over or across the said Canal and Collateral Cuts, or any other Cuts, Trenches, or Passages to be made by virtue of this Act, all and every Person or Persons opening any such Drawbridge or Swivel Bridge shall, and he and they is and are hereby required and directed, so soon as any Vessel shall have passed any such Bridge, to shut and fasten the same; and every Person neglecting so to do shall forfeit and pay for every such Offence the Sum of Ten Shillings; and in case such Bridge shall be left open longer than necessary for the Passage of any Vessel as aforesaid, through the Neglect or Carelessness of any Person belonging to any such Vessel, then the Master or Owner of such Vessel shall forfeit and pay, for every such Offence, the Sum of Ten Shillings; and if any Person or Persons shall wilfully open any such Drawbridge or Swivel Bridge, when no Vessel is to pass through the same, so as to interrupt a free Passage for Travellers, Cattle, or Carriages, such Person or Persons shall, for every such Offence, forfeit and pay a Sum not exceeding Ten Shillings, One Moiety of which shall go to the Informer.

If Company do not fence off Towing Paths, and make Bridges, &c. Land Owners may do it at Company's Expence.

LXXVIII. And be it further enacted, That in case the said Company of Proprietors, or their Agents, shall refuse or neglect to divide and separate, and to keep divided and separated, the said Towing Paths in Manner hereinbefore directed, or to make, erect, and set up, such Gates, Bridges, and Stiles, in, over and through the Fences on the Sides of the said Towing Paths, or such Bridges, Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, or to make such Watering Places for Cattle as herein-before directed, for the Use and Convenience of the respective Owners or Occupiers of the Lands, Mills, or Hereditaments, adjoining or near to the said Canal, or to maintain and support such Gates, Stiles, Bridges, Arches, Passages, and Watering Places, when erected, set up, and made, of such Dimensions, and in such Manner as aforesaid, for the Space of Three Calendar Months next after the Times to be appointed for those Purposes, by the said Commissioners, or after Notice shall have been given by or on the Behalf of the Owners or Occupiers of any such Lands, Mills, or other Hereditaments, who shall find themselves aggrieved by any such Gates, Stiles, Bridges, Arches, Passages or Watering Places, not being kept in good and sufficient Repair and Condition, to the Clerk to the said Company of Proprietors, then and in every such Case it shall be lawful for every or any of the Owners or Occupiers of the said adjacent Lands, Grounds, Mills, or Hereditaments, who shall find himself, herself, or themselves aggrieved by such Refusal or Neglect, to make, erect, and set up all such Gates, Stiles, Bridges, Arches, Passages, Watering Places, and other Conveniences, as the said Commissioners shall have before directed or appointed to be made, erected, and set up by the said Company of Proprietors aforesaid, and to maintain, repair, and support the same from Time to Time, as Occasion shall require, so that in making and maintaining such Works as aforesaid, the said Canal and Navigation, or the Banks thereof, or the Feeders or Aqueducts belonging thereto, shall not be stopped or injured for any longer Space of Time, or in any other Manner than shall be necessary for the doing

doing thereof, and all the reasonable Costs and Charges thereof (to be settled and allowed by the said Commissioners) shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, Grounds, Mills, or other Hereditaments, who shall have so erected and made, repaired or maintained such Works as aforesaid, by the said Company of Proprietors within the Space of Two Calendar Months next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company of Proprietors, or their Clerk for the Time being; and in 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 and Seals, to levy the said Costs and Charges, by Distress and Sale of any of the Goods and Chattels of the said Company of Proprietors, which shall be found in or upon the said Canal and Collateral Cuts, or the Wharfs, Quays, or Warehouses adjoining or near to the same, belonging to the said Company, to be applied to and for the Use of such Person or Persons who shall have so incurred such Costs and Charges as aforesaid, rendering to the said Company of Proprietors, or to some of their known Agents or Collectors, the Overplus (if any), 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, upon Refusal or Neglect of the said Company of Proprietors to pay the said Costs and Charges as aforesaid, shall and may have such and the like Remedy against the said Company of Proprietors, for the Recovery thereof, by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is in and by this Act directed.

If Bridges, &c. made by the Company are insufficient, Land Owners may make others at their own Expence.

LXXIX. Provided always, and be it further enacted, That if the Owners or Occupiers of any Lands, or other Hereditaments, through which the said Canal and Collateral Cuts, or any of them, shall be made, do or shall, at any Time or Times hereafter, chuse to erect other

Gates, Stiles, Bridges, Passages, Arches, Tunnels, Drains, Back Drains, Trenches, or other Passages, Watering Places, and other Conveniences respectively, than such as the said Commissioners shall have so directed or appointed to be made by the said Company of Proprietors, then and so often, or in any such Case, it shall be lawful for all or any such Owners or Occupiers, with the Consent and Approbation of the said Committee, upon Request made to them for that Purpose, or in case of their Refusal for the Space of Twenty-one 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, Passages, Arches, Watering Places, or other Conveniences, of the same or the like Constructions with others made and erected by the said Company of Proprietors, in, over, or near to the said Canal and Collateral Cuts, or the Towing Paths thereof respectively, in such Places as the said Owners and Occupiers shall judge most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands and other Hereditaments, and to repair and support the same, at their own like Costs and Charges, as Occasion shall require, so as that the Navigation of, in, or upon the said Canal and Collateral Cuts, or any of them, be not prevented or obstructed thereby, for any longer Space of Time, or in any other Manner, than the same would necessarily have been, if such Gates, Stiles, Bridges, Passages, Arches, Watering Places, or other Conveniences, had been made or erected by the said Company of Proprietors as aforesaid.

Works damaged by Floods to be repaired by the Company.

LXXX. And whereas it may happen from Floods, or from some unexpected Accidents, that the Locks, Weirs, Flood-Gates, Dams, Banks, Reservoirs, Trenches, or other Works of the said Navigation, may be injured or destroyed, and the adjacent Lands may thereby suffer Damage, and it may be necessary that the same should be immediately repaired or rebuilt to prevent further Damages; be it therefore further enacted, That when and as often as any such Case shall happen, it shall be lawful for

for the said Company of Proprietors from Time to Time, or for their or any of their Servants, Agents, or Workmen, without any Delay or Interruption from any Person or Persons whomsoever, to enter into any Lands, Grounds, or Hereditaments adjoining or near to the said Canal, Collateral Cuts, and other Works or Conveniences, or any of them, (not being the Ground whereon any House or other Building stands, or an Orchard, Park, Paddock, planted Walk, Nursery for Trees, or Avenue to a House), and to dig for, work, get, and carry away and use all such Stones, Gravel, and other Materials as may be necessary or proper for the Purposes aforesaid, without any previous Treaty 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 shall be demanded, which Damages, and the Compensation to be made in respect thereof, shall be settled and determined, or assessed by the Ways and Means herein-before prescribed and directed with respect to other Damages to be done by making and completing the said Navigation.

Enabling the Company to cleanse the adjoining Watercourses at the Land Owner's Expence.

LXXXI. And be it further enacted, That if at any Time hereafter the Ditches or Drains belonging to any Owner or Occupier of Lands adjoining or lying contiguous to the said Canal and Collateral Cuts, and other Works, or any of them, shall, by reason of their being not sufficiently cleansed or opened, hinder and obstruct the free Passage of the Water from the Drains, Culverts, and Passages belonging to the said Navigation, and if the same shall not be perfectly cleansed and opened within Twenty-one Days after Notice in Writing shall have been given thereof to such Owner or Occupier, by the Clerk or any Agent of the said Company of Proprietors, it shall then be lawful for the said Company of Proprie-

tors (an Order in Writing for that Purpose having been first obtained from any Nine or more of the said Commissioners,) from Time to Time, as often as there shall be Occasion, to open and cleanse, or cause to be opened and cleansed, the said Ditches or Drains, and the reasonable Expences thereof, when ascertained and allowed by the said Commissioners, shall be repaid to the said Company of Proprietors by the Owners or Occupiers of such Lands and Grounds to which the said Ditches and Drains so opened and cleansed shall belong; and in case of Refusal to satisfy the same for the Space of Three Calendar Months after Demand shall have been made thereof from the respective Owner or Owners, Occupier or Occupiers, of such Lands and Grounds as aforesaid, such Charges and Expences shall and may be recovered in such Manner as the Forfeitures and Penalties are herein-after directed to be recovered.

