ANNO TRICESIMO QUINTO

Georgii III. Regis.

* *

CAP. LXXXV.

An Act for making and extending a Navigable Cut from the Town of *Watford* in the County of *Hertford*, to the Town of *Saint Alban*, in the same County. [2d *June* 1795.]

Preamble recites Acts 33 and 34 *Geo.* III.

WHEREAS an Act of Parliament was passed in the Thirty-third Year of the Reign of His present Majesty, 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; and by the said Act several Persons are united and made One Body Politick and Corporate, by the Name and Stile of *The Company of Proprietors of the Grand Junction Canal*, for making the said Canal and Collateral Cuts, and the several other Works necessary for carrying the said Act into Execution; and certain Acts were passed in the last and present Session of Parliament for making certain other navigable Cuts to communicate with the Grand Junction Navigation, and for amending and the better carrying into Effect the Provisions and Purposes of the said Act: And whereas, by Levels and Surveys which have been made and taken, it appears that a navigable Cut may be made from the Cut authorized to be made by the said first recited Act, from the said Grand Junction Canal to the

Town of *Watford*, in the County of *Hertford*, to the Town of *Saint Alban*, in the ſaid County, which would be of great Benefit and Advantage to all Perſons reſiding or having Eſtates near the Line of the ſaid Cut, and of 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 it ſhall be lawful for the ſaid Company of Proprietors, and they are hereby authorized and empowered, by virtue of the ſaid recited Acts and this Act, by themſelves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain, a Navigable Cut from the ſaid Collateral Cut from the Grand Junction Canal to the Town of *Watford*, to the Town of *Saint Alban*, through the Pariſh of *Watford*, within the Liberty of *Saint Alban* aforeſaid, the Pariſh of *Buſhey*, in the ſaid County of *Hertford*, and the Pariſhes of *Aldenham*, *Saint Stephen*, and *Saint Peter*, alſo within the ſaid Liberty of *Saint Alban* aforeſaid; and alſo to make, erect, execute, do, and perform, all ſuch Works, Matters, and Things, as ſhall be requiſite and convenient for making, completing, and maintaining the ſaid intended Cut, and the Navigation thereof, and for ſupplying the ſame with Water, according to the true Intent and Meaning of this Act and the ſaid recited Acts, and the ſeveral Powers, Authorities, Proviſions, Rates of Tonnage and Wharfage, and other Matters and Things therein reſpectively contained, and which are now in Force, (except the Rates granted by an Act of the preſent Seſſion of Parliament, for making a Navigable Cut from the ſaid Canal, in the Precinct of *Norwood*, to *Paddington*, in the County of *Middleſex*, and ſubject to the Proviſions and Reſtrictions contained in this Act), ſo far as the ſame are applicable, or the Nature and Circumſtances of the Caſe will admit, ſhall be uſed and exerciſed by the ſaid Company of Proprietors, and ſhall extend to, and be applied, enforced, and collected, and recovered, for making, completing, preſerving, and maintaining, the ſaid intended Cut, and for ſupplying the ſame from Time to Time with Water, and alſo for making, erecting, executing, doing, and performing, all ſuch other Works, Matters, and Things, as the ſaid Company of Proprietors ſhall think neceſſary or expedient for the Benefit of the Navigation of the ſaid Cut, and for making Compenſation for the Tythes of the Lands to be taken or uſed for the Purpoſes aforeſaid, and ſhall alſo be uſed and exerciſed by the ſaid Company of Proprietors, and alſo by the Owners or Proprietors of any Lands or Grounds adjoining or lying near to the ſaid Cut, for making any Railways or Roads to or from the ſaid Cut, and alſo Bridges and other Works, and for defraying the Expences thereof, and in all other Reſpects in ſuch and the like Manner, and as fully and effectually to all Intents and Purpoſes as if the ſaid ſeveral Powers, Authorities, Proviſions, Rates of Tonnage and Wharfage, and other Matters and Things were repeated and re-enacted in the Body of this Act, and as if the Cut and other Works by this Act intended to be made, completed, and maintained, had been Part of the Works by the ſaid recited Acts, or any of them, authorized or intended to be made, completed, and maintained, and the like Exemptions from the Payment of the ſaid Rates of Tonnage and Wharfage as are allowed by the ſaid Firſt recited Act, for or in reſpect of any Articles which ſhall be navigated, carried, or conveyed, upon the ſaid Canal

Company empowered to make the Cut.

and Cuts thereby authorized to be made, ſhall be allowed for or in Reſpect of the like Kind of Articles which ſhall be navigated, carried, or conveyed, upon the Cut by this Act authorized to be made.

Line of the Cut aſcertained.

II. And whereas a Map or Plan, deſcribing the Line of the ſaid intended Cut, and the Lands through which the ſame is 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, have been depoſited at the Office of each of the Clerks of the Peace for the County of *Hertford* and Liberty of *Saint Alban* aforeſaid, be it therefore further enacted, That the ſaid Maps or Plans and Books of Reference ſhall remain in the Cuſtody of the Clerks of the Peace for the ſaid County and Liberty, to the End that all Perſons may, at any ſeaſonable Times, have Liberty to inſpect and peruſe the ſame, and to take Copies or Extracts therefrom at their Will and Pleaſure, paying the Clerk 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 Book of Reference; and that the ſaid Company of Proprietors, in making the ſaid Cut, ſhall not deviate from the Line or Courſe thereof deſcribed in the ſaid Map or Plan, without the Conſent in Writing of the reſpective Owners of the private Lands, or the Lord of the Manor wherein ſhall be ſituate any Common or Waſte Ground, through which any ſuch Deviation ſhall be made, or the Guardians or Truſtees of any ſuch Owners, or the Lord of ſuch Manor, who ſhall be under any Diſability or Incapacity of acting for themſelves; any Thing contained in the ſaid recited Acts, or any of them, to the contrary hereof notwithſtanding.

Reſtrictions for preventing Injury to Sir *Francis Wood* Baronet.

