Anno ſeptimo

Georgii III. Regis.

CAP. LI.

An Act for improving the Navigation of the River *Lee*, from the Town of *Hertford* to the River *Thames*; and for extending the ſaid Navigation to the Flood-gates belonging to the Town Mill, in the ſaid Town of *Hertford*.



WHEREAS by an Act paſſed in the Twelfth Year of the Reign of his late Majeſty, intituled, An Act for aſcertaining, preſerving, and improving, the Navigation of the River *Lee*, from the Town of *Hertford* to the Town of *Ware*, in the County of *Hertford*; and for preſerving and improving the ſaid River from the ſaid Town of *Ware*, to the new Cut or River made by the Mayor, Commonalty, and Citizens of *London*; and for enabling the Governor and Company of the *New River* the better to ſupply the Cities of *London* and *Weſtminſter*, and the Liberties and Suburbs thereof, with good and wholſome Water, ſeveral Powers were Preamble, reciting Act 12 *Geo.* II.

were granted to Truſtees therein and thereby appointed, for preſerving and improving the Navigation of the ſaid River Lee: And whereas the Powers thereby granted have been found to be inſufficient to anſwer the good Purpoſes thereby intended: And whereas by an Act paſſed in the Thirteenth Year of the Rign of Queen Elizabeth, intituled, An Act for the bringing of the River *Lee* to the North Side of the City of *London*, the whole Juriſdiction, Conſervation, Rule, and Government of the ſaid new Cut or River, mentioned to have been made by the Mayor, Commonalty, and Citizens of London, are veſted in the ſaid Mayor, Commonalty, and Citizens, and their Succeſſors for ever: And whereas a divided Juriſdiction upon One and the ſame Navigation muſt be productive of great Inconveniencies: And whereas the Navigation of the River Lee from the Town of Hertford to the River Thames, in its preſent State, is attended with many Difficulties and Delays, and liable to many Obſtructions: And whereas the further improving of the ſaid Navigation of the ſaid River Lee, and the extending the Navigation thereof to the Flood-gates belonging to the Town Mill in the ſaid Town of Hertford, will be of great Benefit and Advantage to the City of London, and to the Counties of Hertford, Eſſex, and Middleſex, and will be of publick Utility: And whereas by a Survey lately made under the Direction of the ſaid Truſtees, it appears, that the ſaid Navigation is capable of being greatly improved; and that the ſaid River Lee is capable of being made navigable to the ſaid Flood-gates belonging to the Town Mill in the ſaid Town of Hertford: And whereas the ſaid Purpoſes cannot be effected without the Aid of Parliament; May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Truſtees appointed in or by virtue of the ſaid recited Act of the Twelfth Year of the Reign of His late Majeſty, together with Sir Anthony Thomas Abdy Baronet, Stotherd Abdy Clerk, Bartholomew Abell, Jeremiah Acres, Samuel Atkinſon, Thomas Adams, Joſeph Adams, Thomas Adderley, the Right Honourable Conway, commonly called Lord Beauchamp; Sir William Baker Knight, Thomas Brand, Thomas Brand junior, Joſeph Bird, Thomas Blackmore, William Baker, George Poyner Biſſe, John Boteler, Edward Baintun, Michael Harvey Breton, Charles Boddam, Calvert Bowyer, Elias Brownſword,

ſword, Booth, William Berners, Nathaniel Braſſey, Charles Berners, Peregrine Bertie, Samuel Boſanquet, Robert Boothby, Richard Benyon, Richard Wilbraham Bootle, James Barwick, John Banks, John Brewit, James Beauvoir, Richard Beauvoir, Thomas Boddam, **the Right Honourable** James Brydges, **commonly called Marquis of** Carnarvon; **the Right Honourable** Cecil, **commonly called Lord Viſcount** Cranbourn; **the Right Honourable** Edward Cornwallis, **Sir** Richard Chaiſe **Knight**; **Sir** John Chapman **Baronet**, Nicholſon Calvert, Richard Cox, John Calvert, Timothy Caſwall, Peter Calvert **LL. D.** Edward Coddrington, Benjamin Cherry, Thomas Creaſy, Richard Chiſwell, William Clarke, Cadwallader Coker, Robert Child, William Currie, George Richard Carter, Pryſe Campbell, Nathaniel Cholmley, Grey Cooper, Peregrine Cuſt, George Cooke, Charles Dingley, Henry Dunſter, Joſeph Dimſdale, John Dixon, Thomas Docwra, Philip Delahaze, John Darker, Samuel Dixon, Thomas Dew, John Dell, James Eyre, Ralph Freeman **D. D.** Roſe Fuller, Henry Fuller, Richard Fuller, Thomas Fanſhaw, William Forriſter, **the Right Honourable Lord** Adam Gordon, **Sir** John Griffin Griffin **Baronet**, **Sir** Alexander Grant **Baronet**, Charles Gardiner, Richard Gulſton, Edward Gardiner, James Gordon, John Gripper, William Gripper, Joſeph Gridley, Bradſhaw Galliard, Pierce Galliard, Daniel Goatley, John Gawler, Sherman Godfrey, Edward Groves, Thomas Glineſter, James Grenville **junior**, Joſeph Gaſcoyne, Bamber Gaſcoyne **junior**, Amie Garnault, Charles Gore, James Graham, Jacob Houblon, Jacob Houblon **junior**, William Hall, Richard Hall, Hume, Humphry Hall, Eliab Harvey, Hinde, Robert Hinde **of** Preſton, John Howell, John Harding, Daniel Haydon, Hutchinſon, John Henniker, Heath, Heath, John Hankin, George Hankin, Richard Hare, John Hyde, Francis Herne, John Huſke, Richard Haſſell, Jeremiah Rayment Hadſley, William Harris, **Sir** Conyers Jocelyn **Baronet**, Robert Jacomb, Iſrael Jallabert, George Jennings, John Jennings, Jackſon, Richard Iles, Robert Jones **of** Old Ford, Richard Jackſon, Robert Jones, Keck, William Coomber Kirkby, **the Right Honourable Lord Viſcount** Liſburn **in the Kingdom of** Ireland, **Sir** Mathew Lamb **Baronet**, Penniſton Lamb, John Luther, John Leachman **of** Hoddeſdon, John Lefevre, Peter Lefevre, Iſaac Lefevre, George Lake, Edward Lewis, John Lockwood, John Leapidge, John Rogers Lawton, William Lake, **the Honourable** George Monſon, **Sir** William Maynard, **Baronet**,

Maſterman, Joſeph Martyn, Thomas Morgan, Charles Morgan, Charles Mahew, Thomas Marlborough, Peter Muilman, Richard Muilman, John Malet, Richard Mills, Joſeph Melliſh, Chriſtopher Molineux, Criſp Molineux, Adolphus Meetherke, Charles Maynard, the Right Honourable Frederick North, commonly called Lord North; Abraham North, Richard Nicholus, James Noel, Arnold Neſbitt, Sir William Owen Baronet, George Onſlow, George Orgar, Abraham Ogie, Robert Henley Ongley, Oliver, Sir William Beauchamp Proctor Baronet, George Preſcott, Newdigate Poyntz, David Poole, George Preſcott junior, Michael Pepper, Board Packer, George Proctor, George Phelps, John Paterſon, John Phillips, Robert Pell, Jens Pederſon, Mathew Raper, John Raper, John Radcliffe, John Runington, Samuel Rogers, William Rackſtrow, John Roberts, Joſhua Reynolds, Heneage Robinſon, Iſaac Martin Rebow, Jeremiah Rayment, John Rigg, Sir John Saunders Sebright Baronet, Sir Thomas Saluſbury Knight, Richard Stanley, John Shaw, John Sabine, Joſeph Sabine, Francis Stanley Clerk, Laurence Sullivan, Samuel Scott of Hertford, John Smart, Seymour Stocker, Richard Smith, William Squire, Henry Stout, Samuel Scott of Arnwell, John Scott of the ſame, George Sealy, Charles Smith of Stratford, William Sotheby, Henry Seymour, William Squire, the Reverend F. Stanley junior, Joſeph Smith, Henry Spurling, John Sawbridge, Scudamore, Henry Southouſe, Thomas Scot, Samuel Scot, Charles Steide, Charles Smith, James Spagg, Robert Salmon, Liſter Silmon, John Shelley, Henry Shiffner, John Stephenſon, John Strutt, John Shakeſpear, Daniel Stacy, Chriſtopher Scott, William Southouſe, William Sitwell, Richard Salway, the Right honourable the Earl of Thomond in the Kingdom of Ireland, the Right honourable the Earl of Tilney in the Kingdom of Ireland, the Right honourable Charles Townſhend, James Turvin, James Townſend, Francis Tyſſen, Thomas Thoroton, John Tucker, George Forſter Tuffnell, Thomas Teſhmaker, John Uſborne, Benjamin Vaughan, George Wright, Samuel White, Samuel Wake, William Walley M.D. Lewis Weſton, Benjamin Wellington, Peter Walley, Iſaac Whittington, Bourchier Walton, Edward Woodcock, Arthur Warren, Joſhua Winter, Ralph Winter, John Weyland, Edward Woodcock Clerk, Charles Whitworth, Joſeph Wilcocks, Thomas Winſpear, the Honourable Charles Yorke, Thomas Yate, M.D. the Lord Mayor, Court of Aldermen, and Recorder of the City of London for the time being, the Comptroller of the Works and Revenues of London

don Bridge for the time being, the Mayor and Recorder of the Borough of Hertford for the time being, the Governor, Deputy Governor, and Treaſurer, of the New River Company for the time being, ſhall be, and they are hereby appointed Truſtees for the making, extending, improving, and maintaining, the Navigation of the ſaid River Lee, from the Flood Gates belonging to the Town Mill in the Town of Hertford to the River Thames, and for putting this Act in Execution; and that the ſaid Truſtees, or any Five or more of them, ſhall be, and they are hereby authorized and impowered, from time to time, at their Diſcretion, to cleanſe, ſcour, deepen, enlarge, or ſtraighten the Channel or Courſe of the ſaid River Lee; and alſo to ſet out, open, make, and maintain, all or any of the new Cuts or Canals, herein after ſpecified and deſcribed to communicate with the ſaid River Lee, and to be uſed for the ſaid Navigation; and alſo to remove all Obſtructions and Impediments whatſoever to the ſaid Navigation; and alſo to build, erect, ſet up, and make over or in the ſaid Channel or Courſe of the ſaid River, and the new Cuts, and Canals aforeſaid, and upon the Lands and Grounds adjoining or near to the ſame, ſuch and ſo many Bridges, Locks, Staunches, Flood Gates, Pens of Water, Weirs, Stanks, Weigh-beams, Cranes, or other Engines of the like Kind, as they ſhall think neceſſary or convenient for the ſaid Navigation, and from time to time to alter and repair the ſame; and alſo to ſet out and make Towing-paths or Haling-ways upon any of the Lands or Grounds aforeſaid, for towing or drawing with Oxen, or Horſes or other Cattle, Boats, or other Veſſels uſing the ſaid Navigation; and alſo to dig, take, and carry away, Clay, Gravel, Stone, or other Materials, proper for carrying on the ſaid Works, and to be uſed and expended only in the ſaid Works, in and from any of the Lands and Grounds aforeſaid (excepting only Gardens, Orchards, Yards, Parks, Paddocks, incloſed Lawns, and Avenues to Houſes planted with Trees;) and to carry and convey Timber and all other Materials for the ſaid Works upon, through, and over, the Lands or Grounds of any Perſons whatſoever, to the reſpective Places where the ſaid Works reſpectively are intended to be made, and to place, lay, and manufacture, the ſaid Materials on the Lands or Grounds adjoining or near to ſuch reſpective Places; and generally to do and perform all Acts, Matters, and Things, which the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary for the making, extending, improving, Their Power.

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ing, and maintaining, the said Navigation of the said River Lee, from the Flood Gates belonging to the Town Mill in the Town of Hertford, to the River Thames, and to enable them to execute the Powers hereby vested in them.

Satisfaction for Damages.

Provided always, That a full and adequate Satisfaction and Compensation be made in Manner herein after-mentioned to all Persons for the Damages they may sustain from the carrying this Act into Execution as aforesaid.

Cuts to be made.

And be it further enacted, That the said Trustees, or any Five or more of them, shall be, and they are hereby impowered, to set out, open, make, and maintain, One new Cut or Canal, to be used for the said Navigation, leading from the said River Lee, at or near a Place called The Folly, into and down Part of Dicker Mill Stream, and to be carried out of the said Stream above Dicker Mill, into the Channel of the said River, now used for Navigation, at any Place they shall think most convenient for the said Navigation, between Constant's Weir and Manifold Ditch; One other new Cut or Canal, to be used for the said Navigation, leading from the Tail of the Cistern or Lock above Ware Mill, into the aforesaid Channel on the South Side thereof, at any Place above Water Lane near the Priory Orchard; One other new Cut or Canal to be used for the said Navigation, leading from the aforesaid Channel, at any Place above Ware Weir, and below Ware Bridge, into the same Channel on the South West Side thereof at any Place above Stansted Bridge; One other new Cut or Canal to be used for the said Navigation, leading from the aforesaid Channel below Stansted Bridge into the same Channel above the Tail Stream of Stansted Mill; One other new Cut or Canal, to be used for the said Navigation, leading from the aforesaid Channel above Field's, otherwise Rye Bridge Weir, into the same Channel on the North West Side thereof at any Place between Archer's Weir and Field's Weir; One other new Cut or Canal, to be used for the said Navigation, leading from the aforesaid Channel above Dobb's Weir, otherwise the New Turnpike, into the same Channel on the East Side thereof below the Stream leading into the Head of Broxbourn Mill; One other new Cut or Canal, to be used for the said Navigation, leading from the aforesaid Channel above Carthagena Turnpike into the same Channel a little below the same; One other new Cut or Canal, to be used for the said Navigation, leading from the aforesaid Channel above

above King's Weir, over Cheſhunt Mill Stream, into the ſame Channel at or near the Weſt Tail Stream of the Powder Mills near Waltham Abbey; One other new Cut or Canal, to be uſed for the ſaid Navigation, leading from the ſaid River Lee above Sotheby's Upper Weir, otherwiſe called Newman's Weir, on the Weſt Side thereof, and to run to, and commuicate with, Enfield Mill Stream, at any Diſtance not more than One hundred Yards to the Southward of and below the Lock called Enfield Lock, erected at the Head of the ſaid Mill Stream, and from thence to run through Enfield Mill Stream (which the ſaid Truſtees may enlarge for that Purpoſe) to any Diſtance not nearer than Three hundred and forty Yards to the Northward of and above Enfield Corn Mill, and from thence to make another Cut or Canal, to be uſed for the ſaid Navigation, to the Eaſtward of the ſaid Mill Stream, to run into, and commuicate again with, the ſame at any Diſtance not nearer than Two hundred and four Yards below Enfield Mill, and from thence to run through ſo much of the ſaid Mill Tail Stream as the ſaid Truſtees, or any Five or more of them, ſhall think proper; and from thence to make another Cut or Canal through Part of Enfield and Edmonton Marſhes, acroſs the Ditch that parts Edmonton and Tottenham Marſhes, and through Part of Tottenham Marſh, into and through the Tail Stream of Tottenham Mill, into the ſame Channel; One other new Cut or Canal, to be uſed for the ſaid Navigation, leading from the ſaid Channel below Flander's Wharf, through ſeveral Crooks, into the ſame Channel, above the Tail Stream of Walthamſtow Mill; One other new Cut or Canal, to be uſed for the ſaid Navigation, leading from the aforeſaid Channel between Lee Bridge and the Buildings belonging to Hackney Water-works, but not nearer than Ten Yards from the ſaid Buildings, through Part of Hackney Marſh, into the ſame Channel between Pudding Mill Stream and Hackney Brook, on the Eaſt Side of Jones's Callico Grounds at Old Ford; and One other new Cut or Canal, to be uſed for the ſaid Navigation, leading from the aforeſaid Channel, at any Place between Bromley Lock and Bromley Hall, through the Pariſh of Bromley Saint Leonards, the Hamlet of Blackwall and Poplar, in the Pariſh of Saint Dunſtan Stepney, otherwiſe Stebonheath, and the Pariſh of Saint Ann Limehouſe, in the County of Middleſex, to be carried on the North of Limehouſe Church, into the River Thames at or near Limehouſe Bridge Dock.

Truſtees impowered to contract for executing Works.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall have full Power and Authority to employ or contract with any Perſon or Perſons for the executing of all or any of the ſaid Works; ſuch Contracts to be for ſuch Time or Times, and under ſuch Conditions, as the ſaid Truſtees, or any Five or more of them, ſhall think proper; and ſuch Perſon or Perſons employed or contracted with as aforeſaid, his or their Agents, Workmen, Servants, and Labourers, are hereby authorized and impowered to execute all and every the Powers hereby intended to be veſted in the ſaid Truſtees.

Truſtees impowered to purchaſe Weirs, &c.

And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, ſhall be, and they are hereby, impowered to treat, contract, and agree, with the Owners or Proprietors of, and Perſons intereſted in, any Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Tenements, or Hereditaments, other than Mills, which they the ſaid Truſtees, or any Seven or more of them, ſhall adjudge neceſſary, convenient, or proper, to become ſeiſed or poſſeſſed of, to be pulled down, deſtroyed, cut, digged, altered, removed, or otherwiſe made uſe of, for the Purpoſes of this Act, for the Purchaſe thereof, at ſuch Price or Prices, either by way of Sum or Sums of Money in groſs, or annual Rent or Rents, as to the ſaid Truſtees, or any Seven or more of them, ſhall ſeem reaſonable; and alſo to treat, contract, and agree, for the Recompence and Satisfaction to be made to the Owners or Proprietors, and Perſons intereſted in any Meſſuages, Mills, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, and Hereditaments, or any other Species of Property, for the Damage they may ſuſtain by the Execution of any of the Powers of this Act: And it ſhall be lawful for all Bodies Politick, Corporate, and Collegiate, Husbands, Guardians, Truſtees, Committees, Executors, or Adminiſtrators, for or in Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, or Femes Covert, and to and for every other Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, or poſſeſſed of, or intereſted in, any ſuch Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, to contract for, and ſell and convey, the ſame unto the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall nominate and appoint, for ſuch Sum or Sums of Money in groſs, or annual Rent or Rents, as ſhall be agreed upon, or to agree with the ſaid Truſtees, or any Seven or more of them, for any Recompence to be made for the Damage

which

which may be done to any ſuch Meſſuages, Mills, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, or to any other Property, by the Execution of any of the Powers of this Act; and that all ſuch Contracts, Agreements, Bargains, Sales, and Conveyances, ſhall, without any Fine or Fines, Recovery or Recoveries, be good and valid in the Law, to all Intents and Purpoſes, not only to convey all the Eſtate, Right, Title, and Intereſt, of the Perſon and Perſons conveying, but alſo to convey all the Eſtate, Right, Title, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, Femes Covert, or other Perſon or Perſons whomſoever, and all claiming, or to claim, by, from, or under them, or any of them; any Law, Statute, Uſage, or any other Matter or Thing, to the contrary thereof in any wiſe notwithſtanding: And that all Perſons ſo contracting, agreeing, and conveying, as aforeſaid, are and ſhall be indemnified for what they ſhall do by virtue and in purſuance of this Act: And the ſaid Truſtees, or any Seven or more of them, may alſo adjuſt what Proportion of the Sum ſo agreed to be paid for ſuch Purchaſe or Damage ſhall be allowed to the Tenant or Tenants of the ſaid Premiſſes; and all ſuch Contracts, Agreements, Sales, and Conveyances, ſo to be made as aforeſaid, ſhall be inrolled by the Clerk of the Peace for the County wherein ſuch Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, or other Property, ſhall be reſpectively ſituate or being, within Six Months after the Execution thereof; and true Copies of the ſame, without Stamps, ſigned by the Clerk of the Peace for the time being, ſhall be deemed and taken to be good Evidence thereof in all Courts whatſoever.

and indemnified therein.

And be it further enacted, That where, by the making the ſaid Cuts or Canals, or any of them, the Property of any Land Owners ſhall be ſeparated into ſmall Parcels, it ſhall and may be lawful to and for any ſuch Bodies Politick, Corporate, and Collegiate, and any other ſuch Land Owners, by and with the Conſent of the ſaid Truſtees, or any Seven or more of them, to be teſtified by any Writing or Writings to be by them ſealed and delivered in the Preſence of Two or more credible Witneſſes; to contract for, ſell, and diſpoſe of, or to convey in Exchange in lieu of other Lands or Hereditaments, all or any Part of ſuch Lands or Grounds through which the ſaid intended Cuts or Canals, or any

Where Lands ſeparated into ſmall Parcels, Power to ſell or exchange.

of them, or any Part of them, or any of them, ſhall be made, to any Perſon or Perſons whomſoever, for ſuch Price or Prices in Money or other Equivalent, as to the ſaid Truſtees, or any Seven or more of them, ſhall ſeem reaſonable; and all ſuch Contracts, Sales, Exchanges, Conveyances, and Aſſurances, ſhall be valid and effectual in Law to all Intents and Purpoſes; any Law, Statute, Uſage, or Cuſtom, to the contrary thereof in any wiſe notwithſtanding: And all Bodies Politick, Corporate, or Collegiate, and all other Perſons whoſoever ſo conveying or exchanging as aforeſaid, are hereby indemnified for what he, ſhe, they, or any of them, ſhall reſpectively do by virtue of and in purſuance of this Act.

Perſons neglecting to treat for the Sale of their Weirs, Lands, &c.