Lords of Manors and Land Owners may erect Wharfs, &c.

LXXXII. And be it further enacted, That any Owner or Owners of any Lands or Grounds through or adjoining which the said Canal or Collateral Cuts, or any of them, shall be made by virtue of this Act, may build, construct, or use any Wharfs, Quays, Landing Places, Cranes, Weigh Beams, or Warehouses, in or upon his, her, or their respective own proper Lands and Grounds adjoining to the said Canal and Collateral Cuts, or any Part thereof; and that any Lord or Lords, Lady or Ladies, of any Manor or Manors, through which the said Canal and Collateral Cuts, or any of them, shall pass, may build, construct, and use such Wharfs, Quays, Landing Places, Cranes, Weigh Beams, or Warehouses, on the Wastes, and may land any Goods or Merchandize, or other Things thereupon, or upon the Banks lying between the same and the said Canal and Collateral Cuts, or any of them, and may make and use proper and convenient Places for Boats and other Vessels to lie and turn in, and pass by each other, and may lay out and make proper and convenient Ways and Roads to and from the said Navigation, so that the making, constructing, or using thereof respectively, shall not obstruct or prejudice the Navigation of the said Canal and Cuts, or any Part thereof,

or

or the Towing Paths on the Sides thereof respectively; and all Rates which shall be paid for the Use and Benefit of the said Wharfs, Quays, Landing Places, Cranes, Weigh Beams, and Warehouses respectively, shall be and are hereby vested in such Lord or Lords, Lady or Ladies, of such Manor or Manors, or in the Owner or Owners of such Lands or Grounds, who shall make, construct, and erect the same respectively as aforesaid, and in his, her, and their Representatives respectively, so that the Rates and Powers herein-before granted to the said Company of Proprietors shall not be thereby reduced or altered.

But if not done within a certain Time, Proprietors may build.

LXXXIII. Provided always, and be it further enacted, That if any such Lord or Lady of a Manor, or Land Owner, within the Space of Twelve Calendar Months next after Notice given in Writing to him, her, or them, or left at his, her, or their usual Place or Places of Abode, by or on Behalf of the said Company of Proprietors, that any Part or Parts of such Lands, Grounds, or Wastes, is or are intended to be used by them for the Purpose of making and erecting Wharfs, Warehouses, Buildings, or other Conveniences as aforesaid, for the Use of the said Navigation, or for laying out and making necessary and convenient Roads for the Conveyance of Goods to and from the said Canal and Collateral Cuts, or any of them, shall not lay out, construct, and make, and from Time to Time maintain and keep in good and substantial Repair such proper and sufficient Wharfs, Warehouses, Buildings, Roads, and other Conveniences as aforesaid, for the Use of the said Navigation, as the said Commissioners shall think necessary on the respective Parts of the Lands, Grounds, or Wastes described in such Notice, then and in such Case the said Company of Proprietors shall have full Power and Authority, without any Hindrance or Restraint whatsoever, to make use of any such Lands, Grounds, or Wastes (not being the Ground whereon any House or other Building stands, or any Orchard, Park, Paddock, planted Walk, Nursery for Trees, or an Avenue to any House), for erecting and constructing proper and sufficient Wharfs, Warehouses, Buildings,

Buildings, and other Conveniences as aforesaid, and for laying out and making necessary and convenient Roads to and from the said Canal and Collateral Cuts, or any of them respectively, agreeable to such Notice to be delivered as aforesaid, they the said Company of Proprietors first making Satisfaction for the same, in such Manner as is and hath been herein-before directed with respect to other Lands or Grounds which shall be taken or used for the Purposes of this Act.

Regulations as to Private Wharfs.

LXXXIV. And be it further enacted, That no Rate or Sum of Money shall be demanded or taken by any such Lord, Lady, or Land Owner, as or for Wharfage for any Minerals, Timber, or other Goods, Matters, or Things whatsoever, which shall be loaded into or discharged from any Boat or other Vessel, unless the same shall lie upon such Wharfs or Quays for a longer Space of Time than Six Hours, and that no more than the Sum of One Penny per Ton shall be demanded or taken for the Wharfage of Coal, Limestone, Iron Stone, Brick, Tile, Slate, Flint, or other Stone or Sand, nor more than Two-pence per Ton for the Wharfage of any other Goods, Matters, or Things whatsoever, where the same shall respectively remain upon such Wharfs or Quays for a longer Time than Six Hours as aforesaid, but shall not continue thereon for a longer Space of Time than Six Days, except Coal, Iron, and Limestone, which may remain thereupon for Six Months upon Payment of the said One Penny per Ton, and after such Time the Sum of One Halfpenny per Ton per Day shall be paid for such Wharfage; but no Price or Sum of Money shall be demanded or taken for the Use of the said Roads for the Conveyance of any Minerals, Timber, or other Goods, Matters, or Things whatsoever, to and from the said Navigation.

Company of Proprietors or others not to use, exclusively, Private Wharfs.

LXXXV. Provided always, and be it further enacted, That nothing herein contained shall authorize or impower the said Company of Proprietors, or any other Person or Persons, to make use of any Wharf, Quay, Landing Place, Crane, Weigh Beam, or Warehouse, which shall be set out, erected, or made by the Lord or Lords of

any Manor, or the Owner or Owners of any Lands or Grounds adjoining or near to the said intended Canal and Collateral Cuts, or any of them, for his, her, or their private exclusive Use only, nor to set up, erect, repair, or use any Cranes or Weighing Machines in or upon any such Wharf, Quay, or Landing Place, any Thing hereinbefore contained to the contrary notwithstanding.

Masters to put their Names on the Outside of Boats.

LXXXVI. And be it further enacted, That every Owner, Master, or Person having the Care or Command of any Boat, Barge, or other Vessel, passing upon the said Canal and Collateral Cuts, or any of them, shall cause his Name and Place of Abode, and the Number of his or her Boat, Barge, or other Vessel, to be entered with the Clerk or Clerks to the said Company of Proprietors, and shall also cause such Name and Number to be painted in large White Capital Letters and Figures, on a Black Ground, Three Inches high at the least, and of a proportionable Breadth, on the Outside of the Head or Stern of every such Boat, Barge, or other Vessel, higher than the Place to which the same shall sink into the Water when full laden; and also shall, if required so to do by any Committee of the said Company of Proprietors, fix on each Side thereof respectively correct Indexes of Copper, Lead, or other Metal, of such graduated Dimensions, and of such convenient Height, and under such Regulations as the said Company of Proprietors shall, from Time to Time, direct, so that the true Weight of the Lading on Board may at all Times be thereby ascertained and shewn, and shall permit and suffer every such Boat, Barge, or other Vessel, to be gauged, weighed, or measured at the Expence of the said Company of Proprietors, whenever it shall be required by them, or any Person or Persons appointed for that Purpose; and every Owner, Master, or other Person having the Care or Command of any Boat, Barge, or other Vessel, who shall navigate the same upon the said intended Canal and Collateral Cuts, or any of them, without having such Name, Figures, and Index thereon, as are herein-before directed, or shall alter, erase, deface, or destroy the same, or any Part thereof, or shall fix any false Name, Figures, or Index, or who shall re-

Weight of the Lading of Vessels to be marked.

fuſe to permit and ſuffer the ſame to be gauged and meaſured, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

Boat Owners to be accountable for Damages done by the Boatmen.