III. And whereas the Line of the ſaid intended Cut paſſes through the Eſtate of Sir *Francis Wood*, of *Otterſpool*, in the Pariſh of *Aldenham* aforeſaid, Baronet; in order therefore, to the better preventing of Injury or Inconvenience to the ſaid Sir *Francis Wood*, in conſequence of the Powers given by this Act, be it further enacted, That the ſaid Company of Proprietors ſhall and are hereby required, at their own Expence, to make and for ever ſupport and maintain a good and ſufficient Fence of Park Paling, to the Satisfaction of the ſaid Sir *Francis Wood*, between the Cut to be made as aforeſaid, and the Gardens and Bath belonging to the ſaid Sir *Francis Wood*, at *Otterſpool* aforeſaid; and the ſaid Company of Proprietors ſhall and are hereby alſo required to cauſe the Banks of the River or Stream at *Buſhey* Mill Pond to be made, ſupported, and maintained, of ſufficient Strength and Height, ſo that no Damage or Injury may be occaſioned to the Lands or Grounds of the ſaid Sir *Francis Wood*, his Heirs or Aſſigns, by reaſon of the Inſufficiency of ſuch Banks, and ſhall not pen up the Water at the Tail of the ſaid Mill higher than the ſame was, immediately before the paſſing of this Act, penned up for the Uſe of the Mill next below *Buſhey* Mill aforeſaid; and that the ſaid Company of Proprietors ſhall not make any Wharf, or erect any Building upon any Land or Ground belonging to the ſaid Sir *Francis Wood*, at *Otterſpool* aforeſaid, without the Conſent of the ſaid Sir *Francis Wood*, his Heirs or Aſſigns; nor ſhall the ſaid Company of Proprietors intercept or take, for any of the Purpoſes of this Act, any Water from the Spring, Stream, or Rivulet, by which a certain Paper Mill belonging to the ſaid Sir *Francis Wood*, near *Otterſpool* aforeſaid, is ſupplied,

but that all the Water of such Spring, Stream, or Rivulet, shall be conducted under the said intended Cut by a proper and sufficient Tunnel to be made, and for ever supported and maintained, by and at the Expence of the said Company of Proprietors; and in case the said Company of Proprietors shall not make such Park Paling, or shall not make the said Banks of such Strength as aforesaid, or shall not make a proper and sufficient Tunnel for conducting the Water under the said Cut as aforesaid, or shall not support and maintain the same respectively, it shall be lawful for the said Sir *Francis Wood*, his Heirs or Assigns, to cause the same to be done, and the Expence thereof shall be re-imbursed to him or them by the said Company of Proprietors, upon Demand.

Land Owners to be admitted Subscribers in certain Cases:

IV. 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, or entitled 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 Cut, and who have not subscribed towards the Purposes of the said recited Acts or this Act for a Sum which will entitle him or them to Ten Shares at the least in the said several Undertakings, (provided the 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 several Undertakings, 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 Clerk or Clerks to the said Company of Proprietors within Twelve Calendar Months next after the passing of this Act), 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 to admit every such Person, or Body Politick, Corporate, or Collegiate, to be a Proprietor or Proprietors of the said Undertakings, and in order thereto the said Company of Proprietors may and are hereby empowered to make such Increase to the Number of Shares in the said Undertakings as they shall judge necessary or proper, and all new Shares for making such Increase shall be subject to the Regulations and Provisions of the said recited Acts, in like Manner as if they were Part of the present Shares in the said Undertakings; and every such Person and Body Politick, Corporate, or Collegiate, shall, after such Desire shall have been signified as aforesaid, be compellable to become a Subscriber or Subscribers, in Proportion to the Extent of his, her, or their Lands to be cut through, taken, or used as aforesaid, and shall, from and after such Admission as aforesaid, 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 several Undertakings 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 before named and conſtituted Part of the ſaid Company of Proprietors.

Leſſees in certain Caſes may be admitted Subſcribers.

V. Provided always, That in caſe any Body Corporate or Collegiate ſo entitled as aforeſaid, ſhall not ſignify their Deſire to ſubſcribe in their Corporate Capacity as aforeſaid, it ſhall be lawful for their Leſſee or Leſſees holding and being in Poſſeſſion of any Lands under ſuch Body Corporate or Collegiate, (except Leſſees at Rack Rent), to become a Subſcriber or Subſcribers in his, her, or their, own Name or Names, for as many Shares in the ſaid Undertakings as are in the Proportion above mentioned to the Lands in his, her, or their Poſſeſſion, and through which the ſaid intended Cut is to paſs, and in the ſame Manner as if ſuch Lands were his or their own Freehold, ſuch Leſſee or Leſſees ſignifying his or their Deſire to become a Subſcriber or Subſcribers as aforeſaid, by Writing under his or their Hand or Hands, to be delivered to the Clerk or Clerks to the ſaid Company of Proprietors within Two Months after the Expiration of the ſaid Twelve Calendar Months, and ſuch Leſſee or Leſſees ſhall be admitted a Proprietor or Proprietors of the ſaid Undertakings in like Manner as herein-before mentioned with reſpect to the Owners of Lands to be cut through, taken, or uſed as aforeſaid.

Conditions on which certain Perſons may be admitted Subſcribers.

VI. Provided nevertheleſs, That the ſaid Company of Proprietors ſhall not be obliged to admit any Perſon, or Body Politick, Corporate, or Collegiate, to be a Proprietor or Proprietors of any Share in the ſaid Undertakings on Account of his, her, or their being Owner or Owners, or in the actual Poſſeſſion, or entitled to the Rents and Profits, or Leſſee of Lands to be cut through, taken, or uſed as aforeſaid, until ſuch Land ſhall have been actually purchaſed by the ſaid Company of Proprietors, or until the Perſon, or Body Politick, Corporate, or Collegiate, deſiring to be ſo admitted, ſhall have paid to the ſaid Company of Proprietors the like Sum of Money upon every Share to which he, ſhe, or they ſhall deſire to be admitted, as ſhall have been paid to the ſaid Company of Proprietors upon any other of the Shares in the ſaid Undertakings.

Reſtrictions reſpecting the Lands of *Thomas Martin* Eſquire.

VII. And be it further enacted, That the Towing Path to be made on the Side of the ſaid Cut, through the Lands of *Thomas Martin* Eſquire, in the ſaid Pariſh of *Saint Stephen*, between a Lane or Road leading from *Down Bridge* to *Smugg Oak*, to ſuch Part of a Lane or Road leading by the Dwelling Houſe of the ſaid *Thomas Martin*, called *The Lodge*, to *Waterſide Farm*, as is oppoſite to the South-weſt Corner of the Southernmoſt Cloſe of the ſaid *Thomas Martin*, ſhall be made and always continue on the Weſt Side of the ſaid Cut, and within that Space no Towing or other Path or Road ſhall, by virtue of this Act, be made on the Eaſt Side of the ſaid Cut, and that the ſaid Company of Proprietors ſhall and are hereby required, at their own Expence, to make and for ever ſupport and maintain a good and ſufficient Road, adjoining the ſaid Towing Path, from the ſaid Lane or Road leading from *Down Bridge* to *Smugg Oak*, to a certain Cloſe belonging to *Mary Grimſton*, for the Uſe and Benefit of ſuch Perſons as have a Right to paſs along the Lane or Road now leading from the North-weſt Corner of the ſaid Cloſe belonging to the ſaid *Mary Grimſton*, by the ſaid Dwelling Houſe of the

ſaid

ſaid *Thomas Martin*, to the ſaid Lane or Road leading from *Down Bridge* to *Smugg Oak* aforeſaid, in Lieu of the laſt mentioned Road, and that a good and convenient Bridge ſhall be made and maintained over the ſaid Cut by the ſaid Company of Proprietors, for the Uſe and Accommodation of the ſaid *Thomas Martin* and *Mary Grimſton*, and all other Perſons having a Right to paſs along the ſaid Road ſo to be made as aforeſaid.

