ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. XLIV.

An Act to vary and alter the Line of the Canal, authorized to be made by an Act, paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for making a Navigable Canal from the River* Kennet, *at or near the Town of* Newbury, *in the County of* Berks, *to the River* Avon, *at or near the City of* Bath; *and alſo certain Navigable Cuts therein deſcribed*; and to amend the ſaid Act; and alſo to make a certain Navigable Cut therein deſcribed.

[24th *March* 1796.]

WHEREAS by an Act, paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for making a Navigable Canal from the River* Kennet, *at or near the Town of* Newbury, *in the County of* Berks, *to the River* Avon, *at or near the City of* Bath; *and alſo certain Navigable Cuts therein deſcribed*; the ſeveral Perſons therein named, and their reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, or ſuch of them as ſhould, from Time to Time, be poſſeſſed of any Share or Shares in the Navigation and Undertaking thereby authorized to be made and carried on, and alſo ſuch other

Recital of the *Kennet* and *Avon* Act.

other Perſon or Perſons as ſhould, from Time to Time, be poſſeſſed of any Share or Shares therein, were united into a Company, for the carrying on, making, completing, and maintaining, of the ſaid Canal and Cuts, for the Paſſage of Boats, Barges, and other Veſſels, according to the Rules, Orders, and Directions, in the ſame Act contained; and for that Purpoſe were created a Body Politick and Corporate, by the Name of *The Company of Proprietors of the Kennet and Avon Canal Navigation*, in perpetual Succeſſion, with a Common Seal: And whereas the ſaid Company of Proprietors have, in purſuance of the ſaid recited Act, begun to make the ſaid Canal, and are deſirous to complete and finiſh the ſame; but find, upon the Examination of the Country through which they are by the ſaid recited Act empowered to make and complete the ſaid Canal, that it will be more convenient and uſeful to the Publick, if, inſtead of the Line directed to be purſued by the ſaid Act, they were empowered to vary the ſame, by adopting a ſhorter and more direct Line for the ſaid Canal, from a Place between *Upper* and *Lower Foxhanger*, in the Pariſh of *Rowd* in the County of *Wilts*, to that Part of *Ladydown Farm* near *Trowbridge* in the ſame County, where the *Wilts* and *Berks* Canal Navigation (empowered to be made by the Act herein-after recited) was originally intended to join the ſaid *Kennet* and *Avon* Canal, and to carry the ſame from the ſaid Place, between *Upper* and *Lower Foxhanger*, into a Cloſe of Meadow Ground, near *Semington* in the ſame County, belonging to his Grace the Duke of *Somerſet*, through which the ſaid *Wilts* and *Berks* Canal will paſs, and from thence along the ſame Line to *Ladydown Farm* aforeſaid, as is directed to be purſued in making the ſaid *Wilts* and *Berks* Canal, by the effecting of which Junction in the ſaid Cloſe of Meadow Ground near *Semington*, the Line from thence to *Ladydown Farm* will paſs the Trade of both the ſaid Canals, and ſave a parallel Canal of the Length of about Three Miles; and which new Cut, or varied Line from the ſaid Place, between *Upper* and *Lower Foxhanger*, by the ſaid Meadow near *Semington*, to *Ladydown Farm* aforeſaid, will make the ſaid *Kennet* and *Avon* Canal about Two Miles ſhorter than it will be, if carried round by *Bulkington*, *Keevil*, and *Trowbridge*, as directed by the ſaid Act, and will afford a ſhorter and more direct Paſſage for Boats, Barges, and other Veſſels between *Chippenham*, *Calne*, *Melkſham*, and other Places on the Line of the ſaid *Wilts* and *Berks* Canal, and *Devizes*, and other Places Eaſtward thereof on the Line of the ſaid *Kennet* and *Avon* Canal: And whereas, by an Act paſſed in the Thirty-fifth Year of the Reign of His ſaid Majeſty, intituled, *An Act for making and maintaining a Navigable Canal from the River* Thames *or* Iſis, *at or near the Town of* Abingdon *in the County of* Berks, *to join or communicate with the* Kennet *and* Avon *Canal at or near the Town of* Trowbridge *in the County of Wilts, and alſo certain Navigable Cuts therein deſcribed*, it was amongſt other Things enacted, that if the ſaid Company of Proprietors of the ſaid *Kennet* and *Avon* Canal ſhould, within the Space of Three Years from the paſſing of that Act, apply for and obtain an Act of Parliament, enabling them to deviate from the Line originally laid down for their ſaid Canal, from the ſaid Place between *Upper* and *Lower Foxhanger*, to that Part of *Ladydown Farm*, near *Trowbridge* in the ſaid County, where it is met by the Line of the ſaid *Wilts* and *Berks* Canal, and inſtead thereof to carry their ſaid Canal from the ſaid Place between *Upper* and *Lower Foxhanger* into the ſaid *Wilts* and *Berks* Canal, ſo as to form a Junction therewith, in a Cloſe of Meadow Ground near *Semington*,