LXXXVII. And be it further enacted, That the Maſter or Owner of every Boat or other Veſſel navigating upon the ſaid Canal and Collateral Cuts, or any of them, ſhall be and is hereby made anſwerable for any Treſpaſs, Damage, Spoil, or Miſchief, that ſhall by his Boat or other Veſſel, or by any of the Boatmen, Watermen, or other Perſon or Perſons belonging to or employed in or about the ſame reſpectively, be done to any of the Bridges, Weirs, Locks, Dams, Engines, or other Works, in, upon, or belonging to the ſaid Canal and Collateral Cuts, or any of them, either by the loading or unloading of any Boat or other Veſſel, or by any other Means whatſoever, or to the Owners or Proprietors of any Buildings or other Erections, Lands, Tenements, or Hereditaments adjoining to the ſame, or to any of them; and the ſaid Maſter or Owner of ſuch Boat or other Veſſel may be ſued and proſecuted for the ſame in any of his Majeſty's Courts of Record at Weſtminſter, and if a Verdict or Judgement ſhall be given againſt him, either on Proof made, or by Default, or upon Demurrer, the Plaintiff in any ſuch Caſe ſhall recover his Damages thereby ſuſtained, with full Coſts of Suit.

Maſters to recover from their Servants any Sums for their Defaults.

LXXXVIII. And be it further enacted, That in caſe the Owner or Owners of any Boat or other Veſſel employed on the ſaid Navigation ſhall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reaſon of any wilful Neglect or Default done or committed by his or their Servants, Boatmen, or Watermen, or any of them, ſuch Servants, Boatmen, or Watermen, and each and every of them, ſhall be liable to repay ſuch Penalty or Damages (with the Coſts thereof), to ſuch Owner or Owners; and in caſe of Nonpayment upon Demand thereof, and Oath made by ſuch Owner or Owners of the Payment made by him or them of ſuch Penalty or Satisfaction for Damages, and that the ſame, and the Coſts thereof, have or hath not been repaid to him or them by ſuch Servants, Boatmen, or Watermen, or any of them, although demanded,

manded, (such Oath to be made before any One Justice of the Peace for the County where such Penalty and Satisfaction shall have been recovered), the Amount thereof shall be recovered in like Manner as any Penalty is hereby directed to be recovered.

Places to be made for Boats to turn or lie in, or for other Boats to pass.

LXXXIX. And be it further enacted, That the said Company of Proprietors shall and may, in such Parts of the said Canal and Collateral Cuts, or any of them, as shall not be of a sufficient Breadth for admitting a Boat or other Vessel to turn about, or lie whilst another Boat shall pass by, or to admit Two Boats or other Vessels to pass each other, and they are in such Cases hereby impowered to make and cut proper Spaces or Openings into the Lands adjoining to the said Canal and Collateral Cuts, or any of them, at convenient Distances from each other, for the turning, lying, or passing by of any such Boats or other Vessels; and all such Boats and other Vessels which shall be haled or navigated upon the said Canal and Cuts, or any of them, shall, upon meeting any other Boat or Vessel navigating thereon, stop at, or go back to, and lie in, the said Spaces or Openings, in such Manner as the said General Committee shall, from Time to Time, direct or appoint: And that if any Boat or other Vessel shall be placed, or shall lie abreast in any Part of the said Canal, or any of the said Collateral Cuts, or of any Trench, Sluice, or Passage belonging thereto, not being moored at both Ends, or if any Person or Persons navigating and having the Care of any Boat or other Vessel shall wilfully obstruct the Navigation of the said Canal and Collateral Cuts, or any of them, by means of the misplacing or otherwise misconducting such Boat or other Vessel, and shall not immediately, upon Request made, moor the same at both Ends, or alter the Situation of such Boat or other Vessel, or otherwise stop or effectually secure the same, as the Case shall require, so as that the said Obstruction shall cease and be removed, every Person so offending shall, for every such Offence, forfeit a Sum not exceeding Ten Shillings, and also a Sum not exceeding Five Shillings, for every Hour during which such Obstruction shall con-

Vessels obstructing the Navigation to be removed, and Vessels sunk to be weighed up.

tinue after the making of such Request; and it shall be lawful for the Agents or Servants of the said Company of Proprietors, or any of them, to cause any such Boat or other Vessel to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing such Obstruction in the Navigation, and to seize and detain such Boat or other Vessel, and the Loading thereof, or any Part of such Loading, until the Charges occasioned by such unloading and Removal shall be paid; and if any Boat or other Vessel shall be sunk in any Part of the said Canal and Collateral Cuts, or in any Trench or Sluice as aforesaid, and the Owner or Owners, or other Person or Persons having the Care of such Boat or other Vessel, shall not without Loss of Time weigh or draw up the same, it shall be lawful for the Agents or Servants of the said Company of Proprietors, or any of them, to cause such Boat or other Vessel to be weighed or drawn up, and to detain and keep the same until Payment shall be made of all the Expences thereby necessarily incurred and occasioned.

Penalty on Persons overloading and obstructing the Passage of the said Canal, &c.

XC. And be it further enacted, That if any Person or Persons shall float any Timber upon the said Canal and Collateral Cuts, or any of them, or shall suffer the Loading of any Boat or other Vessel navigating thereon to lie over the Sides thereof, or shall overload any Boat or other Vessel navigating thereon, so as by such floating, loading, or overloading, to obstruct the Passage of any other Boat or Vessel, and shall not immediately, upon Notice given of such Obstruction, hale such Boat or Vessel into such Place or Places, Opening or Openings, as shall be proper or be made for the Purpose of enabling Boats and other Vessels to pass each other, or shall not otherwise remove the same, so as to make a free Passage for other Boats or Vessels navigating thereon, every such Owner or Owners, or other Person or Persons floating such Timber, or having the Care of such Boat or other Vessel, shall forfeit and pay, for every such Offence, a Sum not exceeding Five Pounds; and if any Person shall throw any Ballast, Gravel, Stones, or Rubbish into any Part of the said Canal or Collateral Cuts, or if any

Person or Persons whomsoever shall wantonly or unnecessarily open, or cause to be opened, any Lock, Paddle, Valve, or Clough, belonging to the said Canal and Collateral Cuts, or any of them, or suffer any Boat or other Vessel to strike or run upon any of the Bridges or Locks thereof; or if any Person or Persons shall wilfully flush or draw off, or cause to be flushed or drawn off, the Water from any Part of the said Canal or Collateral Cuts, or any of them, or shall leave any of the said Valves and Cloughs open and running after any Boat or other Vessel shall have passed any Lock belonging to the same, or shall draw, or cause to be drawn, any Paddle, Valve, or Clough in any of the Lock Gates on the said Navigation, so as to mis-spend or waste the Water thereof, or shall wilfully obstruct, hinder, or prevent any 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 Ten Pounds. Penalty on Persons opening the Locks, or doing other Damage to the Navigation.

XCI. And be it further enacted, That if any Person shall wilfully and maliciously, and to the Prejudice of the said Navigation, break, throw down, damage, or destroy any Banks, or other Works, to be erected and made by virtue of this Act, every such Person shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by and before whom such Person shall be tried, shall have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or, in Mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny. Penalty on destroying the Works.