Directions reſpecting the Lands of *Joſhua Brookes* Eſquire.

VIII. And be it further enacted, That the ſaid Company of Proprietors ſhall and are hereby required, at their own Expence, to make and for ever ſupport and maintain, within the Lands of *Joſhua Brookes* Eſquire, in the ſaid Pariſh of *Aldenham*, a good and ſufficient Fence of Park Paling, or in ſuch other Manner as ſhall be agreed upon between him and the ſaid Company of Proprietors, on the South Side of the Cut to be made as aforeſaid, and that the ſaid Company of Proprietors ſhall not make any Wharf, or erect any Building upon any Land or Ground belonging to the ſaid *Joſhua Brookes*, in the ſaid Pariſh, without the Conſent of the ſaid *Joſhua Brookes*, his Heirs or Aſſigns; and in caſe the ſaid Company of Proprietors ſhall not make ſuch Fence of Park Paling or otherwiſe as aforeſaid, or ſhall not ſupport and maintain the ſame, it ſhall be lawful for the ſaid *Joſhua Brookes*, his Heirs or Aſſigns, to cauſe the ſame to be done, and the Expence thereof ſhall be reimburſed to him or them by the ſaid Company of Proprietors, upon Demand.

No Water to be taken from the *Colne* and *Verulam* until the Reſervoir on *Aldenham Common* be completed, and then an equal Quantity to be returned.

IX. And, in order to prevent any Injury to the Rivers *Colne* and *Verulam*, or the *Saint Alban's* River or to the Fiſheries therein, from the Places where the ſaid Cut ſhall croſs the ſame Rivers above a certain Meadow called *Common Meadow* in the Pariſh of *Saint Stephen*, in the ſaid County of *Hertford*, to the Place where the ſaid Cut will communicate with the ſaid River *Colne*, below *Munden*, in the ſame County, be it further enacted, That nothing in this Act, or in the ſaid recited Acts, or any of them contained, ſhall empower or extend to empower or enable the ſaid Company of Proprietors to take, uſe, or divert, any of the Water of the ſaid Rivers *Colne* and *Verulam*, or the *Saint Alban's* River, or either of them, for any Purpoſe whatſoever, until a certain Reſervoir which the ſaid Company of Proprietors are now making upon *Aldenham Common*, in the ſaid County of *Hertford*, ſhall be completed, and the ſaid Company of Proprietors ſhall by Means of ſuch Reſervoir be enabled to convey as much Water into the ſaid River *Colne* as ſhall be ſufficient to anſwer the Purpoſes of the ſaid Cut; and that they the ſaid Company of Proprietors ſhall not at any Time after the ſaid Reſervoir ſhall be completed, take away, uſe, divert, alter, or diminiſh, the Water of the ſaid Rivers *Colne* and *Verulam*, or either of them, or any Spring or Stream that hath uſually flowed or doth now flow into the ſame, unleſs the ſaid Company of Proprietors ſhall, in Lieu of the Water ſo to be diverted, uſed, or taken, deliver, or diſcharge, or cauſe to be delivered or diſcharged into the ſaid River *Colne*, above the Places where the ſaid Cut ſhall croſs the ſame Rivers by Means of the ſaid Reſervoir, a Quantity of Water equal at leaſt to what ſhall be ſo diverted or taken for the Uſe or Supply of the ſaid Cut.

Aſcertaining the Height of the Water in

X. Provided always, and be it further enacted, That the ſaid Cut ſhall be conſtructed ſo as that the Surface of the Water therein ſhall not

be more than One Foot perpendicularly higher than the Average Surface of the Water immediately below certain Weirs in the ſaid Two Rivers, to be made and conſtructed as herein-after mentioned, on the Line of the ſaid Cut, in common dry Seaſons, and that the ſaid Company of Proprietors, at the Time of making the ſaid Cut, ſhall, at their own Expence, make, erect, and place, a good and ſubſtantial Weir or Tumbling Bay acroſs each of the ſaid Rivers, on the lower Side of, and not more than Fifteen Yards from, the ſaid Cut, where the ſame ſhall croſs the ſaid Rivers, each of ſuch Weirs or Tumbling Bays to be of the Length of Twenty Yards at the leaſt, and to be ſo conſtructed as that the Water from the ſaid Cut may flow freely and without Interruption over the ſame into and down the ancient Courſes of the ſaid Rivers, and in the Middle of the River, in the ſaid Weir or Bay to be placed acroſs the ſaid River *Colne*, the ſaid Company of Proprietors at their own Expence ſhall conſtruct and place a Sluice or Drawgate, not to be leſs than Two Feet in Width, and Two Feet in perpendicular Height in the Clear between the Frames thereof; and in the Middle of the River, in the Weir to be placed acroſs the ſaid River *Verulam*, there ſhall alſo be conſtructed and placed Two Sluices or Drawgates, each of which ſhall be of the Dimenſions of the Sluice or Drawgate above mentioned, and the upper Surface of the Sills or Threſholds of each of the ſaid Three Sluices or Drawgates ſhall not be placed higher than within One Foot of the Bottom of the ſaid Cut; and the ſaid Company of Proprietors ſhall at all Times keep the Space between the ſaid Weirs, and the direct Line of the ſaid Cut, and the Water therein, free and clear from Mud, Gravel, Stone, Weeds, and all other Obſtructions, ſo that the Water may flow freely to and through the ſaid Sluices, and each of them, when and ſo often as Occaſion ſhall require, and ſo that as much Water at leaſt ſhall conſtantly paſs over or through the ſaid Weirs down the ſaid Rivers, as hath uſually run down the ſame.

the Cut, and Weirs and Sluices to be made by the Company on the Rivers.

