



ANNO QUINQUAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 167.

An Act for making a Navigable Canal between the Cities of *Bath* and *Bristol*; and also for supplying with Water the Inhabitants of the City of *Bristol*, and its Neighbourhood.

[15th June, 1811.]

WHEREAS the making and maintaining a Navigable Canal for Boats, Barges, and other Vessels, from the *Kennet* and *Avon* Canal, in the Parish of *Lyncomb* and *Widcomb*, in the County of *Somerset*, and adjoining or near to the City of *Bath*, to or near to *Old Market Street*, in the Parish of *Saint Philip and Jacob*, in the City of *Bristol*, and a Navigable Cut from and out of the said Canal, in the Parish of *Saint Philip and Jacob*, in the County of *Gloucester*, to the *Bristol Dock* or *Floating Harbour*, in the same Parish, will facilitate the Conveyance of Goods, Wares, and Merchandize, not only to and from the Cities of *Bath* and *Bristol*, but also to and from the Ports of *London* and *Bristol*, and will afford a cheap and convenient Conveyance by Water to Persons passing between *Bath* and *Bristol*, and will be of great publick Utility: And whereas the supplying the Inhabitants of the City of *Bristol*, and its Environs, with Water for domestic Purposes, and for the Purposes of Manufacture, and as a Resource in Cases of Accidents by Fire, by Waterworks to be made and erected in Manner after-mentioned, would contribute to the Health, Convenience, and Safety of the said Inhabitants; but such Canal and other Works cannot be made and executed without

[Loc. & Per.]

General
Power.

and out of and from the present Course of the said River *Avon*, near the South End of the same Bridge, into and through the Parishes, Townships, or Places of *Lyncomb* and *Widcomb*, *Twerton*, otherwise *Twiverton*, *Newton*, *Corston*, *Saltford*, and *Keynsham*, in the County of *Somerset*; and *Bitton*, *Old Land*, *Hanham*, *Saint George* and *Saint Philip and Jacob*, in the County of *Gloucester*; and *Saint Philip and Jacob*, in the City and County of the City of *Bristol*, to or near to a certain Street in the said last-mentioned Parish, called *Old Market Street*: And also a Navigable Cut from the same Canal, from and out of a certain Piece of Garden Ground belonging to *George Hooper*, and in the Occupation of *Stephen Keel*, in the Parish of *Saint Philip and Jacob*, in the said County of *Gloucester*, into the *Bristol Dock* or Floating Harbour in the same Parish, and to supply the said Canal and Cut respectively whilst the same shall be making, and at all Times for ever after the same shall be made, with Water from all such Springs as shall be found in making the same, and from all Rivers, Springs, Brooks, Streams, and Watercourses whatsoever, which are or shall be found within the Distance of Two thousand Yards from any Part of the said Canal and Cut respectively, and also from any Reservoir or Reservoirs belonging thereto, to be made as after-mentioned, and for that Purpose to cleanse, scour, deepen, enlarge, or straighten any such Rivers, Brooks, Streams, or Water-courses, or any others which may come or be brought into the same respectively; and also to vary the Course of the said River *Avon*, in the said Parish of *Saint James*, in the City of *Bath*; and to make, sink, and drive such and so many Wells, Tunnels, Levels, Perforations, Feeders, and Aqueducts; and to make, erect, and set up such and so many Weirs, Steam Engines, and other Machines, with proper Shafts and Tunnels thereto for supplying the said Canal and Cut, and Reservoirs with Water, and for conveying Water to or from the same, any or either of them, or from the same or any of them to the other or others of them, or any Part thereof respectively; or for any other Purpose necessary for the better making and maintaining of such Canal and Cut respectively, as they the said Company of Proprietors shall from Time to Time think proper and expedient: Provided that the said Company of Proprietors shall not erect any Steam Engine or other Machine for supplying the said Canal with Water to the Eastward of *Hanham Mills*, except the said Company shall build the said Engine on the *Bitton* Side of the River *Avon*; and for the several Purposes aforesaid, from Time to Time, and at all Times after the passing of this Act, to enter into and upon the Lands and Grounds of or belonging to any Person or Persons, Bodies Politic, Corporate or Collegiate, whatsoever, and to survey and take Levels of the same or any Part thereof, and to set out and ascertain such Part or Parts thereof as they the said Company of Proprietors shall think necessary and proper for the making, completing, maintaining, improving and using of the said Canal and Cut, and the other Works and Conveniencies hereby authorized to be made, and there to bore, dig, cut, trench, and sough; and also to remove, take and carry away any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things whatsoever which shall or may be dug or got in the making, or which may hinder, prevent or obstruct the making, carrying on, maintaining or repairing the said Canal and Cut, Reservoirs, and other Works respectively, or of such Feeders, Trenches, Passages, Levels, Drains, Wells, Tunnels, Aqueducts and Water-courses, as shall or may be necessary or convenient to convey Water to or from the said Canal and Cut, and Reservoirs respectively, according to the true In-