XCII. And be it further enacted, That no Boatman or other Person navigating or having the Care of any Boat or other Vessel upon the said Canal and Collateral Cuts, or any of them, which shall pass through any Lock to be made thereon, shall suffer the Water to remain in the Lock longer than is necessary for his Boat or other Vessel to pass through the same, and also that every such Boatman or other Person as aforesaid, in going down Regulations of Vessels passing the Locks.

from the respective Head Levels of the said Canal and Collateral Cuts, or any of them, shall, previous to his bringing his Boat or Vessel into any Lock, shut the Lower Gates of such Lock, and the Sluices thereto belonging, before he shall draw the Cloughs of the Upper Gates thereof, and after he shall have brought his Boat or other Vessel into the said Lock, he shall then shut the Upper Gates before he shall draw the Cloughs of the Lower Gates thereof, and in going up the said Canal and Collateral Cuts, or any of them, toward such respective Head Level or Head Levels, such Boatman or other Person, so soon as he shall have passed with his Boat or other Vessel into the said Lock, shall shut the Upper Gates of the same before he shall draw the Cloughs of the Lower Gates thereof, unless there shall then be a Boat or other Vessel in Sight of the said Lock, coming down the said Canal or any such Cut, in which case the Lower Gates of the said Lock shall be left shut, and the Upper Gates shall be left open; and in all dry Seasons, when there shall be a Scarcity of Water in the said Canal and Collateral Cuts, or any of them, the Boat or other Vessel so going up the same (if within Sight of a Boat or other Vessel so coming down), and at a Distance not exceeding One hundred Yards below a Lock, shall pass through such Lock before the Vessel coming down, and then such other Vessel shall come down into the said Lock; and if there shall be more Vessels than One below and above any Lock at the same Time in such dry Season, within the Distance aforesaid, (which Distance shall be distinguished by a Post or Mark to be set up and made for that Purpose), such Vessels shall go up and come down at such Lock by Turns as aforesaid, until all the Vessels so going up or coming down shall have passed the same, by which Means One Lock full of Water may serve Two Vessels; and if any Person or Persons shall offend in any of these Particulars, he or they shall forfeit the Sum of Ten Shillings; but if any Question or Dispute shall arise, on his or their Conviction, whether it was or was not a dry Season at the Time of such Offence committed, such

Question

Question shall be determined by the said Commissioners.

Lock Keepers not to give Preference.

XCIII. And be it further enacted, That if any Lock Keeper, Wharfinger, or other Servant belonging to the said Company of Proprietors, shall give any undue Preference, or shew any Partiality to any Boat, Barge, or other Vessel, in passing through any Lock or Locks upon the said intended Canal and Collateral Cuts, or any of them, or in loading or unloading any Goods or other Things at any of the Wharfs, Warehouses, Weigh-beams, Cranes, and other Machines belonging to the said Company of Proprietors, every Person so offending shall forfeit and pay the Sum of Twenty Shillings to the Informer.

Vessels passing Locks with less than 30 Tons to pay for 30 Tons.

XCIV. Provided always, and be it further enacted, That every Boat or other Vessel passing through any Lock or Locks on the said Navigation, with a less Lading than Thirty Tons at any Time or Times when there shall be Water sufficient to enable Boats or other Vessels to pass such Lock or Locks with a Lading or Burthen of Thirty Tons, shall pay to the said Company of Proprietors a Tonnage Rate for Thirty Tons of Lading, in the same Manner as if such Boat or other Vessel had actually on Board Thirty Tons of Lading; but if at any Time there shall not be sufficient Water in such Lock or Locks to enable such Boats or other Vessels to pass through the same with Thirty Tons Weight of Lading, then and in every such Case it shall be lawful for all Boats, Barges, and other Vessels, to pass any such Lock or Locks with any less Weight of Lading than Thirty Tons; and the Owner or other Person having the Care or Command of such Boat, Barge, or other Vessel, shall not be compellable to pay a Lock Due for any greater Weight of Lading than shall at such Time be actually on Board the same Vessel, provided that such Lading shall not be less than the Water will enable such Boat, Barge, or other Vessel to carry, any Thing in this Act to the contrary thereof in anywise notwithstanding.

XCV. Provided also, That in all Cases where there shall be occasion for Boats, or other Vessels, of not greater Width than half the Width of the Locks to be made by virtue of this Act, and having on Board not more than Thirty Tons of Lading, to pass any such Lock, the same shall be subject to the Payment of the like Rates as if such Boats or other Vessels had on Board Thirty Tons of Lading, unless Two of such Boats or other Vessels shall pass such Lock together, in which Case they shall pay for Fifteen Tons each.

Canal not to be under the Power of Commissioners of Sewers.

XCVI. And be it further enacted, That the said Canal and Collateral Cuts, or any of the Works whatsoever to be made by virtue of 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 whatsoever.

Allowing Land Owners to carry Manure Toll-free.

XCVII. And be it further enacted, That it shall be lawful for any Person or Persons owning or occupying any Lands or Grounds through which the said Canal and Collateral Cuts, or any of them, or any Works thereunto belonging, shall pass, to have and use any Boats or other Vessels for the Carriage or Conveyance of any Dung, Marle, Soil, or Compost, (Lime and Lime Stone excepted) upon the said Canal and Collateral Cuts, or any of them, to and from his, her, and their Lands or Grounds, through which the said Canal and Collateral Cuts, or any of them, shall so pass, for the Improvement thereof, without paying any Rate whatsoever to the said Company of Proprietors for the same, and for that Purpose shall have Liberty to make use of the Towing Paths, Wharfs, and Quays belonging to the said Navigation, so as that the publick Business of such Wharfs and Quays be not thereby impeded or obstructed, and so as that such Person or Persons do not suffer such Dung, Marle, Soil, or Compost to lie upon such Wharfs and Quays longer than may be necessary for loading, unloading, and carrying the same to and from such his, her, or their Lands or Grounds, and do and shall make good any Damages that may be done to the

Sides

Sides or Banks of the said Canal or Collateral Cuts, or any Part or Parts thereof, by the loading, unloading, or discharging any such Boats or other Vessels, which Damages (in case of any Difference respecting the same) shall be settled and ascertained by the said Commissioners, but no such Boats or other Vessels last-mentioned shall at any Time pass through any Lock without paying the Tonnage Rates to which other Boats or Vessels passing through the same would be liable by the Rules and Provisions herein-before contained and set forth.

Rights of Lords of Manors and Land Owners to the Fishery preserved.

XCVIII. And be it further enacted, That the Lord and Lords, Lady and Ladies, of all and every Manor and Manors through which the said Canal and Collateral Cuts, Reservoirs, Trenches, and Sluices, or any of them, shall be made, shall have and be intitled to the Right of Fishery of and in so much of the said Canal, Cuts, Reservoirs, Trenches, and Sluices, thereto belonging, as shall be made over, under, or through the Common or Waste Lands within his, her, or their Manors respectively, and as shall be made over or through any other Lands or Grounds, in the Pits, Ponds, or Waters whereof such Lord or Lords, Lady or Ladies, now have or hath, or are or is intitled to the Right of Fishery; and that the Owner or Owners of, and Persons interested in any other Lands or Grounds through which the said Canal and Collateral Cuts, or any of them, shall be made, shall also have and be intitled to the like Right of Fishery of and in so much of the said Canal or Collateral Cuts, or other Works, as shall be made in, over, under, or through his, her, or their Lands or Grounds respectively, or as shall be made in, through, or over any Commons or Waste Lands wherein they had any Right of Fishery before the passing of this Act, so as that in the Use or Exercise of the said Right of Fishery the said Navigable Canal and Collateral Cuts, and other Works hereby authorized to be made, shall not be prejudiced or obstructed, or any Water drained or exhausted from or out of the same, and so as the said Company of Proprietors, or their Agents, Servants, or Workmen, or any of them, shall not be liable to any Penalty, Action,

or Prosecution, for or by reason of the taking or destroying of any Fish in the said Canal, Collateral Cuts, or other Works, or any of them, which shall be taken, killed, or destroyed through or by means of the letting off the Water out of them respectively, on Account of any Repairs or Works to be done in and about the same; and it shall be lawful for the Lord or Lords, Lady or Ladies, of such Manor or Manors, and for the Owner or Owners of such Lands or Grounds (being qualified by Law so to do) to take and kill Game upon so much of the said Canal and Collateral Cuts, and other Works, as shall be made through their respective Lands or Grounds as aforesaid; any Thing herein contained to the contrary notwithstanding.

Power for Land Owners to use Pleasure Boats.

XCIX. And be it further enacted, That it shall be lawful for the Owners and Occupiers of any Lands adjoining to the said Canal and Collateral Cuts, or any of them, to use any Pleasure Boat or Boats upon the said intended Canal and Collateral Cuts, or any of them, (not passing through any Locks unless there shall be Water running over the Waste Weirs of such Locks, or unless they shall first pay Tonnage equal to a Boat or Vessel carrying Fifteen Tons, or obtain the Consent of the said Company of Proprietors) without any Interruption from the said Company of Proprietors, and without paying any Rate for the same, so as the same be not made Use of for carrying any Goods or other Things, and so as the same shall not obstruct or prejudice the Navigation of the said intended Canal and Collateral Cuts, or the Towing Paths on the Sides thereof.