ton, belonging to his Grace the Duke of *Somerſet* (and to which Junction the ſaid Company of Proprietors of the ſaid *Wilts* and *Berks* Canal ſhould be deemed and taken to be conſenting, without any further Application to them for that Purpoſe); and if the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal ſhould make and execute their ſaid Canal accordingly, and complete and open the ſaid new Line for the Navigation of Boats, Barges, and other Veſſels, from the ſaid Place between *Upper* and *Lower Foxhanger*, to the Junction with the ſaid *Wilts* and *Berks* Canal in the ſaid Cloſe of Meadow Ground near *Semington*, within Seven Years after obtaining ſuch Act of Parliament; then and in ſuch Caſe the ſaid Company of Proprietors of the ſaid *Wilts* and *Berks* Canal ſhould immediately, upon and after the opening of ſuch new Line, at the Coſts and Charges of the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal, well and effectually convey, transfer, and make over, ſo much and ſuch Part of the ſaid *Wilts* and *Berks* Canal as ſhould extend from the ſaid Junction of the two Canals near *Semington*, to the Junction thereof at *Ladydown Farm* aforeſaid, and all the Lands and other Appurtenances in the ſaid Act ſpecified and ſet forth, unto and to the Uſe of the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal, and their Succeſſors, in ſuch Manner, and by ſuch good and ſufficient Conveyances and Aſſurances as they ſhould think neceſſary, or be adviſed to require; to the End and Intent that the whole Line of Canal, or Communication by Water, from *Newbury* to *Bath* might from thenceforth be one and the ſame Concern only, and not belong to different Proprietors, and be ſubject to different Regulations; and that, in Conſideration thereof, the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal, upon the Execution of ſuch Conveyances and Aſſurances as aforeſaid, ſhould repay unto the ſaid Company of Proprietors of the *Wilts* and *Berks* Canal the ſeveral Sum and Sums of Money, and at the ſeveral Times, and in Manner mentioned and ſet forth in the ſaid recited Act: And whereas the ſaid Company of Proprietors of the *Wilts* and *Berks* Canal, ſince the paſſing of the ſaid laſt-recited Act, have agreed with the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal, that inſtead of the ſaid Line of Canal, between the ſaid Meadow near *Semington* and *Ladydown Farm*, being made and executed by the ſaid Company of Proprietors of the *Wilts* and *Berks* Canal, and aſſigned and transferred by them to the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal, the ſaid Company of Proprietors of the *Wilts* and *Berks* Canal ſhall and will immediately give up to the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal the ſaid Line of Canal between the ſaid Cloſe of Meadow Ground near *Semington*, and the ſaid firſt intended Junction in *Ladydown Farm*; and the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal have agreed, at their own Coſts and Charges, to make and execute, complete, and open, for the Navigation of Boats, Barges, and other Veſſels, the ſaid Variation of the ſaid Canal from the ſaid Place, between *Upper* and *Lower Foxhanger*, to the ſaid now intended Junction with the ſaid *Wilts* and *Berks* Canal in the ſaid Cloſe of Meadow Ground near *Semington*, within Seven Years from the paſſing of this Act, and from thence to the ſaid firſt intended Junction of the Two Canals in *Ladydown Farm*, within Eighteen Months from the paſſing of this Act, and from thence to the Junction of the *Kennet* and *Avon* Canal, with the *Somerſetſhire* Coal Canal, with all poſſible and convenient Diſpatch: And whereas it alſo appears that a Navigable Cut or Branch out of and from the ſaid varied Line of the ſaid Canal, at a Meadow near the

River *Biſs*, belonging to *James Biſſey*, in the Pariſh of *Trowbridge* in the ſaid County to or near to the ſaid Town of *Trowbridge*, with a Baſon at the End thereof, will be of great Benefit and Advantage to the ſaid Town of *Trowbridge*, and the Neighbourhood thereof, and will alſo be of Publick Utility: And whereas, upon a Re-examination of the Lands through which the ſaid Company of Proprietors of the ſaid *Kennet* and *Avon* Canal are, by the ſaid firſt recited Act, empowered to make and complete the ſaid Canal from *Wolfhall-Lane*, leading to *Wolfhall Farm*, in the County of *Wilts*, to *Brimſlade Houſe* in the ſame County; and upon an Examination and Survey of the Lands through which they are now deſirous to make the ſaid Canal from the ſaid Lane to the ſaid Houſe, it appears, that the varying the Line of the ſaid Canal, and carrying, making, and completing the ſame, in the Courſe and Direction in that Reſpect herein-after mentioned, and ſupplying the ſame with Water, by a Steam Engine, will prevent the Neceſſity of a Tunnel of the Length of Two Miles and upwards, which it would be neceſſary to make, if the ſaid Company were to execute the ſaid Canal in the Direction in which they are empowered by the ſaid Act to make the ſame, and will be more convenient to the Publick: And upon a Re-examination of the Lands through which the ſaid Company of Proprietors are, by the ſaid firſt recited Act, empowered to make and complete the ſaid Canal down a conſiderable Fall of Ground from a Cloſe of Land in the Pariſh of *Saint John the Baptiſt*, in *Devizes*, in the ſaid County of *Wilts*, belonging to *James Everard Arundell* Eſquire, now or late in the Occupation of *Joſeph Winterſon*, to a Road leading from *Polſhot* to *Rowd*, in the Pariſh of *Rowd* in the ſame County; and upon an Examination and Survey of the Country through which they are now deſirous to make the ſaid Canal from the ſaid Cloſe to the ſaid Road, it appears, that the widening, varying, and altering, the Line of the ſaid Canal, and carrying, making, and completing the ſame from the ſaid Cloſe to the ſaid Road, in the Courſe and Direction, and of the Width herein-after mentioned, will increaſe the Surface of Water of the ſaid Canal between each Lock, and thereby prevent a great Waſte of Water, and accommodate the Publick with a greater Certainty of Paſſage at all Times than by the preſent Line: And upon a Re-examination of the Lands through which the ſaid Company of Proprietors are, by the ſaid firſt recited Act, empowered to make and complete the ſaid Canal, from a Piece of Land about Twenty-three Chains to the Eaſt of *Widbrook*, in the Pariſh of *Bradford* in the ſaid County of *Wilts*, belonging to Maſter *Samuel Bethell*, through *Widbrook*, and by the Weſt Side of *Clay Farm Houſe*, in the ſaid Pariſh of *Bradford*, to the Road adjoining the ſaid Houſe; and upon an Examination and Survey of the Lands through which they are now deſirous to make the ſaid Canal, from the ſaid Piece of Land upon a higher Level through Lands lying to the North Eaſt of *Widbrook*, and by the Eaſt Side of *Clay Farm Houſe*, to the ſaid Road adjoining the ſaid Houſe, it appears that the ſaid Canal can be carried on the ſaid higher Level to the North Eaſt of *Widbrook*, and Eaſt of *Clay Farm Houſe*, more conveniently, and at leſs Expence to the ſaid Company, and with leſs Detriment to the Land through which the ſaid Canal will paſs than by the preſent Line: And upon a Re-examination of the Lands through which the ſaid Company of Proprietors are, by the ſaid firſt recited Act, empowered to make and complete the ſaidCanal acroſs the River *Avon*, from the South to the North Side thereof, a little