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tent and Meaning of this Act; and also as well for the carrying and convey-
 ing of all manner of Materials necessary or intended for the making, erect-
 ing, finishing, altering, repairing, amending, widening, enlarging or im-
 proving of the said Canal, Cut, and other Works herein authorized, as also
 for the Purposes of the said intended Navigation, and for the carrying and
 conveying of Goods, Wares, Merchandize, and other Things, to and from
 the said Canal and Cut, and for the landing, loading, housing, regulating and
 preserving the same, and also to make, build, drive, erect and set up in or
 upon the said Canal and Cut respectively, or in or upon the Lands adjoining
 or near thereto respectively, such and so many Bridges, Tunnels, Soughs,
 Aqueducts, Sluices, Locks, Flood-gates, Weirs, Banks, Dams, Pens
 for Water, Water Stanks, Reservoirs, Drains, Wharfs, Quays, Toll-
 houses, Warehouses, Watch-houses, Landing-places, Weighing Beams,
 Cranes, Dry Docks, Fire Engines, and other Machines, Ways, Roads,
 Gates, Fences, and Conveniencies, as and where they the said Company of
 Proprietors shall think requisite and convenient, and from Time to Time
 to alter, repair, and amend, or discontinue the same or any or such of them
 and no more as the said Company shall from Time to Time, or at any
 Time hereafter, deem it expedient and useful to repair, amend, alter or
 discontinue, or shall deem it unnecessary or inexpedient, or no longer
 necessary or expedient to repair, amend, maintain, or continue for
 the Purposes of the said intended Navigation, and to place, lay, work,
 or manufacture any Materials on the Lands or Grounds, near to the Place
 or Places where the said Works or any of them shall be carrying on; and
 also from Time to Time to make, maintain, repair, and alter any Fences,
 Roads, or Passages unto, from, over, under, through, or near unto the
 said Canal and Cut respectively, or the Tunnels, Aqueducts, Soughs,
 Trenches, Gutters, Warehouses, and Sluices, which shall communicate
 therewith respectively; and also to make, set out, and appoint such Tow-
 ing Paths, Banks, Roads, and Ways, for the towing, haling, or drawing
 of Boats, Barges, and other Vessels, passing upon the said Canal and Cut
 respectively, with Men, Horses, or otherwise, and such convenient Places
 for Boats, Barges, and other Vessels, to turn, lie, or pass each other in as
 the said Company of Proprietors shall think proper and expedient; and
 also to dig, take, and carry away any Soil, Clay, Gravel, Sand, Chalk,
 Flint, or Stone, which shall be proper, requisite, and convenient for the
 carrying on, repairing, and maintaining of the several Works aforesaid,
 or any of them in or from the Grounds of any Person or Persons adjoin-
 ing or lying contiguous thereunto, or within the Distance of Two
 thousand Yards thereof: and also to construct, erect, set up, make, and do
 all or any other Works, Matters, and Things whatsoever, which they shall
 think requisite and necessary, or convenient for the making, carrying on,
 completing, repairing, improving, maintaining, and using of the said
 Canal and Cut respectively, in pursuance and within the true Intent and
 Meaning of this Act, they, the said Company of Proprietors and their
 Agents, Servants, and Workmen, doing as little Damage as may be, in
 the Execution of the several Powers to them hereby granted, and repairing
 such Damage, either wholly or so far forth as they shall find it practicable
 and expedient, or if they the said Company shall be unwilling to repair
 the same, then, as they shall be required and directed by the Commis-
 sioners hereinafter appointed, and further, from Time to Time, making
 Satisfaction in the Manner hereinafter mentioned, to the Owners or Pro-
 prietors of and the Persons interested in the Lands, Grounds, Tene-

ments, or Hereditaments, Waters, Water-courses, Brooks, or Rivers, respectively, which shall or may be taken, used, removed, diverted, prejudiced or destroyed, for the Purposes aforesaid, as well for all Damages to be by the Entry and other the aforesaid Acts of the said Company occasioned, which shall wholly continue and be sustained, as also for all the Residue of such Damages which being so as aforesaid occasioned, shall not be by them the said Company fully and wholly repaired and remedied; and this Act shall be sufficient to indemnify the said Company of Proprietors, their Deputies, Servants, Agents, Contractors, and Workmen, and all other Persons whomsoever for what they or any of them shall do by virtue of the Powers hereby granted.

Company not to alter any River in Lands of Duchefs of Chandos.