XI. And be it further enacted, That the ſaid Weirs or Tumbling Bays, and the ſaid Sluices or Drawgates to be placed therein, ſhall be, from Time to Time, and at all Times, well and ſufficiently repaired, maintained, and amended, at the Expence of the ſaid Company of Proprietors; and in caſe of Neglect in repairing and amending the ſame, or any of them, for the Space of Twenty-one Days next after Notice thereof in Writing, to any Agent or Agents of the ſaid Company of Proprietors, from *Rogers Parker* Eſquire, or the Owner for the Time being of his Eſtate at *Munden* aforeſaid, then, and in ſuch Caſe, and at any Time thereafter, it ſhall be lawful for the ſaid *Rogers Parker*, or the Owner for the Time being of his ſaid Eſtate, to repair and amend the ſame, and the Expence thereof ſhall be paid or reimburſed to him or them, upon Demand, by the ſaid Company of Proprietors.

The Weirs and Sluices to be kept in Repair by the Company.

XII. And be it further enacted, That the ſaid *Rogers Parker*, or the Owner or Owners for the Time being of the Eſtate at *Munden* aforeſaid, on his or their own Behalf, and *Kenelm Digby* Eſquire, on Behalf of the ſaid Company of Proprietors, or in caſe of his Death, Abſence, or declining to attend, then ſome other Perſon to be appointed by the ſaid Company of Proprietors in his Room, (and whom they are hereby in that Caſe required to appoint accordingly), ſhall, before the Water in the ſaid Rivers ſhall be diverted or uſed by the ſaid Company of Proprietors,

Average Height of the Water in the Rivers in dry Seaſons to be aſcertained, and Gauges laid.

and between the Thirty-firſt Day of *May* and the Firſt Day of *November* in the Year One thouſand ſeven hundred and ninety-five, or One thouſand ſeven hundred and ninety-ſix, aſcertain the Average Height of the Water in common dry Seaſons in the ſaid River *Colne*, at the Weir next below the Garden of the ſaid *Rogers Parker*, in a Meadow called *Leggarſhot Meadow*, on the North Side of the ſaid River, and ſhall then cauſe a Mark or Gauge to be placed and fixed at or near the ſaid Weir, and that the Water in the ſaid River *Colne*, at the ſaid Weir, ſhall always be kept up to the Height of ſuch Mark or Gauge, and they ſhall alſo cauſe One other Mark or Gauge to be placed and fixed in the ſaid River *Colne*, within Fifty Yards of the laſt mentioned Mark or Gauge, which ſaid Marks or Gauges ſhall correſpond and agree exactly with each other, and the ſame ſhall remain the Marks or Gauges to which Height the Water is intended to be kept up; and if at any Time either of the ſaid Marks or Gauges ſhall be injured or become decayed, the ſame ſhall be forthwith repaired by the ſaid Company of Proprietors; and in caſe either of the ſaid Marks or Gauges ſhall be deſtroyed, the ſaid Company of Proprietors ſhall forthwith cauſe a new Mark or Gauge to be made, which ſhall exactly correſpond and agree with the remaining Mark or Gauge; and if it ſhall at any Time happen that either of the ſaid Marks or Gauges ſhall have been deſtroyed, and that the other Mark or Gauge ſhall be alſo deſtroyed before the other ſhall have been replaced, or if both the ſaid Marks or Gauges ſhall be deſtroyed at the ſame Time, the ſaid Company of Proprietors ſhall cauſe new Marks or Gauges to be affixed at the Places where the former Marks or Gauges were fixed, as near to the Height of the former Marks or Gauges as may be; and if the ſaid *Rogers Parker*, or the Owner for the Time being of the ſaid Eſtate at *Munden*, ſhall be diſſatisfied with the Height at which the ſaid Two Marks or Gauges, or either of them, ſhall have been fixed by the ſaid Company of Proprietors as aforeſaid, then the ſame ſhall be affixed at ſuch Height as ſhall be agreed upon by the ſaid *Rogers Parker*, or the Owner for the Time being of the ſaid Eſtate, and ſome Perſon to be appointed by and on Behalf of the ſaid Company of Proprietors, and in caſe they do not agree touching the ſame, they ſhall appoint ſome other Perſon as Umpire to determine the Difference between them.

When the Water in the Rivers is below the Gauge, Mr. *Parker* may draw the Sluices of the Weirs.

XIII. And be it further enacted, That at all Times when the Water in the ſaid Cut ſhall not be ſufficiently high to afford a Diſcharge over the ſaid Weirs, or either of them, down the ancient Courſes of the ſaid Rivers, ſo that the Water in the ſaid River *Colne* ſhall be below the Gauge before mentioned, then and in every ſuch Caſe it ſhall be lawful for the ſaid *Rogers Parker*, or the Owner for the Time being of his ſaid Eſtate, and he, ſhe, or they, is and are hereby empowered to cauſe to be opened or drawn the ſaid Sluices or Drawgates, or either of them, ſo that the Water may paſs down the ſaid Rivers, or either of them, and to continue the Sluices or Drawgates ſo open until a Quantity of Water ſhall, by Means of the ſaid Reſervoir, be brought or conveyed into the ſaid Cut, which ſhall afford a Diſcharge of Water over or through the ſaid Weirs or Sluices ſufficient to raiſe the Water in the ſaid River *Colne* up to the Gauge above mentioned, and whenever the Water ſhall be raiſed, by ſuch Reſervoir to ſuch Gauge, the ſaid Sluices ſhall be again ſhut, and ſuch Sluices ſhall be opened and ſhut from Time to Time as Occaſion ſhall require, according to the true Intent and Meaning of this

Act; any Thing herein contained to the contrary in anywiſe notwithſtanding.

Millers to draw the Shuttles of their Mills for aſcertaining the Height of the Water.

XIV. And be it further enacted, That it ſhall be lawful for the Perſons appointed to aſcertain the Average Height of the Water of the River *Colne* as aforeſaid, to require and direct the Millers of the ſeveral Mills upon the ſaid River, above the Place where the ſaid Gauges are to be fixed, to draw the Shuttles or Flood Gates of ſuch Mills reſpectively, in ſuch Manner, and for ſo long Time, as they ſhall think neceſſary, not exceeding Three Days, for the Purpoſes of aſcertaining ſuch Average; and if any ſuch Miller ſhall refuſe or neglect ſo to do, he ſhall, for every ſuch Offence, forfeit and pay to the ſaid Company of Proprietors the Sum of Ten Pounds; and every ſuch Miller ſhall be paid by the ſaid Company of Proprietors ſuch Sum of Money as a Recompence or Satisfaction for any Injury, Loſs, or Damage, he may ſuſtain by drawing the Shuttles or Flood Gates of his Mill as aforeſaid, as ſhall be agreed between him and the ſaid Company of Proprietors, and in caſe of any Difference or Diſpute between the Parties, the Matter ſhall be ſettled in the Manner provided by the ſaid Firſt recited Act, with regard to any Diſputes or Differences reſpecting Satisfaction for Damages.