Stones to be erected every Quarter of a Mile.

C. And be it further enacted, That as soon as conveniently may be after the said Canal and Collateral Cuts shall be completed, the said Company of Proprietors shall cause the same to be measured, and Stones with proper Inscriptions to be erected, and for ever after maintained, on the Sides thereof respectively, at the Distance of a Quarter of a Mile from each other.

Mines reserved to Lords of Manors or other Proprietors.

CI. Provided always, and be it further enacted, That nothing herein contained shall extend to prejudice or affect the Right of any Lord or Lords, Lady or Ladies of any Manor or Manors, or of any Owner or Owners of any

Lands

Lands or Grounds, in, upon, or through which the said Canal and Collateral Cuts, or any of them, or any Towing Paths, Wharfs, Quays, Reservoirs, Trenches, Sluices, Passages, Watercourses, or other Conveniencies aforesaid shall be made, to the Mines and Minerals lying and being within or under the said Lands or Grounds, but all such Mines and Minerals are hereby reserved to such Lord or Lords, Lady or Ladies of such Manor or Manors, and to such Owner or Owners of such Lands or Grounds respectively, and it shall be lawful for the Lord or Lords, Lady or Ladies of such Manor or Manors, and for such Owner or Owners of such Lands or Grounds respectively to work, get, drain, take, and carry away, to his, her, or their own Use, such Mines and Minerals, not thereby injuring, prejudicing, or obstructing the said Navigation, or any of the Works or Conveniencies aforesaid.

Power to make Rollers or inclined Planes, &c.

CII. Provided always, and be it further enacted, That if the said Company of Proprietors shall think it necessary or expedient that Boats, Barges, or other Vessels, Waggons or other Carriages, or any Minerals, Goods, Wares, or other Matters and Things, should be conveyed over or along any Part or Parts of the intended Track or Line of the said Canal and Collateral Cuts, or any of them, by Rollers, Inclined Planes, Rail Ways, Waggon Ways, or Cranes, or in any other Manner than by and upon Water, it shall be lawful for the said Company of Proprietors, or their Committee, to cause any such Rollers, or other Works before mentioned, to be made for such Purpose or Purposes, at such Place or Places in, upon, or near to the said Canal and Collateral Cuts, or any of them, as they shall think proper, and the same, when so made, shall be taken and considered as Part or Parts of the said Canal or Collateral Cuts, in like Manner as if such Place or Places had been made navigable, any Thing herein contained to the contrary thereof in anywise notwithstanding.

Cuts may be made to Mines with Consent of Land Owners.

CIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to make any navigable Branch or Branches from the said Canal and Collateral Cuts, or any of them, in, through or over any

any Common or Waste Lands, with the Consent, under the Hands and Seals, of the Lord or Lady of the Manor, and also in, over, or through any other Lands or Grounds, with such Consent of the Owners thereof, or the Guardians, Trustees, or Committees of any such Owners who may be under any Disability or Incapacity of acting for themselves, to communicate with any Mill, Mine, Quarry, Bed, or Pit of Stone, Limestone, or other Minerals, being within the Distance of Five Miles from any Part of the said Navigation, and such Branch or Branches, when made and compleated, shall be deemed and taken as a Part or Parts of the Canal and Cuts, to be made by virtue of this Act, for and in respect of the Payment of Rates thereon, and for every other Use and Purpose of this Act; but if the Lord or Lady of any such Manor, or any such Owner or Owners of Lands, shall be desirous to make any navigable Communication at his, her, or their own Expence, they and each or any of them is and are hereby authorized and impowered, with such Consent as aforesaid, so to do, and such Lord or Lady, Owner or Owners, shall, in making such Communications, have the Benefit of, and be invested with, all the Powers and Privileges given or granted to the said Company of Proprietors in and by this Act, as far as the same can be made applicable thereto, provided that Notice in Writing of such Intention be given to the said Company of Proprietors, or to their General Committee, or their Clerk or Clerks, before they the said Company shall have begun to make the same, and that such Communications shall be proceeded in with all due and reasonable Speed after such Notice given, and that the same shall lie under and be subject to all the Rules, Orders, and Restrictions of this Act, as far as the same can be made applicable thereto; and also provided, that all such Communications shall be so made and effected without taking away, diverting, or lessening (unless with the Consent of the said Company of Proprietors) any Streams, Brooks, or other Waters, which are necessary for the Supply of the said Navigation, and without any other Damage or Injury thereto whatsoever.

CIV. And

Subscribers compelled to pay their Subscriptions.

CIV. And be it further enacted, That the respective Persons who have subscribed, or who shall hereafter subscribe, to advance any Money for and towards making and maintaining the said Canal and Collateral Cuts, and the other Works hereby authorized to be made, shall, and are hereby required to pay the Sums which shall have been by them respectively subscribed (or such Parts and Proportions thereof as shall from Time to Time be called for by the said General Committee, by virtue of the Powers and Directions of this Act) at such Times and Places, and in such Manner, as shall be directed by the said General Committee; and in case any of such Subscribers shall neglect or refuse to pay the same, at the Time and Place, and in the Manner required as aforesaid, it shall be lawful for the said Company of Proprietors to sue for and recover the same in any Court of Law or Equity.

Canal may be made through Mrs. *Seare's* Pleasure Grounds under certain Restrictions.

CV. And whereas Mary Seare Widow is seized in Fee of a certain Plantation, or Pleasure Ground, with a Piece of Water therein, called Bulbourne Head, in the Parish of Tring, and is consenting that the said Canal should be made through the same as herein-after mentioned; be it therefore further enacted, That it shall be lawful for the said Company of Proprietors to make the said Canal through the said Plantation or Pleasure Ground, and Piece of Water, in such Direction as they shall think proper, so that the same be carried through the said Water on the West Side of the Eastward Arm thereof, the said Company of Proprietors, at their Costs and Charges, first causing a good and sufficient Bank or Dam to be made between the said Canal and the said Eastward Arm; such Bank or Dam to be made of the same Height as the present Banks thereof, so as to keep the Water in the said Eastward Arm to the same Height; in which Dam shall be a Sluice, which the said Mary Seare, her Heirs and Assigns, shall have Liberty at all Times, at her and their free Wills and Pleasures, to draw up, so as to let down the Water in the said Eastward Arm to the Level of the said intended Canal; and afterwards to let down the said Sluice, so as to fill the said Eastward Arm to the same Height as the said Banks

now are: And the said Company of Proprietors from Time to Time afterwards supporting and maintaining such Bank or Dam and Sluice in good and sufficient Repair and Condition, as Occasion shall require, and first making Satisfaction to the said Mary Seare for the Land and Water to be taken, and the Damage to be done to the said Land and Water; such Satisfaction to be ascertained in like Manner as herein directed with respect to Lands to be taken and Damage done in other Cases by virtue of this Act.

No Lock to be erected within a Mile of Mrs. *Seare's* Land at *Bulbourne* without her Consent.

CVI. Provided always, That nothing in this Act shall extend to enable the said Company of Proprietors, or any other Person or Persons, to erect any Lock within the Distance of One Mile on either Side of Bulbourne Head aforesaid, without the Consent of the said Mary Seare, or such other Person or Persons, who for the Time being shall be intitled to the Freehold or Inheritance of the said Lands, in Writing first had and obtained.

No Injury to be done to the Mills of the Hon. Mrs. *Leigh*.