II. Provided always, and be it enacted, That nothing herein contained shall enable the said Company of Proprietors, their Successors or Assigns, to divert, change or alter the present course of any Brook or River, running through or on the Sides of the Lands of the Most Noble Anna Eliza, Duchefs of *Chandos*, lying in the Parish of *Keynsham* without the Consent in Writing of the said Duchefs, her Heirs and Assigns, first had and obtained for that Purpose.

Company not to take Springs in certain Parishes.

III. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors, their Agents, Servants or Workmen in the execution of any Works by this Act authorized to be made, at any time to take, drain, divert or otherwise intermeddle with any Springs, Streams, Water-courses, Reservoirs or Ponds of Water, in the Parishes of *Newton*, *Twerton* and *Corston*, or either of them, on the South Side of the present Turnpike Road leading from *Bath* to *Bristol*.

Company not to build on Manor and Estate of *Newton Park*.

IV. And be it further enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, their Agents, Servants or Workmen, without the Consent in Writing of the Owner for the time being of the Manor and Estate of *Newton-Park*, to erect or build any Toll-houses, Warehouses, Watch-houses or other Erections or Buildings, save and except only such as shall be necessary for the making and executing the said Canal within the said Parish of *Newton*, nor to dig, take or carry away any Gravel, Clay or Soil, otherwise than such as shall be found within the Line of the said Canal, within the said Parish.

Power to make Water-works.

V. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to make, complete and maintain Water-works, Water-houses, Culverts, Drains, Feeders, Aqueducts, Water-wheels, Steam Engines and other Engines, Pipes and other Works, in the Parishes, Townships, Liberties and Places of *Saint Philip* and *Jacob*, *Saint Paul* and *Saint James*, and *Westbury-upon-Trym*, in the County of *Gloucester*, and *Clifton*, in the said County of *Gloucester*, and in the City and County of the City of *Bristol*, or one of them, and *Saint Paul*, *Saint James*, *Saint Philip* and *Jacob*, *Saint Augustin*, *Saint Michael*, *Saint John the Baptist*, *Christ Church*, *Saint Erwin*, *Saint Werburg*, *Saint Stephen*, *Saint Nicholas*, *Saint Mary Pont*, *Temple* otherwise *Holy-Cross*, *Saint Mary Redcliff*, *The Castle Precincts*, *Saint Peter*, *Saint Leonard*, All Saints,

Saints, and *Saint Thomas*, in the City and County of the City of *Bristol*, and also certain Reservoirs described in the Maps or Plans hereinafter mentioned, for the Purpose of supplying the Inhabitants of the City of *Bristol* and its Environs with Water; and the said Company of Proprietors are hereby fully empowered by themselves, their Deputies, Agents, Servants and Workmen, to supply the said intended Water-works, Aqueducts, Reservoirs, and other Works, whilst the same shall be making, and at all Times for ever after the same shall be made, with Water, and to make such and so many Feeders, Tunnels, and Shafts, and to make, erect, and set up such and so many Sluices, Weirs, Engines, Steam Engines, and other Machines for supplying the said Water-works with Water, and for any other Purposes, for the making, maintaining, and using of such Water-works, as they the said Company of Proprietors or their Successors shall from Time to Time think proper and expedient; and for the Purpose of distributing such Water to the different Inhabitants, and effectuating the several Purposes of this Act, it shall and may be lawful to and for the said Company of Proprietors and their Successors, and to and for their Agents, Officers, Workmen, and Servants to dig and break up the Lands and Grounds mentioned and described in the Maps or Plans and Books of Reference hereinafter mentioned, and the Soil and Pavement of any of the Roads, Highways, Footways, Commons, Streets, Lanes, Alleys, Passages, and Public Places, within, adjacent, and near unto the said Parishes, Townships, Liberties, and Places in the County of *Gloucester* and City of *Bristol*, and to sink and lay Pipes, Trunks, and other Conveniencies for the Purposes aforesaid, and to put Stop-Cocks, or Plugs or Branches from such Pipes, Trunks, and other Conveniencies, in such Places and in Manner as shall be necessary for the Purposes aforesaid, and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Trunks, Stop-Cocks, and Plugs, and do all such Acts, Matters, and Things as they the said Company of Proprietors shall from Time to Time, and at any Time think necessary and convenient for completing, amending, repairing, improving, and using the Water-works and Works authorized by this Act to be done and provided according to the true Intent and Meaning thereof; and the said Company of Proprietors are hereby empowered to make such Engines, Houses, and other Works, and all such Cisterns, Ponds, Basons, Main-pipes, Rider-pipes, Hand-pipes, Stand-pipes, Service-pipes, Branches of Lead and other Metal Cocks, Chamber-cocks, Cocks in common, Stop-cocks, Valves, Fire-plugs, Air-plugs, Fire-cocks, Mains, Feeders, Fan-pumps and Pumps, as the said Company of Proprietors shall think requisite for the several Purposes of the said Water-works and Undertaking, and also from Time to Time to divert, alter, repair, widen, enlarge, amend, and discontinue the same, they the said Company of Proprietors, their Agents, Deputies, Officers, Workmen, and Servants doing, as little Damage as may be in execution of the Powers hereby granted to them, and making full Satisfaction for any Damages thereby occasioned.