Reſtriction as to drawing the Sluices, and the Company to return into the Rivers, when the Water is reduced below the Gauges, double the Quantity of Water taken out.

XV. Provided always, and be it further enacted, That if it ſhall at any Time appear that the Water in the ſaid River ſhall be reduced below the Level of the ſaid Gauges, from any other Cauſe than by Means or in conſequence of making or uſing the ſaid Cut, then it ſhall not be lawful for the ſaid *Rogers Parker*, or any other Perſon, to open the ſaid Sluices during the Time that ſuch Water ſhall be ſo reduced: Provided alſo, that the ſaid Company of Proprietors ſhall and are hereby required, at ſuch Time as the Water in the ſaid River ſhall be reduced below the Level of the ſaid Gauges by any Cauſe whatſoever, to diſcharge from the ſaid Reſervoir, and convey into the ſaid River, at leaſt double the Quantity of Water that ſhall be taken into the ſaid Cut from the ſaid River, for the Uſe of the Navigation of the ſaid Cut, ſuch double Quantity, and alſo the Cauſe from which the Water ſhall have been ſo reduced, to be aſcertained, in caſe of any Diſpute touching the ſame, by Three Perſons, One to be appointed by the ſaid *Rogers Parker*, or the Owner of his ſaid Eſtate for the Time being, One other by the ſaid Company of Proprietors, and the Third by ſuch Two Perſons ſo to be appointed as aforeſaid; and the ſaid Three Perſons, or any Two of them, ſhall fix a Gauge on the Stream from the ſaid Reſervoir, in order to aſcertain ſuch double Quantity of Water to be taken from the ſaid Reſervoir, and ſuch Cauſe as aforeſaid.

Further Directions reſpecting the Water in the *Colne*.

XVI. And be it further enacted, That in caſe the Water in the ſaid Cut ſhall not at any Time afford ſuch a Diſcharge over or through the ſaid Weirs as will be ſufficient to raiſe the Water in the ſaid River *Colne* to the Gauge or fixed Mark above-mentioned, then and in every ſuch Caſe the ſaid Company of Proprietors ſhall cauſe the Lock to be made by the ſaid Company of Proprietors acroſs the ſaid Cut next below ſuch Weirs, or any Stop Gate between the ſaid Lock and the Weirs, to be ſhut and kept Water tight until the Water in the ſaid River *Colne* ſhall be raiſed to the ſaid Gauge; and in caſe the ſaid Company of Proprietors ſhall neglect or refuſe to keep ſuch Lock or Stop Gate ſhut and

Water

Water tight during that Period, it ſhall be lawful for the ſaid *Rogers Parker*, or the Owner for the Time being of his ſaid Eſtate, to cauſe a Dam to be made acroſs the ſaid Cut, below either or both the ſaid Weirs, ſo that the Whole of the Water in both the ſaid Rivers may flow down the ancient Courſes thereof.

No Dam to be made acroſs the Rivers.

XVII. And be it further enacted, That it ſhall not be lawful for the ſaid Company of Proprietors to make any Dam acroſs the ſaid Rivers, or in any Manner to intermeddle with the ſaid Rivers, or either of them, below the ſaid Weirs, which ſhall be conſtructed below the Line of the ſaid Cut, until the ſame ſhall again communicate with the ancient Courſe of the ſaid River *Colne*, below *Munden* aforeſaid, except for the Purpoſe, and during the Time of repairing the ſaid Weir in *Leggarſhot Meadow*, any Thing contained in this Act, or in any of the ſaid recited Acts, ſo far as relates to the Purpoſes of this Act, to the contrary thereof notwithſtanding; but that the ſaid *Rogers Parker*, or the Owner for the Time being of his ſaid Eſtate, ſhall and may, and he and they is and are hereby empowered to cauſe to be ſcoured out and cleanſed the ſaid Rivers, or either of them, below the Line of the ſaid Cut, ſo as to afford a free Paſſage for the Waters from the ſaid Sluices, Weirs, or Tumbling Bays, along the ancient Courſe of the ſaid Rivers, until the Line of the ſaid Cut ſhall again communicate with the ancient Courſe of the ſaid River *Colne*, below *Munden* aforeſaid.

Company to make Sock Drains, &c.

XVIII. And be it further enacted, That if by Reaſon of any of the Works herein-before mentioned being made, any of the Lands or Meadows above the ſaid Weirs or Bays, or any of them, ſhall be injured or damaged by penning up, or by the oozing of the Water or otherwiſe, the ſaid Company of Proprietors ſhall forthwith, at their own Expence, make and maintain proper Sock Drains through ſuch Lands and Meadows, and convey the Water from ſuch Drains, by Culverts or ſunken Tunnels, under the ſaid Rivers and Cut, ſo as to diſcharge the ſame below the ſaid Weirs into the ſaid Rivers; and in caſe the ſaid Company of Proprietors ſhall neglect or refuſe to make ſuch Sock Drains and Culverts, or ſunken Tunnels, for Twenty-one Days after being thereunto required by Notice in Writing, under the Hand or Hands of any of the Owners or Proprietors of ſuch Lands or Meadows, to be delivered to the Clerk or Clerks to the ſaid Company of Proprietors, it ſhall be lawful for the Owners and Proprietors of ſuch Lands or Meadows to make and maintain the ſame, and the Expence thereof ſhall be paid or re-imburſed to ſuch Owners or Proprietors by the ſaid Company of Proprietors, upon Demand.

The Eſtate of Mr. *Parker* exempt from the Powers of the Acts, except in the Line of the Cut, &c.