CVII. Provided always, That no Water shall be taken, for the Use of the said intended Canal, from the Leighton Buzzard River, nor from the Stream that flows from the Mill at Wing to the said River, nor from the Stream that crosses the Road from Wing to the said River, above the Two Mills, the Property of the Honourable Mrs. Leigh, at Leighton Buzzard, and Linslade, or either of them; and that nothing shall be done by the said Company of Proprietors to the Injury of the said Mills, except that Water may be taken for the Purpose of filling a Reservoir, or Reservoirs, to be made between the Village of Wing and the Line of the said intended Canal above Mrs. Leigh's said Mills, at any Distance more than One Mile from her Mansion House at Leighton Buzzard, from the Flood-Waters of the said Streams, or such Flood-Waters as can be collected from the neighbouring Grounds within One Mile of the said Reservoir or Reservoirs, which the said Company of Proprietors are hereby authorized to make; such Reservoir or Reservoirs not to exceed Fifty Acres; the said Streams in their natural Course to be conveyed by the Side of such Reservoir or Reservoirs, and to be guarded, by a permanent Gauge Weir, that no Water shall flow or be taken

taken from the said Streams into the said Reservoir or Reservoirs, until the Water flowing down the usual Channel of the said Streams shall be double in Quantity to what shall be deemed the Average Produce of the said Streams passing to the said Mills in dry Seasons; such Average Quantity to be ascertained at the Costs and Charges of the said Company of Proprietors, by the Engineer of the said Company of Proprietors, or such Person as he shall appoint; and such other Person as shall be appointed by the said Mrs. Leigh, her Heirs or Assigns, or by a Third Person, to be chosen by them in case they disagree, in the Months of May, June, and July, on such Day, in each of those Months respectively, as the Engineer for the said Company shall appoint, Ten Days Notice at least being first given to the Person so to be appointed by Mrs. Leigh, her Heirs or Assigns, and if the Person appointed by Mrs. Leigh, her Heirs or Assigns, shall not attend according to such Notice served upon him, it shall be lawful for the Engineer, appointed by the said Company of Proprietors, to proceed and ascertain the Average Quantity of Water: And that the Average Quantity of Water so to be ascertained shall be deemed the Average Produce or Quantity of Water of the said several Streams respectively passing to the said Mills in dry Seasons; and that the said Average shall be ascertained by a permanent Gauge Weir, and that a Certificate of such Average Quantity of Water, signed by such Engineer of the said Company of Proprietors, and by the other Person to be appointed by Mrs. Leigh as aforesaid, or, in case they shall disagree, by the Person they shall have appointed, shall be recorded at the next General Sessions of the Peace to be holden for the said County of Buckingham after such Average Quantity of Water shall be ascertained as aforesaid; and that a Copy of such Record, signed by the Clerk of the Peace for the said County, shall at all Times be Evidence of such Average: Provided the same be ascertained before the first Day of October One thousand seven hundred and ninety-four: And in case the said Average be not ascertained on or before the said First Day of October One thousand seven hundred and ninety-four, it shall not be lawful for the

said

said Company of Proprietors to take or use any of the Waters of the Streams until such Time as the said Average Quantity of Water shall be ascertained, and Notice thereof given to the said Quarter Sessions, and recorded as aforesaid, and the said permanent Gauge Weirs erected and finished; and that sunken Tunnels, or Culverts, of sufficient Apertures, shall be laid at all Places where the said intended Canal, or any of its Feeders, shall intersect the said Streams, or any Stream or Feeder of the said Mills, so that all such Streams have their usual uninterrupted Course; and that the said Weir, and also all the before-mentioned sunken Tunnels, or Culverts, shall be made, and from Time to Time, and at all Times hereafter, kept in Repair by the Proprietors of the said intended Canal, to the Satisfaction of a Surveyor, to be jointly appointed by the said Proprietors and Mrs. Leigh, her Heirs, or Assigns: Provided also, That nothing herein contained shall extend to authorize the said Company of Proprietors to purchase the said last mentioned Mills, or either of them, without the Consent of the Owners thereof.

Majority of the Proprietors may make future Applications to Parliament for Power to open other Communications with the Canal.

CVIII. And whereas the major Part of the Proprietors of the said Navigation may hereafter judge it expedient to make Application to Parliament for Power to make other navigable Communications with the said intended Canal 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 Proprietors; be it therefore further enacted, That in case the Persons intitled to the greater Number of the Shares in the said Navigation shall, at any General Assembly of the said Company of Proprietors, think it 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 of Proprietors 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 the same shall be deemed to be the Act of the Whole of the said Company of Proprietors, in like Manner and

as fully and effectually as if every One of the said Proprietors had been capable of acting for himself, and had attended such General Assembly and concurred therein; and it shall be lawful for the Guardians, Trustees, or Committees of the Proprietors of any such Shares, being Minors, Lunaticks, or under any other Disability or Incapacity of acting for themselves, and the Executors or Administrators of any deceased 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 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.

Certain Rates to be taken by the *Oxford* Canal Company for Articles passing to and from the intended Canal.

CIX. And whereas it being apprehended that the making the said intended Canal will be injurious to the Company of Proprietors of the Oxford Canal Navigation, it is agreed that the Compensations herein-after mentioned should be made to them as an Indemnification against any such Injury; be it therefore enacted, That, instead of the Tolls, Rates, and Duties, which would have been payable to the Company of Proprietors of the said Oxford Canal Navigation, by virtue of certain Acts of Parliament, of the Ninth, Fifteenth, and Twenty-fifth Years of the Reign of his present Majesty (for making and maintaining the said Oxford Canal Navigation), or any of them, for or in respect of the Coals, Goods, and other Things herein-after mentioned, and made chargeable with certain Rates to the Company of Proprietors of the said Oxford Canal Navigation, in case no Alteration had by this Act been made in the Tolls, Rates, and Duties, payable to them, it shall be lawful for the Company of Proprietors of the said Oxford Canal Navigation to ask, demand, take, and receive, to and for their own proper Use and Behoof, the respective Rates herein-after mentioned, that is to say:

for all Coals which shall pass from the said Oxford Canal into or upon the said intended Canal, the Sum of Two Shillings and Nine-pence per Ton, (and so in Proportion for a less Quantity than a Ton), without any Regard to the Distance the same shall pass upon the said Oxford Canal; and

For all other Goods, Wares, Merchandize, and Things which shall pass from any Navigable Canal into or upon the said Oxford Canal, and from thence into or upon the said intended Canal, or from the said intended Canal into or upon the said Oxford Canal, and from thence into or upon any other Navigable Canal, (except Lime and Limestone, and also except all such Articles and Things as are at present exempt from the Payment of any Tolls, Rates, or Duties, to the Company of Proprietors of the said Oxford Canal Navigation), the Sum of Four Shillings and Four-pence per Ton, (and so in Proportion for a less Quantity than a Ton), without any Regard to the Distance the same shall pass upon the said Oxford Canal.

And the several Powers and Provisoes of the said Acts, of the Ninth, Fifteenth, and Twenty-sixth Years of the Reign of His present Majesty, shall extend to the Rates hereby made payable to the Company of Proprietors of the said Oxford Canal Navigation, for the ascertaining, collecting, recovering, varying, mortgaging, or charging and applying the same, in like Manner as if the said Rates were Part of the Tolls, Rates, and Duties, granted to the Company of Proprietors of the said Oxford Canal Navigation by the said Acts, or any of them, any Thing contained in the said Acts, or any of them, to the contrary hereof notwithstanding.

If those Rates fall short of a certain Amount in any Year, then the Proprietors of the intended Canal to make good the Deficiency.