VI. Provided always, and be it enacted, That there shall not be any Fire-Engine or Steam-Engine erected at the Reservoir intended to be made by the said Company of Proprietors on *Cotnam-Hill*, in the Parish of *Westbury-upon-Trym*, in the County of *Gloucester*, nor within One thousand Yards thereof, which shall be of more than a Six-Horse Power: Provided also, that every Steam-Engine or other Engine to be worked by Fire, which shall be erected or set up by the said Company

Steam Engine

of

of Proprietors within the Distance of Two Miles from the City of *Bristol*, or the City of *Bath*, shall be constructed, made and used so as to burn and consume the Smoak of the Coals or other Combustibles and Fire with which such Engine or Engines shall be worked.

Springs, &c. in Widcomb and Bathwick to be protected.

VII. Provided always, and be it enacted, That nothing herein contained shall extend to authorize or empower the said Company of Proprietors, their Agents, Servants or Workmen, in the making or cutting the said Canal, or in supplying the same with Water, or in the Execution of any Works by this Act authorized to be made at any Time, to take, drain, divert or otherwise intermeddle with any Springs, Streams, Water-courses, Reservoirs or Cisterns of Water in the Parishes of *Lyncomb* and *Widcomb* or *Bathwick*, belonging to the Mayor, Aldermen and Citizens of the said City of *Bath*, and their Successors, or to the Right Honourable *William Harry*, Earl of *Darlington*, his Heirs or Assigns.

To restrict Water being taken out of the Avon above the Mills at Keynsham, between certain Periods.

VIII. Provided always nevertheless, and it is further enacted, That this Act or any Thing herein contained shall not operate or extend or be construed to operate or extend to authorize or empower the said Company of Proprietors, or their Servants or Agents, or any other Person or Persons, by any Contrivance, Ways or Means whatsoever, at any Time or Times except between the First Day of *November* and the First Day of *June* yearly, otherwise than for puddling the said Canal and Works during the Time the same shall be executing, to take or divert any of the Water out of or from the said River *Avon*, or any Part thereof, above or Eastward of the Mills upon or near to the said River, at or near *Keynsham* aforesaid, nor without the Consent of the *Bristol Dock Company* or their Assigns, to the Eastward of their Mills, situate upon or near the said River at *Hanham*, or out of or from any of the Springs, Brooks, Canals or Streams which either immediately or ultimately run into or appertain to the said River *Avon*, above or to the Eastward of the said Mills, at or near *Keynsham* aforesaid, or to destroy, obstruct or injure any of such Springs, Brooks or Streams except as aforesaid.

To prevent Water being taken out of the Avon during the above Periods, upon Notice by the Owners or Occupiers of Mills.

IX. Provided always nevertheless, and be it further enacted, That the Owner or Owners, Occupier or Occupiers of the said Mills upon or near to the said River *Avon*, or any or every of them shall have full Right and Power at any and such Time and Times as he, she or they shall think proper, between the said First Day of *November* and the said First Day of *June* in every or any Year for ever, when the Water in the said River *Avon* shall be scarce and be actually and necessarily wanted for the Use or Uses of such Mill or Mills by Notice in writing to be delivered to the Treasurer or Clerk for the Time being, of the said Company of Proprietors, or left for such Treasurer or Clerk at the usual Place of Abode or Dwelling of such Treasurer or Clerk, or at the Office of the said Company of Proprietors in the said City of *Bristol*, or in the said City of *Bath*, to stop and prevent the said Company of Proprietors for and during such Period or Periods as such Owner or Occupier or Owners or Occupiers of such Mill or Mills shall think proper during such actual Scarcity of Water in the said River, from taking, drawing, or diverting any of the Water out of or from the said River, or any of the said Springs, Brooks, Canals or Streams which

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now run into or appertain to the said River *Avon* above the aforesaid Mills; and that after such Notice or Notices, and during the Period or Periods to be expressed in any such Notice or Notices, the said Company of Proprietors shall not, nor will nor shall have any Right or Power to take, draw, or divert any Water out of or from the said River *Avon*, or any of the said Springs, Brooks, Canals, or Streams which run into or appertain to the said River above the said Mills.