And be it further enacted, That if any ſuch Bodies Politick, Corporate, or Collegiate, or any Perſon or Perſons whoſoever ſhall, for the Space of Twenty one Days next after Notice in Writing given to the Principal Officer or Officers of ſuch Bodies Politick, Corporate or Collegiate, or to ſuch Perſon or Perſons reſpectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants in Poſſeſſion of the ſaid Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, which it will be neceſſary for the ſaid Truſtees to become ſeiſed or poſſeſſed of, or to cauſe to be cut, deſtroyed, digged, altered, removed, or uſed as aforeſaid, neglect or refuſe to treat, or ſhall not agree with the ſaid Truſtees, or any Seven or more of them, or by reaſon of Abſence ſhall be prevented from treating, or through Diſability by Nonage, Coverture, or other Impediment, cannot treat for themſelves, or ſhall not produce and evince a clear Title to the Premiſſes they are in Poſſeſſion of, or to the Intereſt they claim; then, and in every ſuch Caſe, the ſaid Truſtees, or any Seven or more of them, ſhall and may, and they are hereby authorized and impowered, from time to time, to iſſue out their Warrant or Warrants under their Hands and Seals, to be directed to the Sheriff of the County wherein ſuch Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, ſhall be reſpectively ſituate or being; or in caſe ſuch Sheriff ſhall happen to be intereſted in the Matter in Queſtion, or any Ways related to any of the Parties intereſted or concerned therein, then to One of the Coroners of the ſaid reſpective Counties, commanding ſuch Sheriff or Coroner reſpectively to impanel, ſummon, and return, a Jury, to appear before the ſaid Truſtees, or any Seven or more of them, at a Time and Place to be ſpecified in ſuch Warrant;

Jury to be ſummoned,

and

and the ſaid Sheriff or Coroner reſpectively, to whom the ſaid Warrant or Warrants ſhall be directed, is hereby required accordingly to impanel, ſummon, and return, a Jury of Twenty four able and ſufficient Men, qualified according to the Laws and Statutes of this Realm to be returned for Trials of Iſſues joined in His Majeſty's Courts at Weſtminſter, to appear before the ſaid Truſtees, or any Seven or more of them, at ſuch Time and Place as by ſuch Warrant or Warrants ſhall be directed and appointed, not being leſs than Ten Days after ſuch Warrant ſhall be ſerved upon the ſaid Sheriff or Coroner reſpectively, or more than Twenty one Days after ſuch Service, upon Pain to forfeit for every Default, in not making ſuch Return, Twenty Pounds, to be ſued for and recovered in the Manner herein after directed; and alſo to return in Iſſues upon every Perſon ſo impanelled and returned, not appearing, contrary to the true Intent and Meaning of this Act, the Sum of Forty-Shillings, which ſhall be levied upon the Goods and Chattles of the Perſon not appearing as aforeſaid, by Warrant or Warrants under the Hands and Seals of the ſaid Truſtees, or any Seven or more of them; and in caſe a ſufficient Number of Jurymen ſhall not appear, the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, being ſo qualified as aforeſaid, to make up the ſaid Jury to the Number of Twelve; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen: And the ſaid Truſtees, or any Seven or more of them, are hereby impowered and required, by Warrant or Warrants under their Hands and Seals, from time to time, as Occaſion ſhall require, to ſummon and call before them all and every ſuch Perſon and Perſons as ſhall be thought proper or neceſſary to be examined as Witneſſes by the ſaid Truſtees, or any Seven or more of them, or any of the Parties intereſted, touching the Matters in Queſtion; and the ſaid Truſtees, or any Seven or more of them, ſhall and may, in caſe they think the ſame proper, or ſhall be required ſo to do by any Perſon or Perſons intereſted, order and authorize the ſaid Jury, or any Six or more of them, to view the Place or Places, or Matters, in Queſtion; which Jury, upon their Oath, to be adminiſtered by the ſaid Truſtees, or any Two or more of them (which Oath, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Truſtees, or any Two or more of them, are hereby

who ſhall aſcertain the Sums to be paid for Purchaſes and Damages.

impowered to adminiſter) ſhall inquire of, aſſeſs, and aſcertain, what Sum or Sums of Money ſhall be paid, either by an annual Rent or Payment, or by a Sum in groſs, for the Purchaſe of any ſuch Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, and the Recompence to be made for Damages to the Owners or Occupiers of, and Perſons intereſted in any Meſſuages, Mills, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, or any Part thereof, or any other Property, that ſhall or may be ſuſtained as aforeſaid; and ſhall (except in ſuch Caſes where the Monies to be for ſuch Purchaſes are to be laid out and inveſted in the Purchaſe of other Lands, Tenements, and Hereditaments, as herein after directed) ſettle and aſcertain in what Proportion the Sum or Sums, Rent or Recompence, ſo aſſeſſed, ſhall be paid or made to the ſeveral Perſons reſpectively intereſted in the Premiſſes: And the ſaid Truſtees, or any Seven or more of them, ſhall give Judgement for ſuch Sum or Sums, Rent, Damages, and Recompence, ſo

Verdict of the Jury to be final.

to be aſſeſſed by ſuch Jury; which ſaid Verdict, and the ſaid Judgement thereupon declared or pronounced by the ſaid Truſtees, or any Seven or more of them, and the Value, Damages, and Recompence, ſo aſſeſſed, ſhall be binding and concluſive, to all Intents and Purpoſes, againſt all and every Party or Parties, their Heirs, Succeſſors, Executors, Adminiſtrators, Aſſigns, and all others claiming any Eſtate, Right, Title, or Intereſt, in the ſame Meſſuages, Mills, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, or any Thing thereunto belonging or appertaining, in Poſſeſſion, Reverſion, Remainder, or Expectancy, or otherwiſe, as well Bodies Politick, Corporate, and Collegiate, Infants, Ideots, Lunaticks, Femes Covert, Tenants in Tail, or others, and their reſpective Heirs, Succeſſors, Executors, and Adminiſtrators, and all claiming by, from, or under him, her, or them, or any of them.

Proviſo.

Provided always, That Notice of the Time and Place of making ſuch Inquiry and Aſſeſſment, by a Jury as aforeſaid, ſhall be given to or left at the uſual or the laſt Places of Abode of the Parties intereſted, or the Tenants or Occupiers of the Premiſſes reſpectively, at leaſt Ten Days before ſuch Inquiry or Aſſeſſment.

Penalty on Witneſſes refuſing to give Evidence.

And be it further enacted, That if any Perſon or Perſons ſummoned as aforeſaid to give Evidence, ſhall neglect or refuſe to appear at ſuch Time or Times, Place or Places, as ſhall be appointed in the Warrant or

Warrants granted by the ſaid Truſtees, or any Seven or more of them, for that Purpoſe; or appearing, ſhall refuſe to be ſworn or examined by, or give Evidence before, the ſaid Truſtees; or if any Perſon, ſummoned as a Juryman as aforeſaid, ſhall, after his Appearance, refuſe to be ſworn, or, being ſo ſworn, refuſe to give, or not give, his Verdict, or in any other Manner wilfully neglect his Duty in the Premiſſes, contrary to the true Intent and Meaning of this Act; every Perſon ſo offending, having no reaſonable Excuſe, to be allowed by the ſaid Truſtees, or any Seven or more of them, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding the Sum of Ten Pounds, to be levied by Warrant or Warrants under the Hands and Seals of the ſaid Truſtees, or any Seven or more of them, by Diſtreſs and Sale of the Offender's Goods and Chattles; returning the Overplus to the Owners thereof, after ſuch Penalty, and the Charges of ſuch Diſtreſs and Sale, ſhall be deducted.

Verdicts to be kept by the Clerks of the Peace.

And be it further enacted, That the ſaid Verdicts and Judgements ſhall be ſet down in Writing, without any Stamps thereupon, under the Hands and Seals of the Truſtees acting in the Premiſſes, or any Three or more of them, and ſhall be delivered to the Clerk of the Peace for the reſpective County wherein ſuch Verdicts ſhall be reſpectively given, and be kept amongſt the Records and Writings of the Quarter Seſſions of the Peace for the time being of the ſaid County; and the ſame or true Copies thereof, without Stamps, ſhall be taken, adjudged, and deemed good and ſufficient Evidence and Proof in any Court of Law or Equity whatſoever; and all Perſons may have Recourſe to the ſame at all convenient Times, paying for every ſuch Inſpection One Shilling; and may take Copies thereof without Stamps, paying for every Copy not exceeding One hundred Words, the Sum of Six Pence, and ſo proportionably for any Number of Words.

Upon Payment or Tender of Money,

And be it further enacted, That upon Payment of the Sum or Sums, or annual Rent or Rents, ſo agreed or contracted for, or aſſeſſed and adjudged for Damages as aforeſaid to the Parties concerned, or for the Purchaſe of any ſuch Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, or legal Tender thereof made to them reſpectively (which Sum or Sums of Money, or annual Rent or Rents, the ſaid Truſtees, or any Five or more of them, are hereby authorized to pay out of the Monies to be raiſed by virtue of this Act;) or in caſe any ſuch Parties cannot

not be met with, or ſhall refuſe to accept the ſame, then, upon Payment of ſuch Sum or Sums, or annual Rent or Rents, into the Hands of ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall, under their Hands in Writing, appoint, for the Uſe of the Parties intereſted as aforeſaid, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, or their Agents, Workmen, and Servants, to enter, pull down, deſtroy, cut, dig, alter, remove, or otherwiſe uſe ſuch or ſo much of the ſaid Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, for which ſuch Value, Damages, or Recompence, ſhall have been contracted for, agreed on, aſſeſſed, or adjudged, as aforeſaid, and thereon to make, erect, and do any Works, Matters, or Things, for the improving the ſaid Navigation, and for the ſupporting and maintaining the ſame, or for executing any of the Powers of this Act, as the ſaid Truſtees, or any Five or more of them, ſhall think requiſite; and this Act ſhall be ſufficient to indemnify as well the ſaid Truſtees, as all Perſons employed or authorized by them, againſt the ſaid Owners, Occupiers, or other Perſons intereſted, their Succeſſors, Executors, Adminiſtrators, and Aſſigns, and againſt all and every other Perſon and Perſons, to all Intents and Purpoſes whatſoever.

Truſtees may enter upon the Works of the Navigation.

And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politick, Corporate, or Collegiate, Husbands, Guardians, Truſtees, Committees, Executors, or Adminiſtrators, for or on Behalf of any Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idepts, or Femes-covert, or to any Perſon or Perſons whoſe Eſtate or Eſtates is or are limited in Strict Settlement, for the Purchaſe or Exchange of any Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments aforeſaid, ſhall, in caſe the ſame exceed the Sum of Fifty Pounds, by ſuch Bodies Politick, Corporate, or Collegiate, Husbands, Guardians, Truſtees, Committees, Executors, or Adminiſtrators, or other Perſon or Perſons ſeiſed of ſuch Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, ſo limited in Strict Settlement, be laid out as ſoon as conveniently may be in the Purchaſe of Lands, Tenements, and Hereditaments, in Fee-ſimple; ſuch Lands, Tenements, or Hereditaments, ſo to be purchaſed, to be conveyed to or to the Uſe of ſuch Bodies Politick, Corporate, or Collegiate, Husbands, Guardians, Truſtees,

Purchaſe-monies to be laid out to the ſame Uſes.

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ſtees, Committees, Executors, or Adminiſtrators, or to and for ſuch other Perſon or Perſons, and for ſuch Eſtates, and to, for, upon, and ſubject to ſuch Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, for or in reſpect whereof ſuch Purchaſe-monies, or Monies received in Exchange, ſhall be paid as aforeſaid, were limited, ſettled, and aſſured, at the Time ſuch Purchaſe-monies, or Monies received in Exchange, were ſo agreed for, aſcertained, or aſſeſſed reſpectively as aforeſaid, or ſo many of ſuch Uſes as ſhall be then exiſting and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe and Purchaſes ſhall be made, the ſaid Monies ſhall be placed out by ſuch Bodies Politick, Corporate, or Collegiate, Husbands, Guardians, Truſtees, Committees, Executors, or Adminiſtrators, or other Perſon or Perſons, in ſome of the publick Funds, in the Names of Two or more Perſons, the One to be nominated by the Party or Parties intereſted therein, and the other by the ſaid Truſtees, or any Five or more of them; and the Intereſt ariſing or to be produced from ſuch Funds ſhall be paid to ſuch Perſon or Perſons reſpectively as would, for the time being, be intitled to the Rents and Profits of ſuch Lands, Tenements, and Hereditaments, ſo to be purchaſed, in caſe the ſame were purchaſed and ſettled purſuant to the Tenor and true Meaning of this Act.

Truſtees may enter and take a Survey upon giving Notice.

Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint, without any previous Payment or Tender of Recompence, to enter upon and take a Survey and Level of, and to mark out any Lands, Tenements, or Hereditaments which they the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary to be uſed for any of the Purpoſes of this Act, doing thereby as little Damage as may be, and giving Two Days Notice at the leaſt of ſuch Entry to the reſpective Owners or Occupiers of ſuch Lands, Tenements, or Hereditaments, and making Satisfaction as ſoon as may be for all Damages which ſhall be thereby occaſioned, in caſe ſuch Damages ſhall exceed the Sum of One Shilling.

Future Damages how to be aſcertained.

And be it further enacted, That if any Perſon or Perſons, Bodies Politick, Corporate, or Collegiate, or others, at any Time after the ſaid Truſtees, or any Perſon or Perſons employed or authorized by them,

ſhall have begun to carry this Act into Execution, for the improving or extending the ſaid Navigation, or after they ſhall have compleated the ſame, ſhall happen to ſuſtain any Damages or Injury, in his, her, or their Meſſuages, Mills, Weirs, Locks, Ciſterns, Turnpikes, Lands, Grounds, Tenements, Hereditaments, Bridges, Fences, or otherwiſe, by any Act, Neglect, or Default of the ſaid Truſtees, or of their Agents, Workmen, or Servants, or by reaſon of any Alteration which ſhall be made by them, or any or either of them, on the ſaid River, or on the ſaid Cuts or Canals, or Works to be made by virtue of this Act, for which they ſhall have no Recompence or Satisfaction, or for which no Recompence or Satisfaction is hereby otherwiſe provided; then, and in every ſuch Caſe, a Demand of Satisfaction for ſuch Damages ſhall be left in Writing with the Clerk of the ſaid Truſtees, or at his uſual Place of Abode; and that it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby required within the Space of Ten Days after the next Meeting of the Truſtees, ſuch Demand or Satisfaction made as aforeſaid, to offer to ſuch Perſon or Perſons, Bodies Politick, Corporate, or Collegiate, by Writing ſigned by their ſaid Clerk, ſuch Sum or Sums of Money or other Recompence as they ſhall think an adequate Compenſation for ſuch Damages as aforeſaid: And in caſe ſuch Perſon or Perſons ſhall be diſſatisfied with ſuch Sum or Sums of Money, or other Recompence ſo offered, or in caſe no ſuch Offer ſhall be made within ſuch Time as aforeſaid, then if the Perſon or Perſons ſuſtaining ſuch Damages, ſhall, by Notice in Writing under his or their Hand or Hands, to be delivered to the Clerk of the ſaid Truſtees, or left at his uſual Place of Abode, require the ſame, the ſaid Truſtees, or any Seven or more of them, ſhall, and they are hereby required, within the Space of Thirty Days next after the Meeting of the ſaid Truſtees after ſuch Notice ſo delivered as aforeſaid, to enquire of and aſcertain ſuch Damages by a Jury to be impanelled, returned, and ſworn, in Manner herein before mentioned, and give Judgement for the Party or Parties aggrieved, and record the ſame accordingly in the ſame Manner and Form as the Damages and Recompences are herein before appointed to be aſſeſſed and adjudged for any Meſſuages, Mills, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, Hereditaments, or other Property, which ſhall in any ways be made uſe of, cut, deſtroyed, or damnified, in improving or extending the ſaid Navigation as aforeſaid.

Provided always, That any Perſon or Perſons ſuſtaining ſuch Damage as aforeſaid, ſhall have an Option to have the ſame enquired of and aſcertained by a Jury in Manner aforeſaid, or to appeal, in caſe ſuch Offer as aforeſaid ſhall be made, and he or they ſhall not think fit to accept the Sum or Sums of Money, or other Recompence ſo offered; or, in caſe no ſuch Offer ſhall be made, to complain to the Juſtices of the Peace for the County or Place where the Cauſe of Complaint ſhall ariſe, at their General or Quarter Seſſions next after ſuch Offer ſhall have been made; or, in caſe of no ſuch Offer being made, at their General or Quarter Seſſions next after the Expiration of the Time within which ſuch Offer ought to have been made; the Perſon or Perſons ſo appealing giving Security, to the Satisfaction of ſome Juſtice of the Peace of ſuch County or Place, to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be aſcertained by the ſaid General or Quarter Seſſions, in caſe ſuch Recompence or Satisfaction ſo offered ſhall be thought ſufficient by the ſaid Juſtices; and the Juſtices in the ſaid General or Quarter Seſſions, are hereby authorized and required to hear and determine ſuch Appeal or Complaint, and to make Order therein, and to award ſuch Coſts as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable by any Writ of Certiorari, or otherwiſe, into any of His Majeſty's Courts of Record at Weſtminſter, or elſewhere.

Complainant to have an Option, &c.

Provided alſo, That no Perſon or Perſons whoſoever ſhall be intitled to Satisfaction for any ſuch Damages as aforeſaid, unleſs Application in reſpect thereof ſhall be made to the ſaid Truſtees, or their Clerk, within the Space of Six Calendar Months after ſuch Damages ſhall have been ſuſtained.

Application to be made in 6 Months.

Provided alſo, That in caſe the ſaid Truſtees, or any Seven or more of them, ſhall not (being thereunto required) ſatisfy and pay the Sum or Recompence for ſuch Damage or Injury to be offered as aforeſaid, or which ſhall be ſo aſſeſſed and ſettled as aforeſaid, within Thirty Days after ſuch Requeſt made; it ſhall and may be lawful for the Perſon or Perſons aggrieved to appoint One or more Perſon or Perſons to receive the Rates and Duties to ariſe by virtue of this Act, and thereout to pay all ſuch Damages ſo to be offered, aſſeſſed, and ſettled, as aforeſaid; and the Money to be received by ſuch Receiver or Receivers ſhall and is hereby declared to be as ſo much Money received to the Uſe of ſuch Perſon or Perſons receiving Damage or Injury as aforeſaid; and after

In Default of Satisfaction, Perſons aggrieved may receive the Tolls.

after ſuch Damages ſo ſettled and aſſeſſed as aforeſaid ſhall be paid and ſatisfied, the Power and Authority of ſuch Receiver or Receivers, for the Purpoſes laſt mentioned, ſhall ceaſe and determine.

Expences of the Jury how to be paid.

And be it further enacted, That in all Caſes where any Verdict as aforeſaid ſhall be given for a greater Sum than ſhall have been offered by, or on Behalf of, the ſaid Truſtees, or any Seven or more of them, in Writing, ſigned by the Clerk of the ſaid Truſtees; or in caſe no ſuch Offer ſhall have been made before the ſummoning of any ſuch Jury; that then, all the Expences of ſummoning and maintaining ſuch Jury and the Witneſſes, and of taking ſuch Inqueſt, ſhall be paid by the ſaid Truſtees, or any Seven or more of them, out of the Monies to ariſe or be paid by virtue of this Act: But if any ſuch Verdict ſhall be given for no more or for a leſs Sum than ſhall have been ſo previouſly offered by or on the Behalf of the ſaid Truſtees, or any Seven or more of them, then, and in every ſuch Caſe, ſuch Expences (to be ſettled by any Two of His Majeſty's Juſtices of the Peace for the County wherein ſuch Jury ſhall be returned) ſhall be defrayed by the Owners of, or the Perſons intereſted in, the Meſſuages, Mills, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, or other Property in Queſtion; and ſuch Expences, ſo ſettled and aſcertained, ſhall be deducted and taken out of the Monies ſo aſſeſſed and adjudged; and ſuch Deduction ſhall be deemed and taken as Payment of ſo much thereof.

Proviſion in caſe Place in Queſtion lies in Two Counties.

Provided always, That in caſe any Place or Places in Queſtion, for which a Satisfaction for Damages or Recompence is to be made by virtue of this Act, ſhall lie partly in the County of Hertford, and partly in the County of Eſſex, ſuch Satisfaction or Recompence ſhall be enquired of, and aſcertained by, a Jury or Juſtices of the County of Eſſex; and in caſe any ſuch Place or Places ſhall lie partly in the County of Middleſex, and partly in the County of Eſſex, the ſame ſhall be enquired of, and aſcertained by, a Jury or Juſtices of the County of Middleſex.

Navigation of the River to be preſerved.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required to cauſe the ſaid River to be kept navigable and paſſable for Boats, Barges, Lighters, and other Veſſels, in the preſent Channel or Courſe thereof, until the Works to be done and performed in purſuance of this Act ſhall be reſpectively done and performed; and that it ſhall be lawful for the ſaid Truſtees, or any Five or more

more of them, to begin, and, from time to time, proceed in making ſuch of the Cuts or Canals, and ſuch of the other Works which they are hereby authorized to do, for improving and extending the ſaid Navigation, and at ſuch Place and Places as they ſhall think proper for the more eaſy effectuating the Purpoſes of this Act. Truſtees may proceed in this Work at ſuch Places as they ſhall think proper.

Provided always, That if the ſaid Truſtees ſhall omit by the Space of Ten Years, to ſet out, open, and make any of the ſaid Cuts or Canals, ſuch Cuts or Canals ſhall never thereafter be ſet out, opened, or made, without the previous Conſent of the Owners and Perſons intereſted in any Meſſuages, Weirs, Turnpikes, Locks, Ciſterns, Lands, Tenements, or Hereditaments, or other Property which the ſaid Truſtees ſhall think neceſſary to purchaſe, pull down, deſtroy, cut, dig, alter, remove, or otherwiſe make uſe of, for ſetting out, opening, or making ſuch Cuts or Canals reſpectively. New Cuts, after a limited Time, not to be made without Conſent of Owners, &c.

Provided always, and be it further enacted, That ſuch Ground as ſhall be neceſſary for the extending and improving the Navigation of the River Lee, from a Place called The Folly, at the ſaid Town of Hertford, to the Flood-gates belonging to the Town Mill in the ſaid Town of Hertford, ſhall be taken on the South Eaſt Side of the ſaid River; and no more Ground ſhall be taken for that Purpoſe than ſhall be ſufficient to make the Navigation of the ſaid River of the Width of Eighteen Feet; any thing in this Act contained to the contrary thereof notwithſtanding. Navigation from the Folly to the Town Mill to be on the S. E. Side the River.

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, and they are hereby directed and impowered, as ſoon as conveniently may be after the paſſing of this Act, to remove the Turnpike erected above Stanſted Bridge, and erect another Turnpike, or other Device, inſtead thereof, higher up the ſaid River, and below the Mouth of Stanſted Mill Stream, and alſo to erect a Lock or Pen of Water at or near Stanſted Weir above the Tail Stream of Stanſted Mills; any thing in this Act to the contrary thereof in any wiſe notwithſtanding. Turnpike near *Stanſted Bridge* may be removed.