XIX. Provided always, and be it further enacted, That all the Lands, Grounds, and Hereditaments, now belonging to the ſaid *Rogers Parker*, in the ſeveral Pariſhes of *Watford*, *Saint Stephen*, and *Aldenham* aforeſaid, ſhall at all Times hereafter be abſolutely free, exempt, and for ever diſcharged of and from all and every the Power and Powers, Authority and Authorities whatſoever, in and by the ſaid recited Acts, or either of them, and this Act, given to and veſted in the ſaid Company of Proprietors, ſo far as relates to the Purpoſes of this Act, ſave and except only ſo much and ſuch Part or Parts of ſuch Lands and Grounds as ſhall be immediately in the Line of the ſaid Cut, the Banks and Towing Paths or Back Drains thereof, and that it ſhall not be lawful for the

ſaid

ſaid Company of Proprietors to erect, build, or ſet up, any Wharfs, Warehouſes, Landing Places, Weighing Beams, Cranes, Fire Engines, or other Buildings, on the ſaid Banks or Towing Paths, within the ſaid Lands and Grounds.

Bridges to be made over the Cut in the Grounds of Mr. *Neate* and others.

XX. And be it further enacted, That the ſaid Company of Proprietors ſhall, and they are hereby required, at their own Expence to erect and build with Bricks or Stones, over the ſaid intended Cut, a proper and convenient Carriage Bridge, at leaſt Twelve Feet wide, with eaſy Aſcents at both Ends thereof, in the Road or Lane leading from *Aldenham* to *Great Munden*, and ſhall alſo, at their own Expence, for the convenient Occupation of the Lands and Grounds of *Thomas Neate* Eſquire, *Elizabeth Day*, and *Amy Day*, and the other Lands and Grounds herein-after mentioned, erect and build over the ſaid intended Cut Six other proper and convenient Carriage Bridges, with eaſy Aſcents at both Ends thereof, (that is to ſay), Two of ſuch Bridges within the Grounds belonging to the ſaid *Thomas Neate*, at ſuch Places as he, or the Owner or Owners for the Time being of his Eſtate in the Pariſhes of *Aldenham* and *Saint Stephen* aforeſaid, ſhall by Writing under his or their Hand or Hands direct; One other of the ſaid Bridges at the End of a certain Lane leading into a common Meadow in the ſaid Pariſh of *Aldenham* called *Aſhey Meadow*; Two other of ſuch Bridges to be placed in the ſaid Meadow called *The Common Meadow*, at ſuch Places as the ſaid *Rogers Parker*, on Behalf of the Owner or Owners of the ſaid Meadow, ſhall by Writing under his Hand appoint; and the remaining Bridge within the Grounds of the ſaid *Elizabeth Day* and *Amy Day*, in the ſaid Pariſh of *Saint Stephen*, at ſuch Place as they, or the Owners for the Time being of ſuch Grounds, ſhall, by Writing under their Hands, direct and appoint; and the ſaid Company of Proprietors ſhall alſo, at their own Expence, make and erect a Foot Bridge over the ſaid Cut, in the ſaid Meadow called *The Common Meadow*, at ſuch Place as the ſaid *Rogers Parker* ſhall by Writing under his Hand direct; and the ſaid Company of Proprietors ſhall at all Times keep and maintain the ſaid Bridges in good and ſufficient Repair; and all the ſaid Bridges, (except that to be placed in the Road leading to *Munden* aforeſaid, and the ſaid Foot Bridge), to be for the Uſe only of the Perſons entitled to the ſaid Lands and Grounds, their reſpective Tenants and Servants, except where any preſent Foot Way near to the Side of either of ſuch Bridges may conveniently be diverted over the ſame.

Foot Bridge in *Common Meadow*.

Tunnel to be made in Mrs. *Day*'s Lands.

XXI. And be it further enacted, That the ſaid Company of Proprietors ſhall, and they are hereby alſo required, at their own Expence, to make, place, and for ever maintain, a Tunnel of Thirty Inches at the leaſt in the Bore under the ſaid Cut, in the Lands of the ſaid *Elizabeth Day* and *Amy Day*, in the Pariſh of *Saint Stephen* aforeſaid, near or adjoining to the Barn belonging to them, or at ſuch other Place as they or the Owners for the Time being of their ſaid Eſtates ſhall by Writing under their Hands direct, in order to convey the Water from the ſaid Lands into the ſaid River *Verulam*.

Watering Places to be made in Mr. *Neate*'s Grounds.

XXII. Provided always, and be it further enacted, That the ſaid Company of Proprietors ſhall, at their own Expence, if the ſaid *Thomas Neate*, or the Owner of his ſaid Eſtate for the Time being ſhall require

the ſame, make and for ever maintain a Pond or Watering Place to communicate with the ſaid River *Colne*, in the Land or Ground of the ſaid *Thomas Neate*, now in the Poſſeſſion of *Joſeph Finney*, within One hundred Yards above a certain Bridge called *Bingham Bridge*, in the Pariſh of *Aldenham* aforeſaid, and alſo another Pond or Watering Place in the Lands of the ſaid *Thomas Neate*, in the ſame Pariſh, or in the Pariſh of *Saint Stephen* aforeſaid, now occupied by *William Smith*, to communicate with the ſaid Cut at ſuch Place as the ſaid *Thomas Neate*, or the Owner of his ſaid Eſtate for the Time being, by Writing under his Hand, ſhall direct, each of ſuch Ponds or Watering Places to be at leaſt Four Feet deep in the Middle, and Eight Yards ſquare, and to be fully ſufficient and convenient, not only for watering of the Cattle belonging to the reſpective Occupiers of the Lands within which the ſame ſhall be reſpectively made, but alſo for filling Water Carts for the Uſe of ſuch reſpective Occupiers, from Time to Time, as Occaſion ſhall require, which ſaid Watering Places ſhall be conſtantly and amply ſupplied with Water by Means of proper Communications to be made with the ſaid Cut and River, or One of them.

Remedy for Damages not before provided for.

XXIII. And be it further enacted, That if at any Time or Times hereafter, any Perſon or Perſons ſhall ſuſtain any Damages in his, her, or their Lands, Tenements, Fiſheries, Waters, or other Hereditaments or Property, by reaſon of the Execution of any of the Powers hereby, or by the ſaid recited Acts, or either of them, ſo far as relates to the Purpoſes of this Act, given, for which a Compenſation is not herein or by ſuch Acts provided, then, and in ſuch Caſe, ſuch Damages ſhall from Time to Time be ſettled and aſcertained by the Commiſſioners, or aſſeſſed by a Jury in the Manner appointed by the ſaid Firſt recited Act, and the Sum or Sums of Money to be paid for the ſame ſhall be levied, recovered, and applied, in ſuch and the ſame Manner as in and by that Act directed with reſpect to ſuch Damages as are therein provided for, and the Money to be paid as a Recompence for the ſame.

Company not obliged to ſupply Water from Reſervoirs for Mills above the Confluence of the Rivers.