X. Provided also, and be it further enacted, That this Act, or any of the Powers, Provisions, or Authorities hereby given or granted, or herein contained, shall not operate or extend, or be construed to operate or extend so as to take away, defeat, alter, affect or prejudice, or enlarge the Rights or Claims of the Owners or Proprietors, Owner or Proprietor of any Mill or Mills upon or near to the said River *Avon*, to the Water of the said River, or any of the Springs, Brooks, or Streams which either immediately or ultimately run into or appertain to the said River, or did run into or appertain to the said River prior to the making of the said *Kennet* and *Avon* Canal, for the Uses and Purposes of their, his or her Mill or Mills; but that all such Rights and Claims shall remain and continue in the same State, and be construed in such and the same Manner in all respects as they would have been in case this Act had not passed, save and except only as hereinbefore varied or altered.

To prevent the Rights or Claims of Mill Owners, to the Water of the *Avon*, for the Use of their Mills.

XI. Provided also, and be it further enacted, That this Act, or any of the Powers or Authorities hereby given or granted, or herein contained, shall not operate or extend, or be construed to operate or extend so as to take away, defeat, or destroy, alter, lessen, affect or prejudice the Right of the said *Bristol* Dock Company to the Water of the said River *Avon* (except only as hereinafter provided); but that such Right shall continue in the same full Force and Effect as if this Act had not passed.

Act not to take away Right of *Bristol* Dock Company to Water of River *Avon*.

XII. Provided always, and be it enacted, That the said Company of Proprietors shall not be authorized or impowered by any Means or Contrivance whatever, to take or divert any of the Water out of or from the said River *Avon*, or any of the Springs, Streams, Brooks, or Water-courses which run into or supply the same with Water, save only at such Time or Times as the Water in the said River at the *Bristol* Quay shall be at least Sixteen Feet high, according to the ancient Quay Gauge, unless the said Water in the said Quay shall be reduced below the said Height by the said *Bristol* Dock Company or their Agents, or any Person or Persons by their Authority or Permission, otherwise than in the lawful and regular Use of the said *Bristol* Floating Harbour, and the Docks, Basons, Canals, and Cuts thereof, and by the Use of the Waste Water for the Mills of the *Bristol* Dock Company, according to the Provisions of the Acts relating to the *Bristol* Docks, and not by any wasteful or unnecessary Use or Diversion of the said Water, or unless the said Water in the said Quay shall be below the said Height by reason or in consequence of the imperfect or insufficient Structure or State of Repair of any of the Weirs, Dams, Sluices, Gates, or other Works belonging to the said *Bristol* Dock Company, such Imperfection or Insufficiency to be determined nevertheless with

Company not to take Water from River *Avon*.

[*Loc. & Per.*]

Reference to the several Acts of Parliament passed and now in Force for improving and rendering more commodious the Port and Harbour of *Bristol*, or to the Want or Nonconstruction of any Works which the said *Bristol* Dock Company ought to make or construct for the Preservation of the Water of the said River.

Respecting
the Supply
of Water,
Persons
agreeing with
the Company
may lay Pipes
to communi-
cate with the
Company's
Mains.

XIII. And be it further enacted, That such of the Inhabitants of the said several Parishes, Townships, Liberties and Places, in the said County of *Gloucester*, and City of *Bristol*, and all such other Persons as shall be desirous of having Water from the said Water Works laid into their Houses, Buildings, or other Premises, may, and are hereby authorized and empowered, at their own Expence, having first obtained the Consent in Writing, under the Hand of such Person as shall be authorized by the said Company of Proprietors, or their Committee of Management, to give such Consent, and with the Consent of the Owners of the Premises through which the Pipes shall be conveyed, to open the Ground between the Company's Aqueducts or Main Pipes, and the respective Houses, Buildings or other Premises of such Inhabitants, and to lay any leaden or other Pipe or Pipes (the Bore thereof to be ascertained by the said Company of Proprietors) from such respective Houses, Buildings or other Premises, to communicate with the said Aqueducts or Main Pipes such respective Inhabitants paying to the said Company of Proprietors yearly, quarterly or monthly, such Rate or Rates, or Sum or Sums of Money for such Water, as shall be mutually agreed upon between them; and in case of Default in Payment of any such Rate or Rates, Sum or Sums of Money so to be paid as aforesaid, it shall be lawful for the said Company of Proprietors to cause the Pipe or Pipes belonging to the Person or Persons making such Default, and communicating with the Aqueducts and Main Pipes belonging to the said Company of Proprietors to be separated from the said Aqueducts or Main Pipes, and to cause the Water to be stopped from issuing or running into the House, Buildings or other Premises of every Person making such Default; and that the Rate or Rates, Sum or Sums of Money which shall be due and in arrear from such Person or Persons to the said Company of Proprietors, shall and may be recovered by the said Company of Proprietors by Distress and Sale of the Goods and Chattels of the Persons liable to pay the same in the same Manner as Rents reserved on Common Demises may by Law be recovered; and if any Person shall lay or cause to be laid any leaden or other Pipe to communicate with any such Aqueduct or Main Pipe belonging to the said Company of Proprietors, without such Consent being obtained as aforesaid, every such Person shall forfeit and pay to the said Company of Proprietors any Sum not exceeding Twenty Shillings for every Day such Pipe shall so remain: Provided always, that all and every Person and Persons who shall have laid any leaden or other Pipe or Pipes as aforesaid, shall be at liberty to remove and take away such Pipe and Pipes and the Cock or Cocks belonging thereto.