Provided nevertheleſs, and it is hereby declared and enacted, That the ſaid Truſtees, or any of them, ſhall not have any Power or Authority to remove, deſtroy, or intermeddle with a certain Weir ſituate on the ſaid River in the Pariſh of Walthamſtow, in the ſaid County of Eſſex, commonly called or known by the Name of France's Weir, without the Conſent and Approbation of Sir William Maynard Baronet, his Heirs or Aſſigns, Nothing in the Act to extend to impower the Truſtees to do any Act to prejudice *France's Weir*.

firſt had and obtained in Writing, under his or their Hand and Seal, or Hands and Seals, for that Purpoſe; but the ſame Weir ſhall at all Times from henceforth remain, continue, and be in the State and Condition the ſame is now in; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Sluices may be made at *France's Weir.*

Provided nevertheleſs, and be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby impowered and required to make Sluices or Flaſh-boards at France's Weir, not leſs in Height than Ten Inches at the leaſt from the preſent Sill of the ſaid Weir, for the ſupplying of Tottenham Mill with Water; which ſaid Sluices or Flaſh-boards ſhall be under the Care and Management of the ſaid Sir William Maynard, his Heirs and Aſſigns; any thing herein contained to the contrary in any wiſe notwithſtanding.

And whereas Sir William Maynard Baronet, is ſeiſed to him and his Heirs of and in a Weir or Turnpike called Hellyer's Ferry, ſituate in the Pariſh of Walthamſtow, in the County of Eſſex, and of a Wharf and Dwelling-houſe contiguous thereto, now uſed and enjoyed therewith as a Publick Houſe: And whereas by means of the ſaid intended Navigation and the Alteration of the Courſe of the ſaid River, the ſaid Weir or Turnpike and Wharf will be rendered of little or no Value, and the Buſineſs of the ſaid Houſe will be greatly reduced: In order therefore to make a Satisfaction to the ſaid Sir William Maynard, and his Heirs, for the Damage he may ſuſtain by reaſon of the ſaid intended Navigation, and the Alteration of the Courſe of the ſaid River, be it further enacted, That from the Time of the making the ſaid new Cut leading into and through the ſaid Tail Stream of Tottenham Mill, or any Alteration in the Navigation of the ſaid River in purſuance of this Act, whereby any Boat, Barge, Lighter, or other Veſſel ſhall be prevented or obſtructed from paſſing or repaſſing to or from, or through, the ſaid Weir or Turnpike belonging to the ſaid Sir William Maynard as aforeſaid on the preſent Courſe or Navigation; or in caſe any Lock or Locks ſhall, by virtue of any of the Powers in this Act contained, be erected on the preſent Courſe or Navigation of the ſaid River between Bolton's Weir and the Extent of the Wharf now belonging to Hellyer's Ferry aforeſaid on the South Side thereof; there ſhall, in either of the ſaid Caſes, from thenceforth and for ever thereafter, be paid and allowed, and the Truſtees appointed, or to be appointed, by or in

Satisfaction to be made to Sir *William Maynard* for the Loſs he will ſuſtain by altering the Courſe of the Navigation.

purſuance

purſuance of this Act, are hereby authorized, impowered, and required, to pay and allow unto the ſaid Sir William Maynard, his Heirs and Aſſigns, out of the Rates and Duties by this Act granted and directed to be received and taken, the annual Rent or yearly Sum of Forty eight Pounds of lawful Money of Great Britain, clear of all Cares and Deductions whatſoever, at or on the Twenty fifth Day of December, Twenty fifth Day of March, Twenty fourth Day of June, and Twenty ninth Day of September, in every Year, by even and equal Portions, as a Satisfaction or Compenſation for any Loſs or Damage which the ſaid Sir William Maynard, his Heirs or Aſſigns, ſhall or may ſuſtain in Manner before mentioned; the Firſt Payment of the ſaid annual Rent, or yearly Sum of Forty eight Pounds, to commence and be made on the Firſt of the ſaid Days which ſhall happen next after the ſaid Boats, Barges, Lighters, or other Veſſels, ſhall by the Ways and Means before mentioned be prevented or obſtructed from paſſing or repaſſing to, from, or through, the ſaid Weir belonging to the ſaid Sir William Maynard as aforeſaid, or ſuch Lock or Locks ſhall be erected as aforeſaid: And in caſe of Refuſal or Non-payment of the ſaid annual Rent or yearly Sum of Forty eight Pounds, or any Part thereof, for the Space of Forty Days next after any of the Days before appointed for Payment thereof as aforeſaid, the ſaid Sir William Maynard, his Heirs and Aſſigns, ſhall and may have and take ſuch and the ſame Powers and Remedies for receiving and recovering the ſaid annual Rent or yearly Sum of Forty eight Pounds, or ſo much thereof as ſhall, from time to time, be in Arrear and unpaid, and all the Coſts and Expences attending the Recovery thereof, as are in this Act provided for the Payment of any Money or Annuities that ſhall be granted and made payable by virtue of this Act; and ſuch annual Rent or yearly Sum of Forty eight Pounds ſhall be paid in Preference to and have a Priority againſt all other Annuities, Charges, Payments, or Sums of Money which ſhall hereafter be created and become payable to any Perſon or Perſons advancing Money by way of Security upon the Rates and Duties by this Act made payable, or on any Sum or Sums of Money veſted in or made payable to the ſaid Truſtees by virtue hereof.

Truſtees to build a Warf for Sir *William Maynard* on the *Eſſex* Side of the River.

And be it further enacted, That when and ſo ſoon as the Boats, Barges, Lighters, or other Veſſels, ſhall, by the Ways and Means before mentioned, be prevented or obſtructed from paſſing or repaſſing to, from, or through,

through, the ſaid Weir or Turnpike belonging to the ſaid Sir William Maynard as aforeſaid; the ſaid Truſtees ſhall, out of the Firſt Monies which ſhall be raiſed and received by them in purſuance of this Act, erect and build in a ſubſtantial and workman-like Manner a Wharf on the Eſſex Side of the ſaid River, oppoſite to the Place where the Tail of Tottenham Mill Stream falls into the ſaid River, of the ſame Dimenſions with the Wharf now belonging to the ſaid Sir William Maynard at Hellyer's Ferry aforeſaid; and ſhall and do cauſe to be removed the Warehouſes and other Conveniencies on the ſaid Wharf at Hellyer's Ferry to ſuch new Wharf ſo to be erected as aforeſaid; and ſhall and do make a good Waggon Road from ſuch new Wharf to the Yard of the Dwelling-houſe of the Tenant of the ſaid Sir William Maynard at Hellyer's Ferry aforeſaid; and, from time to time, and at all Times thereafter, keep the ſame in good Condition and Repair.

And whereas there is a Turnpike or Lock upon the ſaid River at or near Waltham Abbey, in the ſaid County of Eſſex, now belonging to Sir William Wake Baronet, and Peter Floyer Eſquire, where they receive a Toll of Five Shillings for every Boat or other Veſſel coming down the ſaid River, which ſaid Turnpike or Lock, when the new intended Cut or Canal is made from the ſaid River above King's Weir aforeſaid to the Weſt Tail Stream of the Powder Mills near Waltham Abbey, will not be made uſe of for the Purpoſe of the ſaid intended Navigation, and by Means thereof the ſaid Toll will no longer be received at the ſaid Turnpike or Lock; in order therefore to make Compenſation to the Owners of the ſaid Turnpike or Lock for the Loſs they will ſuſtain by making ſuch new Cut or Canal; be it further enacted, That from and immediately after the making and perfecting the ſaid Cut or Canal from above King's Weir to the Weſt Tail Stream of the Powder Mills near Waltham Abbey as aforeſaid, and ſo ſoon as the ſame ſhall be made navigable, the ſaid Turnpike and the Property thereof ſhall be veſted in, and the ſame is hereby veſted in, the Truſtees appointed to put this preſent Act in Execution, and their Succeſſors; and the ſaid Truſtees and their Succeſſors, or any Seven or more of them, ſhall, and they are hereby authorized and required to, pay, or cauſe to be paid, unto the ſaid Sir William Wake and Peter Floyer, their reſpective Heirs and Aſſigns, to and for ſuch Uſes, Intents, and Purpoſes, as the ſaid Turnpike or Lock now ſtands limited, or to ſuch Perſon or Perſons as they ſhall

Satisfaction to Sir *William Wake* and *Peter Floyer* for Tolls now received by them.

ſhall authoriſe and appoint to receive the ſame, out of the ſeveral Rates and Duties to be collected and received in purſuance of this preſent Act, for every Ton of Goods, Wares, Merchandizes, or Commodities, which ſhall be carried or conveyed down the ſaid River through the ſaid Cut or Canal from above King's Weir to the Weſt Tail Stream of the Powder Mills near Waltham Abbey as aforeſaid, the Sum of One Penny per Ton, free from all Deductions whatſoever, by Four even and equal quarterly Payments in the Year (that is to ſay) on the Feaſt of Saint Michael the Archangel, the Birth of our Lord Chriſt, the Annunciation of the Bleſſed Virgin Mary, and the Nativity of Saint John the Baptiſt; the Firſt Payment to begin and be made on ſuch of the ſaid Feaſts or Days of Payment as ſhall firſt and next happen after the ſaid Cut or Canal from above King's Weir to the ſaid Weſt Tail Stream of the ſaid Powder Mills near Waltham Abbey, ſhall be made navigable as aforeſaid; and if the ſaid Payments, or any of them, or any Part or Parts thereof, ſhall be behind and unpaid for the Space of Twenty one Days next after the ſame ſhall become due; then the ſaid Sir William Wake and Peter Floyer, their Heirs and Aſſigns, ſhall and may have and take ſuch and the ſame Powers and Remedies for receiving and recovering the ſaid Payments, and all Arrears thereof, and all Coſts and Expences attending the Recovery thereof, as are in this Act provided for the Payment of any Shares or Annuities that ſhall be granted and made payable by virtue of this Act; and ſuch Payments or Tonnage ſhall be made and paid in Preference to and have a Priority againſt all Annuities, Payments, Charges, or Sums of Money, which ſhall hereafter be created and become payable to any Perſon or Perſons advancing Money by way of Security upon the Rates and Duties by this Act made payable, or on any Sum or Sums of Money veſted in, or made payable to the ſaid Truſtees by virtue hereof.

Satisfaction made to Sir *Wm. Wake* and *Peter Floyer* for Tolls, ſhall be in full Satisfaction to their Tenant of the Corn Mills at *Waltham Abbey*.

Provided always, and it is hereby enacted and declared, That from and after the making the ſaid new Cut from above King's Weir to the Weſt Tail Stream of the Powder Mills near Waltham Abbey aforeſaid, the ſaid Toll of One Penny per Ton hereby directed to be paid by the ſaid Truſtees to the ſaid Sir William Wake and Peter Floyer, their Heirs, and Aſſigns, ſhall be accepted and taken in Lieu and Satisfaction of the ſaid Toll of Five Shillings now paid to the ſaid Sir William Wake and Peter Floyer, for every Boat, Barge, Lighter, or other Veſſel, paſſing through the ſaid Turn-

pike or Lock called Waltham Turnpike; and alſo in Lieu and Satisfaction of all Payments which the Tenant or Occupier of the Corn Mills at Waltham Abbey aforeſaid, belonging to the ſaid Sir William Wake and Peter Floyer, ſhall thereafter claim or demand for any Aid or Aſſiſtance by ſuch Tenant or Occupier given from the ſaid Mills to the paſſing of Boats, Barges, Lighters, and other Veſſels, up or down the ſaid River.

Power to Sir *Wm. Wake* and *Peter Floyer* to inſpect Books, to aſcertain the Number of Boats and Tonnage of Goods carried therein.

And, for the better aſcertaining what Sum or Sums of Money ſhall, from time to time, be due and payable to the ſaid Sir William Wake and Peter Floyer, their Heirs, and Aſſigns, in Compenſation for the ſaid Tolls as aforeſaid; be it further enacted, That the ſaid Sir William Wake and Peter Floyer, their Heirs, and Aſſigns, or ſuch Perſon or Perſons as they, either, or any of them, ſhall for that Purpoſe appoint, ſhall and may, at any Time or Times hereafter, have full and free Liberty and Power of inſpecting, examining, and taking Copies at their own Expence, of all ſuch Books, Accounts, and Entries, as ſhall at any Time or Times thereafter be made, entered, or kept, at the Place neareſt to King's Weir, where ſuch Books, Accounts, or Entries, ſhall be made, entered, or kept, by any Perſon or Perſons appointed to receive any Rates or Duties to be collected and received in purſuance of this Act, or otherwiſe reſpecting the ſaid Navigation, in order to ſee the Number of Boats, Barges, Lighters, and other Veſſels, that ſhall paſs through the ſaid Cut or Canal to be made from above King's Weir to the Weſt Tail Stream of the ſaid Powder Mills near Waltham Abbey, and the Quantity or Tonnage of the Goods, Wares, Merchandizes, or Commodities, which ſhall be carried or conveyed therein.

And whereas by means of the ſaid Lock or Turnpike on the ſaid River called Waltham Turnpike, the Water of the ſaid River is penned up to ſuch an Height, that certain Corn Mills at Waltham Abbey, the Property of the ſaid Sir William Wake and Peter Floyer, and certain Gunpowder Mills there the Property of Thomas Walton and Bourchier Walton, Eſquires, are ſupplied with Water from the ſaid River; and alſo certain Grounds at Waltham Abbey aforeſaid, the Property of the ſaid Sir William Wake, and now in the Occupation of James Barwick, and Mary Farran Widow, Callico Printers and Partners, are ſupplied with Water by Flaſhes from the ſaid Turnpike as often as the ſame is opened for the Paſſage of Barges or other Veſſels up or down the ſaid River, and certain Stages are built and made

made in the ſaid River adjoining to the ſaid Callico Grounds for waſhing and cleaning the Linens therein: And whereas the ſaid Turnpike will not be neceſſary, for the Purpoſes of Navigation, after the ſaid new Cut from above King's Weir to the Weſt Tail Stream of the Powder Mills near Waltham Abbey aforeſaid ſhall have been made and compleated; and in caſe the ſame is not, from time to time, kept up and ſupported, the ſaid Corn Mills, Gunpowder Mills, and Callico Grounds, will not be ſupplied with Water as they have heretofore been: And whereas the ſaid Thomas Walton and Bourchier Walton are Owners of a Fiſhery upon Part of the ſaid River as well above as below the ſaid Turnpike: Be it therefore further enacted, That the ſaid Truſtees appointed by this Act, and their Succeſſors, or any Seven or more of them, ſhall, from and immediately after the ſaid new Cut ſhall have been made and compleated from King's Weir aforeſaid to the Weſt Tail Stream of the Powder Mills near Waltham Abbey aforeſaid, put the ſaid Turnpike in good and ſufficient Repair, or erect and make ſome other Device in the Place and Stead thereof, which ſhall effectually anſwer the ſame Purpoſe, for ſupplying the ſaid Corn Mills and Gunpowder Mills with Water, as the ſaid Turnpike now doth; and ſhall, from time to time, keep ſuch Turnpike or other Device of the ſame perpendicular Height as the preſent Turnpike now is, and not lower; and ſhall, from time to time, well and ſufficiently maintain, ſupport, and keep, the ſaid Turnpike or other Device in good Repair, and cauſe the ſame to be properly looked after, attended to, and opened, in caſe of Floods, to prevent Damage to the Country therefrom; which ſaid Turnpike or other Device ſhall not, from and after the making of the ſaid new Cut, be opened, except in the Caſe of Floods, for the Purpoſe of better letting out of the ſame, and except for the Purpoſe of fiſhing the ſaid River, which may be done, from time to time, as the Owners of the Fiſhery there ſhall think fit, not exceeding Four Times in any Year; and alſo except for the Purpoſe of making ſuch circular Hole or Bore therein as herein after is directed; and in caſe the ſaid Turnpike, or other Device to be made in the Stead thereof, ſhall, at any Time or Times thereafter, be in want of Repair or Amendment, the ſaid Truſtees, or their Succeſſors, or any Seven or more of them, ſhall, on Application to be made to their Clerk for that Purpoſe, by a Notice in Writing from the ſaid Sir William Wake, Peter Floyer, Thomas Walton, and Bourchier Walton,

Directing that when the Cut ſhall be made from *King's Weir* to the Weſt Tail Stream of the Powder Mills near *Waltham Abbey*, the Truſtees ſhall repair, and keep in Repair, *Waltham* Turnpike, and of ſufficient Height to ſupply the Corn Mills, the Gunpowder Mills, and Callico Grounds, at *Waltham* with Water.

Walton, any or either of them, their or any or either of their Heirs or Aſſigns, to be given to the ſaid Clerk, or left at his uſual Place of Abode, cauſe the ſaid Turnpike or other Device to be well and ſufficiently repaired and amended within Twenty one Days next after ſuch Application ſhall have been made as aforeſaid; and in caſe the ſaid Truſtees, or their Succeſſors, or any Seven or more of them, ſhall not, within the Time aforeſaid, cauſe the ſaid Turnpike or other Device to be well and ſufficiently repaired and amended, it ſhall and may be lawful to and for Two Juſtices of the Peace of the ſaid County of Eſſex, and they are hereby authorized and required to take a View of the ſaid Turnpike or other Device, on Application to them for that Purpoſe, to be made by the ſaid Sir William Wake, Peter Floyer, Thomas Walton, and Bourchier Walton, any or either of them, their or any or either of their Heirs or Aſſigns; and if, upon ſuch View, the ſaid Juſtices ſhall find the ſaid Turnpike or other Device to be in want of Repair or Amendment, then the ſaid Juſtices ſhall, by Writing under their Hands and Seals, certify what Repairs or Amendments are wanting to be made and done to the ſaid Turnpike, or other Device; which Certificate ſhall be delivered to the Clerk to the ſaid Truſtees, or left at his uſual Place of Abode; and in caſe the ſaid Truſtees, or their Succeſſors, or any Seven or more of them, ſhall not, within Twenty one Days next after the ſaid Certificate ſhall be delivered to, or left with, their ſaid Clerk as aforeſaid, cauſe the ſaid Turnpike, or other Device, to be well and ſufficiently repaired; then, and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Sir William Wake, Peter Floyer, Thomas Walton, and Bourchier Walton, any or either of them, their or any or either of their Heirs or Aſſigns, and they are hereby authorized to cauſe ſuch Reparations and Amendments to be made to the ſaid Turnpike, or other Device, as ſhall be mentioned in the ſaid Certificate: And the ſaid Truſtees or their Succeſſors, or any Seven or more of them, ſhall pay, or cauſe to be paid, to the Perſon or Perſons at whoſe Expence the ſaid Repairs and Amendments ſhall have been made, all ſuch Coſts, Charges, and Expences, as he or they ſhall have paid, expended, and been put to, on that Occaſion; ſuch Coſts, Charges, and Expences, to be liquidated by ſuch Two Juſtices as aforeſaid, if any Diſpute ſhall ariſe touching the ſame: And in caſe of Nonpayment thereof for the Space of Ten Days next after Demand for that Purpoſe made on the Collector of the

Rates and Duties hereby directed to be paid and collected at the Lock which ſhall be neareſt to King's Weir aforeſaid; it ſhall and may be lawful to and for the Perſon and Perſons at whoſe Expence ſuch Repairs and Amendments ſhall have been made as aforeſaid, to receive all and every the Rates and Duties hereby directed to be collected and paid at the ſaid Lock, until he and they ſhall have reimburſed himſelf and themſelves all ſuch Coſts, Charges, and Expences, as he or they ſhall have been put to in making ſuch Repairs and Amendments as aforeſaid: And the ſaid Truſtees and their Succeſſors, or any Seven or more of them, ſhall cauſe the ſaid Turnpike, or other Device, to be well and ſufficiently looked after and attended for the Purpoſes herein before and herein after mentioned: And in caſe the Perſon who ſhall be appointed for that Purpoſe ſhall not look after and attend the ſame in a proper Manner; then, and in ſuch Caſe, after due Information given thereof, and the particular Cauſes of Complaint ſpecified in Writing, ſubſcribed by the ſaid Sir William Wake, Peter Floyer, Thomas Walton, and Bourchier Walton, any or either of them, their or any of their Heirs and Aſſigns, and delivered to the Clerk to the ſaid Truſtees, or left at his uſual Place of Abode, it ſhall and may be lawful to and for the ſaid Sir William Wake, Peter Floyer, Thomas Walton, and Bourchier Walton, any or either of them, their or any or either of their Heirs or Aſſigns, to cauſe the ſaid Turnpike, or other Device, to be well and ſufficiently looked after, and attended by ſome Perſon or Perſons to be by them, any or either of them appointed for that Purpoſe: and the ſaid Truſtees or their Succeſſors, or any Seven or more of them, ſhall pay to the ſaid Sir William Wake, Peter Floyer, Thomas Walton, and Bourchier Walton, their Heirs or Aſſigns, ſuch Sum or Sums as they, any or either of them, ſhall pay to any Perſon or Perſons for looking after and attending the ſaid Turnpike, or other Device: And in caſe any Difference ſhall ariſe between the ſaid Truſtees and the ſaid Sir William Wake, Peter Floyer, Thomas Walton, and Bourchier Walton, their Heirs or Aſſigns, touching the Amount or Reaſonableneſs of the Sum or Sums ſo paid for looking after and attending the ſaid Turnpike, or other Device, the ſame ſhall be ſettled by Two Juſtices of the Peace for the ſaid County of Eſſex, whoſe Determination therein ſhall be final.