XXIV. And whereas by the ſaid recited Act Reſervoirs and other Works are directed to be made for ſupplying Water for the Uſe of the Mills on the River *Gade*, and certain other Rivers and Streams or Cuts therein mentioned, and a Perſon or Perſons to be appointed for that Purpoſe is or are empowered to let off from ſuch Reſervoirs, and to convey to any ſuch Mills ſuch Supply of Water as therein mentioned, be it therefore enacted, That nothing in the ſaid recited Acts, or any of them, or in this Act, ſhall extend to compel or oblige the ſaid Company of Proprietors to make any Reſervoir for the Purpoſe of ſupplying with Water any River, Stream, or Cut, or any Mill, at or in any higher Situation than within One hundred Yards of the Places above mentioned, where the ſaid Cut croſſes the Rivers *Colne* and *Verulam*: Provided always, that in caſe any Injury or Damage ſhall be done to any ſuch Mill, or the Occupier thereof, by Reaſon or Means of diverting or taking any Water for the Supply of the ſaid Cut, then, and in every ſuch Caſe full Recompence and Satisfaction ſhall be made by the ſaid Company of Proprietors to the Occupier of every ſuch Mill for ſuch Injury or Damage, the ſame to be aſcertained in like Manner as the Recompence or Satisfaction to be made for any Injury or Damage, by virtue of the ſaid firſt recited Act, is thereby directed to be aſcertained:

Provided alſo, that in caſe the Perſon or Perſons to be appointed for letting off the Water from any ſuch Reſervoir as aforeſaid ſhall in any dry Seaſon, when a Supply of Water ſhall be neceſſary for the Navigation of the River *Colne*, refuſe or neglect to let off a proper Quantity of Water from any Reſervoir made or to be made by the ſaid Company of Proprietors, then and in every ſuch Caſe it ſhall be lawful for ſuch Perſon as the ſaid Company of Proprietors ſhall for that Purpoſe appoint, to let off from any ſuch Reſervoir ſuch Quantity of Water as he ſhall find neceſſary for ſupplying to the River a Quantity of Water equal to double the Quantity which ſhall be taken for the Uſe of the Navigation; any Thing in the ſaid firſt-recited Act to the contrary hereof notwithſtanding.

To prevent injuring the Lands by the Water at the Reſervoir on *Aldenham Common*.

XXV. And be it further enacted, That the ſaid Company of Proprietors ſhall, at their own Expence, make, and for ever after ſupport and maintain, ſo many and ſuch Cuts or Channels as ſhall be neceſſary to convey the Water from the Reſervoir on *Aldenham Common* to the ſaid Cut, in order to prevent ſuch Water from overflowing any Part of the Lands which lie between the ſaid Reſervoir and the ſaid Cut.

Where publick Roads on the Towing Paths, Horſes towing Veſſels to paſs on the Sides of the Towing Path next the Cut.

XXVI. And be it further enacted, That in all Caſes where there ſhall be a publick Road or Highway along any Part of the Towing Path upon the Side of the ſaid Cut, the Perſon having the Care or Conduct of the Horſe or other Beaſt paſſing upon ſuch Part of the ſaid Towing Path, and towing any Boat or other Veſſel along the ſaid Cut, ſhall, upon meeting any Perſon, or any Horſe or other Beaſt not towing any ſuch Boat or other Veſſel, or upon meeting any Carriage, paſs with the Horſe or other Beaſt under his Care or Conduct as aforeſaid, on the Side of the Towing Path next the ſaid Cut, ſo as to leave ſufficient Room on the other Side of the Towing Path for the Paſſage of ſuch other Perſon, or ſuch other Horſe or other Beaſt, or ſuch Carriage, upon Pain of forfeiting the Sum of Five Shillings for every ſuch Offence.

Penalty on Boatmen having Nets on board.

XXVII. And be it further enacted, That if any Perſon or Perſons navigating or working any Boat or other Veſſel upon the ſaid Cut ſhall have on board any ſuch Boat or other Veſſel any Fiſhing Net, Engine, or other Inſtrument for taking or deſtroying Fiſh, ſuch Perſon being thereof lawfully convicted on the Oath of any credible Witneſs, before any Juſtice of the Peace for the County of *Hertford* or Liberty of *Saint Alban's*, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings; and in caſe the Maſter or other Perſon having the Care of any Boat or other Veſſel upon the ſaid Cut ſhall knowingly permit or ſuffer any Perſon employed in navigating ſuch Boat or other Veſſel, to have and keep on board any ſuch Fiſhing Net, Engine, or other Inſtrument, and ſhall be thereof convicted in Manner aforeſaid, he ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

To prevent evading the Tolls at *Saint Alban's* Turnpike in conſequence of making the Cut.

XXVIII. And, in order to prevent evading the Payment of the Tolls at any Turnpike erected or to be erected upon the Road near the Town of *Saint Alban*, by virtue of an Act made in the Thirty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for more effectually amending, widening, and repairing, the Road through the ſeveral Pariſhes of* Saint Michael, Saint Alban, Saint Peter, Shenley Ridge, *and* South Mims, *in the*

the Counties of Hertford *and* Middleſex, in conſequence of making the ſaid intended Cut, be it further enacted, That if any Perſon ſhall, with any Horſe, Cattle, Beaſt, or Carriage, paſs over any Part of the ſaid Cut, or over or along any Road which ſhall be made by the ſaid Company of Proprietors from the ſaid Cut to the Road leading into the ſaid Town of *Saint Alban*, with Intent to avoid, and ſhall thereby avoid, the Payment of any Toll that ought to be paid at the ſaid Turnpike, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds, nor leſs than Forty Shillings, to be recovered and applied in like Manner as any Penalty or Forfeiture for evading the Payment of any of the Tolls granted by the ſaid Act of the Thirty-firſt Year of the Reign of His preſent Majeſty is by the ſaid Act to be recovered and applied.

Horſes, &c. carrying *Goods* between the Cut and *Saint Alban* exempt from Toll.

XXIX. And be it further enacted, That no Toll ſhall be demanded or taken at any Turnpike erected, or to be erected by virtue of the ſaid laſt-mentioned Act, between the ſaid Town of *Saint Alban* and the Termination of the ſaid intended Cut, for or in reſpect of any Horſe, or other Beaſt employed for the Purpoſe of haling any Boat, Barge, or other Veſſel, upon the ſaid Cut, or for any Horſe, Cattle, Beaſt, or Carriage, employed for the Purpoſe of carrying or conveying any Goods, Wares, Merchandize, Manure, Lime, or any other Things whatſoever, to or from the ſaid Cut, which may have been, or which are intended to be navigated on the ſaid Cut, or any Part thereof, any Thing contained in the ſaid Act to the contrary hereof notwithſtanding: Provided always, that in caſe any Perſon ſhall claim and take the Benefit of any ſuch Exemption, not being entitled thereto, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds, nor leſs than Forty Shillings, to be recovered and applied in Manner aforeſaid.