CX. And be it further enacted, That, in case it shall happen in any Year after the said intended Canal shall be completed from the said Oxford Canal to Old Stratford, in the County of Northampton, and before the same shall be completed to the River Thames, that the Rates herein-before authorized to be collected by the said Company of Proprietors of the Oxford Canal Navigation, and such other Rates arising to the said Oxford Canal Company, in respect of Goods, Wares, Merchandize,

and

and Things, passing from any Part of the Oxford Canal into and upon the said intended Canal, or from the said intended Canal into and upon any Part of the said Oxford Canal, shall not amount to the Sum of Five thousand Pounds, then, and in every such Case, the Company of Proprietors of the said intended Canal shall, and are hereby required to pay to the Company of Proprietors of the said Oxford Canal Navigation such Sum of Money as, with the Amount of the said Rates within that Year, will make up the Sum of Five thousand Pounds, and so as often as the Case shall happen; and if it shall happen in any Year after the said intended Canal shall be completed from the Oxford Canal Navigation to the River Thames, or after the First Day of January One thousand eight hundred and four (which shall first happen), that the Rates herein-before authorized to be collected by the said Company of Proprietors of the Oxford Canal Navigation, and the said other Rates last mentioned, shall not amount to the Sum of Ten thousand Pounds, then, and in every such Case, the Company of Proprietors of the said intended Canal shall, and are hereby required to pay to the Company of Proprietors of the said Oxford Canal Navigation, such Sum of Money as, with the Amount of the said Rates within that Year, will make up the Sum of Ten thousand Pounds, and so as often as the Case shall happen; which respective Payments shall, from Time to Time, be made by the Company of Proprietors of the said intended Canal to the Company of Proprietors of the said Oxford Canal Navigation, within Three Months next after the Expiration of the Year in which the said Rates shall not amount to the Sum of Five thousand Pounds or Ten thousand Pounds as aforesaid, as the Case shall be.

Oxford Canal Company to keep Account of those Rates, and permit the same to be inspected.

CXI. And be it further enacted, That the said Company of Proprietors of the said Oxford Canal Navigation shall, and they are hereby required to keep separate and distinct Accounts of all the Rates accruing or arising to them by virtue of this Act, and the said Rates last mentioned, in Books for that Purpose, to which Books any Person or Persons appointed under the Seal of the said Company

Company of Proprietors of the said intended Canal, shall, and may, at all seasonable Times (after any Demand shall have been made upon the said Company of Proprietors of the said intended Canal for any Sum or Sums of Money, to make up any such Deficiency as aforesaid) have free Access to inspect the same, and take Copies thereof, or Extracts therefrom, without Fee or Reward, and the Person or Persons keeping the said Accounts shall, if thereunto required by such Person or Persons so appointed as aforesaid, verify such Accounts on Oath before any One of his Majesty's Justices of the Peace for the Counties of Warwick or Northampton, (which Oath such Justice is hereby required to administer): And in case the said Company of Proprietors of the said Oxford Canal Navigation, or any Person or Persons acting under their Authority, shall refuse or neglect to permit such Inspection, or the taking any such Copies or Extracts, the Company of Proprietors of the said intended Canal shall not be liable or compellable to pay the Sum which shall have been so demanded, or any Part thereof, until such Inspection, and the Liberty of taking such Copies or Extracts, shall be permitted to take Place.

Oxford Canal Company to keep their Canal in good Condition from the Commencement to the Junction with the intended Canal.

CXII. Provided always, and be it further enacted, That the Company of Proprietors of the said Oxford Canal Navigation shall, from Time to Time and at all Times hereafter, maintain and keep the said Oxford Canal, from the Commencement thereof to the Place where the same shall be joined by the said intended Canal, in good and sufficient Repair and Condition, for the Navigation of Boats and other Vessels usually navigated thereon, and supply the same with Water, and that the Water on the lower Level thereof shall at all Times be at least as high as the Water upon the Summit Level of the Coventry Canal: And, in case the said Oxford Canal Company shall neglect or refuse to keep the said Oxford Canal in such good Repair and Condition, and the same so supplied with Water, that then the said Company of Proprietors of the said intended Canal shall and may retain out of the yearly Sum which shall be then accruing all Losses and Damages which they may sustain, by reason of such

Neglect or Refusal, or recover the same by Action or Suit in either of his Majesty's Courts of Law or Equity.

Rights of the *Oxford* Canal Company to other Rates saved.

CXIII. Provided always, and be it enacted, That nothing herein contained shall prejudice or lessen the Right of the said Oxford Canal Company to have and receive all Rates and Duties which are not varied and compensated for by this Act, or to any Rates or Duties to which they are intitled for Goods and other Things passing upon any Part of the Coventry Canal, but that the same, and every Part thereof respectively, shall remain payable as if this Act had not been made.

CXIV. And whereas by an Act, passed in the Seventeenth Year of the Reign of his present Majesty, intituled, An Act for enabling the Mayor, Aldermen, and Commons of the City of *London*, to purchase the present Tolls and Duties payable for navigating upon the River *Thames* Westward of *London Bridge*, within the Liberties of the City of *London*, and for laying a small Toll, in lieu thereof, for the Purpose of more effectually completing the said Navigation, and for other Purposes; the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, were authorized and impowered to take, demand, recover, and receive, or cause to be taken, demanded, recovered, and received, for all Barges and other Vessels whatsoever, navigated upon the said River Thames, or any Part thereof Westward of London Bridge, to Strand on the Green or Brentford, a Toll or Duty of One Halfpenny per Ton, to be paid and applied in such Manner, and for such Uses, Intents, and Purposes, as in the said Act are particularly mentioned: And whereas the Tolls and Duties created and made payable by the said Act, and the Sums borrowed on the Credit thereof, have not been sufficient for the Purposes of the said Act: And whereas the making of the said intended Canal will diminish the Tolls and Duties created and made payable by the said Act, and the said Company of Proprietors are willing, and have agreed, that such Compensation, as herein-after mentioned, shall be made for, or on Account of, such Diminution: Be it enacted, That, from and after the opening a Communication between the said Canal and the River Thames, it shall and

may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered to take, demand, recover, and receive, or cause to be taken, demanded, recovered, and received, for all Goods, Wares, Merchandize, and Things whatsoever, which shall pass from the said intended Canal into or upon the said River Thames, and from the said River into or upon the said intended Canal, a Toll or Duty of One Halfpenny per Ton; and so in Proportion for any less Quantity than a Ton; but without any Regard to the Distance the same shall pass upon the said River.

The Payments to be made to the Corporation of *London*, over and above the Rates they are now entitled to.

CXV. And be it further enacted, That the said Company of Proprietors shall pay to the Mayor and Commonalty, and Citizens of the said City, their Successors, Collectors, or Assigns, by quarterly Payments, to and for the Improvement of the Navigation of the River Thames, and the other Purposes mentioned in the said recited Act, over and above all other Tolls and Duties thereby created and made payable, the said Rate or Duty of One Halfpenny per Ton, herein-before charged and made payable, upon all Goods, Wares, Merchandize, and Things whatsoever, which shall pass from the said intended Canal into or upon the said River, and from the said River into or upon the said intended Canal, and so in Proportion for any less Quantity than a Ton, but without any Regard to the Distance the same shall pass upon the said River.

The said Rate to the Corporation of *London* to be made up by the Company to a certain Annual Amount.

CXVI. And be it further enacted, That if the Produce of the said Toll or Duty of One Halfpenny per Ton, granted by the said recited Act, together with the said additional Toll or Duty of One Halfpenny per Ton created and made payable by this Act as aforesaid, shall not amount to the Sum of Two hundred Pounds from the Time of passing this Act until Midsummer One thousand seven hundred and ninety-five; and to the Sum of Five hundred Pounds for the Year ending at Midsummer One thousand seven hundred and ninety-six; and to the Sum of Six hundred Pounds for the Year ending at Midsummer One thousand seven hundred and ninety-seven; and to the Sum of Seven hundred Pounds for the Year ending at Midsummer One thousand seven hundred and ninety-

ninety-eight; and to the Sum of Eight hundred Pounds for the Year ending at Midsummer One thousand seven hundred and ninety-nine; and to the Sum of Nine hundred Pounds for the Year ending at Midsummer One thousand eight hundred; and to the Sum of One thousand Pounds for the Year ending at Midsummer One thousand eight hundred and one, and every subsequent Year; then, and in either of the said Cases, the said Company of Proprietors shall, and they are hereby required, yearly, and every Year, within Thirty Days after Midsummer, to pay to the said Mayor, Aldermen, and Commons, in Common Council assembled, or such Person or Persons as they shall, from Time to Time, appoint to receive the same, such Sum and Sums of Money as, with the Produce of the said Tolls or Duties within each Year, shall make up the said several and respective Sums herein-before mentioned, to be applied to, and for the Purposes of the said recited Act of Parliament; and in like Manner if the Produce of the said Two several Tolls or Duties shall within the several Periods aforesaid, ending at Midsummer One thousand eight hundred and one, exceed the several Sums herein-before mentioned, the said Mayor, Aldermen, and Commons, in Common Council assembled, shall pay to the said Company of Proprietors the Amount of such Surplus or Excess, to be applied to and for the Purposes of this Act; but that, from and after Midsummer One thousand eight hundred and one, all Surplus or Excess (if any such shall arise over and above the said Annual Sum of One thousand Pounds) shall, in like Manner, and from Time to Time, be accounted for by the said Company of Proprietors, and by them paid over, by like quarterly Payments, unto the said Mayor, Aldermen, and Commons, in Common Council assembled, or such Person or Persons as they shall from Time to Time appoint to receive the same, and the Money so from Time to Time to be paid, shall be applied to and for the Uses, Intents, and Purposes of the said recited Act of Parliament.