And, for the providing a conſtant and regular Draught or Current of Water down the ſaid River from the ſaid Turnpike, or other Device to be erected in the Stead

A Bore to be made in *Waltham* Turnpike for providing a conſtant Supply of Water down the River to the Callico Grounds at *Waltham*.

thereof, for the carrying on the Trade and Buſineſs at the ſaid Callico Grounds; be it further enacted, That the ſaid Truſtees, or their Succeſſors, or any Seven or more of them, ſhall, immediately after the ſaid new Cut ſhall have been made from King's Weir aforeſaid to the Weſt Tail Stream of the ſaid Powder Mills near Waltham Abbey aforeſaid, cauſe to be cut and made in the ſaid Turnpike, or other Device to be erected in the Stead thereof, a circular Hole or Bore of Six Inches Diameter, for a conſtant Paſſage of Water through the ſame, and to fix thereupon a Braſs or Copper Plate, not exceeding One Quarter of an Inch in Thickneſs, with the like circular Hole or Bore therein, the Centre of which circular Hole or Bore ſhall be cut and made Two Feet below the Top or Gauge Height of the ſaid Turnpike, or other Device to be erected in the Stead thereof; and ſhall, from time to time, continue, maintain, and keep, ſuch circular Hole or Bore in the ſaid Turnpike, or other Device for the Purpoſe aforeſaid: And in caſe the ſaid Truſtees, or their Succeſſors, or any Seven or more of them, ſhall neglect or refuſe to have ſuch circular Hole or Bore cut and made in the ſaid Turnpike, or other Device, or ſuch Braſs or Copper Plate fixed thereupon as aforeſaid, within Two Days next after the ſaid new Cut ſhall have been made from King's Weir aforeſaid to the Weſt Tail Stream of the Powder Mills near Waltham Abbey aforeſaid, or ſhall, at any Time thereafter, neglect or refuſe to continue the ſame therein, then, and in either of the ſaid Caſes, it ſhall and may be lawful to and for the ſaid Sir William Wake, his Heirs, or Aſſigns, and he and they is and are hereby authorized to cut and make in the ſaid Turnpike, or other Device, ſuch circular Hole or Bore, and to fix thereupon ſuch Braſs or Copper Plate as aforeſaid, and, from time to time, to continue the ſame; and the ſaid Truſtees, or their Succeſſors, or any Seven or more of them, ſhall, on Notice to be for that Purpoſe given to their Clerk in Writing, pay or cauſe to be paid to the ſaid Sir William Wake, his Heirs, or Aſſigns, all ſuch Coſts, Charges, and Expences, as he or they ſhall have been put unto in making ſuch circular Hole or Bore, and fixing ſuch Braſs or Copper Plate thereon as aforeſaid: And in caſe any Difference ſhall ariſe between the ſaid Truſtees and the ſaid Sir William Wake, his Heirs, or Aſſigns, touching the Amount or Reaſonableneſs of the Sum or Sums of Money ſo paid as aforeſaid, the Quantum thereof ſhall be ſettled and adjuſted by Two Juſtices of the Peace for the ſaid County of Eſſex, whoſe Determination therein ſhall be final.

And, for the further and better ſupplying the ſaid James Barwick and Mary Farran, and all ſucceeding Tenants of the ſaid Callico Grounds, with Water for waſhing the Linens in the ſaid River in the ſame Manner as is now done, and for ſtrengthening the Current of Water there; be it further enacted, That it ſhall and may be lawful to and for the ſaid Sir William Wake, his Heirs, and Aſſigns, and his and their Tenants of the ſaid Callico Grounds, and he and they is and are hereby authorized to contract the preſent Current of the ſaid River oppoſite the ſaid Grounds to the Width of Nine Feet clear Water Way; and for that Purpoſe to drive and fix in the ſaid River Planks or Pieces of Timber, in order to form a Barrier therein; provided ſuch Barrier ſhall not be raiſed more than Four Inches above the Surface of the Water in dry Seaſons, to the End the Water may at all other Seaſons run over the ſaid Barrier; and, from time to time, to continue, keep up, and maintain, ſuch Barrier, in Manner and for the Purpoſe aforeſaid.

Sir *William Wake*, and his Tenants, may contract the Current of the River oppoſite the Callico Grounds at *Waltham*.

And whereas it appears by a Survey of the Mill Stream belonging to the ſaid Corn Mills at Waltham Abbey aforeſaid, made under the Direction of the ſaid Truſtees, that a much greater Quantity of Water will paſs down the ſaid Mill Stream when the ſaid new Cut from above King's Weir aforeſaid to the Weſt Tail Stream of the Powder Mills near Waltham Abbey aforeſaid ſhall have been made than now does; be it further enacted, That from and immediately after the ſaid new Cut ſhall have been made and compleated, it ſhall and may be lawful to and for the Tenants and Occupiers of the ſaid Grounds, now in the Occupation of the ſaid James Barwick and Mary Farran, and all ſucceeding Tenants of the ſaid Grounds, and they are hereby authorized, from time to time, to take a ſufficient Quantity of Water out of the ſaid Mill Stream, for filling the Cuts or Canals made, and to be made, in the ſaid Callico Grounds, or any other Grounds adjoining thereunto, now belonging to the ſaid Sir William Wake; and for that Purpoſe, it ſhall and may be lawful to and for the ſaid Sir William Wake, his Heirs, Tenants, or Aſſigns, or his or their Workmen, and they are hereby authorized to drive and fix in the ſaid Mill Stream a Pile, and to cut and make in the ſaid Pile a circular Hole or Bore not exceeding Two Inches and Five ſixteenth Parts of an Inch Diameter, for the conſtant Paſſage of Water out of the ſaid Mill Stream into the ſaid Cuts or Canals made,

Callico Grounds at *Waltham* to be ſupplied with Water from *Waltham Abbey* Corn Mill Stream.

made, or to be made, in the ſaid Callico Grounds, or any other Grounds adjoining thereunto, now belonging to the ſaid Sir William Wake; and to place and fix upon the ſaid Pile a Braſs or Copper Plate not exceeding One Quarter of an Inch in Thickneſs, with ſuch circular Hole or Bore therein as aforeſaid, the Centre of which ſaid circular Hole or Bore ſhall be placed Two Feet below the common and ordinary Mark of a full Head at the ſaid Mill, and, from time to time, to continue the ſame in the Manner and for the Purpoſe aforeſaid; and the Tenant or Occupier of the ſaid Corn Mills at Waltham Abbey aforeſaid, ſhall not at any Time or Times thereafter wilfully do any Act, Matter, or Thing, to prevent a full and free Paſſage of Water out of the ſaid Mill Stream through the ſaid circular Hole or Bore into the ſaid Cuts or Canals made, or to be made, in the ſaid Callico Grounds, or any other Grounds adjoining thereunto, now belonging to the ſaid Sir William Wake.

And whereas the Mill Stream from the Tail of the ſaid Gunpowder Mills belonging to the ſaid Thomas and Bourchier Walton is navigable to the preſent Channel of the ſaid River Lee, which Channel from the End of the ſaid Mill Stream to the Place where the ſaid new Cut to be made from King's Weir will communicate with the ſaid River Lee, near the ſaid Weſt Mill Stream, will be diſuſed for common Navigation after the ſaid new Cut is made, but it is neceſſary that the ſame ſhould be preſerved in a navigable State for the Benefit of the ſaid Mills; be it therefore further enacted, That nothing herein contained ſhall enable the ſaid Truſtees for the ſaid Navigation to do any Act, Matter, or Thing whatſoever, whereby the Navigation of the ſaid River Lee, in its preſent Courſe or Channel from the ſaid Mill Stream to the common Channel of the ſaid River where the ſaid new Navigation ſhall be carried on, ſhall or may be deſtroyed or injured; but that on the contrary the ſaid Truſtees ſhall and will cleanſe, preſerve, and maintain, the ſame in a proper and effectual Manner, that there may always be as good a Navigation to and from the ſaid Mills as there now is.

Navigation to Meſſ. *Waltons* Gunpowder Mills to be preſerved.

Provided always, and be it further enacted and declared, That nothing herein contained ſhall extend, or be conſtrued to extend, to oblige the Owners, Leſſees, Tenants, or Occupiers, of the Gunpowder Mills at Waltham Holy Croſs, in the County of Eſſex, to draw up or open, or ſhut or put down, any Clough or Cloughs

Owners of Gunpowder Mills not to ſupply Water.

Cloughs of their Sluices for the Purpoſe of doing or executing any of the Works in purſuance of this Act.

And whereas Richard Lockwood, Eſquire, is Owner of certain Mills upon the ſaid River Lee, known by the Name of the Four Mills, at Bromley; be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, or be conſtrued to authorize or impower the ſaid Truſtees, or any of them, to make any Alteration in the Lock called Bromley Lock, the Dams, Cuts, or Water Streams, leading to the ſaid Four Mills; or any ways to defeat, prejudice, or affect, the Right or Property of the ſaid Richard Lockwood, his Heirs, or Aſſigns, therein, without the previous Conſent of the ſaid Richard Lockwood, his Heirs, or Aſſigns. Alteration to be made in *Bromley Lock.*

And whereas George Byrd Eſquire, and ſeveral other Perſons, are Proprietors of certain Water-works called The Weſtham Water-works, in the County of Eſſex, for raiſing Water for the Supply of the Inhabitants of Stratford, Weſtham, Bow, Bromley, Mile End, Stepney, and other adjacent Places, with good and wholſome Water; which ſaid Water-works are ſituate upon a Branch or Cut from the River Lee, and are ſupplied from the ſaid River with Water; and the ſaid Proprietors have been at very great Expences in the Erection and maintaining thereof: And in order to extend and render more uſeful the ſaid Undertaking by having their Property ſecured to them, the ſaid Proprietors obtained an Act in the Twenty firſt Year of his late Majeſty, whereby they were authorized to make and maintain Works, Cuts, Dams, Devices, and Buildings, for conducting or conveying Water to the ſaid ſeveral Pariſhes and Places for the Purpoſes aforeſaid; and ſince paſſing of the ſaid Act they have been at further great Expences, and have alſo erected on the ſaid Stream or Cut a new Water-mill and Engine for raiſing Water, the better to ſupply the Inhabitants of the aforeſaid Towns and Pariſhes, and alſo Bethnal Green, Shadwell, Cockhill, Ratcliffe, and other Places adjacent; which Expences in different Purchaſes, Leaſes, Erections, and Works, for ſupplying the ſaid Inhabitants with Water, have amounted to upwards of Forty thouſand Pounds; be it therefore further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to defeat, prejudice, or affect, the Right of the ſaid Proprietors to the ſaid Works, or the Water-cuts and Dams ſo made by them for the Purpoſes aforeſaid, and the Stream running to the ſame; but that it ſhall and may be lawful for the ſaid Proprietors of the ſaid Saving of the Rights of the Proprietors of *Weſtham Water-works.*

Water-works for the time being, and their Heirs, Executors, Adminiſtrators, Aſſigns, and Succeſſors, to have, hold, take, and enjoy, the ſaid Works, Cuts, and Dams, now made by them, and alſo the Water and Stream coming from the ſaid River Lee for the working the ſame, and ſupplying the ſaid Inhabitants or others with Water, and all the Rights, Privileges, Benefits, and Advantages, belonging thereto, in as full and ample Manner as they the ſaid Proprietors now poſſeſs and enjoy the ſame; any thing herein contained to the contrary thereof notwithſtanding.

To prevent the Water of the River from being diverted or miſ-ſpent to the Prejudice of *Weſtham Water-works.*

And be it further enacted, That in caſe the ſaid Truſtees, their Succeſſors, or Aſſigns, ſhall, by virtue of the Powers and Authorities by this Act granted, take or divert any Water out of the River Lee, or out of the Cut or Canal belonging to the ſaid Water-works, to the Prejudice or Injury thereof; then, and ſuch Caſe, the ſaid Truſtees, their Succeſſors, or Aſſigns, ſhall, from time to time, make to the Proprietors of the ſaid Water-works for the time being full Satisfaction for the Injury, Loſs, and Damage, which ſhall, from time to time, be ſuſtained by the Proprietors of the ſaid Works, by reaſon of ſuch Water being taken or diverted from the ſaid Water-works; ſuch Damages to be, from time to time, ſettled and aſcertained, recovered and levied, when unpaid, in ſuch Manner, and with the like Powers, Authorities, and Remedies, in all Reſpects, as any other Damages, which ſhall be ſuſtained by the Exerciſe of any of the Powers of this Act, are herein directed to be ſettled, aſcertained, recovered, and levied: And in caſe the Maſter or Owner of any Boat, Barge, Lighter, or other Veſſel navigating upon the ſaid intended Cut or Canal, between Lee Bridge and Hackney Brook, or Navigation, or other Perſon or Perſons whatſoever, ſhall wantonly, or through Careleſſneſs or Negligence, break, throw down, damage, or deſtroy, any Banks or other Works erected, or to be erected, or made for the Purpoſes of the ſaid Navigation; or ſhall wantonly, and without Occaſion, or in a careleſs or negligent Manner, open, or cauſe to be opened, or left open, any Lock belonging to the ſaid Navigation, Cut, or Canal, or leave any of the Locks open and running for any longer Time than is neceſſary for the Paſſage of any Boat, Barge, Lighter, or other Veſſel; or if any Perſon or Perſons ſhall draw, or cauſe to be drawn, any of the Locks, Gates, Sluices, or Hatches, which ſhall be made on the ſaid Cut or Canal between Lee Bridge and

and Hackney Brook, ſo as to miſ-ſpend and waſte, or ſhall by any Means wilfully miſ-ſpend or waſte, the Water of the River Lee, or do any other Act to the Prejudice of the ſaid Water-works; every ſuch Perſon or Perſons, ſo offending in any of the ſaid Particulars, and being thereof convicted before One or more Juſtice or Juſtices of the Peace for the Counties of Eſſex or Middleſex, by or upon the Oath of One or more Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices is and are hereby reſpectively impowered and required to adminiſter) ſhall forfeit and pay, for every ſuch Offence, a Sum not exceeding Five Pounds; and in Default of Payment thereof, the Perſon or Perſons ſo offending ſhall, by Warrant or Warrants of ſuch Juſtice or Juſtices, be committed to the Houſe of Correction for the ſaid Counties reſpectivhly; there to be kept to hard Labour for any Time ſuch Juſtice or Juſtices ſhall direct, not exceeding Two Months, or until Payment of the ſaid Forfeiture: But in caſe the Damage ſo done as aforeſaid ſhall exceed the Sum of Five Pounds; then it ſhall and may be lawful for the ſaid Proprietors of the ſaid Water-works, their Heirs, Executors, Adminiſtrators, Aſſigns, and Succeſſors, to ſue for and recover ſuch Forfeiture, with full Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record; wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed.

And whereas in caſe the Water of the ſaid Cut or Canal ſhall, by any of the Ways or Means aforeſaid, or otherwiſe, be diverted or permitted to run to Waſte for any Length of Time, great Injury and Damage may enſue to the ſaid Water-works, and the Perſons who are to be ſupplied with Water therefrom; be it therefore further enacted, That when and as often as the Water ſhall be diverted, or run to Waſte by the Means aforeſaid, or otherwiſe, to the Prejudice of the ſaid Water-works (in caſe the ſaid Truſtees, or any Five or more of them, ſhall not, within Twenty four Hours after Notice of ſuch Waſte ſhall be given, or left in Writing, to the Surveyor or Keeper of any of the Locks upon the ſaid Cut or Canal, or be left for him at his uſual Place of Abode, effectually ſtop the Water from running to Waſte as aforeſaid;) it ſhall and may be lawful for the Proprietors of the ſaid Water-works, or any of them, their Heirs, Executors, Adminiſtrators, Aſſigns, or Succeſſors, or any of them, or for their Surveyor or Surveyors, and Workmen, and they are hereby

The Proprietors of *Weſtham Water-works* (in caſe the Water of the River ſhall be diverted or run to Waſte) to put down the Locks, and to enter upon the Cuts to repair Breaches.

hereby impowered, to go upon the said Cut or Canal, and Ground, belonging to the said Navigation; and, by such Ways and Means as they shall deem fit and necessary, stop up, put down, and shut down, the Lock or Locks, Gates or Hatches, so left open, and mend or repair any Breaches, or otherwise prevent a further Waste of Water from the said Cut or Canal; and the said Trustees, or any Five or more of them, shall, in such Case, pay to the said Proprietors, their Heirs, Executors, Administrators, Assigns, or Successors, all such reasonable Costs, Charges, and Expences, as they shall reasonably deserve to have for the same, over and besides the Penalty herein before-mentioned; such Costs, Charges, and Expences, to be settled by any One or more Justice or Justices of the Peace for the said Counties of Essex and Middlesex respectively: And in case of Non-payment for the Space of Four Days after Demand made on their Agent or Agents, such Expences shall and may be recovered and levied, in such Manner as is in this Act provided for the Payment of any Shares or Annuities that shall or may be granted and made payable by virtue thereof; any thing in this Act to the contrary thereof notwithstanding.

And whereas Francis John Tyssen Esquire, is intitled to an antient Water Corn Mill near Lee Bridge, which with other Works are now employed in raising Water for the Supply of the Inhabitants of the Parish of Hackney, and other Places adjacent, with good and wholesome Water; which said Mill and Water-works are situate upon a Branch or Cut from the said River Lee, and supplied with Water therefrom by means of a Weir or Lock lately erected by Abraham Ogier and others, Lessees under the said Francis John Tyssen, at a very considerable Expence; which Lock or Weir hath been found by Experience to be of very great Service and Advantage to the Navigation of the said River Lee; and it is necessary that the same should be kept up and continued for the Benefit of the New Cut or Canal intended to be made between Lee Bridge and the Mouth of the Stream supplying the said Mill and Water-works; be it therefore enacted, That the intended Navigation shall be carried through the said Mill Stream, and the said New Cut or Canal shall begin on the West Side of the said Mill, but not nearer than Ten Yards from the Buildings belonging thereto; nor shall any Lock or Device be placed so as to obstruct or divert the Stream belonging to the said Mill.

The Cut to be made between *Lee Bridge*, and the Mill which supplies *Hackney Water-works* with Water, shall be made on the West Side of the said Mill, but not within Ten Yards thereof.

And, to the Intent that both the ſaid Mill and Water-works, and alſo the ſaid new intended Cut or Canal, may be conſtantly ſupplied with a ſufficient Quantity of Water, be it further enacted, That the ſaid laſt mentioned Lock ſhall not at any Time be drawn or opened for the Purpoſes of the ſaid Navigation, nor by the Proprietors of the ſaid Mill and Water-works, or their Aſſigns, Servants, or Agents, ſo as to reduce the Head of Water belonging to the ſaid Mill and Water-works more than Six Inches below the uſual Gauge Mark, or Height of a full Head; the ſame to be aſcertained by a Stone or Poſt to be ſet up by the ſaid Truſtees for that Purpoſe: And that the ſaid Truſtees ſhall cauſe a Bridge to be erected and maintained over the ſaid Mill Stream, at or near the Place where the preſent Bridge now ſtands, ſufficient for the Paſſage of Horſes, Waggons, Carts, and Carriages, from the Turnpike Road over Lee Bridge to the ſaid Mill and Water-works.

The Head of Water, which ſupplies *Hackney Water-works*, ſhall not be drawn lower than Six Inches below the uſual Gauge of a full Head.

And whereas the Governor and Company of the New River are intitled to the Payment of One Shilling for every Boat, Barge, or Craft, paſſing through the Lock or Ciſtern mentioned in the ſaid recited Act of the Twelfth Year of the Reign of His late Majeſty to be near Ware Mills, by Owners or Occupiers of every ſuch Boat, Barge, or Craft, and are alſo ſeiſed of a Weir and Weir-houſe or Fiſhing Houſe near the Town of Ware; be it further enacted, That from and after the paſſing of this Act, the ſaid Governor and Company of the New River ſhall not demand, have, receive, or take, any Toll, Rate, or Duty whatſoever, of or from the Owners or Occupiers of any Boat, Barge, or other Craft, paſſing through the ſaid Lock or Ciſtern; and alſo that the ſaid Weir and Weir-houſe or Fiſhing-houſe, but not the ſaid Lock or Ciſtern, ſhall from thenceforth be veſted in, and the ſame are hereby veſted in, the Truſtees appointed by this Act and their Succeſſors for ever, for the Purpoſes of the ſaid Navigation; and in Conſideration and Satisfaction thereof, the ſaid Truſtees and their Succeſſors, or any Seven or more of them, are hereby authorized, impowered, and required, to pay and allow unto the ſaid Governor and Company of the New River, out of the Rates, Duties, and Sums of Money, to be raiſed or paid by virtue of this Act, the Sum of One Shilling for every Boat, Barge, Lighter, or other Craft, which ſhall at any Time after the paſſing of this Act paſs through the ſaid Lock or Ciſtern, by Four even or equal quarterly Payments in the Year; (that is to ſay) On the Feaſt of Saint Michael the Archangel, the Birth of our Lord

Satisfaction to be made the *New River* Company for a Toll now taken by them for the Paſſing of Boats at a Lock near *Ware Mill*, and alſo for a Weir and Weir-houſe belonging to them.

Chriſt, the Annunciation of the Bleſſed Virgin Mary, and the Nativity of Saint John the Baptiſt; the Firſt Payment to begin and be made on ſuch of the ſaid Feaſts or Days of Payment as ſhall firſt and next happen after the paſſing of this Act; and alſo that the ſaid Truſtees and their Succeſſors, or any Seven or more of them, are hereby authorized, impowered, and required, further to pay and allow unto the ſaid Governor and Company of the ſaid New River, out of the Rates, Duties, and Sums of Money, to be raiſed or paid by virtue of this Act, the annual Rent or yearly Sum of Forty Pounds, free and clear of and from all and all Manner of Taxes and Deductions parliamentary or otherwiſe howſoever, at or on the ſaid Four Feaſts in every Year, by even and equal Portions; the Firſt Payment of the ſaid annual Rent of Forty Pounds to begin and be made on ſuch of the ſaid Feaſts or Days of Payment as ſhall firſt and next happen after the paſſing of this Act: And in caſe the ſaid ſeveral and reſpective Payments, or any of them, or any Part or Parts thereof, ſhall be behind and unpaid by the Space of Forty Days next after the ſame ſhall become due; that then the ſaid Governor and Company of the New River ſhall and may have and take ſuch and the ſame Remedies and Powers for recovering and receiving the ſaid reſpective Payments, and all Arrears thereof, as are in this Act provided for the Payment of any Shares or Annuities that ſhall be granted or made payable by virtue of this Act; and ſuch Payments ſhall be made in Preference to, and have a Priority againſt, all other Annuities, Charges, Payments, or Sums of Money, which ſhall hereafter be created and become payable to any Perſon or Perſons advancing Money by way of Security upon the Rates and Duties by this Act made payable, or on any Sum or Sums of Money veſted in or made payable to the ſaid Truſtees by virtue hereof.

Nothing in this Act to prejudice the Rights and Privileges of the *New River* Company.

Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend, to defeat, injure, or in any Manner to alter, prejudice, or affect, the Rights, Intereſts, or Property, of the ſaid Governor and Company of the New River of, in, or to, certain Mills, Lands, and Hereditaments, in the Pariſhes of Ware and Great Amwell, in the County of Hertford, veſted in them by a certain private Act of Parliament paſſed in the Eleventh Year of the Reign of his late Majeſty King George the Second, intituled, An Act for veſting certain Mills, Lands, and Hereditaments, in the Pariſhes of *Ware* and *Great*

Great Amwell, in the County of *Hertford* (being Part of the Eſtate of *Thomas Plumer Byde* Eſquire, an Infant, and compriſed in the Grandfather's Marriage Settlement) in the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*, and for ſecuring a perpetual Rent-charge in lieu thereof, for the Benefit of the Perſons claiming under the ſaid Settlement, or to give any Power to the ſaid Truſtees by any Means to diminiſh, divert, prejudice, or alter, the Supply or Courſe of the Water of or belonging to the Works of the ſaid Governor and Company, or to pen up the Water between the Weir and the Mill Tail, ſo as in any Meaſure to prejudice or obſtruct the Working of the ſaid Mills; or to defeat, injure, or in any Manner to alter, prejudice, or affect, the Rights, Intereſts, or Property, of the ſaid Governor and Company of, in, or to, any Eſtates, Powers, Advantages, Privileges, Tolls, Duties, Benefits, or Emoluments whatſoever, veſted in them the ſaid Governor and Company in and by the Firſt abovementioned Act of the Twelfth Year of his ſaid late Majeſty; ſave and except in reſpect of the ſaid Toll or Payment of One Shilling for every Barge, Boat, or Craft, paſſing through the ſaid Lock or Ciſtern, and in reſpect of the ſaid Weir or Fiſhing-houſe herein before-mentioned.

For veſting *Newman's Weir* and *Parkinſon's Weir* in the Truſtees, and for making Satisfaction to the Owners and Leſſees thereof for the ſame.

And be it further enacted, That from and after the Paſſing of this Act, the Weirs called Sotheby's Upper Weir, otherwiſe Newman's Weir and Parkinſon's Weir, upon the River Lee, ſhall be veſted in the ſaid Truſtees; and that the ſaid Truſtees, or any Seven or more of them, ſhall pay the annual Sum of Nineteen Pounds Five Shillings, clear of all Taxes and Deductions whatſoever, impoſed, or to be impoſed, by Authority of Parliament, or otherwiſe howſoever, to the Occupier of the ſaid Weir on the ſaid River Lee, called Sotheby's or Newman's Weir, his Executors, Adminiſtrators, or Aſſigns, during the Reſidue of his preſent ſubſiſting Leaſe thereof; and from and after the Determination thereof, to the Owner or Owners of the ſaid Weir for the time being; and alſo ſhall pay, or cauſe to be paid, the annual Sum of Sixteen Pounds Fifteen Shillings, free and clear from all Taxes and Deductions as aforeſaid, to the Occupier of the ſaid Weir called Parkinſon's Weir, during the Reſidue of his preſent ſubſiſting Leaſe thereof; and from and after the Determination of ſuch Leaſe, to the Owner or Owners of the ſaid Weir for the time being, by half-yearly Payments and equal Portions at Lady-day and Michaelmas yearly for ever; the Firſt Payment thereof

thereof to commence at ſuch of the ſaid Days as ſhall happen immediately after the Paſſing of this Act; which ſaid annual Sums ſhall be in full Satisfaction and Compenſation for the ſeveral Tolls or Sums of Money uſually paid for the Paſſage of Barges and Boats through the ſaid Weirs, and ſhall be charged and chargeable upon, and be payable and paid by and out of the Tolls made payable by this Act, or any Money which ſhall be raiſed by the Authority thereof: And in caſe the ſaid ſeveral Sums of Nineteen Pounds Five Shillings, or Sixteen Pounds Fifteen Shillings, or any of them, or any Part thereof, ſhall be behind and unpaid by the Space of Forty Days after the ſame ſhall ſo become reſpectively due as aforeſaid, being demanded of the Treaſurer or Treaſurers of the ſaid Truſtees for the time being; that then, and in ſuch Caſe, and ſo often as the ſaid annual Sums, or any of them, ſhall be ſo reſpectively in Arrear as aforeſaid, then the ſaid Owner or Owners, Occupier or Occupiers, of the ſaid Wears, their Heirs and Aſſigns, ſhall and may have and take ſuch and the ſame Powers and Remedies for receiving and recovering the ſaid Payments, and all Arrears thereof, and all Coſts and Expences attending the Recovery thereof, as are in this Act provided for the Payment of any Shares or Annuities that ſhall be granted or made payable by virtue of this Act.

And whereas for Time immemorial there hath been a Navigation to certain Mills called Sewardſton Mills, ſituate, lying, and being, in the Pariſh of Waltham Holy Croſs, in the County of Eſſex: And whereas there is at preſent no Road or Acceſs to the ſaid Mills, for the carrying of Goods, but by the ſaid Navigation: And whereas by the new Cut or Canal intended to be made by virtue of this Act, the ſaid Navigation to the ſaid Mills, unleſs Proviſion be by this Act made for preſerving the ſame, will be loſt, and the ſaid Mills thereby rendered of little or no Value: Be it therefore further enacted, That the ſaid Truſtees, or any Seven or more of them, are hereby authorized, impowered, and required, to pay, or cauſe to be paid, out of the Rates and Duties by this Act granted and directed to be received and taken, to the Owner or Owners, Occupier or Occupiers, of the ſaid Mills, an annual Sum of Forty five Pounds; which ſaid annual Sum of Forty five Pounds ſhall be in full Satisfaction and Compenſation for the Navigation to the ſaid Mills; and all Payments heretofore made to the Owner or Owners, Occupier or Occupiers, of the ſaid Mills; and the ſaid annual Sum of Forty five

Satisfaction to be made to the Owners of *Sewarſton Mills* for the Navigation to the Mills, and for all other Payments heretofore made to the Owners of the ſaid Mills.

Pounds ſhall be paid by half-yearly Payments and equal Portions at Lady-day and Michaelmas yearly for ever; the firſt Payment to be made at ſuch of the ſaid Days as ſhall happen after the new intended navigable Cut or Canal herein before mentioned, leading from above Sotheby's Upper Weir, otherwiſe called Newman's Weir, on the Weſt Side thereof, into and through the Tail Stream of Tottenham Mill, ſhall be perfected and rendered fit to be navigated upon; and in caſe of Refuſal or Non-payment of the ſaid annual Rent of Forty five Pounds, or any Part thereof, for the Space of Forty Days next after any of the Days before appointed for the Payment thereof as aforeſaid, the ſaid Owner or Owners, Proprietor or Proprietors, of the ſaid Mills, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall and may have and take ſuch and the ſame Powers and Remedies for receiving and recovering the ſaid annual Rent of Forty five Pounds, or ſo much thereof as ſhall, from time to time, be in Arrear and unpaid, and all the Coſts and Expences attending the Recovery thereof, as are in this Act provided for the Payment of any Money or Annuities that ſhall be granted and made payable by virtue of this Act; and that the ſaid Truſtees, or any Seven or more of them, ſhall, and they are hereby required to make and conduct the new intended Cut or Canal at or near a certain Lock called Enfield Lock, in the County of Middleſex, within Twenty Yards of the ſaid River Lee, between Sotheby's Upper Weir, otherwiſe Newman's Weir, and Enfield Lock, ſo that Goods landed upon a Wharf to be made and erected on the Eaſt Side of the ſaid intended new Cut or Canal may be conveniently reladen at a Wharf to be made on the Weſt Side of the ſaid River Lee; and that the ſaid Truſtees, or any Seven or more of them, ſhall, at their own Coſts and Charges, make and erect, and for ever thereafter keep in Repair, One ſuch convenient Wharf of the Length of Ten Feet on the Eaſt Side of the ſaid new intended Cut or Canal; and One other ſuch convenient Wharf of the ſame Length, oppoſite to the foregoing, and within Twenty Yards thereof, on the Weſt Side of the ſaid River Lee; and ſhall likewiſe, at their own Coſts and Charges, incloſe a Piece of Ground between the ſaid Two Wharfs of Twenty five Feet broad and Forty Feet long, with Pales or Boards Ten Feet high, with a convenient Door or Aperture towards each of the ſaid Wharfs, for the Reception and Preſervation of Goods that may be landed on either of them; and ſhall for ever keep the ſaid

Inclosure in Repair; and that the Owner or Owners, Occupier or Occupiers, of the said Mills shall have full Power and Authority, at the Expence of such Owner or Owners, Occupier or Occupiers, to cleanse and cut the Banks of the River leading to the said Mills, commonly called the Mill River, as they shall think fit, convenient, and necessary, for making a Navigation from the said Wharf, on the East Side of the River Lee, to the said Mills; so as in cleansing and cutting the said Mill River, the said Owner or Owners, Proprietor or Proprietors, of the said Mills do not enlarge the Mouth of the said Mill River; and likewise to remove all Obstructions to the said Navigation, and to alter any Bridge or Bridges that is or are now erected or built over the said River called the Mill River, so that such Bridge or Bridges may admit Boats and Barges, to be made use of on the said Navigation from the said Wharf on the River Lee near to the said Mills, conveniently to pass under the same; and to make a convenient Towing or Haling Path on One Side of the said Navigation, to be made use of for the Purposes of the same: And if any Person or Persons shall sustain any Damage by or by Means of any such cleansing or cutting the said Mill River, or by removing any Obstructions on the same, or by altering any Bridge or Bridges, or by making such Haling or Towing Path, such Damage shall be demanded, tendered, ascertained, recovered, and paid of and by the said Owner or Occupier, or Owners or Occupiers, of the said Mills, in the very same Manner, to all Intents and Purposes, as Damages are by this Act to be demanded, tendered, ascertained, recovered, and paid, by and to Persons injured by making the said new intended Cut or Canal, or in consequence or by means thereof.

Satisfaction to be made to the Owners of *Newman's Weir*, *Parkinson's Weir*, and *Sewardston's Mills*, to have a Preference in Payment against all other Payments.

And be it further enacted, That the said herein before mentioned yearly and annual Sums of Nineteen Pounds Five Shillings, Sixteen Pounds Fifteen Shillings, and Forty five Pounds, herein before directed respectively to be paid to the Owner or Owners, Occupier or Occupiers, of Sotheby's Upper Weir, otherwise called Newman's Weir, Parkinson's Weir, and Sewardston's Mills, shall be paid in Preference to, and have a Priority against, all other Annuities, Payments, Charges, or Sums of Money which shall hereafter be created and become payable to any Person or Persons advancing Money by way of Security upon the Rates, Duties, or Tolls, by this Act made payable, or on any Sum or Sums of Money vested in, or made payable to, the said Trustees, by virtue hereof.

And,

And, in order that a conſtant Supply of Water may be provided and preſerved for the Uſe of Sewardſton Mills; be it further enacted, That with all convenient Speed, after the ſaid Cut or Canal from above Newman's Weir into Enfield Mill Stream ſhall be made, the ſaid Truſtees ſhall, at their own Coſts and Charges, cauſe to be erected, to the Southward of and within One hundred Yards from the Head of the Stream leading to Sewardſton Mills, a ſufficient Stop or Erection croſs the ſaid River Lee; and, at all Times afterwards, maintain, preſerve, and repair, the ſame; and in caſe the ſaid Truſtees ſhall at any Time neglect or omit ſo to do, the Owner or Owners, or Occupier or Occupiers, of the ſaid Mills, ſhall recover and receive Damages for ſuch Omiſſion or Neglect, in the ſame Manner as other Perſons receiving Damages, by or by means of the ſaid new intended Cut or Canal, may recover their Damages.

Height of the Banks to the Cut from *Newman's Weir* into *Enfield Mill*,

And be it further enacted, That the Banks on each Side of the ſaid new Cut to be made from above Sotheby's Upper Weir, otherwiſe called Newman's Weir, into Enfield Mill Stream, ſhall be made and maintained of the Height of Four Inches at leaſt above the preſent Level of the Bank of the ſaid River Lee, from whence the ſaid Cut is intended to be made.

and Cut Eaſtward of *Enfield Mills*, to be Four Inches above the Banks of the Mill Stream;

And be it further enacted, That the Banks on each Side of the ſaid new Cut to be made to the Eaſtward of Enfield Mills, above the Lock to be erected in the ſaid Cut, ſhall be made and maintained of the Height of Four Inches at leaſt above the preſent Level of the Bank of the ſaid Mill Stream, from whence the ſaid Cut is intended to be made.

ſubject to the Regulations here ſet down.

Provided always nevertheleſs, That the ſaid new Cut to be made from above Sotheby's Upper Weir, otherwiſe called Newman's Weir, into Enfield Mill Stream, and along ſuch Stream ſo far as the ſaid Navigation is to paſs through the ſame; and the ſaid Cut, to be made to the Eaſtward of Enfield Mills, ſhall be made, done, ſecured, and maintained, in ſuch Manner as that the Quantity of Water flowing to the ſaid Mills, called Enfield Mills, ſhall not be leſſened or lowered further than ſhall be neceſſary for the Paſſage of Barges, Boats, or other Veſſels, through the ſaid Lock, or the free Paſſage of the Water be ſtopped or obſtructed in its Courſe to the Head of the ſaid Mills; and ſo as that the Water in the ſaid Mill Stream, below the ſaid Mills, ſhall not be raiſed above its antient and uſual Height; and ſo as neither to deepen or obſtruct the Paſſage through the Ford below the ſaid Mills, or to hinder the working of the

the ſaid Mills; and ſo as not to obſtruct the Navigation to the ſaid Mills, and all the Wharfs and Lands belonging to the Owner thereof.

A Lock to be made in the Cut from *Newman's Weir* into *Enfield Mill Stream*, and another to be made in the Cut to the Eaſtward of *Enfield Mills*.

And be it further enacted, That in ſome convenient Place of the ſaid new Cut to be made from above Sotheby's Upper Weir, otherwiſe called Newman's Weir, into Enfield Mill Stream, the ſaid Truſtees ſhall cauſe to be erected and built a proper Lock or Ciſtern convenient for the Paſſage of ſuch Barges, Boats, and other Veſſels as aforeſaid, the Gates of which ſaid Lock ſhall be made of the Height of Four Inches above the preſent Level of the Bank of the ſaid River Lee, from whence the ſaid new Cut ſhall begin to be made; and in ſome convenient Place of the ſaid new Cut to be made to the Eaſtward of Enfield Mills, ſhall cauſe to be erected and built another Lock or Ciſtern convenient for the Paſſage of ſuch Barges, Boats, and other Veſſels as aforeſaid, the Gates of which laſt mentioned Lock or Ciſtern ſhall be made of the Height of Four Inches above the preſent Level of the Bank of the ſaid Mill Stream, from whence the ſaid new Cut ſhall begin to be made.

Occupier of *Enfield Mills* ſhall have the Care of the Lock to be made in the Cut to the Eaſtward of the Mills.

And, in order to prevent the Owners, Leſſees, Tenants, or Occupiers, of the ſaid Mills, called Enfield Mills, being injured by any Miſmanagement or Neglect in the Management of the ſaid Lock or Ciſtern to be erected on the ſaid new Cut to the Eaſtward of the ſaid Mills; be it further enacted, That the Tenant or Tenants, Occupier or Occupiers, of the ſaid Mills, called Enfield Mills, for the time being, ſhall have the Care and Management of the ſaid Lock or Ciſtern ſo to be erected as aforeſaid in the ſaid Cut to the Eaſtward of the ſaid Mills: And in order to make a proper Recompence and Satisfaction for ſuch Care and Management to the ſaid Tenant or Tenants, Occupier or Occupiers, of the ſaid Mills, the ſaid Truſtees, or any Seven or more of them, ſhall, out of the Monies to be raiſed or paid by virtue of this Act, from time to time, after the Erection of ſuch Lock, pay unto ſuch Tenant or Tenants, Occupier or Occupiers, of the ſaid Mills, the yearly Sum of Ten Pounds of lawful Money of Great Britain, free and clear of all Taxes and Deductions whatſoever, by Four equal quarterly Payments, to be made on the Feaſt Days of the Annunciation of the Bleſſed Virgin Mary, Saint John the Baptiſt, Saint Michael the Archangel, and the Birth of our Lord Chriſt, in every Year; the Firſt of ſuch Payments to be made on ſuch of thoſe Days as ſhall firſt and next happen after the Building of the ſaid Lock: And in caſe of Refuſal

ſuſal or Nonpayment of the ſaid yearly Sum of Ten Pounds, or any Part thereof, for the Space of Forty Days next after any of the Days before appointed for Payment thereof, ſuch Tenant or Tenants, Occupier or Occupiers, of the ſaid Mills, ſhall and may have and take ſuch and the ſame Powers and Remedies for receiving and recovering the ſaid yearly Sum of Ten Pounds, or ſo much thereof as ſhall, from time to time, be behind and unpaid as aforeſaid, and all Coſts and Expences attending the Recovery thereof, as are in this Act provided for the Payment of any Shares or Annuities that ſhall be granted and made payable by virtue of this Act; and ſuch yearly Sum of Ten Pounds ſhall be paid in Preference to, and have a Priority againſt, all other Annuities, Charges, Payments, or Sums of Money, which ſhall hereafter be created and become payable to any Perſon or Perſons advancing Money by way of Security upon the Rates and Duties by this Act made payable, or on any Sum or Sums of Money veſted in, or made payable to, the ſaid Truſtees, by virtue hereof.

And, in order to prevent any Interruption of the Navigation along the ſaid Mill Stream, after the ſaid new Cuts and Canals to and from the ſaid Mill Stream ſhall be made; be it further enacted, That when and as often as the Water therein ſhall be reduced to Five Feet above the preſent Sill of the Waſte-gate of that Part of the ſaid Mills called the Corn Mills, the Gates of the ſaid Mills ſhall be ſhut, and the Mills ſtopped from working; which ſaid Height of Five Feet ſhall be aſcertained by a Stone or Poſt to be ſet up by the ſaid Truſtees for that Purpoſe.

When the Water ſhall be reduced to a certain Height at *Enfield Mills*, the Gates of the Mills ſhall be ſhut, and the Mills ſtopped from working.

Provided always nevertheleſs, That nothing herein contained ſhall extend, or be conſtrued to extend, to prevent or hinder the Owners, Leſſees, Tenants, or Occupiers of the ſaid Mills called Enfield Mills from penning up the Water above the ſaid Mills, as high as they have heretofore uſed to pen the ſame; nor ſhall any Work be erected, or any Act be done, which may tend to prevent or hinder them in the penning up ſuch Water as aforeſaid.

Leſſees, &c. of *Enfield Mills* may pen up Water, to the uſual Height;

Provided alſo, That nothing in this Act mentioned or contained ſhall extend, or be conſtrued to extend, to prevent the Owners, Leſſees, Tenants, or Occupiers, of the ſaid Mills from drawing down the Water to repair the ſaid Mills, or to cleanſe the ſaid Mill Stream, or repair the Banks thereof at any Time, giving Twenty four Hours Notice to the ſaid Truſtees or their Agents,

and draw down the ſame for Repairs, &c. giving Notice.

that they may, if they think proper, make a Dam or Stop, to keep the Water up to the said Height of Five Feet, for the Purpose of the said Navigation whilst such Repairs are wanting.

The Height of the Water in the Cuts to and from *Enfield Mill Stream* to be ascertained by Stones or Posts.

And, to prevent Disputes between the said Trustees and the Owners, Lessees, Tenants, or Occupiers of the said Mills called Enfield Mills, respecting the Height to which the Water may be penned above the said Mills; be it further enacted, That within the Space of Six Calendar Months next after the said Cuts to communicate with the said Mill Stream shall be begun to be made, proper Stones or Posts shall be erected and set up at the Expence of the Owners, Tenants, Lessees, or Occupiers, of the said Mills, at some proper Place, to be agreed upon and fixed by them and the said Trustees, whereon shall be marked, in plain and legible Figures or Letters, the Height to which the Water hath usually been penned above the said Mills, and the Height to which the same stands below the said Mills when the said Mills are not at work, and no Water passeth from the River above into the same below the said Mills.

After the Cuts shall be made to and from *Enfield Mill Stream*, the Trustees shall scour the Cuts and repair the Locks and Banks.

And be it further enacted, That from and after the making of the said new Cuts and Canals, to and from the said Enfield Mill Stream, the said Trustees shall, at their own proper Costs and Charges, from time to time, well and sufficiently cleanse and scour the said new Cuts or Canals, and also the Whole of the said Mill Stream above the said Mills, so far as the same is used for Navigation; and also shall and will well and sufficiently repair and maintain the said Two Locks or Cisterns, and the Banks of the said Cuts or Canals, and the Banks of the Mill Stream aforesaid, so as to prevent unnecessary Waste of Water.

Neither *Enfield Mill Stream*, nor the Cut to the Eastward of *Enfield Mills*, shall be used for any other Purpose than for Navigation.

And be it further enacted, That the said Mill Stream, and the Cut or Canal to the Eastward of the said Mills, shall not be used by the said Trustees, or any other Person whatsoever (except the Owners, Tenants, Lessees, or Occupiers, of the said Mills) for any other Purpose than that of Navigation; and no Barge or other Vessel shall stop to take in or load, deliver out or unload, any Goods or Merchandizes whatsoever on any Part thereof, nor shall loiter or stop on the same unnecessarily; but nevertheless it shall and may be lawful to and for the Owners, Tenants, Lessees, or Occupiers, of the said Mills, to make such Wharfs on his, her, or their Lands, and to use the same for the loading and unloading of Goods, in like Manner as they now can or may do from

any Part of the ſaid Mill Stream, ſo that the ſame do not obſtruct or interrupt the Navigation in any Manner.

Rights of the Owner of the Fiſhery above and below *Enfield Mill*, ſaved.

Provided always, and be it further enacted and declared, That nothing contained in this Act ſhall tend to prejudice the Right of the Owner or Owners of the ſaid Enfield Mill Stream to the Fiſhery, both above and below the ſaid Mills; and from and after the ſaid new Cut or Canal to the Eaſtward of the ſaid Mills ſhall be made, the Owner or Owners of the ſaid Mill Stream ſhall and may have and enjoy the Benefit of the Fiſhery in ſuch new Cut or Canal, and in the ſaid Mill Stream, in the ſame Manner as they now are intitled to, and exerciſe and enjoy the Right of Fiſhery therein; any thing herein contained to the contrary thereof in any wiſe notwithſtanding: But ſuch Right ſhall be ſo exerciſed as not to interfere with, or interrupt, the Execution of this Act, or the free Uſe of the ſaid Navigation.

The Owners or Occupiers of Mills ſhall open or ſhut the Cloughs for the Works of Navigation, upon Notice given, and upon Payment or Tender of Recompence for the ſame.