When
Ground is
broken up for
laying Pipes,
it is to be
filled in again
as soon as

XIV. Provided always, and be it enacted, That when and as often as any Ground shall or may be opened or broken up, either by the said Company of Proprietors or by any other Person or Persons, for laying, taking up or repairing any Aqueduct or Main Pipe or Communication Pipe by virtue of this Act, then and in every such Case the said Company of Proprietors or other Persons respectively shall fill or cause to be filled in

in such Ground, and the Rubbish occasioned by the opening or breaking up the same to be carried away as soon as possible, and may be, and in the mean Time to cause such Ground to be fenced in the mean Time or guarded, so that the same may not be dangerous to Passengers or Cattle: Provided always, that if there shall be any wilful or negligent Delay in the said Company of Proprietors or in any of the Agents or Servants of the said Company of Proprietors, or in any such other Person or Persons in taking up or repairing any of the said Aqueducts or Main Pipes, or any of the said Communication Pipes, or in filling in such Ground or removing the Rubbish thereby occasioned, then and in every such case the said Company of Proprietors, or such other Person or Persons so offending respectively, shall forfeit and pay any Sum not exceeding Five Pounds.

XV. Provided always, and be it enacted, That previous to any Ground being opened or broken up, either by the said Company of Proprietors or by any other Person or Persons, for laying, taking up or repairing any Aqueduct; Main or Communication Pipe, by virtue of this Act, in any or either of the Streets, Squares, Courts, Yards, Lanes, Passages and Places within the City of *Bristol* and Liberties thereof, then and in every such Case the said Company of Proprietors, or other Persons respectively, shall give or cause Notice in Writing to be given to or left at the Office of the Commissioners for the Time being, appointed under an Act made and passed in the Forty-sixth Year of the Reign of His present Majesty, intituled, "An Act for amending, altering and enlarging the Powers of several Acts passed, for paving, pitching, cleansing and lighting the Streets and other Places within the City of *Bristol* and Liberties thereof;" and the said Company of Proprietors, and such other Persons respectively, shall, after opening any such Ground, fill or cause the same to be filled in, and the Surface thereof relaid with the like Materials, with which such Streets, Squares, Courts, Yards, Lanes, Passages and Places respectively shall or may be laid at the Time of being so broken up, and shall also cause the Rubbish occasioned by the opening or breaking up such Ground, and relaying the Pitching and Paving, to be removed, taken and carried away with as little Delay as possible, and so as that in no case such Ground shall remain open, unrepared, or the Rubbish unremoved, for a longer Space than Six Days, unless the said Commissioners for Paving shall grant further Time for doing the same; and in the mean Time the said Company of Proprietors, or other Persons respectively, shall cause such Ground to be fenced, or guarded and lighted, so that the same may not be dangerous to Passengers or Cattle; and the pitching, paving or steining of such Ground shall be so relaid and made good to the full Satisfaction of the said Commissioners for Paving, or their Surveyor for the Time being, and kept in good Repair at the Expence of the said Company of Proprietors or other Persons respectively, for the Space of six Calendar Months next after the same shall be relaid as aforesaid: Provided always, that if the said Company of Proprietors, or any of their Agents or Servants, or any other Person or Persons, shall or may neglect or omit, to give such Notice to the said Commissioners, or to relay the Ground which may be so taken up with the like Materials as aforesaid, and remove the Rubbish occasioned thereby within the period of Six Days as aforesaid, (unless the said Commissioners shall grant further Time for doing the same) or do or shall neglect or omit to keep such Ground, and the pitching,

pitching, paving or steining thereof which may be so relaid, in good and complete Repair for the Space of Six Calendar Months next after the same shall be relaid; then, and in every such Case, the said Company of Proprietors, or such other Person or Persons so offending respectively, shall forfeit and pay any Sum not exceeding Five Pounds, over and besides the Expence of putting and keeping such Ground in Repair as aforesaid, to be recovered from the Treasurer, Clerk or Agent to the said Company of Proprietors in like Manner as other Penalties and Forfeitures are by this Act to be recovered, and to be paid over to the Treasurer for the Time being of the said Commissioners for Paving, to be applied for the Purposes of the said recited Act.