Additional Rate for paying the Expences of the Act.

XXX. And be it further enacted, That all the Charges and Expences preparatory and incident to, and attending the obtaining and paſſing of this Act, as well previous to as in the preſent Seſſion of Parliament, (to be aſcertained as herein-after mentioned), ſhall be paid and defrayed by the ſaid Company of Proprietors; and in order to reimburſe them the Money which has been and ſhall be by them paid and diſburſed on Account of, or for defraying the ſame, it ſhall and may be lawful for the ſaid Company of Proprietors, from Time to Time and at all Times, to aſk, demand, take, and recover, to and for their own proper Uſe and Benefit, for all Goods, Matters, and Things, which ſhall be navigated, carried, or conveyed, upon the ſaid intended Cut, or any Part thereof, over and above all other Rates which will be payable to the ſaid Company of Proprietors by virtue of the ſaid recited Acts and this Act, the additional Rate of Two-pence *per* Ton upon the whole Length of the ſaid Cut, and ſo in Proportion for any leſs Diſtance; which additional Rate for the whole Length of the ſaid Cut, and alſo the fractional Parts thereof for any leſs Diſtance as aforeſaid, ſhall and may be aſcertained, collected, levied, and recovered, in like Manner, and by the like Ways and Means as any other Rates payable to the ſaid Company, by virtue of the ſaid recited Acts, or any of them, can or may be aſcertained, collected, levied, and recovered; and it ſhall alſo be lawful for the ſaid Company of Proprietors to borrow and take up at Intereſt, upon the

Credit of the ſaid additional Rates, any Sum or Sums of Money which they ſhall find neceſſary, not exceeding in the Whole the Sum of Three thouſand Pounds, in like Manner as is by the ſaid Firſt recited Act directed with reſpect to any Money thereby authorized to be borrowed; and the Money ſo to be borrowed by virtue of this Act ſhall be applied in paying and defraying ſuch Charges and Expences as aforeſaid; and the Money ariſing by ſuch additional Rates ſhall, from Time to Time, be applied, in the Firſt Place, in paying the Intereſt of the Principal Money ſo to be borrowed by virtue of this Act, and the Charges and Expences attending the Management thereof, and the collecting the ſaid additional Rates, (to be alſo aſcertained as herein-after mentioned), and the Surplus which ſhall remain unapplied for the Purpoſes aforeſaid ſhall, from Time to Time, be placed out and inveſted in the Publick Funds, in the Names of the Perſons herein-after appointed Arbitrators, or any Three of them, until ſuch Surplus, and the Dividends ariſing therefrom, ſhall be capable of producing the Sum of One hundred Pounds Sterling, and every Sum of One hundred Pounds, as the ſame ſhall accrue, ſhall be applied in paying off ſuch Principal Money; and that when and ſo ſoon as ſuch Principal Money and Intereſt, and the Charges and Expences attending the Management thereof, and the collecting the ſaid additional Rates, ſhall have been fully paid off and diſcharged, the ſaid additional Rates ſhall ceaſe, determine, and be no longer paid or payable.

Arbitrators appointed for aſcertaining thoſe Expences.

XXXI. And, in order to aſcertain and ſettle the Amount of the ſeveral Charges and Expences aforeſaid, be it further enacted, That the moſt Noble *George Grenville Nugent Temple* Marquis of *Buckingham*, the Right Honourable *George John* Earl *Spencer*, the Right Honourable *James* Lord Viſcount *Grimſton*, *William Praed* Eſquire, *Robert Smith* Eſquire, *Benjamin Way* Eſquire, *Kenelm Digby* Eſquire, *Thomas Aſtle* Eſquire, and *Stephen Langſton* Eſquire, and their Succeſſors, to be appointed as herein-after mentioned, ſhall be and they are hereby appointed Arbitrators for that Purpoſe, and the ſaid Arbitrators, or any Three or more of them, ſhall, and are hereby authorized and required, by ſuch Ways and Means as they ſhall think proper, as ſoon after the paſſing of this Act as conveniently may be, to aſcertain and ſettle the Amount of the Charges and Expences already incurred preparatory or incident to the obtaining and paſſing of this Act, as well previous to as in the preſent Seſſion of Parliament, and by Writing under their Hands and Seals to certify their Determination thereon to the Clerk of the Peace for the Liberty of *Saint Albans*, in the County of *Hertford*; and the ſaid Arbitrators, or any Three or more of them, ſhall and are hereby alſo authorized and required in like Manner, from Time to Time, to aſcertain and ſettle the Amount of the Charges and Expences attending the Management of the Money to be borrowed as aforeſaid, and the collecting the ſaid additional Rates, and from Time to Time, by Writing under their Hands and Seals, to certify their Determination thereon to the ſaid Clerk of the Peace; and every Determination of the ſaid Arbitrators, or any Three or more of them, ſo to be certified as herein-before mentioned, ſhall be final and concluſive; and every ſuch Certificate ſhall be kept by the Clerk of the Peace for the ſaid Liberty of *Saint Albans* amongſt the publick Records of the Quarter Seſſions of the ſaid Liberty, and ſhall be deemed and taken to be Part thereof.

Power to appoint new Arbitrators when reduced to a certain Number.

XXXII. And be it further enacted, That in caſe any of the ſaid Arbitrators ſhall, before the ſaid additional Rates ſhall ceaſe, and become determined as aforeſaid, die, or decline, or become incapable to act as an Arbitrator as aforeſaid, ſo that the Number of the ſaid Arbitrators ſhall be reduced to Five or leſs, then the ſurviving or remaining Arbitrators, or the major Part of them, ſhall, by Writing under their Hands and Seals, appoint ſuch other Perſons as they ſhall think proper, ſo as to make up the whole Number of the ſaid Arbitrators to be Nine, and ſo from Time to Time as often as the Caſe ſhall happen; and every ſuch Appointment ſhall be delivered to and kept by the Clerk of the Peace for the ſaid Liberty of *Saint Albans*, and by him kept amongſt the ſaid Records, and ſhall be deemed to be Part thereof.

Publick Act.

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

FINIS.