above *Avon Cliff* Mills, in the Parishes of *Westwood* and *Bradford* in the same County; and upon an Examination and Survey of the Lands through which they are now desirous to make the said Canal, a little below the said Mills, it appears that the said Canal can be carried across the said River below the said Mills more conveniently, and at less Expence to the said Company, and with less Detriment to the Owners of the said Mills, than by the present Line: And upon a Re-examination of the Lands through which the said Company of Proprietors are, by the said first recited Act, empowered to make and complete the said Canal, by re-crossing the said River a little above *Stoke Bridge* in the said County; and upon an Examination and Survey of the Lands through which they are now desirous to make and complete the same, by re-crossing the said River about Seven Furlongs below the said Bridge, it appears, that, by carrying the said Canal from or near the said Bridge along the East Side of the said River, to a Close of Land in the Parish of *Bradford* aforesaid, belonging to Mistress *Ann Long* and Mistress *Catharine Long*, and from the said Close across the said River, to rejoin the present Line of the said Canal in a Close of Land, in the Parish of *Monckton Combe* in the County of *Somerset*, belonging to *Robert Langley* Esquire, an expensive Embankment and Aqueduct Bridge across *Mitford Valley* and *Brook* will be saved, and that such Variation will be through Land of inferior Value, and will be executed at much less Expence, and be shorter and more convenient to the Publick than the present Line of the said Canal: And whereas it would tend to the better carrying the Purposes of the said first recited Act into Execution, if some of the Powers and Provisions thereof were altered and amended: 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, from and immediately after the passing of this Act, the said Company of Proprietors of the said *Kennet* and *Avon* Canal Navigation, and their Successors, shall and may have Power and Authority, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to vary and alter the Line of the said *Kennet* and *Avon* Canal from the said Place between *Upper* and *Lower Foxhanger*, in the Parish of *Rowd* in the County of *Wilts* aforesaid, to that Part of *Ladydown Farm* aforesaid in the said County, where the said *Wilts* and *Berks* Canal was originally intended to join the said *Kennet* and *Avon* Canal, and to carry and make the same from the said Place between *Upper* and *Lower Foxhanger*, into the said *Wilts* and *Berks* Canal, or the Line or Course thereof, so as to form a Junction therewith in the said Close of Meadow Ground near *Semington* in the said County, and from thence to make and continue the same along the intended Line or Course of the said *Wilts* and *Berks* Canal, to the said first intended Junction of the *Wilts* and *Berks* Canal, with the said *Kennet* and *Avon* Canal, in *Ladydown Farm* in the said County; and to make a Navigable Cut or Branch out of and from the said varied Line of the said Canal at the said Meadow, near the River *Biss*, belonging to the said *James Bissey*, to or near to the said Town of *Trowbridge*, and a Bason at the End thereof, not exceeding One hundred and ninety Yards in Length and Sixty Yards in Width: And to vary and alter the Line of the said Canal from or near the said Lane called *Wolfhall Lane*, in the said County of *Wilts*, to or near to

Variation the First. *Foxhanger to Semington* and *Ladydown Farm*.

Cut to *Trowbridge*.

Variation the Second. *Brimslade to Wolfhall*.

to the ſaid Houſe called *Brimſlade Houſe*, in the ſame County, and to make the ſame in the Courſe and Direction following; (that is to ſay), Inſtead of making the ſaid Canal, by a Tunnel, in a ſtraight Line from *Wolfhall Lane* aforeſaid, to *Brimſlade Houſe* aforeſaid, to make and carry the ſame from *Wolfhall Lane* aforeſaid, along the loweſt Part of *Wolfhall Bottom*, to the Road between *Durley* and *Burbage*, at a Place called *Sand Paddock*, and from thence, along the loweſt Part of the Bottom, to *Brimſlade Houſe* aforeſaid; and to erect a Steam Engine or Steam Engines, and to make ſuch Shafts, Tunnels, Soughs, Aqueducts, and Feeders or Trenches, for conveying Water to and from the Engines, as they may think proper and convenient: And alſo to widen, vary, and alter the Line of the ſaid Canal from the ſaid Cloſe of Land, in the ſaid Pariſh of *Saint John the Baptiſt*, in *Devizes* in the ſaid County of *Wilts*, to the ſaid Road leading from *Polſhot* to *Rowd* in the ſaid County; and to make and carry the ſame in the Courſe and Direction, and of the Width following; (that is to ſay), Inſtead of carrying the ſaid Canal along the Lands of the ſaid *James Everard Arundell*, on the South Side of the Road from *Devizes* to *Bath* into the Pariſh of *Pottern*, the ſame ſhall be curved towards the North, in the Land of the ſaid *James Everard Arundell*, now or late in the Occupation of *Hugh Lavington*, and carried out of the ſame, acroſs the ſaid Road from *Devizes* to *Bath*, into a Cloſe in the Pariſh of *Rowd*, belonging to *Henry Penruddocke Wyndham* Eſquire, and *Jane Clare*; and ſhall be carried from thence, on the North Side of the ſaid Road, from *Devizes* to *Bath*, unto the ſaid Road from *Polſhot* to *Rowd*, where it ſhall unite again with the preſent Line of the ſaid Canal; and that the ſaid Company of Proprietors ſhall and may make the ſaid Canal, hereby authorized to be widened and varied, between the ſaid Cloſe of Land in the Pariſh of *Saint John the Baptiſt*, in the Occupation of *Joſeph Winterſon*, and the ſaid Road from *Polſhot* to *Rowd*, of any Breadth not exceeding One Hundred Yards for the ſaid Canal, and the Towing Paths, Banks, Side Ponds, and Side Drains thereof, and the Ditches and Fences for ſeparating ſuch Towing Paths, Banks, and Side Drains from the adjoining Lands: And alſo to vary and alter the Line of the ſaid Canal from the ſaid Piece of Land near *Widbrook* aforeſaid, to the ſaid Road adjoining *Clay Farm Houſe* aforeſaid, and inſtead of carrying the ſame through *Widbrook*, and on the Weſt Side of *Clay Farm Houſe*, to the ſaid Road adjoining the ſaid Houſe, to carry the ſaid Canal on a higher Level to the North Eaſt of *Widbrook* aforeſaid, and by the Eaſt Side of *Clay Farm Houſe* aforeſaid, to the ſaid Road adjoining the ſaid Houſe: And alſo to vary and alter the Line of the ſaid Canal at *Avon Cliff* Mills, in the ſaid County of *Wilts*, and inſtead of carrying the ſame acroſs the River *Avon*, above the ſaid Mills, to carry the ſaid Canal along the South Side of the ſaid River to a Piece of Land belonging to Maſter *Thomas Goldney*, below the ſaid Mills; and to carry the ſame from thence acroſs the ſaid River, and to rejoin the preſent Line of the ſaid Canal, in Land belonging to Miſs *Threſher*, on the North Side thereof: And alſo to vary and alter the Line of the ſaid Canal at or near *Stoke Bridge*, in the ſaid County of *Wilts*, and inſtead of carrying the ſame acroſs the ſaid River above *Stoke Bridge*, and acroſs the Valley and Brook called *Mitford Bottom* and *Mitford Brook*, into the ſaid Pariſh of *Monckton Combe* in the County of *Somerſet*, to carry the ſaid Canal along the Eaſt Side of the ſaid River *Avon*, from or near the ſaid Bridge, to the ſaid Cloſe of Land in the Pariſh of *Bradford* aforeſaid, belonging to the ſaid Miſtreſs *Ann Long* and Miſtreſs *Catherine Long*, and from the ſame

Variation the Third. *Devizes* to *Rowd.*

Variation the Fourth. *Widbrook* and *Clay Farm.*

Variation the Fifth *Avon Cliff* Mills,

Variation the Sixth. *Stoke Bridge* to *Monckton Combe.*

Cloſe acroſs the ſaid River, to rejoin the preſent Line of the ſaid Canal in the ſaid Cloſe of Land in the ſaid Pariſh of *Monckton Combe*, belonging to the ſaid *Robert Langley*.