And whereas it may be neceſſary in many Places where the new Cuts or Canals are intended to be made as aforeſaid, and where Locks or Ciſterns ſhall be neceſſary to be erected and repaired, to draw off the Water and ſtop the Working of the Mills adjoining to or near the ſame; be it therefore further enacted, That every Owner, Leſſee, Tenant, or Occupier, of any Mill or Mills which ſhall be neceſſary to be ſtopped for the doing the neceſſary Works aforeſaid in Execution of this Act, or for the Repairs thereof, from time to time, as the ſame ſhall be neceſſary, ſhall, upon reaſonable Requeſt made, and Forty eight Hours Notice given, and upon Payment or Tender of ſuch Recompence or Satisfaction as is herein after mentioned to be made to him or them by the ſaid Truſtees, or any other Perſon or Perſons employed as their Servant or Agent, draw up, or open, ſhut, or put down, any Clough or Cloughs of any Sluice or Sluices, which ſhall be neceſſary to be opened or ſhut reſpectively for the making the ſaid intended Cuts, and erecting the ſaid Locks or Ciſterns, and the Works requiſite for that Purpoſe, and for altering and repairing the ſame; and ſuch Owners, Leſſees, Tenants, or Occupiers, of any ſuch Mill or Mills ſhall and may, in ſuch Caſe, lawfully demand, have, and receive, and there ſhall become due and payable to him, her, or them, from the ſaid Truſtees (before ſtopping their Mills as aforeſaid) as a Recompence and Compenſation for ſuch drawing up or ſhutting ſuch Clough or Cloughs reſpectively, the Sum of Ten Pence for every Hour that every or any Wheel of any ſuch Mill ſhall, by that Means,

or

or on that Account, be stopped or hindered from working, and so in Proportion for any greater or lesser Time.

Mills not to be stopped but in certain Months in the Year.

Provided also, and be it further enacted and declared, That the Owners, Lessees, Tenants, or Occupiers, of any Mill or Mills, which it shall be necessary to stop or hinder the working of for the Purpose aforesaid, shall not be liable or obliged to draw up or open, or to shut or put down, any Clough or Cloughs of any Sluice or Sluices for the Purposes aforesaid, at any other Time or Times than in the Months of May, June, July, and August, nor during those Months for any longer Time or Times than Four Days in any One Week, unless some Accident or Misfortune may happen or arise which shall require immediate Redress, and in such Case the same shall and may be remedied and repaired at other Times in the Year as shall be necessary, but so as not to stop or hinder the working of any Mill or Mills more than Four Days in any One Week, after such Notice given as aforesaid; any thing contained in this Act to the contrary in any wise notwithstanding.

Satisfaction to be made to the Owner of *Enfield Mill Stream* for the Use of the said Stream for the Purpose of Navigation.

And, for Recompence and Satisfaction for the Use of the said Mill Stream for the Purpose of the said Navigation as aforesaid, be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and impowered to contract and agree with the Owner of the said Enfield Mills, and the Tenants or Occupiers thereof, and to pay, or cause to be paid to such Owner, Tenant, or Occupier, out of the Monies to be raised or paid by virtue of this Act, in such Manner and Proportions, as such Owner, Tenants, or Occupiers, shall agree amongst themselves, the yearly Sum of Forty Pounds, of lawful Money of Great Britain, free and clear of all Taxes and Deductions whatsoever, by Four equal Quarterly Payments, to be made on the Feast Days of Saint John the Baptist, Saint Michael the Archangel, the Birth of our Lord Christ, and the Annunciation of the Blessed Virgin Mary, in every Year, the First of such Payments to be made on the Feast Day of Saint John the Baptist now next ensuing; and in case of Refusal or Nonpayment of the said yearly Sum of Forty Pounds, or any Part thereof, for the Space of Twenty one Days next after any of the Days herein before appointed for Payment thereof as aforesaid, such Owner of the said Mills, and the Tenants or Occupiers thereof, shall and may have and take such and the same Powers and Remedies for receiving and recovering the said yearly Sum of Forty Pounds, or so much thereof as shall from time to time be in Ar-

rear and unpaid; and all Coſts and Expences attending the Recovery thereof, as are in this Act provided for the Payment of any Shares or Annuities that ſhall be granted and made payable by virtue of this Act; and ſuch yearly Sum of Forty Pounds ſhall be paid in Preference to, and have a Priority againſt all other Annuities, Charges, Payments, or Sums of Money which ſhall hereafter be created and become payable to any Perſon or Perſons advancing Money by way of Security, upon the Rates and Duties by this Act made payable, or any Sum or Sums of Money veſted in, or made payable to the ſaid Truſtees by virtue hereof.

And whereas the Dean and Chapter of the Cathedral Church of Saint Paul in London are Owners of a certain Weir ſituate upon the River Lee, now in the Poſſeſſion of Merry Teſhmaker, or his Under Tenants, by virtue of a Leaſe for a Term of Twenty one Years to him granted by the ſaid Dean and Chapter, which ſaid Weir it will be proper and neceſſary to make uſe of for the Purpoſe of improving the ſaid Navigation, or the ſame will be rendered uſeleſs thereby; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, and they are hereby authorized to contract and agree with the ſaid Dean and Chapter, and their ſaid Leſſee, and his Aſſigns or Under Tenants, for the abſolute Purchaſe of their reſpective Eſtates, Terms, and Intereſts in the ſaid Weir; and in Conſideration of, and Satisfaction for the ſame, to pay out of the Monies, Rates, and Duties, to be raiſed and paid by virtue of this Act unto the ſaid Merry Teſhmaker, his Executors, Adminiſtrators, or Aſſigns, or his or their Under Tenants, during the Continuance of the ſaid now ſubſiſting Leaſe, and after the Determination thereof, unto the ſaid Dean and Chapter, and their Succeſſors for ever, One Annuity or yearly Sum of Twenty five Pounds, clear of all Taxes, Charges, and other Deductions whatſoever, impoſed or to be impoſed by Authority of Parliament, or otherwiſe howſoever, by equal Half-yearly Payments, and alſo to pay to them reſpectively out of the Monies to be raiſed or paid as aforeſaid, the Coſts and Charges attending ſuch Agreements and Purchaſes; which ſaid Annuity, or yearly Sum of Twenty five Pounds, ſhall be for ever paid as aforeſaid, in Preference to, and have a Priority againſt, all other Annuities, Charges, Payments, and Sums of Money, which ſhall hereafter be created, ſecured, or made payable, out of or upon the Rates and Duties to be raiſed by virtue of this Act, or

Satisfaction to be made to the Dean and Chapter of *St. Paul's* and their Leſſee for a Weir upon the River *Lee*.

any Sum or Sums of Money veſted in, or payable to, the ſaid Truſtees by virtue thereof.

Satisfaction to be made to *Abraham Hume* Eſq; for an Houſe, Weir, and Fiſhery, upon the River *Lee*.

And whereas Abraham Hume Eſquire is the Owner of a certain Houſe, Weir, and Fiſhery, ſituate on the River Lee, ſome Parts whereof it will be neceſſary to make uſe of in improving the ſaid Navigation, and other Parts thereof may be rendered uſeleſs thereby; be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to contract and agree with the ſaid Abraham Hume for the Purchaſe of the ſaid Houſe, Weir, and Fiſhery, with the Appurtenances, for the yearly Sum of Twenty eight Pounds, free from all Deductions; and to pay out of the Monies to be raiſed or paid by virtue of this Act, the ſaid yearly Sum of Twenty eight Pounds, and alſo the Coſts and Charges attending ſuch Agreement and Purchaſe; which ſaid yearly Sum of Twenty eight Pounds ſhall be paid in Preference to, and have a Priority againſt, all other Annuities, Payments, Charges, or Sums of Money, which ſhall hereafter be created and become payable to any Perſon or Perſons advancing Money by way of Security upon the Rates and Duties by this Act made payable, or on any Sum or Sums of Money veſted in or made payable to the ſaid Truſtees by virtue hereof.

Satisfaction to be made to *John Archer* Eſq; for an Houſe, Weir, and Fiſhery, upon the River *Lee*.

And whereas John Archer Eſquire is the Owner of a certain Houſe and Weir ſituate on the River Lee, ſome Parts whereof it will be neceſſary to uſe in improving the ſaid Navigation, and other Parts thereof may be rendered uſeleſs thereby; be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to contract and agree with the ſaid John Archer for the Purchaſe of the ſaid Houſe and Weir, with the Appurtenances, for the yearly Sum of Twenty eight Pounds, free from all Deductions, and to pay out the Monies to be raiſed or paid by virtue of this Act the ſaid yearly Sum of Twenty eight Pounds, and alſo the Coſts and Charges attending ſuch Agreement and Purchaſe; which ſaid yearly Sum of Twenty eight Pounds ſhall be paid in Preference to, and have a Priority againſt, all other Annuities, Payments, Charges, or Sums of Money, which ſhall hereafter be created and become payable to any Perſon or Perſons advancing Money by way of Security upon the Rates and Duties by this Act made payable, or on any Sum or Sums of Money veſted in, or made payable to, the ſaid Truſtees by virtue hereof.

Provided

Towing-path through *Enfield* and *Edmonton Marſhes* to be the Eaſt ſide.

Provided always, and be it further enacted, That the Towing-path on the Side of the new Cut which ſhall be made through Enfield and Edmonton Marſhes, ſhall be made on the Eaſt Side of the ſaid Cut; except that Part of it which extends from the Head of Enfield Mill Stream to Newman's Weir.

Nothing to prejudice the River *Stort*.

Provided alſo, and be it enacted, That nothing in this Act contained ſhall extend to authorize or impower the ſaid Truſtees to do any Act or Acts whereby to prejudice, or render ineffectual, the Navigation of the River Stort.

Navigation to be free.

And be it enacted, That the ſaid Navigation ſhall from henceforth be a free Navigation, and that all the King's Liege People whomſoever ſhall and may have, and lawfully enjoy, free Paſſage along, in, through, and upon, the Channel of the ſaid River, and ſuch new Cuts and Canals as aforeſaid, with and for Boats, Barges, Lighters, and other Veſſels; and alſo the Uſe of the Towing or Haling-paths, and all other neceſſary and convenient Liberties for navigating the ſame, without any Let, Hindrance, or Obſtruction, from any Perſon or Perſons whomſoever; ſubject nevertheleſs to the Payment of ſuch Rates and Duties as, by the Tenor and true Meaning of this Act, are or ought to be paid to the ſaid Truſtees, or ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall appoint to collect the ſame; and alſo ſubject to the Orders and Bye-laws which ſhall be, from time to time, made by the ſaid Truſtees, or any Seven or more of them, for the Regulation of the ſaid Navigation.

Truſtees to pay Proprietors of Locks, *&c.* for the Paſſage of Boats, *&c.* till the Contracts carried into Execution.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required to, pay, or cauſe to be paid, out of the Monies to be raiſed and paid by virtue of this Act, to the ſeveral and reſpective Owners and Proprietors, or Occupiers, of any Weir, Turnpike, Lock, Ciſtern, or other Place, upon the ſaid River, where ſuch reſpective Owners and Proprietors, or Occupiers, have heretofore reſpectively taken any Sum of Money for the aiding or aſſiſting any Boat, Barge, Lighter, or other Veſſel, in the paſſing up or down the ſaid River, ſuch Sum and Sums of Money as the ſaid Owners and Proprietors, or Occupiers, have reſpectively uſually taken at ſuch reſpective Weirs, Turnpikes, Locks, Ciſterns, or other Places, for the paſſing of every ſuch Boat, Barge, Lighter, or other Veſſel, that ſhall paſs up or down the ſaid River, until the Contracts aforeſaid, which the ſaid Truſtees, or any Seven or more of them, are by this Act impowered to enter into, ſhall be carried into Execution, or

until ſuch Owners and Proprietors, or Occupiers reſpectively, ſhall have received Satisfaction for the ſame, in Manner herein before preſcribed.

Occupiers of Locks and Weirs to give the ſame Aſſiſtance to the paſſing of Boats as before the paſſing of the Act, until the Works of Navigation are completed.

Provided always, and be it further enacted, That the ſaid ſeveral and reſpective Owners and Proprietors, or Occupiers, of any ſuch Weir, Turnpike, Lock, Ciſtern, or other Place, upon the ſaid River, ſhall, until ſuch Contracts as aforeſaid ſhall have been carried into Execution, or until ſuch Owners and Proprietors, or Occupiers reſpectively, ſhall have received ſuch Satisfaction as aforeſaid; and they are hereby required by themſelves, their Agents, Servants, or Workmen, to do and perform all and every ſuch Acts, Matters, and Things, as ſhall be neceſſary for aiding and aſſiſting Boats, Barges, Lighters, and other Veſſels, in paſſing up or down the ſaid River, in the ſame Manner, and as effectually, as they have uſually done before the paſſing of this Act: And if any ſuch Owner and Proprietor, or Occupier, ſhall refuſe or neglect to do or perform all ſuch Acts, Matters, and Things, as ſhall be neceſſary for the aiding and aſſiſting the ſaid Boats, Barges, Lighters, and other Veſſels, in paſſing up or down the ſaid River as aforeſaid; every ſuch Owner and Proprietor, or Occupier, ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings.

Qualification of Truſtees.

And be it further enacted, That no Perſon ſhall ſit or act as a Truſtee in any Caſe where he ſhall be in any wiſe directly or indirectly intereſted or concerned in the Matter or Matters in Queſtion; and that no Perſon, other than ſuch as are Truſtees in reſpect of Offices, ſhall be qualified or capable of acting as a Truſtee by virtue of this Act, who ſhall not be, in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment, or Receipt, of the Rents and Profits of Lands, Tenements, or Hereditaments, Freehold or Copyhold, of the clear yearly Value of One hundred Pounds: And in caſe any Perſon ſhall ſit or act, being ſo intereſted; or if any Perſon who ſhall be deemed unqualified, or made incapable for the Cauſes aforeſaid, ſhall nevertheleſs preſume to act; every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds, to be recovered, with Full Coſts of Suit, by any Perſon or Perſons who ſhall ſue or proſecute for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at Weſtminſter; wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and upon any ſuch Suit or Proſecution, the Proof of ſuch Quali-

Qualification ſhall lie upon, and be made out of, by every Truſtee ſo to be ſued or proſecuted.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall meet on Wedneſday the Firſt Day of July, One thouſand ſeven hundred and ſixty ſeven, at a Houſe known by the Sign of the Roſe and Crown at Enfield Highway, in the Pariſh of Enfield in the County of Middleſex, and proceed to the Execution of this Act; and the ſaid Truſtees, or any Five or more of them, ſhall afterwards hold a General Meeting on the Firſt Monday in June in every Year; and the ſaid Truſtees, or any Five or more of them, aſſembled at ſuch Firſt and at any ſubſequent Meeting, may, from time to time, adjourn and hold their Meetings at ſuch Place and Places as they, or any Five or more of them, ſhall appoint: And if at any Time a ſufficient Number of Truſtees ſhall not attend to act or to adjourn the Meeting, they ſhall, from time to time, as often as the Caſe ſhall ſo happen, be deemed adjourned until that Day Month to the ſame Place; and the Treaſurer, Clerk, or Surveyor, of the ſaid Truſtees, ſhall cauſe Notice in Writing or in Print under his Hand, of the Time and Place of holding every Meeting, to be affixed on ſome publick Place in the Towns of Hertford, Ware, Stanſted, Waltham Abbey, Enfield, Edmonton, Tottenham, Hackney, Bow, and Stratford Langthorn, at leaſt Two Days before every ſuch Meeting, unleſs the Buſineſs to be tranſacted at any Meeting, of which ſuch Notice has been given as aforeſaid, ſhall not be concluded on the Day mentioned in ſuch Notice; in which Caſe the Truſtees, or any Five or more of them, may, from time to time, adjourn to the ſucceeding Day, or, if ſuch Day be Sunday, to the Day after, and in like Manner from Day to Day, and may meet again at the ſame or any other convenient Place, and proceed in ſuch Buſineſs until the ſame is finiſhed, without any Notice to be given of the Meetings held by ſuch Adjournments; but no Meeting ſhall be held by virtue of this Act at any Place which is above Ten Miles diſtant from the ſaid River; and the Truſtees at all their Meetings ſhall defray their own Expences; and no Truſtee or Truſtees ſhall be impowered to do any Matter or Thing in the Execution of this Act, otherwiſe than at a Meeting to be held in purſuance hereof; and that no Order or Determination of the ſaid Truſtees, or any Five or more of them, ſhall be revoked or altered, unleſs Seven Truſtees ſhall be preſent, and concur therein.

First Meeting of Truſtees.

Notice to be given of every ſuch Meeting.

No Order to be repealed unleſs 7 Truſtees be preſent.

Trustees may act as Justices.

And be it enacted, That all such Trustees as are Justices of the Peace may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees.

On Death of Trustees, others to be chosen.

And be it further enacted, That upon the Death or Resignation of any Trustee hereby appointed or hereafter to be elected, the surviving Trustees, or any Seven or more of them, shall and may, from time to time, at any General Meeting of the said Trustees, whereof Ten Days Notice shall at least be given in some publick News Paper, elect in the Stead of every such Trustee deceased or resigning One other Person to be a Trustee, who at the Time of his Election shall be living or residing in the County where such deceased Trustee or the Trustee resigning did at the Time of Election, Nomination, or Appointment, live or reside; and every Person so elected shall have the same Authorities and Powers as if he had been named a Trustee in this Act.

Power to appoint Officers;

And be it further enacted, That the said Trustees, or any Seven or more of them, shall, by Writing under their Hands, from time to time, appoint such Person or Persons as they shall think fit to be Collector or Collectors of the Rates or Duties hereby granted or authorized to be taken; and also a Treasurer or Treasurers to receive all Monies arising by virtue of this Act, or of the said recited Act (such Treasurers and Collectors giving Security to the Satisfaction of the said Trustees, or any Seven or more of them, for the due Execution of their respective Offices) and such Collector or Collectors, and all other Persons who have had or received by virtue of the said recited Act, or who shall at any Time or Times hereafter have or receive any Money by virtue of this Act, shall, from time to time, pay over all the Monies so collected or received into the Hands of the said Treasurer or Treasurers at such Times and in such Manner as the said Trustees, or any Seven or more of them, shall direct and appoint; and the said Trustees, or any Seven or more of them, may also appoint a Clerk or Clerks, and such other Officers as they shall think fit to employ in the Execution of this Act, and may allow to such Treasurers, Collectors, Clerks, and other Officers, such Salaries or Recompence out of the Monies to be raised or paid by virtue of this Act, as they the said Trustees, or any Seven or more of them, shall think reasonable; and all such Officers shall be, from time to time, removeable at the Will and Pleasure of the said Trustees, or any Seven or more of them; and the said Trustees, or any Five or more of them, shall, and may,

who are to account upon Oath.

may, from time to time, and at ſuch Times as they ſhall think proper, ſummon before them, and if they think fit examine upon Oath (which Oath any Two of the ſaid Truſtees are hereby impowered to adminiſter) all or any of the ſaid Treaſurers, Collectors, Clerks, and all other Officers and Perſons employed in, or intruſted with, the Receipt or Expenditure of all or any of the Monies received by virtue of the ſaid recited Act, or to be raiſed or received by virtue of this Act; and every ſuch Treaſurer, Collector, Clerk, and other Officer and Perſon as aforeſaid, is hereby required to render to the ſaid Truſtees, or any Five or more of them, a true, exact, and perfect Account in Writing, of all and every Sum and Sums of Money ſo by him reſpectively received or expended as aforeſaid: And in caſe any or either of ſuch Treaſurers, Collectors, Clerks, or other Officers or Perſons, ſhall be found in Arrear, or refuſe to account, or to pay the Money due upon the Balance of ſuch Account, according to the Orders and Directions of the ſaid Truſtees, or any Five or more of them; it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, by Warrant or Warrants under their Hands and Seals, to levy by Diſtreſs and Sale of the Goods and Chattles of the Perſon or Perſons ſo found in Arrear or refuſing to account, or to pay the Money due upon the Balance of ſuch Account, ſuch Sum or Sums of Money as he or they ſhall be required to account for, or as ſhall be found due upon the Balance of his or their Account or Accounts; and for want of ſufficient Diſtreſs, it ſhall be lawful for any One or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Offender or Offenders ſhall then be or reſide, upon Proof made of all or any of the Offences aforeſaid, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to commit ſuch Offender or Offenders to the Common Gaol of the County or Place wherein ſuch Offender or Offenders ſhall then be or reſide, there to remain without Bail or Mainprize until he or they ſhall have made a true and perfect Account, and paid ſuch Monies as ſhall appear to be remaining in his or their Hands to the ſaid Truſtees, or any Five or more of them, or according to their Appointment, or ſhall have compounded for the ſame, and paid ſuch Compoſition-monies, which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby impowered to make; or ſuch Truſtees, or any Five or more of them, may, and are hereby impowered to bring, or cauſe to be brought, any Action or Actions, in the Name

Officers refuſing to account may be committed.

or

or Names of any One or more of them, or in the Name of their Treaſurer or Clerk, in any of His Majeſty's Courts of Record at Weſtminſter, againſt any ſuch Officer or Perſon ſo refuſing, neglecting, or making Default as aforeſaid, for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or other Perſon reſpectively.

Treaſurer, Clerk, &c. to deliver Books relating to the Truſt.

And be it further enacted, That if any Perſon, who hath been or ſhall be appointed a Treaſurer, or Receiver, Collector, Clerk, Surveyor, or other Officer as aforeſaid, ſhall refuſe or neglect to deliver up to the ſaid Truſtees, or any Five or more of them, being thereunto required by the ſaid Truſtees, or any Five or more of them, either by a perſonal Demand, or by Writing under their Hands, left at the laſt uſual Place of Abode of ſuch Treaſurer or Receiver, Collector, Clerk, Surveyor, or other Officer, at a certain Time and Place to be appointed, all the Books, Papers, and Writings, in his or their Cuſtody or Power relating to the Truſts and Powers by the ſaid recited Act or this Act granted to the ſaid Truſtees, it ſhall and may be lawful for One or more Juſtice or Juſtices of the Peace, on the Complaint of the ſaid Truſtees, or any Five or more of them, by Warrant under their Hands and Seals, to commit ſuch Perſon or Perſons to the Common Gaol of the County wherein he or they ſhall dwell, there to remain without Bail or Mainprize, until he or they ſhall deliver, or cauſe to be delivered, to the ſaid Truſtees, or any Five or more of them, or to their Order, all or any of the ſaid Books, Papers, and Writings, or ſhall have given an Account thereof to the Satisfaction of the ſaid Truſtees, or any Five or more of them.