Laying
Pipes.

XVI. Provided also, and it is hereby further enacted, That whenever it shall be found necessary by the said Company of Proprietors, their Agents or Workmen, or other Person or Persons, to lay down Pipes in, upon or under any Part of any of the Streets, Squares, Courts, Yards, Lanes, Passages, and Places in the said City of *Bristol* and Liberties thereof, or any Turnpike Roads, such Pipes shall be of Metal or Stone, and not of Wood, unless the said Commissioners for Paving or Trustees of such Turnpike Roads respectively shall grant special Allowance and Permission for the Use of Wooden Pipes in any particular Instance or Instances; and such Pipe or Pipes shall be laid down on the Sides of the said Streets, Squares, Courts, Yards, Lanes, Passages and Places, or Roads only, and as near the Footpaths as can be, unless in such Cases where the Intervention of a Common Sewer, or other unavoidable Hindrance or Obstruction shall make a Deviation necessary; or where the so doing shall be liable to endanger the Foundation of any Dwelling-house or other Building; or where it shall be necessary for the Purpose of carrying Pipes across the said Streets, Squares, Courts, Yards, Lanes, Passages, and Places or Roads, for the Purposes of Communication between the Main Pipes and the Service Pipes to be laid down on the Sides of the said Streets, Squares, Courts, Yards, Lanes, Passages and Places or Roads, or Leaden Pipes to communicate from the Main or Service Pipes to the Houses to be supplied therefrom; or where the Consent of the said Commissioners for Paving and the Trustees of such Roads respectively shall be obtained to lay down Pipes otherwise than herein directed to be given at any Meeting of the said Commissioners for Paving, or at the next General or Special Meeting of such Trustees respectively, which shall be held next after any Application made by such Company of Proprietors for that Purpose; and in case any such Pipes shall be laid down otherwise than as aforesaid; or in case any such Pipe or Pipes shall happen to break, burst, or decay, then the Surveyor or Surveyors to the said Commissioners for Paving, and to the Trustees appointed for executing any Act or Acts of Parliament for the Repair of such Streets, Squares, Courts, Yards, Lanes, Passages and Places, or Roads respectively, shall give Notice to the said Company of Proprietors, or their Agent or Agents, or leave the same for them or him at the Office of the said Company of Proprietors, in the said City of *Bristol*, to take up and remove or repair the same; and in case they shall neglect or refuse, for the Space of Twelve Hours after such Notice, to take up and remove or repair such Pipes, then and in every such Case the said Company of Proprietors shall forfeit and pay to the said Commissioners for Paving, or to the said Trustees, the Sum of Five Pounds; and the like Sum of Five Pounds upon a like Neglect

Neglect or Refusal after every subsequent Notice, until the same shall be taken up and removed; and whenever it shall be found necessary by the said Company of Proprietors, their Agents or Workmen, to open the Ground in or under any Part of the said Streets, Squares, Courts, Yards, Lanes, Passages and Places or Roads, for the Purpose of amending or laying their Water Pipes or Plugs, or for any other Purpose, the same shall be done within the Space of Six Days, and the Ground filled and rammed in, and the Road made good; and in case the said Company of Proprietors, their Agents or Workmen, shall neglect or refuse, by the Space of Twelve Hours next after such Pipes shall have been laid down or repaired as aforesaid, to fill and ram in the Ground, and make good the Road in Manner aforesaid; the Surveyor or Surveyors to the said Commissioners for paving, or to such Trustees respectively, is and are hereby empowered to cause the same to be done, and the Expence thereof shall be paid by the said Company of Proprietors to the said Trustees or their Treasurer for the Time being, and in the mean Time such Agent or Workman so opening the Ground shall secure the respective Parts in such Manner as to prevent any Damage or Inconvenience happening to Passengers, Cattle or Carriages, upon Pain of forfeiting any Sum not exceeding Twenty Shillings for every Hour that the Ground shall remain open or not secured in Manner aforesaid; and whenever it shall happen, that by the bursting, breaking or running of any such Pipes or Plugs, the Water shall overflow any Part of the said Roads, so as to occasion any Damage or Inconvenience to Passengers, Cattle or Carriages, or Injury to the said Streets, Squares, Courts, Yards, Lanes, Passages and Places or Roads, then in case the said Company of Proprietors, their Agent or Agents, shall, after Twelve Hours Notice thereof left at their Office aforesaid, neglect to do what shall be necessary to remedy the Danger and Inconvenience arising therefrom, it shall be lawful for the Surveyor and Surveyors of the said Commissioners for Paving, or of the said Roads respectively, to do what he or they shall judge requisite to drain off the Water and to prevent any Danger or Inconvenience therefrom in future, the Expence whereof shall be reimbursed to such Surveyor or Surveyors by the said Company of Proprietors; all which respective Forfeitures and Sums shall and may be recovered, of and from the Treasurer, Clerk or Agent to the said Company of Proprietors, in such Manner as other Penalties and Forfeitures are by this Act to be recovered, and when so recovered, shall from Time to Time be paid to the said Commissioners for Paving, or Trustees respectively, or their Treasurer or Treasurers for the Time being, and shall be applied for and towards amending the said Streets, Squares, Courts, Yards, Lanes, Passages and Places, or Roads respectively.