Levels and Surveys have been taken, and Books of Reference made, and Maps and Plans.

II. And whereas Levels and Surveys have been taken, to aſcertain the Practicability of making the ſaid Variations or Alterations, and Navigable Cut, and Maps or Plans, and Books of Reference thereto, have been made, in conſequence of ſuch Levels and Surveys through, acroſs, or over, the ſeveral Eſtates, Lands, or Grounds, now or late belonging, or reputed to belong, to the ſeveral and reſpective Perſons particularly mentioned in the ſaid Books of Reference; and the ſaid Maps or Plans, and Books of Reference, have been depoſited at the Offices of the Clerks of the Peace for the reſpective Counties of *Wilts* and *Somerſet*: Be it therefore enacted, That the ſaid Maps or Plans, and Books of Reference, ſhall remain in the Cuſtody of the reſpective Clerks of the Peace for the ſaid Counties, to the End that all Perſons may, at all ſeaſonable Times, have Liberty to inſpect and peruſe, and to take Copies or Extracts thereof, 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 Two-pence for every Seventy-two Words of ſuch Copies or Extracts of the ſaid Books of Reference; and that the ſaid Company of Proprietors, in making the ſaid Variations or Alterations, and Navigable Cut, hereby authorized to be made, ſhall not deviate more than One Hundred Yards from the Lines or Courſes thereof deſcribed in the ſaid Maps or Plans; nor ſhall any ſuch Deviation be made into or carried through the Lands of any Perſon not named in the ſaid Books of Reference without the Conſent in Writing of ſuch Perſon: 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 Variations or Alterations, and Navigable Cut, or any of them, on Account of any Error or Omiſſion in the ſaid Books of Reference, in caſe it ſhall appear to any Five or more of the Commiſſioners appointed by the ſaid firſt recited Act, and be certified by Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake.

Not to deviate more than One Hundred Yards.

Company of Proprietors of the *Kennet* and *Avon* Canal to make the Variations at their own Expence within certain Times.

III. And be it further enacted, That the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal ſhall, and they are hereby enjoined and required, at their own proper Coſts and Charges, to make and execute the ſaid Variations and Navigable Cut, and complete and open, for the Navigation of Boats, Barges, and other Veſſels, the ſaid Variation of the ſaid Canal from the ſaid Place, between *Upper* and *Lower Foxhanger* to the ſaid now intended Junction with the ſaid *Wilts* and *Berks* Canal, in the ſaid Cloſe of Meadow Ground near *Semington*, within Seven Years from the paſſing of this Act, and from thence to the ſaid firſt intended Junction of the Two Canals in *Ladydown Farm*, within Eighteen Months from the paſſing of this Act, and from thence to the Junction of the ſaid *Kennet* and *Avon* Canal with the *Somerſetſhire* Coal Canal, with all poſſible and convenient Diſpatch; and that the ſaid Canal from the ſaid now intended Junction in the ſaid Cloſe of Meadow Ground near *Semington*, to the ſaid firſt intended Junction in *Ladydown Farm*, ſhall be taken and conſidered as a Part of the ſaid *Kennet* and *Avon* Canal Navigation, and not of the ſaid *Wilts* and *Berks* Canal, to the End and Intent that the whole Line of Canal or Communication by Water from *Newbury* to *Bath*, may be one

and the ſame Concern only, and not belong to different Proprietors, and be ſubject to different Regulations.

Houſes and Grounds not to be damaged.

IV. Provided always, and be it further enacted, That nothing in this Act ſhall extend to authorize or empower the ſaid Company of Proprietors, or any other Perſon or Perſons, to take, uſe, injure, or damage, any Houſe or other Building, or any Ground which, upon the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-five, was the Scite of any Houſe or other Building, or a Garden, Orchard, Yard, Park, or Planted Walk, or Avenue to a Houſe, or a Lawn or Pleaſure Ground, incloſed or adjoining to a Dwelling Houſe, without the Conſent of the reſpective Owners and Occupiers thereof, other than and except One Orchard and One Rick Yard, ſituate at *Lower Foxhanger* aforeſaid, belonging to *Edward Slade* Eſquire, and in the Occupation of *Stiles Jeffries*; One Garden ſituate in the Tithing of *Seend*, in the Pariſh of *Melkſham* in the ſaid County of *Wilts*, belonging to and in the Occupation of *Richard Scott*; Two Pieces of Land in the ſaid Pariſh of *Saint John the Baptiſt* in *Devizes*, belonging to the ſaid *James Everard Arundell*, and occupied by *Joſeph Winterſon* and *Hugh Lavington* as Field Gardens; a Garden near *Clay Farm Houſe* aforeſaid, belonging to the Dean and Chapter of *Briſtol* and *Ann Love*, in the Occupation of *William Goodhall Burcomb*; an Orchard in the Pariſh of *Weſtwood* in the ſame County, belonging to *John William Yerbury* Eſquire, in the Occupation of *Thomas Joice* Eſquire; and an Orchard in the ſame Place belonging to Maſter *Thomas Goldney*, in the Occupation of *Samuel Mundy*.

Company of Proprietors of *Kennet* and *Avon* Canal to execute the Works neceſſary for making the Variations.