And whereas by the ſaid recited Act, paſſed in the Twelfth Year of the Reign of His late Majeſty, it is, among other Things, enacted, That the Governor and Company of the New River ſhall pay, or cauſe to be paid, unto ſuch Perſon and Perſons as the Truſtees appointed in or by virtue of the ſaid Act, or any Ten or more of them, ſhould, from time to time, by Writing under their Hands, appoint, the ſeveral yearly Sums of Money in the ſaid Act particularly mentioned, in the Manner and at the Times therein mentioned; which ſaid yearly Sums were directed to be applied for the better Preſervation and Improvement of the Navigation of the River Lee, as therein mentioned, and for purchaſing, building, or hiring, Locks or Weirs upon the ſaid River, and for other the Purpoſes in the ſaid Act mentioned; be it therefore further enacted, That from and after

the paſſing of this Act, the ſaid Governor and Company ſhall pay, or cauſe to be paid, to the ſaid Truſtees appointed in or by virtue of this Act, or any Five or more of them, or to ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall, from time to time, by Writing under their Hands, appoint, and at ſuch Time or Times as in the ſaid Act is appointed for Payment thereof, the ſaid ſeveral yearly Sums of Money, and all Arrears thereof; and the ſaid ſeveral yearly Sums of Money, or annual Payments, and all Arrears thereof, ſhall be, and the ſame are hereby, veſted in the ſaid Truſtees appointed in or by virtue of this Act, and ſhall be by them, or any Five or more of them, from time to time, applied to the Uſes and for the Purpoſes of this Act; and the ſaid Truſtees, or any Five or more of them, ſhall be, and they are hereby, veſted with the ſame Powers and Authorities for the demanding and recovering the ſaid ſeveral yearly Sums of Money or annual Payments, or any Part or Parts thereof which ſhall be behind or unpaid, as fully and effectually, to all Intents and Purpoſes, as the ſame are given to, or veſted in, the Truſtees appointed in or by virtue of the ſaid recited Act.

New River Company to pay certain Sums to the Truſtees.

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees appointed in or by virtue of this Act, or any Five or more of them, to ſettle and adjuſt with the Treaſurer, Clerk, or any other Officer or Officers of the Truſtees appointed by virtue of the ſaid recited Act, or any other Perſon or Perſons whomſoever, any Accounts depending between them reſpectively, and the ſaid Truſtees appointed by the ſaid recited; and out of the Monies to be raiſed or paid by virtue of this Act, to pay all ſuch Sums of Money as ſhall be coming due on the Balance of ſuch Accounts from the Truſtees appointed by virtue of the ſaid recited Act, to the Perſon or Perſons to whom the ſame ſhall appear to be due; which Payments ſhall be an effectual Diſcharge to the Truſtees appointed by the ſaid recited Act: And that all and every Sum and Sums of Money now or at any Time hereafter to be due or owing from ſuch Treaſurer, Clerk, or other Officer or Officers, or any other Perſon or Perſons, to the ſaid Truſtees appointed by virtue of the ſaid recited Act; and all Securities for Money, belonging to ſuch Truſtees, in the Hands of ſuch Treaſurer or other Perſon or Perſons, are hereby veſted in the ſaid Truſtees appointed in or by virtue of this Act, to be by them, or any Five or more of them, from time to time, applied for the Purpoſes

Truſtees to ſettle Accounts with the Officers, &c. under the former Act, and to pay the Balance.

of this Act; and the ſaid Truſtees, or any Five or more of them, are hereby authorized and impowered to demand, ſue for, and recover, all and every ſuch Securities for Money, and all Monies due or to grow due thereon, as fully and effectually, to all Intents and Purpoſes, as the Truſtees appointed in or by virtue of the ſaid recited Act could or might have done, in caſe this Act had not been made.

What Rates and Duties ſhall be taken.

And be it further enacted, That at ſuch Place and Places upon or adjoining to the ſaid River, or Cuts or Canals, as the ſaid Truſtees, or any Seven or more of them, ſhall, under their Hands and Seals, appoint, there ſhall be paid to the Collector or Collectors appointed by the ſaid Truſtees, or any Seven or more of them, by all and every Perſon and Perſons who ſhall carry or convey any Goods, Wares, Merchandizes, or Commodities whatſoever, up or down the ſaid River, or Cuts or Canals (except as herein after is excepted) ſuch Sum or Sums of Money as the ſaid Truſtees, or any Seven or more of them, ſhall, upon due Conſideration of the Expences attending the Execution of this Act, from time to time, and at all Times hereafter, think proper to appoint, not exceeding the following Rates and Duties (that is to ſay)

For every Chaldron of Coals, Culm, or Cinders, that ſhall be carried or conveyed through King's Weir, or through the Lock which ſhall be made or erected at or neareſt to the ſaid Weir, Eight Pence: And for every Ton of other Goods, Wares, Merchandizes, and Commodities whatſoever, that ſhall be carried or conveyed through the ſaid Weir or Lock, Six Pence; and ſo in Proportion for any greater or leſſer Quantity or Weight than a Chaldron or Ton.

And for every Chaldron of Coals, Culm, or Cinders, which ſhall be carried or conveyed through Newman's Weir, or through the Lock which ſhall be made or erected at or neareſt to the ſaid Weir, Eight Pence: And for every Ton of other Goods, Wares, Merchandizes, and Commodities whatſoever, that ſhall be carried or conveyed through the ſaid Weir or Lock, Six Pence; and ſo in Proportion for any greater or leſſer Quantity or Weight than a Chaldron or Ton.

And for every Chaldron of Coals, Culm, or Cinders, which ſhall be carried or conveyed through Lee Bridge, or through any Lock which ſhall be made or erected in the new Cut below the ſaid Bridge, Four Pence: And for every Ton of other Goods, Wares, Merchandizes, and Com-

Commodities, that ſhall be carried or conveyed through the ſaid Bridge or Lock, Three Pence; and ſo in Proportion for any greater or leſſer Quantity or Weight than a Chaldron or Ton.

And for every Chaldron of Coals, Culm, or Cinders, which ſhall be carried or conveyed on the Cut which ſhall be made from Bromley Lock into the River Thames, Three Pence: And for every Ton of other Goods, Wares, Merchandizes, and Commodities, that ſhall be carried or conveyed on the ſaid Cut, Two Pence; and ſo in Proportion for any greater or leſſer Quantity or Weight than a Chaldron or Ton.

And for every Pleaſure Boat which ſhall paſs through either of the ſaid Locks or Places, or on the ſaid Cut which ſhall be made from Bromley Lock into the River Thames, One Shilling.

Provided always, That Five Quarters of Wheat, Rye, Beans, Peas, and Tares, ſhall be allowed to a Ton; Six Quarters of Barley to a Ton; Eight Quarters of Malt and Oats to a Ton; Eight Sacks of Meal or Flour, containing Five Buſhels each, to a Ton; and Ten Quarters of Bran or Pollard to a Ton: And if any Perſon or Perſons hereby made ſubject to the Payment of the ſaid Rates and Duties, or any of them, ſhall not pay the ſame, upon Demand thereof made by the Collector or Collectors appointed as aforeſaid to collect the ſaid Rates and Duties, or any of them, ſuch Collector or Collectors is and are hereby authorized and required to ſeize any ſuch Goods, Wares, Merchandizes, or Commodities, and the Boats, Barges, Lighters, or other Veſſels carrying or conveying the ſame, and ſuch Pleaſure Boats reſpectively; and in caſe ſuch Rate and Duty, or Rates and Duties, ſhall not be paid within the Space of Four Days next after ſuch Seizure, it ſhall be lawful for ſuch Collector or Collectors to ſell ſuch Goods, Wares, Merchandizes, and Commodities, Boats, Barges, Lighters, and other Veſſels, or Pleaſure Boats; rendering the Overplus (if any) to the Perſon or Perſons making Default in Payment as aforeſaid, after the ſaid Rate and Duty, or Rates and Duties, together with the reaſonable Charges of ſuch Seizure and Sale, ſhall be deducted and paid.

Provided always, That no Tonnage Rates or Duties ſhall be due, paid, or demanded, for any Boat, Barge, Lighter, or other Veſſel, carrying only Oil Cakes, Malt Duſt, Pigeon Dung, or Manure of any Kind whatſoever, on the ſaid River, or the ſaid new Exemptions.

Cuts

Cuts or Canals, or any of them, or any Part thereof; any thing herein contained to the contrary notwithſtanding.

Conditional Exemptions.

Provided alſo, That if the Cut or Canal between Lee Bridge and Hackney Brook ſhall not be made and perfected within the Space of Seven Years from the Paſſing of this Act, the ſaid Tolls, Duties, or Rates, hereby directed to be paid between the ſaid Bridge and the ſaid Brook, ſhall ceaſe, determine, and be no longer paid.

Report to be made of loading by Navigators.

And, for the more eaſy collecting the Rates and Duties hereby made payable, be it further enacted, That every Perſon having the Charge of any Boat, Barge, Lighter, or other Veſſel, which ſhall paſs through any or either of the ſaid Weirs or Locks, or Bridge, or on the ſaid Cut, ſhall give an Account, in Writing, ſigned by himſelf, unto ſuch Perſon or Perſons, and at ſuch Place and Places as ſhall, from time to time, be appointed by the ſaid Truſtees, or any Seven or more of them, to receive the ſame, of the Quantity, Quality, and Weight, of the Goods, Wares, Merchandizes, and Commodities, which ſhall be in ſuch Boat, Barge, Lighter, or other Veſſel, at the Time the ſame ſhall paſs through the ſaid Weir, Lock, Bridge, or on the ſaid Cut; and alſo of the Quantity, Quality, and Weight, of the Goods, Wares, Merchandizes, and Commodities, which ſhall have been diſcharged or taken out of ſuch Boat, Barge, Lighter, or other Veſſel, before the Arrival thereof at the Place where ſuch Account is to be given; and in failure of giving ſuch Account, or in caſe a falſe Account ſhall be given, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds; and if any Difference ſhall ariſe between any Collector of the ſaid Rates and Duties, and the Perſon having the Charge of any Boat, Barge, Lighter, or other Veſſel, or the Owner of any Goods, Wares, Merchandizes, or Commodities therein, concerning the Quantity, Quality, or Weight, of the ſame, it ſhall be lawful for ſuch Collector to ſtop and detain any ſuch Boat, Barge, Lighter, or other Veſſel, and to weigh, meaſure, gauge, or number, or cauſe to be weighed, meaſured, gauged, or numbered, all ſuch Goods, Wares, Merchandizes, and Commodities; and in caſe the ſame ſhall appear to be of a greater Quantity or Weight, or other Quality, than ſuch Perſon declared the ſame to be, in every ſuch Caſe, ſuch Perſon ſhall pay the Coſts and Charges of ſuch weighing, meaſuring, gauging, and numbering; and the ſaid

Coſts and Charges, and Penalty, upon Refuſal of Payment thereof, on Demand, ſhall and may be recovered in the ſame Manner as the Rates and Duties hereby granted are appointed to be recovered; but if ſuch Goods, Wares, Merchandizes, or Commodities, ſhall appear to be of no greater Quantity or Weight, or of no other Quality, than ſhall have been ſpecified in ſuch Account, then ſuch Collector ſhall pay ſuch Coſts and Charges; and ſhall alſo pay to ſuch Perſon, or to the Owner or Owners of ſuch Goods, Wares, Merchandizes, or Commodities, Two Shillings and Six Pence for every Hour that ſuch Boat, Barge, Lighter, or other Veſſel, ſhall be detained upon account of ſuch weighing, meaſuring, gauging, or numbering, and ſo in Proportion for any greater or leſſer Time than One Hour; and in Default of immediate Payment thereof, the ſame ſhall be levied by Diſtreſs and Sale of the Goods and Chattles of ſuch Collector, by Warrant under the Hand and Seal of any Juſtice of the Peace of either of the Counties of Hertford, Eſſex, or Middleſex; rendering the Overplus (if any) to the Owner or Owners thereof, after the ſaid Payment and Charges of ſuch Diſtreſs and Sale ſhall be deducted.

Monies to be raiſed veſted in the Truſtees.

And be it further enacted, That all Sums of Money to be raiſed or paid by virtue of this Act ſhall be, and they are hereby, veſted in the ſaid Truſtees, and ſhall be applied, in the Firſt Place, in diſcharging the Expences incurred in, and in relation to, the obtaining this Act; and afterwards, in paying the ſeveral annual Payments herein before directed to be made, and in performing the ſeveral Contracts and Agreements entered into by the ſaid Truſtees, or any Seven or more of them, in purſuance thereof; and for improving, completing, and maintaining, the ſaid Navigation, and carrying this Act, and the ſeveral Proviſions, Powers, and Authorities, herein contained, into effectual Execution, and to no other Uſe or Purpoſe whatſoever.

Truſtees may borrow Money.

And in order to raiſe a ſufficient Sum of Money for the ſpeedy Execution of this Act, be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, from time to time, to aſſign over the Rates and Duties ariſing by virtue of this Act, and alſo any Sum or Sums of Money by this Act made payable to, or veſted in, the ſaid Truſtees, or any Part or Parts thereof; the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Rates and Duties, or Sum or Sums of Money, as a Security for any Sum or Sums of Money to be borrowed, with Intereſt

for the ſame, to ſuch Perſon or Perſons as ſhall advance the ſame, or their Truſtee or Truſtees: And all and every Perſon and Perſons to whom the ſaid Truſtees, or any Seven or more of them, ſhall, at any Time or Times, make ſuch Aſſignment or Aſſignments, ſhall be equally intitled to their Proportion of the ſaid Rates and Duties, or Sum or Sums of Money, according to the reſpective Sums in ſuch Aſſignments mentioned to be advanced, to ſecure the Repayment thereof, with Intereſt as aforeſaid, without any Preference by reaſon of Priority of Aſſignment, or on any other Account whatſoever; and the Money ſo borrowed ſhall be applied in ſuch Manner as the ſaid Rates and Duties, and Sum and Sums of Money are herein before directed to be applied, and to no other Uſe or Purpoſe; and an Entry or Memorial of every ſuch Aſſignment, containing the Date, Names of the Parties, and Sums of Money, ſhall be made in a Book or Books to be kept for that Purpoſe by the Clerk or Clerks, Treaſurer or Treaſurers, to the ſaid Truſtees; which ſaid Book or Books, ſhall and may be peruſed at all ſeaſonable Times by all Perſons whomſoever without Fee or Reward; and all and every Perſon or Perſons, to whom any ſuch Aſſignment or Aſſignments ſhall be made as aforeſaid, or who ſhall be intitled to the Money thereby ſecured, may, from time to time, aſſign or transfer his, her, or their Right, Title, Intereſt, or Benefit, to the Principal and Intereſt thereby ſecured, or any Part or Parts thereof, to any Perſon or Perſons whomſoever; which ſaid Transfer or Aſſignment, ſhall be produced and notified to the Clerk or Clerks, Treaſurer or Treaſurers, who ſhall cauſe an Entry or Memorial to be made of ſuch Aſſignment or Transfer, containing the Date, Names of the Parties, and the Sums of Money therein transferred, in the ſaid Book or Books to be kept for the entering the ſaid original Aſſignments, for which the ſaid Clerk or Clerks, Treaſurer or Treaſurers, ſhall be paid ſuch Sums as the ſaid Truſtees, or any Seven or more of them, ſhall appoint, not exceeding the Sum of Two Shillings and Six Pence; and ſuch Entry being made, but not till then, every ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignees may in like Manner aſſign again, and ſo toties quoties; and it ſhall not be in the Power of ſuch Perſon or Perſons who ſhall have made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Monies thereby ſecured, or any Part thereof.

Application of the Money borrowed

And

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And be it further enacted, That in caſe the ſaid Truſtees, or any Seven or more of them, ſhall alſo think it proper and adviſeable to raiſe Money, for the more ſpeedy Execution of this Act, upon the Rates and Duties, or Sum or Sums aforeſaid, by way of Annuities for Lives, it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, ſo to do; and it ſhall and may be lawful to and for any Perſon or Perſons to contribute, advance, and pay, into the Hands of the ſaid Truſtees, or any Seven or more of them, or ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall, by any Writing under their Hands and Seals, authorize to receive the ſame, for the Uſes before mentioned, any Sum or Sums of Money, for the abſolute Purchaſe of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of every Contributor, or the natural Life of any Perſon who ſhall be nominated by or on Behalf of ſuch Contributor, at the Time of Payment of their reſpective Contribution-monies; which Annuity or Annuities ſhall not exceed the Rate of Eight Pounds per Centum per Annum, and ſo in Proportion for any greater or leſſer Sum to be advanced and paid as aforeſaid: All which ſaid Annuity or Annuities, ſo to be purchaſed as aforeſaid, ſhall be payable and paid by the ſaid Truſtees, or any Five or more of them, in ſuch Place as they, or any Seven or more of them, ſhall, for that Purpoſe, appoint, at or upon the Four moſt uſual Feaſts or Days of Payment in the Year, by even and equal Portions; the Firſt Payment to begin and be made to the reſpective Purchaſers, or their Aſſigns, at or on ſuch of the Feaſts aforeſaid as ſhall firſt happen next after the Payment of the reſpective Monies. Money may be raiſed by Annuities for Lives.

And be it further enacted, That there ſhall be provided by the ſaid Truſtees, or any Five or more of them, and kept in ſuch Place as they the ſaid Truſtees, or any Five or more of them, ſhall appoint, a Book or Books, in which ſhall be fairly written in Words at Length the Names and Surnames, with the proper Additions and Places of Abode of all ſuch Perſons as ſhall be Purchaſers of any of the Annuities aforeſaid, and of all Perſons by whoſe Hands the ſaid Purchaſers ſhall pay in any Sum or Sums of Money upon the Credit of this Act; and alſo the Sum and Sums ſo paid for the Purchaſe of ſuch Annuities, and the reſpective Days of Payment thereof; to which Book and Books it ſhall and may be lawful for the reſpective Purchaſers, and their Aſſigns, from time to time, and at all ſeaſonable Times, Purchaſers Names to be entered in a Book, and the Sums paid by them, &c.

Times, to have Recourſe, and inſpect the ſame without Fee or Reward.

Contributors to be intitled to Annuities for Life.

And be it further enacted, That all and every the Annuities, ſo to be purchaſed by virtue of this Act, ſhall be, and are hereby declared to be, charged upon the Rates and Duties, or Sum or Sums of Money, herein before mentioned, ſubject to ſuch Aſſignments as aforeſaid, and ſhall be paid and payable, from time to time, out of the Supply of the Monies ariſing by the ſame, after Payment of the Intereſt of the ſeveral Sums of Money to be borrowed at Intereſt upon the Credit of the Rates and Duties as aforeſaid; and all and every the Contributor and Contributors upon the Credit of this Act, or ſuch Perſon or Perſons as he or they ſhall appoint, and his and their reſpective Aſſigns, ſhall be intitled, by virtue of this Act, to have, receive, and enjoy, the reſpective Annuity or Annuities, ſo to be purchaſed as aforeſaid, during the Term of the natural Life of the Perſon to be nominated by each ſuch Purchaſer and Contributor as before mentioned; and that all and every ſuch Purchaſer and Purchaſers, and their Aſſigns reſpectively, ſhall have good, ſure, abſolute, and indefeaſible Eſtates and Intereſts in the Annuities ſo by them reſpectively to be purchaſed, according to the Tenor and true Meaning of this Act; and that none of the ſaid Annuities ſhall be ſubject or liable to the Taxes charged upon Lands by Authority of Parliament.

Contributors to have Receipts, and an Order for Payment.

And be it further enacted, That every Contributor upon this Act, for the Purchaſe of any ſuch Annuity or Annuities as aforeſaid, his, her, or their Aſſigns, upon Payment of the Conſideration or Purchaſe-money for the ſame, or any Part or Proportion thereof, into the Hands of the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall, for that Purpoſe, appoint, ſhall have One or more Receipt or Receipts, importing the Receipt of ſuch Purchaſe-money as ſhall be ſo paid; and upon Payment of all the Purchaſe-money for any ſuch Annuity or Annuities, at the Rate aforeſaid, every ſuch Contributor, his, her, or their Aſſigns reſpectively, ſhall have an Order on Parchment or Vellum (which may be made without Stamps thereon) for Payment of the ſaid Annuity or Annuities, for and during the natural Life of ſuch Perſon as ſhall be ſo nominated as aforeſaid; which Order ſhall be ſigned by the ſaid Truſtees, or any Seven or more of them; and after the ſigning thereof, the ſame ſhall, by virtue of this Act, be firm,

firm, good, valid, and effectual, in Law, according to the Import and true Meaning thereof, and of this Act.

And be it further enacted, That it ſhall and may be lawful to and for the Purchaſer or Purchaſers of any ſuch Annuity or Annuities as aforeſaid, and his, her, or their Executors, Adminiſtrators, or Aſſigns, at any Time or Times, by Writing under his, her, or their Hands and Seals (without any Stamps thereupon) to aſſign ſuch Annuity or Annuities, or any Part thereof, or Intereſt therein, to any Perſon or Perſons whomſoever, and ſo toties quoties; and a Memorandum or Entry of all ſuch Aſſignments ſhall be made in a Book, which is required to be kept for that Purpoſe in ſuch Place where the ſaid Truſtees, or any Five or more of them, ſhall appoint, for which Entry or Memorandum the Sum of Two Shillings and Six Pence ſhall be paid, and no more; and ſuch Book may, at all ſeaſonable Times, be inſpected by any Perſon or Perſons intereſted therein.

Annuities may be aſſigned.

Memorandum to be made thereof;

Provided always, That no ſuch Aſſignment ſhall be deemed good or effectual, until ſuch Entry or Memorandum ſhall be made in ſuch Book as aforeſaid; and all ſuch Annuitants, and their reſpective Aſſigns, ſhall be Creditors in equal Degree, without Preference in reſpect of the Priority of his, her, or their, advancing the Money on their reſpective Securities.

Otherwiſe ineffectual.