Recovery of the Annual Payments by the Corporation of *London*.

CXVII. And be it further enacted, That in case any of the yearly Payments, or Sums herein-before directed to be

be paid by the said Company of Proprietors, shall not be paid within Thirty Days next after the same shall become due and payable as aforesaid, it shall and may be lawful, to and for the said Mayor, Aldermen, and Commons, in Common Council assembled, or such Person or Persons as they shall, from Time to Time, appoint to receive the same, to sue for and recover the same by Action of Debt, or upon the Case, in the Name of the Mayor, and Commonalty, and Citizens of the said City of London, against the said Company of Proprietors, or their Receiver or Treasurer for the Time being, in any of His Majesty's Courts of Record at Westminster, together with full Costs of Suit; or otherwise it shall and may be lawful, to and for the said Mayor, Aldermen, and Commons, in Common Council assembled, or such Person or Persons as they shall, from Time to Time, in that Behalf, appoint, and they and he are hereby fully authorized and impowered, from Time to Time, to seize and distrain any Boats, Vessels, or other Goods or Effects of the said Company of Proprietors, which shall be found upon the said Navigation, Canal, or Collateral Cuts, or any of them, or in or upon the Wharfs, Quays, Warehouses, or other Works thereto belonging (Information of such Seizure being given to the said Company of Proprietors, for the Time being, by delivering Notice thereof, in Writing, to some or One of their Clerks, Treasurers, Receivers, or Agents, or by affixing such Notice on some publick Place, at any of the Wharfs or Quays belonging to the said Company of Proprietors), and to detain and keep the same until Payment thereof, together with the reasonable Costs, Charges, and Expences, attending such Seizure and Distress; and if such Distress shall not be redeemed within Five Days next after making the same, and Notice thereof given in Writing as aforesaid, then such Boats, Vessels, and other Goods, or Effects, so seized and taken, shall and may be appraised and sold in such and the like Manner as the Law directs in Cases of Distress for Rent.

Rights of the Corporation of *London*, as

CXVIII. Provided always, and it is hereby further enacted and declared, That nothing in this Act contained shall

shall extend, or be construed to extend, to affect or prejudice any of the Rights, Privileges, or Authorities of, or to lessen or diminish any Tolls, Duties, or Customs, due and of right belonging to the Mayor and Commonalty, and Citizens, of the said City, or the Mayor or any other Officer of the said City for the Time being, by Act of Parliament, Prescription, Charter, or otherwise howsoever; but that all Goods, Wares, Merchandize, and Things whatsoever, which shall be brought into the River Thames Westward of London Bridge, within the Liberties of the said City, by or by means of the said intended Canal, shall be subject and liable to such and the like Tolls, Duties, and Customs respectively, as if the same were brought into the said River Eastward of London Bridge within the Liberties aforesaid, any Thing herein contained to the contrary notwithstanding. Conservator of the *Thames* and *Medway*, saved.

CXIX. And whereas it is apprehended the conveying of Coals from the Collieries of Warwickshire, Staffordshire, Leicestershire, and Derbyshire, by the said intended Canal, to the City of London, may be detrimental to the Coasting Trade of this Kingdom, by diminishing the Consumption of Coals brought to the Port of London by Coasting Vessels; be it therefore enacted, That no Coal, or Culm, or Cinders burnt from Coal or Culm, which shall pass along the said intended Canal and Collateral Cuts, or any Part thereof, shall be conveyed nearer to the City of London than the Mouth of the intended Tunnel at Langley Bury, in the County of Hertford, by any Barge, Boat, or other Vessel, on Pain of Forfeiture of every such Barge, Boat, or Vessel, and of all such Coal, Culm, or Cinders, as shall be on Board the same, and also on Pain of forfeiting the Sum of Fifty Pounds by the Owner or Owners of every such Barge, Boat, or Vessel; such respective Forfeitures to be recovered by any Person who will sue for the same by Action of Debt or Trover, as the Case shall require, in any of His Majesty's Courts of Record at Westminster. No Coals to be conveyed towards *London* nearer than the Mouth of the Tunnel at *Langley Bury*.

CXX. And be it further enacted, That all Fines and Forfeitures inflicted by this Act, or which shall be inflicted by any Rule, Order, or Bye Law to be made in pursuance thereof (the levying and Recovery of which Fines and Recovery of Fines and Forfeitures.

Forfeitures are not particularly herein-before directed), shall, in case of Nonpayment thereof, on Conviction of the Offenders respectively, be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of any Justice of the Peace for the County or Place wherein the Offence shall be committed, or the Offender shall be or reside, who is hereby authorized and required to examine Witnesses on Oath, and hear and determine the same; and all such respective Fines and Forfeitures, the Application whereof is not herein-before particularly directed, shall be paid into the Hands of the Treasurer or Clerk or Clerks to the said Company of Proprietors, and shall be applied and disposed of for the Use of the said Company, and the Overplus of the Money raised by such Distress and Sale, after deducting the Fine or Forfeiture, and the Expences thereof, shall be rendered to the Owner of the Goods and Chattels so distrained and sold; and for Want of sufficient Distress, and the Fine or Forfeiture shall not be forthwith paid, it shall be lawful for any such Justice, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Fine or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Persons aggrieved by Irregularity in Distress to recover only the special Damages.

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

CXXII. And,

CXXII. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace, before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the following Form, videlicet:

Form of 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 County of [*specifying the Offence, and the Time and Place when and where committed, as the Case may be*].

Given under my Hand and Seal, the Day and Year first above mentioned.

Persons aggrieved may appeal to the Quarter Sessions.

CXXIII. And be it further enacted, That any Person or Persons thinking 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 Company of Proprietors, or by any Order, Judgement, or Determination of any Justice or Justices of the Peace, relating to the Execution of this Act, may, within Six Calendar Months after such Order, Judgement, or Determination shall have been made, (first giving Ten Days Notice of such Complaint to the Person or Persons against whom such Complaint is intended to be made), complain to the Justices of the Peace at the General Quarter Sessions to be held in and for the County, in which the Cause of Appeal shall arise, which Justices shall in a summary Way either hear and determine the said Complaint at such General Quarter 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 County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order or Determination, and may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable; but no Proceedings, to be had and taken in pursuance

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

suance of this Act, shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster, or elsewhere, any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

CXXIV. And be it further enacted, That if any Action or Suit shall be brought or 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 within Six Calendar Months next after the Fact 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 and brought in the County where the Matter in Dispute, or Cause of Action, shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and

General Issue.

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 it shall appear to have been so done, or if any such Action or Suit shall be brought after the Time so limited for bringing the same, or shall be 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 or Suit after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon demurring or otherwise, Judgement shall be given against the Plaintiff or Plaintiffs, the

Treble Costs.

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

Publick Act.

CXXV. 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 specially pleading the same.

FINIS.