V. And be it further enacted, That, from and after the Day of paſſing this Act, the ſaid Company of Proprietors of the *Kennet* and *Avon* Canal Navigation are hereby authorized and empowered to make, erect, build, execute, do, and perform, all ſuch Works, Matters, and Things, as ſhall be requiſite and convenient for making, completing, repairing, preſerving, maintaining, and uſing, the Variations and Navigable Cut hereby authorized to be made, and the Navigation thereof; and for making and ſetting up Bridges, Locks, Reſervoirs, Shafts, Soughs, Tunnels, Feeders, Aqueducts, Wharfs, Quays, Landing-places, Weigh-beams, Cranes, Engines, Machines, and other Matters and Things, requiſite or convenient for the ſaid Navigation and Works, in as full, ample, and beneficial a Manner, to all Intents and Purpoſes, as the ſaid Company of Proprietors are authorized and empowered to do, execute, and perform, under and by virtue of the ſaid firſt recited Act, with reſpect to the Canal and Works thereby authorized to be made; and the ſaid Company of Proprietors, their Agents, Servants, Workmen, and Labourers, and all and every Perſon and Perſons, Bodies Politick, Corporate and Collegiate, Corporations Aggregate and Sole, Tenants for Life or in Tail, or for any other partial Eſtate or Intereſt, Huſbands ſeiſed or entitled in Right of their Wives, Guardians, Truſtees, Feoffees in Truſt for Charities and other Purpoſes, Committees, Executors, and Adminiſtrators, and all other Truſtees whatſoever, ſhall have, and be ſeiſed and poſſeſſed of, and is and are hereby inveſted with, ſuch and the like Eſtates, Authorities, Powers, Abilities, Intereſts, Privileges, and Advantages, and ſhall be, and is and are hereby made ſubject and liable to ſuch and the like Rules, Conditions, Directions, Regulations, Limitations, Reſtrictions, Controls, Payments,

Payments, Penalties, Forfeitures, Puniſhments, and Benefit of Appeal, in relation to the making, executing, completing, uſing, and governing the ſaid Variations, Navigable Cut, and Works, by this Act authorized to be made, completed, maintained, and uſed, as are mentioned, given, granted, preſcribed, eſtabliſhed, and inflicted in and by the ſaid firſt recited Act, to every Intent and Purpoſe whatſoever; and that the ſaid firſt recited Act, and all the Clauſes, Proviſoes, Powers, Authorities, Orders, Rules, Regulations, Tolls, Duties, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Puniſhments, Matters, and Things, therein contained, (ſave and except ſuch as are hereby repealed, and alſo ſave and except ſuch as are hereby altered, ſo far only as the ſame are hereby altered, and no further), for making, completing, repairing, preſerving, maintaining, and uſing the ſaid Canal, and other Works thereby authorized to be made, ſo far as the Nature and Circumſtances of the Caſe will admit, ſhall extend, and are hereby extended to, and ſhall take Effect, operate, and be put in Execution, and ſhall be uſed and exerciſed by the ſaid Company of Proprietors, and ſhall be applied and enforced in, by, and for and in reſpect of making, completing, repairing, preſerving, maintaining, and uſing, the ſaid Variations, and Navigable Cut, and the ſeveral Works, Matters, and Things, by this Act authorized to be made, done, and performed; and for ſupplying the ſame whilſt making, and when made, with Water, and for the Puniſhment of Offences in relation thereto; and for the ſelling and conveying of Lands, Tenements, and Hereditaments, and aſcertaining the Value thereof; and for the determining and aſſeſſing of Damages, and all other Matters and Things which relate to, or happen or ariſe by or in conſequence of the making, completing, repairing, preſerving, maintaining, and uſing, the ſaid Variations and Navigable Cut and Works, hereby authorized to be made, done, and executed; and that the Perſons who are appointed Commiſſioners for putting the ſaid firſt recited Act in Execution, ſhall be Commiſſioners for the Purpoſes of this Act, in the ſame Manner, and as fully and effectually, to all Intents and Purpoſes, as if the ſaid Clauſes, Proviſoes, Powers, Authorities, Orders, Regulations, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Puniſhments, Matters, and Things, contained in the ſaid firſt recited Act, were herein repeated and re-enacted, (ſave and except as aforeſaid), and as if the ſaid Variations and Navigable Cut, and other Works by this Act authorized to be made, completed, maintained, and uſed, had been Part of the Canal and other Works by the ſaid recited Act, authorized to be made, completed, maintained, and uſed.

Enabling the Company to purchaſe Lands, and convey part thereof which may not be found neceſſary, without incurring the Penalties of the Statutes of Mortmain.

VI. And whereas it may happen to be convenient that the ſaid Company of Proprietors ſhould have it in their Power to purchaſe Meſſuages, Lands, Tenements, or Hereditaments, all of which may not be neceſſary to the ſaid Undertaking, be it therefore enacted by the Authority aforeſaid, That they ſhall have full Power and Authority, from Time to Time, to purchaſe, to them, their Succeſſors and Aſſigns, any Meſſuages, Lands, Tenements, or Hereditaments, the Purchaſe of which may be conſidered by them to be in any Degree advantageous to the ſaid Undertaking, although every Part thereof may not be neceſſary thereto; and

and alſo from Time to Time to ſell and diſpoſe of any of ſuch Meſſuages, Lands, Tenements, or Hereditaments, ſo to be purchaſed by them, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain.

No Steam Engine to be erected near the Earl of *Aileſbury*'s but ſuch as ſhall conſume their own Smoke.

VII. And whereas it is intended that One or more Steam Engine or Steam Engines ſhall be erected near the Houſe of the Earl of *Aileſbury*, in the Pariſh of *Great Bedwin* aforeſaid, called *Tottenham Park Houſe*, and uſed for raiſing Water for the Supply of the Summit Level, and the Smoke which would ariſe from the ſame, if ſuch Engine or Engines was or were conſtructed and uſed in the common Way, would be a great Nuiſance to the Inhabitants of the ſaid Houſe; be it enacted, That no Steam Engine or Steam Engines, or other Engine or Engines worked by Fire, ſhall be erected or uſed at any Time for ever hereafter by the ſaid Company of Proprietors within the Diſtance of Two Miles from the ſaid Houſe, unleſs the ſame ſhall be conſtructed, made, and uſed, ſo as to burn and conſume the Smoke of the Coals or other Combuſtibles and Fire with which ſuch Engine or Engines ſhall be worked, in as complete a Manner as the Nature of the Caſe will admit; and that the ſame, if erected, ſhall be ſo worked, and the Coals ſo placed in the Furnace or Furnaces of ſuch Engine or Engines, as to make as little Smoke, and be as ſmall a Nuiſance as poſſible; and that if the Perſon or Perſons, at any Time or Times employed by the ſaid Company of Proprietors to ſuperintend ſuch Engine or Engines, ſhall refuſe or neglect to uſe the ſame, or place the Coals in the Furnace or Furnaces of ſuch Engine or Engines, in ſuch Manner as to make as little Smoke as poſſible, the ſaid Company of Proprietors, upon Complaint made thereof to the Principal Clerk to the ſaid Company of Proprietors, by the Owner or Owners of the ſaid Houſe for the Time being, ſhall, within Thirty Days after ſuch Complaint made, diſcharge ſuch Perſon or Perſons from the Service of the ſaid Company, and never afterwards employ him or them.