And be it further enacted, That the ſaid Rates and Duties, and Sum and Sums of Money, ſhall be chargeable with and for the Payment of all and every ſuch Annuity or Annuities, and all Arrears thereof, from time to time, ſubject and in manner aforeſaid; and ſhall, upon Default of Payment of any ſuch Annuity, or any Part thereof, within the Space of Thirty Days next after any of the Times when the ſame ſhall be made payable, veſt in the Annuitant or Annuitants, or ſuch Perſon or Perſons to whom the ſame ſhall be aſſigned as aforeſaid, ſubject as aforeſaid, until the ſame ſhall be fully paid and ſatisfied, together with Intereſt, and the Coſts and Charges occaſioned by the Non-payment of the ſame; and that the ſaid Annuitant or Annuitants, or ſuch Perſon or Perſons to whom the ſame ſhall be aſſigned as aforeſaid, in caſe the ſaid Annuities ſhall be in Arrear and unpaid by the Space of Sixty Days as aforeſaid, and until full Payment thereof, with the Intereſt and Charges as aforeſaid, ſhall have the ſame Powers and Authorities for demanding, collecting, and recovering, the ſaid Rates and Duties, and receiving the ſaid Sum and Sums of Money, as are by this Act

Annuitants Remedy for Arrears.

granted to the ſaid Truſtees, their Collectors, or Receivers, or any of them, ſubject nevertheleſs as aforeſaid.

Bridges to be erected.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall cauſe to be made, ſet up, and, from time to time, maintained and kept in Repair, convenient and ſubſtantial Gates, Bridges, Paſſages, and Stiles, in and over all the Ditches and Fences in the Towing-paths, to be uſed for the Purpoſes of this Act, where the ſame ſhall reſpectively be neceſſary; and alſo ſuch Bridges over the new Cuts, Trenches, and Paſſages, as ſhall be proper for the Uſe of the Occupiers of the Lands, Tenements, and Hereditaments, thereunto adjoining; and alſo that if the ſaid Truſtees, or any Five or more of them, ſhall think proper to cauſe the ſaid River to be deepened in any Part or Parts, ſo as to render any uſual and common Fords and Highways impaſſable or dangerous; in every ſuch Caſe the ſaid Truſtees, or any Five or more of them, ſhall firſt cauſe a ſufficient Bridge or Bridges to be erected, or ſuch other Conveniencies to be made as the ſaid Truſtees, or any Five or more of them, ſhall judge proper, where ſuch Fords or Highways now are, or as near thereto as conveniently may be; and ſhall, from time to time, maintain and keep the ſaid Bridges or Conveniencies in Repair for the Accommodation of all Perſons having Occaſion to paſs over the ſame; and alſo, if the ſaid Truſtees, or any Five or more of them, ſhall find it neceſſary to raiſe any Banks upon the Sides of the ſaid River for Towing-paths, or otherwiſe, whereby the Waters may be prevented from going off, or overflowing the adjacent Lands; the ſaid Truſtees,

Tunnels to be laid.

or any Five or more of them, ſhall firſt cauſe ſufficient Tunnels to be laid through ſuch Banks ſo to be raiſed at proper Places for draining or overflowing the ſame, and ſhall, from time to time, keep ſuch Banks and Tunnels in Repair.

Steerſman to be liable for Damages.

And be it further enacted, That the Steerſman, or other Perſon, having the Care, Charge, or Management of any Boat, Barge, Lighter, or other Veſſel, which ſhall paſs upon the ſaid River, Cuts, or Canals, ſhall be anſwerable and ſhall make Satisfaction for any Damage, Spoil, or other Miſchief that ſhall be done by any ſuch Boat, Barge, Lighter, or other Veſſel, or by any Perſon or Perſons belonging to, or employed in or about the ſame reſpectively, or by the Horſes or Servants uſed or employed in haling or towing the ſame, or by loading or unloading any Boat, Barge, Lighter, or other Veſſel, unto any of the Bridges, Locks, Staunches,

Dams,

Dams, Sluices, Cuts, Banks, or other Works, that now are or ſhall be erected and maintained, in, upon, or near the ſaid River or Streams, or Cuts or Canals; and alſo for any Treſpaſs or Damage that ſhall or may be done to any Mills, Lands, Tenements, or Hereditaments, or any Crop on the Ground adjoining or lying near to the ſaid River or Streams, or Cuts or Canals; and if any ſuch Damage, Spoil, or Miſchief ſhall be done, the ſame ſhall be enquired into and determined by any Juſtice of the Peace for the County or Place where ſuch Damage, Spoil, or Miſchief ſhall be done, or the ſaid Steerſman or other Perſon ſhall dwell or be; who is hereby authorized and required, upon Complaint or Information made before him, to ſummon the Steerſman, or other Perſon having the Care, Charge or Management, of ſuch Boat, Barge, Lighter, or other Veſſel, to appear before him; and upon his, her, or their Appearance, or making Default to appear (Proof being made upon Oath before ſuch Juſtice, that the Party neglecting to appear was perſonally ſerved with ſuch Summons, or that the ſame was left for him, her, or them, at his, her, or their uſual Place of Abode, or at the uſual Place of Abode of the Owner or Owners of ſuch Boat, Barge, Lighter, or other Veſſel) ſuch Juſtice ſhall proceed to examine into the Truth of the ſaid Complaint or Information; and upon Conviction of the Party complained of, by Proof upon the Oath of One or more credible Witneſs or Witneſſes, ſhall award and order ſuch Sum of Money to be paid by ſuch Steerſman, or other Perſon having the Care, Charge, or Management as aforeſaid, as a Recompence for ſuch Damage, Spoil, or Miſchief, as the ſaid Juſtice ſhall think proper; and in Default of immediate Payment thereof, or Security being given for the Payment thereof to the Satisfaction of the ſaid Juſtice, it ſhall and may be lawful to and for ſuch Juſtice to commit ſuch Steerſman, or other Perſon having the Care, Charge, or Management as aforeſaid, to the Common Gaol or Houſe of Correction of the County, for any Time not exceeding Two Months, or until ſuch Recompence ſhall be paid.

Penalties on Steerſman obſtructing the Paſſage of Boats, or being abſent from his Boat.

And be it further enacted, That if any Perſon being the Steerſman, or having the Care, Charge, or Management of any Boat, Barge, Lighter, or other Veſſel, or navigating or working the ſame, ſhall lay ſuch Boat or Veſſel ſo as to obſtruct the Paſſage of other Boats or Veſſels, and ſhall not upon Requeſt immediately remove the ſame, or ſhall hinder the opening or ſhutting of any of the ſaid Locks, Ciſterns, or Sluices, or ſhall be abſent,

ſent, unleſs by reaſon of ſome inevitable Accident, from the Boat, Barge, Lighter, or other Veſſel, to which he belongs, at any Time during the Courſe of the Paſſage of ſuch Boat, Barge, Lighter, or other Veſſel, on the ſaid River, or Cuts or Canals; every Perſon ſo offending as aforeſaid ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Boats ſunk to be weighed up.

And be it further enacted, That if any Boat, Barge, Lighter, or other Veſſel, ſhall happen to be ſunk in the ſaid River, or Cuts or Canals, and the Owner or Perſon having the Care thereof, ſhall not without Loſs of Time weigh or draw up and haul the ſame out of the Way of other Veſſels paſſing upon the ſaid Navigation, it ſhall be lawful for any Agent or Servant of the ſaid Truſtees to cauſe ſuch Boat, Barge, Lighter, or other Veſſel, to be weighed or drawn up, and to detain and keep the ſame until Payment ſhall be made of all Expences occaſioned thereby; and if Payment be not made in Four Days, ſuch Agent or Servant ſhall cauſe Sale to be made thereof for reimburſing the ſaid Expences, or other incident Charges, returning the Overplus (if any be) to ſuch Owner or Perſon.

The Owner's and Steerſman's Names to be mentioned on the Veſſel.

And be it further enacted, That the Owner or Owners of every Boat, Barge, Lighter, or other Veſſel, having Goods on board, paſſing upon the ſaid River, or Cuts or Canals, or any of them, or any Part thereof, ſhall cauſe his, her, or their Name or Names, and alſo the Name of the Steerſman, or other Perſon having the Care or Charge of every ſuch Boat, Barge, Lighter, or other Veſſel, and their reſpective Places of Abode, to be placed and ſet at full Length in large Capital Letters and Figures Four Inches long, and broad in Proportion, on the upper Part of the Bow on both Sides of every ſuch Boat, Barge, Lighter, or other Veſſel, and painted White, ſo that the ſame ſhall from time to time, and at all Times, be plain and legible; and in caſe any ſuch Owner or Owners ſhall not at all Times have his, her, or their Name or Names, and alſo the Name of the Steerſman, or ſuch other Perſon as aforeſaid, and their reſpective Places of Abode, ſo ſet or placed as aforeſaid; or of any Perſon or Perſons, having the Care or Charge of any Boat, Barge, Lighter, or other Veſſel, paſſing upon the ſaid River, or Cuts or Canals, into or through any of the Sluices, Locks, or Ciſterns, ſhall wilfully or negligently ſet or leave open any of the Gates, Doors, Cloughs, or Slakers, belonging to any ſuch Sluice, Lock, or Ciſtern, whereby the Water ſhall run Waſte to the Hindrance or Detriment

of the ſaid Navigation, or of any Mill or Lands; then, and in every ſuch Caſe, every ſuch Owner or Perſon ſo neglecting or offending, ſhall forfeit and pay the Sum of Five Pounds.

Penalty on Perſons opening Locks, &c.

And be it further enacted, That if any Perſon ſhall maliciouſly open, or cauſe to be opened, any Locks or Cloughs belonging to the ſaid Navigation; or ſhall leave any of the Cloughs running, after any Boat, Barge, Lighter, or other Veſſel, ſhall have paſſed any Lock belonging to the ſaid Navigation; or ſhall draw, or cauſe to be drawn, any Clough in the Lock-gates on ſuch Navigation, ſo as to miſ-ſpend or waſte the Water, to the Prejudice of the ſaid Navigation, or of any Mills or Lands; every ſuch Perſon, for every ſuch Offence, ſhall forfeit and pay any Sum not exceeding Five Pounds.

Commiſſioners may make Bye-laws, &c.

And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, ſhall, from time to time, have full Power and Authority to make Bye-laws, Orders, and Conſtitutions, for the good and orderly uſing of the ſaid Navigation, for ſettling the Wages, and for the well-governing of the Bargemen, Watermen, and Boatmen, who ſhall convey or carry any Goods, Wares, or Merchandizes, on any Part thereof; and, from time to time, to alter or repeal the ſame; and to impoſe ſuch reaſonable Fines and Forfeitures upon all Perſons offending againſt ſuch Bye-laws, Orders, or Conſtitutions, as they the ſaid Truſtees, or any Seven or more of them, ſhall think fit; ſuch Fines and Forfeitures to be levied by ſuch Ways and Means as the ſaid Truſtees, or any Seven or more of them, ſhall direct, ſo as no ſuch Fine ſhall exceed the Sum of Five Pounds upon any Perſon for One Offence; which ſaid Bye-laws, Orders, and Conſtitutions, being put into Writing under the Hands and Seals of the ſaid Truſtees, or any Seven or more of them, ſhall be binding to, and be obſerved by, all Parties, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame, or in levying any Penalty or Forfeiture thereby incurred: But any Perſon or Perſons thinking himſelf, herſelf, or themſelves, aggrieved by any Order or Judgement made or given in purſuance of any ſuch Bye-law, Order, or Conſtitution, may, within Six Months after ſuch Order or Judgement ſhall be made or given, complain to the Juſtices of the Peace at their General or Quarter Seſſions to be held for either of the ſaid Counties of Hertford, Eſſex, or Middleſex, who ſhall, in a ſummary Way, either hear and determine the ſaid Complaint at ſuch General Quarter Seſſion, or, if they think proper,

Perſons aggrieved may appeal to the Quarter Seſſions.

may adjourn the Hearing thereof to the next General or Quarter Session of the Peace to be held for the said County; and, if they see Cause, may mitigate or alter such Forfeiture, and may order any Money to be returned which shall have been paid or levied in pursuance of such Bye-law, Order, or Constitution, and may also order such further Satisfaction to be made, and give such Costs to the Party injured, as they shall judge reasonable.

Penalties and Forfeitures how to be recovered.

And be it further enacted, That the pecuniary Fines, Penalties, and Forfeitures, hereby inflicted, or authorized to be imposed, the Recovery whereof is not herein before directed, shall be recovered by Distress and Sale of the Offender's Goods and Chattles, by a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace for any of the said Counties of Hertford, Essex, or Middlesex; and in case sufficient Distress shall not be found, it shall be lawful for any such Justice or Justices to commit such Offender or Offenders to the Common Gaol or House of Correction of the County, there to remain, without Bail or Mainprize, for any Time not exceeding Three Months, or until the said Fines, Penalties, or Forfeitures, shall be paid; and that all such Fines, Penalties, or Forfeitures, or any Part or Parts thereof, which are not herein before applied, shall be paid into the Hands of the Treasurer or Treasurers to the said Trustees, and applied for the Purposes of this Act.

General Appeal to the Quarter Sessions.

Provided always, and be it further enacted, That all Persons who shall think themselves aggrieved by the Order or Judgement of any Justice or Justices of the Peace, upon account of any Offence committed or supposed to be committed against this Act, may appeal to the Justices of the Peace for either of the said Counties where the Offence was committed, or supposed to be committed, at any General Quarter Sessions of the Peace to be held within the Space of Six Calendar Months after such Cause of Appeal shall happen; the Person or Persons so appealing first giving Security, to the Satisfaction of the said Justice or Justices, to prosecute such Appeal with Effect, and to pay the Costs which shall be ascertained by the said General Quarter Sessions, in case such Order or Judgement shall be affirmed; and the Justices, at such General or Quarter Sessions, are hereby authorized and required to hear and determine such Appeal, and to make such Orders therein, and to award Costs, as to them shall appear just; which Order shall be final and conclusive to all Parties, and shall not be removed

or removeable by any Writ of Certiorari, or otherwiſe, into any of his Majeſty's Courts of Record at Weſtminſter, or elſewhere; and that no Order or Proceeding to be had by or before any Juſtice or Juſtices of the Peace relating to the Execution of this Act, ſhall be quaſhed or vacated for want of Form only.

Penalty on giving falſe Evidence.

And be it further enacted, That all and every Perſon or Perſons who, in any Examination to be taken by virtue of this Act, ſhall give falſe Evidence before the ſaid Truſtees, or any of them, or before any Juſtice or Juſtices of the Peace, ſhall and may be proſecuted for the ſame; and, upon Conviction thereof, ſhall be ſubject to all the Pains and Penalties which Perſons are or may be ſubject to be by the Laws of this Kingdom for wilful and corrupt Perjury.

Penalty on Perſons deſtroying the Works.

And be it further enacted, That if any Perſon or Perſons ſhall wilfully and maliciouſly cut, break down, damage, or deſtroy, any Banks or other Works erected or made, or to be erected or made, for the Purpoſes of the ſaid Navigation; ſuch Perſon or Perſons ſhall be adjudged guilty of Felony, and ſhall be ſubject and liable to the like Pains and Penalties as in other Caſes of Felony; and the Court by and before whom ſuch Perſon or Perſons ſhall be tried, ſhall have full Power and Authority to tranſport ſuch Felon or Felons for Seven Years, to ſuch Place and in ſuch Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm.

Navigation to be exempted from Taxes.

And be it further enacted, That the ſaid Rates and Duties ſhall at all Times hereafter be exempted from the Payment of any Taxes, Rates, Aſſeſſments, or Impoſitions whatſoever; any Law or Statute to the contrary notwithſtanding.

Proceedings to be entered in Books.

And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch Orders and Proceedings, when entered, ſhall be ſigned by the ſaid Truſtees, or any Five or more of them; and the Clerk or Clerks attending the ſaid Truſtees is and are hereby required to ſet his or their Name or Names as a Witneſs or Witneſſes thereto; and the ſaid Orders and Proceedings, ſo ſigned and atteſted, ſhall be deemed and taken to be Originals, and ſhall be admitted as Evidence in all Courts whatſoever; and ſuch Book or Books ſhall be ſeen and peruſed at all ſeaſonable Times; and Copies thereof, or any Part thereof, may be taken by any Perſon or Perſons whomſoever, paying to the ſaid Clerk or Clerks Six Pence for every One hundred Words.

Provided

Writings to be without Stamps.

Provided always, That no Warrant, Mortgage, Assignment, Transfer, or any other Writing whatsoever, in pursuance of, or relating to, the Execution of any of the Powers of this Act, shall be subject to any Stamp Duty whatsoever.

Pleasure-boats not to be taxed, &c.

Provided always, and be further enacted, That it shall and may be lawful for the Owners and Occupiers of any Lands or Tenements adjoining to the said River or Streams, or Cuts or Canals, or any of them, to use any Pleasure-Boat or Boats upon the same, without the Hindrance or Interruption of the said Trustees, or any of them, and without paying any of the Rates and Duties aforesaid; so as such Pleasure-boat or Boats is or are not used for carrying Goods, Wares, or Merchandizes, and so as such Pleasure-boat do not pass through any of the Places for the passing whereof any Rates and Duties are herein before directed to be paid; and that the Lord or Lords of the respective Manors, or any other Persons whomsoever, shall have full Liberty to fish, fowl, and exercise all other Royalties on the said River and navigable Passages to which they are now legally intitled; any thing herein contained to the contrary notwithstanding; so that the Exercise of such Rights and Royalties shall not interfere with or interrupt the Execution of this Act, or the free Use of the said Navigation.

Lords of Manors may fish, fowl, &c. as heretofore.

Persons navigating or being on board, having Nets, &c. not being qualified, to forfeit 20 s.

And be it further enacted, That if any Workman, or other Person or Persons, navigating or working, or being on board any Boat, Barge, Lighter, or other Vessel, within the Limits of the said Navigation (not being duly qualified by the several Laws and Statutes relating to Game) shall carry with him or them, or have on board any Boat, Barge, Lighter, or other Vessel, any Fishing-net, Gun, Engine, or other Instrument, with an Intention to take, kill, or destroy, the Fish or Game in or upon the said River or Streams, or Cuts or Canals, or any of the Lands adjacent thereto; such Person or Persons being thereof lawfully convicted by his own Confession, or upon the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace in and for either of the said Counties of Hertford, Essex, and Middlesex, shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, over and above the Penalties such Person or Persons may be otherwise subject to by the Acts for the Preservation of Game and Fish; to be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of such Justice or

or Juſtices; One Moiety of which Forfeiture ſhall be paid to the Informer, and the other Moiety to the Poor of the Pariſh or Place where ſuch Offender ſhall be convicted; and for want of ſufficient Diſtreſs, the Offender ſhall, by like Warrant of ſuch Juſtice or Juſtices, be committed to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding One Month, nor leſs than Ten Days.

For puniſhing Perſons throwing Ballaſt, &c. into the River.

And be it further enacted, That if any Perſon or Perſons ſhall wilfully throw any Ballaſt, Gravel, Stones, Rubbiſh, or Dirt, into any Part of the ſaid River, or Cuts or Canals uſed or intended to be uſed for Navigation, with Intent to prejudice the ſame; every Perſon ſo offending, and being convicted thereof before any Juſtice of the Peace for either of the ſaid Counties of Hertford, Eſſex, or Middleſex, upon the Oath of One or more Witneſs or Witneſſes, ſhall, by Warrant of the ſaid Juſtice, be ſent to the Houſe of Correction, there to be kept to hard Labour for ſuch Time as ſuch Juſtice of the Peace ſhall direct, not exceeding Three Months.

Lords of Manors or Land Owners may build Warehouſes, &c.

Provided alſo, and be it further enacted, That nothing in this Act contained ſhall be conſtrued to obſtruct or hinder the Lord or Lords of the Manor or Manors, or the Owner or Owners of any Lands or Grounds lying upon or near the Banks of the ſaid River, or of any Lands or Grounds through which the ſaid Cuts ſhall be made, from making or erecting any Warehouſes, Weighbeams, Cranes, Quays, Landing-places, or Wharfs, upon the Banks of the ſaid River or Cuts, in and upon their own Lands, Waſtes, or Grounds, ſo that the erecting or uſing ſuch Warehouſes, Cranes, or Wharfs, do not obſtruct or prejudice the ſaid Navigation, or any of the Powers given by this Act.

Saving of Rights of the Mayor, Commonalty, and Citizens of *London*.

Saving and reſerving at all Times hereafter unto the Mayor, Commonalty, and Citizens of London, all their Rights and Privileges which by any Law, Uſage, or Cuſtom, they have at any Time heretofore held, had, or enjoyed, or now hold, have, or enjoy, in or upon the ſaid River, or any Part thereof, except their Juriſdiction by virtue of the ſaid recited Act of the Thirteenth Year of the Reign of Queen Elizabeth; and alſo ſaving and reſerving at all Times hereafter unto all Perſons whatſoever their ſeveral juſt Rights and Privileges, which by Law they have at any Time heretofore had, held, or enjoyed, or now hold, have, or enjoy, in, over, or upon the ſaid River Lee, or any Part thereof, ſo as the ſame are not repugnant to any Powers granted for the Execution of this Act.

Warrants executed by Conſtables, &c.

And be it further enacted, That all and every Warrant and Warrants, that ſhall and may be granted by any Perſon or Perſons enabled or impowered to grant the ſame under or by virtue of this Act, ſhall and may be directed to the Conſtable, Headborough, or other Peace Officer of the County, Liberty, or Place, wherein the Offender or Offenders ſhall live, reſide, inhabit, or be; which Conſtable, Headborough, or other Officer, is hereby authorized and required to execute the ſame.

Diſtreſs not to be deemed unlawful for want of Form;

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

nor the Party diſtraining be deemed a Treſpaſſer *ab initio*.

Plaintiff not to recover, if Tender of Amends hath been made.

Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity as aforeſaid, if Tender of Amends hath been made by or in Behalf of the Party diſtraining before ſuch Action brought.

Limitation of Actions.

And be it further enacted, That if any Action, Suit, or Information, ſhall be brought or commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, every ſuch Action, Suit, or Information ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the Counties of Hertford, Eſſex, or Middleſex, and not elſewhere; and the Perſon or Perſons

General Iſſue.

ſo ſued or proſecuted may plead the General Iſſue, and give this Act and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear to have been ſo done, or if any Action, Suit, or Information, ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then and in every ſuch Caſe the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become Nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action, Suit, or Information, after

the Defendant or Defendants ſhall have appeared; or if in any ſuch Action, Suit, or Information, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Double Coſts, and ſhall have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law. Double Coſts.

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

FINIS.