Certain Inconveniencies in the former Act recited.

VIII. And wheras the ſaid Company of Proprietors of the ſaid *Kennet* and *Avon* Canal are, by the ſaid firſt recited Act of Parliament, empowered to raiſe amongſt themſelves any Sum of Money, not exceeding the Sum of Four hundred and twenty thouſand Pounds, for making and completing the ſaid Canal, and it is thereby enacted, that the Money ſo raiſed ſhall be divided into Three thouſand five hundred Shares, and that a certain Number of ſuch Shares may be ſubdivided into Half Shares, and that all ſuch Shares ſhall be deemed Perſonal Eſtate; and the ſaid Three thouſand five hundred Shares are thereby veſted in the ſeveral Bodies Politick and Corporate, and other Perſons ſubſcribing for and undertaking to raiſe and contribute the ſame, and their reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns; and the ſaid Act authorizes the Committee of Management, thereby directed to be annually choſen, to make Calls, from Time to Time, for Money from the ſeveral Proprietors of the ſaid Navigation or Undertaking, in Manner and for the Purpoſes therein mentioned: And it is by the ſame Act further enacted, that every Proprietor of any Share or Shares, Half Share or Half Shares, in the ſaid Navigation and Undertaking, ſhall, from Time to Time, pay his or her Proportion of the Money ſo to be called for in Manner

Manner therein mentioned; and that if any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their proportionable Part of the Money ſo to be called for as therein mentioned, at the Time and Place which ſhall be appointed for that Purpoſe, it ſhall be lawful for the ſaid Company of Proprietors, in caſe they ſhall ſo think fit, to ſue for and recover the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, or that the Perſon or Perſons ſo refuſing or neglecting to pay ſuch his, her, or their proportionable Part of ſuch Money as aforeſaid, ſhall forfeit the Sum therein mentioned; and that in caſe any ſuch Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their proportionable Part of the Money ſo to be called for as therein mentioned, for the Space of One Calendar Month after the Time to be appointed for Payment thereof as therein mentioned, and the ſame ſhall not have been ſued for by the ſaid Company of Proprietors as aforeſaid, or if ſued for ſhall not have been recovered by them, that then and in ſuch Caſe the Perſon or Perſons ſo neglecting or refuſing, ſhall abſolutely forfeit all his, her, or their Share, Part, and Intereſt whatſoever in the ſaid Undertaking, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them, on Account thereof, to and for the Uſe and Benefit of the other Proprietors of the ſaid Undertaking; and that all Shares that ſhall or may be ſo forfeited, ſhall be ſold by the ſaid other Proprietors by publick Auction; and that the Produce ariſing from ſuch Sale ſhall be divided amongſt them, in Proportion to their reſpective Shares and Intereſts in the ſaid Navigation and Undertaking; but it is thereby provided, that no Advantage ſhall be taken of ſuch Forfeiture, until after perſonal Notice ſhall be given by the Treaſurer or Principal Clerk of the ſaid Company of Proprietors to the Owner or Owners thereof, or until Notice in Writing, ſigned by the Treaſurer or Clerk, ſhall be left at his, her, or their uſual or laſt Place or Places of Abode, nor unleſs the ſame ſhall be declared to be forfeited at ſome General Meeting of the Committee of Management within Six Calendar Months next after ſuch Forfeiture ſhall have been incurred: And whereas the ſaid Company of Proprietors have cauſed a Liſt of the known Proprietors of Shares and Half Shares in the ſaid Undertaking to be entered and regiſtered in a Book kept in the Office of the Principal Clerk to the ſaid Company of Proprietors under the Common Seal of the ſaid Company, intituled, *An Alphabetical Liſt of the Proprietors of Shares and Half Shares in the* Kennet *and* Avon *Canal Navigation, with the Numbers of their Shares and Half Shares*; and to be altered, from Time to Time, as the Proprietorſhip of ſuch Shares or Half Shares is altered; but in Caſes where the original Subſcriber for One or more Share or Shares, Half Share or Half Shares, in the ſaid Undertaking, is dead, inſolvent, or become Bankrupt, or gone out of the Kingdom, or has transferred his Right and Intereſt to ſome other Perſon, and no Regiſter hath been made of the Transfer thereof with the ſaid Principal Clerk, as directed by the ſame Act, it may not be in the Power of the ſaid Company of Proprietors, or their Treaſurer or Clerk, to know who is the Owner or Proprietor of ſuch Share or Shares, Half Share or Half Shares, in order to give him, her, or them, Notice or Notices of Calls made on ſuch Share or Shares, Half Share or Half Shares, as required by the ſaid Act, before the ſame can be claimed by the ſaid Company to be forfeited, and to maintain any Action or Actions againſt him, her, or them, for the

Recovery of the ſame, or of the Penalty impoſed by the ſaid Act for Nonpayment of Calls, or for the Purpoſe of paying ſafely to him, her, or them, the Intereſt and Dividends to which he, ſhe, or they will be entitled to by virtue of the ſaid Act: For Remedy of which Defects and Inconveniencies, be it further enacted, That, in Caſes where the Right and Property in One or more Share or Shares, Half Share or Half Shares, in the ſaid Undertaking, has paſſed or ſhall paſs from the Original or other Proprietor thereof to any other Perſon or Perſons, by any other legal Means than by a Transfer or Conveyance thereof, which is already, by the ſaid firſt recited Act, required to be produced to the Principal Clerk, for the Purpoſe therein mentioned, an Affidavit ſhall be made and ſworn to by ſome credible Perſon before One of His Majeſty's Juſtices of the Peace, ſtating the Manner in which ſuch Share or Shares, Half Share or Half Shares hath paſſed, or ſhall have paſſed to ſuch other Perſon or Perſons; and which Affidavit ſhall be tranſmitted to the Principal Clerk, to the Intent that he may, and he is hereby required to enter and regiſter the Name or Names of every ſuch new Proprietor or Proprietors in the ſaid Regiſter Book, or Alphabetical Liſt of Proprietors of the ſaid Undertaking.

Where the Right in Shares paſſes from One to another otherwiſe than by Transfer, an Affidavit to be made and regiſtered.

IX. And be it enacted, That ſo much of the ſaid firſt recited Act, as provides that no Advantage ſhall be taken of the Forfeiture of any Share or Shares in the ſaid Navigation and Undertaking, unleſs the ſame ſhall be declared to be forfeited at ſome General Meeting of the Committee of Management, within Six Calendar Months next after ſuch Forfeiture ſhall have been incurred, ſhall be and the ſame is hereby repealed: Provided always nevertheleſs, That no Advantage ſhall be taken of any Forfeiture of any Share or Shares in the ſaid Navigation and Undertaking, unleſs the ſame ſhall be declared by the ſaid Committee of Management, at ſome General Meeting of the ſaid Committee to be forfeited.

No Advantage to be taken of the Forfeiture of a Share, unleſs declared by the Committee of Management at a General Meeting.

X. And be it enacted, That the Bodies Politick and Corporate, and all and every Perſon and Perſons, whoſe Names are and ſtand, or ſhall at any Time hereafter ſtand in the ſaid Regiſter Book or Liſt of Proprietors of the ſaid Company, either as a Proprietor or Proprietors of One or more Share or Shares, Half Share or Half Shares in the ſaid Undertaking, whether as original Subſcribers or as Succeſſors, Executors, Adminiſtrators, or Aſſigns, of original Subſcribers, ſhall be deemed and taken to be the Proprietors of the ſeveral Shares and Half Shares ſtanding in the ſaid Book in their reſpective Names, and ſhall be ſubject and liable to the Payment of all and every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which Proprietors of Shares in the ſaid Undertaking are made ſubject and liable by the ſaid firſt recited Act; and that all Notices by the ſaid Act required to be given previous to the Forfeitures of Shares and Half Shares to the Proprietors thereof ſhall, if given to the Perſons appearing by the ſaid Regiſter Book of the ſaid Company to be ſuch Proprietor or Proprietors, or their Repreſentatives, be in all Reſpects good, ſufficient, and concluſive; and all Payments of Intereſt and Dividends due and to grow due on any ſuch Shares or Half Shares, ſhall be made to ſuch Perſons as by the ſaid Book of the ſaid Company ſhall ſo appear to be

Other Regulations for aſcertaining the Proprietorſhip of Shares.

Proprietors

Proprietors thereof; and that no Aſſignment, Transfer, Bargain, or Sale of any Share or Shares, Half Share or Half Shares, or other Inſtrument giving Title to any ſuch Share or Shares, Half Share or Half Shares, which ſhall not have been brought to the ſaid Principal Clerk to be enrolled or regiſtered, as directed by the ſaid Act, ſhall be given or admitted as Evidence either to defeat any Action or Suit brought or to be brought by the ſaid Company of Proprietors to recover the ſaid Calls, or to entitle any Perſon or Perſons to recover any Share or Shares, Half Share or Half Shares, forfeited to the Company of Proprietors, or to make the ſaid Company of Proprietors liable to the Payment of Intereſt or Dividends to any other Perſon or Perſons than ſuch as appear upon the ſaid Book, to be Proprietors of the ſaid Shares and Half Shares, but that in all ſuch Caſes the ſaid Book ſhall be conſidered as ſufficient and concluſive Evidence of the Proprietorſhip of the ſaid Shares and Half Shares.

Diſputes referred.

XI. Provided nevertheleſs, and be it enacted, That if any Diſpute ſhall ariſe touching the Proprietorſhip of any Share or Shares, Half Share or Half Shares in the ſaid Undertaking, the ſame ſhall be referred to Three indifferent Perſons, One to be choſen by the Perſon in whoſe Name the ſaid Share or Shares, Half Share or Half Shares, ſhall ſtand in the ſaid Book of the ſaid Company, or his or her Repreſentatives, One by the Perſon or Perſons who ſhall claim Title to the ſame Share or Shares, Half Share or Half Shares, and One by the ſaid Principal Clerk on the Part of the ſaid Company of Proprietors, and ſuch Three indifferent Perſons are hereby empowered to ſend for Perſons and Papers, and to examine Witneſſes upon Oath, which Oath any One of ſuch indifferent Perſons, ſo to be choſen, is hereby authorized and empowered to adminiſter, and the Award or Determination of ſuch indifferent Perſons, or any Two of them, touching ſuch Proprietorſhip, ſhall be binding and concluſive on all Parties; and if ſuch Three indifferent Perſons, or any Two of them, ſhall ſo determine that the Perſon or Perſons claiming to be entitled to ſuch Share or Shares, Half Share or Half Shares, is or are entitled thereto, they ſhall cauſe the Clerk of the ſaid Company to enter ſuch Alteration in the Proprietorſhip of the ſame Share or Shares, Half Share or Half Shares, in the Books of the ſaid Company: Provided nevertheleſs, That no ſuch Reference, Award, or Determination, ſhall affect the Right of the ſaid Company of Proprietors to recover all ſuch Calls, or claim ſuch Forfeitures as ſhall have been incurred for or in reſpect of any ſuch Share or Shares, Half Share or Half Shares, previous to ſuch Determination in regard thereto.

Regulation as to Shares of Bankrupts and certain other Perſons.

XII. And be it further enacted, That in all Caſes where any Proprietor of One or more Share or Shares, Half Share or Half Shares in the ſaid Undertaking, hath been or ſhall be declared Bankrupt, or hath died or ſhall die inſolvent, or hath gone or ſhall go beyond the Seas, and the Aſſignees, Repreſentatives, or Agents, of ſuch Proprietor or Proprietors ſo become Bankrupt, dying inſolvent, or gone beyond the Seas, or ſome Perſon or Perſons on his, her, or their Behalf, ſhall not, within One Year after any Call ſhall have been made, pay to the Treaſurer of the ſaid Company of Proprietors the ſeveral Calls that have been from Time to Time made, or are become due, for, upon, or in reſpect of

of any ſuch his, her, or their Share or Shares, Half Share or Half Shares, all ſuch the ſame Share or Shares, Half Share or Half Shares, ſhall be deemed and taken to be forfeited to the ſaid Company of Proprietors, without any Notice being given to ſuch bankrupt Proprietor or his Aſſignees, or to the Repreſentatives of the Proprietor who hath died or ſhall ſo die inſolvent, or to ſuch Proprietor as is or ſhall be ſo gone beyond the Seas; and that the Managing Committee, for the Time being, of the ſaid Company of Proprietors ſhall and may thereupon in every ſuch Caſe ſell and abſolutely diſpoſe of all and every the ſame Share or Shares, Half Share or Half Shares, by Publick Auction to the beſt Bidder: Provided, That the Money ariſing by ſuch Sale, (if any), after Payment of the Money due on all Calls made previous thereto, and the Expences of the Sale and Transfer thereof ſhall be paid by the ſaid Company of Proprietors to the Aſſignee or Aſſignees of ſuch bankrupt Proprietor, or the Repreſentatives of ſuch inſolvent deceaſed Proprietor, or the Proprietor ſo gone beyond the Seas, as the Caſe may be, or to ſome Perſon or Perſons duly authoriſed on his, her, or their Behalf: Provided, That if there ſhall be no Bidder for ſuch Share or Shares, Half Share or Half Shares, at ſuch Auction for the Sale thereof, then and in ſuch Caſe the ſame ſhall be diſpoſed of under the ſame Regulations as are herein-after mentioned and contained reſpecting other forfeited Shares in the ſaid Undertaking.

Directions as to Diſpoſal of Shares forfeited.

XIII. And be it further enacted, That in all Caſes where a Proprietor of One or more Share or Shares, Half Share or Half Shares, in the ſaid Undertaking, ſhall have incurred a Forfeiture thereof by Non-payment of the Sum or Sums called for as aforeſaid, it ſhall and may be lawful for the ſaid Committee of Management, at their Diſcretion, from Time to Time, to put up any ſuch forfeited Share or Shares, Half Share or Half Shares, to be ſold by Auction, and apply the Money ariſing by ſuch Sale or Sales (if any) to the Uſe of the ſaid Company of Proprietors, except in the Caſes herein-before otherwiſe provided, or to reduce the Number of Shares in the ſaid Undertaking, by ſinking or merging ſuch forfeited Share or Shares, Half Share or Half Shares, as alſo ſuch Share or Shares, Half Share or Half Shares of Bankrupts, Perſons dead, inſolvent, and Perſons gone beyond the Seas, in caſe the ſame cannot be ſold by Auction, for Want of Bidders as aforeſaid, into the Reſt of the Shares in the ſaid Undertaking, and to expunge and ſtrike out the Name or Names of ſuch Proprietor or Proprietors, and the Numbers of ſuch Share or Shares, from the Books of the ſaid Company of Proprietors if the ſaid Committee of Management ſhall think fit; and in that Caſe the ſaid Sum of Four hundred and twenty thouſand Pounds, or ſo much thereof as ſhall be neceſſary, ſhall be raiſed by, and the Profits of the ſaid Undertaking, ſhall be divided amongſt the Remainder of the ſaid Proprietors, in the Proportion which their reſpective Shares and Half Shares in the ſaid Undertaking, ſhall bear to the Number of Shares which ſhall remain unforfeited; or it ſhall and may be lawful for the ſaid Company of Proprietors to borrow any Sum or Sums of Money not exceeding the Sum of One hundred and twenty Pounds, for or upon each Share ſo forfeited and not ſold, and to ſecure the ſame, with Intereſt, in the like Manner as the ſaid Company of Proprietors are enabled by the ſaid firſt recited Act to borrow and ſecure any Sum

not exceeding One hundred and fifty thouſand Pounds, for the Purpoſes therein mentioned.

No Proprietor to vote till Call paid.

XIV. And be it enacted, That no Proprietor of any Share or Shares, Half Share or Half Shares in the ſaid Undertaking, either in Perſon or by Proxy, ſhall give a Vote or Votes in reſpect of the ſame, at any Meeting of the ſaid Proprietors, unleſs the ſame ſhall be ſtanding in the Name of ſuch Proprietor in the ſaid Book at and immediately before ſuch Meeting, and unleſs the Sums of Money from Time to Time called for by the ſaid Committee of Management, for or in reſpect of ſuch Share or Shares, Half Share or Half Shares, and all Arrears thereof, ſhall be duly paid to the Treaſurer or Treaſurers of the ſaid Company of Proprietors.

Principal Clerk may appoint a Deputy.

XV. And be it further enacted, That it ſhall and may be lawful for the ſaid Principal Clerk to the ſaid Company of Proprietors, (with the Conſent of the ſaid Committee of Management to be given at any General Meeting of ſuch Committee), by any Writing under his Hand, to appoint One or more Deputy or Deputies; and all Acts required to be done by the ſaid Principal Clerk, and all Notices and Proceſſes, which by the ſaid Act may be ſerved upon the ſaid Principal Clerk, ſhall be equally good, valid, binding, and effectual, if done by or ſerved upon ſuch Deputy or Deputies.

Appointing the Time of holding General Meetings, when the Time is not fixed at the preceding one.

XVI. And whereas, by the ſaid firſt recited Act, the Time of the General Quarterly Meetings of the Committee of Management are to be appointed by the ſaid Committee at the preceding General Quarterly Meetings, and it may ſometimes happen that no ſuch Appointment may be made; be it further enacted, That in caſe no Time ſhall be appointed by the ſaid Committee, at any General Quarterly Meeting, for holding the then next General Quarterly Meeting, in ſuch Caſe the Principal Clerk to the ſaid Company ſhall and may appoint the Time and Place for holding the next General Quarterly Meeting of the ſaid Committee ſome Time in the Months of *September*, *December*, *March*, or *June* reſpectively, as the Caſe ſhall require; and alſo that the ſaid Principal Clerk, at the Requiſition, in Writing, of any Three or more of the ſaid Committee, of whom the Chairman (if there ſhall be one) ſhall be one, or of any Five of the ſaid Committee with or without the Chairman, ſhall and may, at any Time or Times, convene a Meeting of the ſaid Committee of Management for any ſpecial Purpoſe, to be held at ſuch Time and Place, or Times and Places, as ſhall be mentioned in ſuch Requiſition: Provided, That the like Notice ſhall be given of ſuch Meeting in any ſuch Caſe as is by the ſaid firſt recited Act, required to be given of the holding of General Quarterly Meetings.

Paying the Expences of the Act.

XVII. And be it further enacted, That the Coſts and Charges of obtaining and paſſing this Act, and of making the Surveys, Plans, and Eſtimates, incident thereto, and all other Coſts, Charges, and Expences concerning the ſame, ſhall be borne, paid, and defrayed, by the ſaid Company of Proprietors, by and out of the firſt Money that ſhall come to their Hands after the Day of paſſing this Act, by virtue of the ſaid firſt recited Act.

Publick Act. XVIII. And be it further enacted, That this Act ſhall be deemed and taken to be 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.