XVII. Provided also, and be it enacted, That in case the Owner or ^{Supply of} Owners of any Land or Lands which on the First Day of *October* One thousand eight hundred and ten was Garden, Orchard, Arable, Meadow, Pasture or Waste Ground, in, through or under which the said Company of Proprietors shall place any Trunks, Pipes or other Aqueducts hereby authorized to be made, shall at any Time hereafter be desirous of building any Street, Square, or other Range of Dwelling-houses or Buildings upon such Land, or of laying the same out for any such Building; then he or they shall and may give to the principal Clerk of the said Company of Proprietors a Notice in Writing of such, his, her, or their Desire, together

[*Loc. & Per.*]

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ther with a Plan or Map, whereon shall be delineated and described the Ground, Plot, Dimensions and Direction of the principal Street, Square, or other Range of Building then so intended to be made, and occupying the whole Space of such Land or so much thereof whereon the Proprietor or Proprietors thereof shall be desirous that such Buildings as aforesaid shall be erected, and that then and in every such Case the said Company of Proprietors shall, within One Month next after the Date of such Notice and Plan, take up all such Trunks, Pipes, and other Aqueducts so laid in such Land as aforesaid, as shall be laid under the said intended Buildings; and then it shall be lawful for the said Company of Proprietors, or any other Person or Persons by their Authority, to lay down and place in and along the Line of such intended principal Street, Square, or other Range of Buildings, all such Trunks, Main-pipes, or other Pipes or Aqueducts as they shall think necessary or proper, and then and from thenceforth all such Rider-pipes, Hand-pipes, Stand-pipes, Service-pipes, Branches and Cocks as in this Act are authorized, and as the said Company of Proprietors shall deem it necessary or proper to lay down and place in the said Land, in order to communicate with their Main-pipes, or otherwise shall be laid down in such Places and Directions in the said Land as the said Owner or Owners of such Land shall point out or describe to the said Company of Proprietors, or their principal Clerk: Provided nevertheless, that in case the said Owner or Owners of such Land shall refuse or neglect to point out or describe such Places or Directions in which such Pipes are to be laid down on their said Land, within One Month after Notice in Writing given to him, her or them by the said Company of Proprietors or their principal Clerk, for that Purpose, then it shall be lawful for the said Company of Proprietors, or any other Person or Persons by their Authority, to place all such Rider-pipes, Service-pipes and other Pipes and Aqueducts necessary to communicate with their said Main-pipes or Trunks in such Places or Directions in the said Land as they the said Company of Proprietors shall think proper: Provided also, that when the said Company of Proprietors shall have once taken up any Pipes or other Aqueducts agreeably to such Notice to be given to them by the Owner or Owners of any such Land or Lands, and again laid the same down as aforesaid, it shall not at any Time afterwards be lawful for the said Owner or Owners to require or compel the said Company of Proprietors to take up the same Pipes or other Aqueducts.

For prevent-
ing Injury
being done to
Turnpike
Roads.

XVIII. Provided also, and it is hereby further enacted, That whenever it shall be found necessary by the said Company of Proprietors, their Agents or Workmen to lay down Pipes in upon or under any Part of any Turnpike Roads, such Pipes shall be laid down on the Sides of the said Roads only, and as near the Foot Paths as can be, unless in such Cases where the Intervention of a Common Sewer, or other unavoidable Hindrance or Obstruction shall make a Deviation necessary, or where it shall be necessary for the Purpose of carrying Pipes across the said Roads, for the Purposes of Communication between the Main-pipes and the Service-pipes to be laid down on the Sides of the said Roads, or leaden Pipes to communicate from the Main or Service-pipes to the Houses to be supplied therefrom, or where the Consent of the Trustees of such Roads respectively, shall be obtained to lay down Pipes otherwise than herein directed, to be given at the next General or Special Meeting of such

Such Trustees respectively, which shall be held next after any Application made by such Company of Proprietors for that Purpose; and in case any such Pipes shall be laid down otherwise than as aforesaid, or in case any such Pipe or Pipes shall happen to break, burst, or decay, then the Surveyor or Surveyors to the Trustees appointed for executing any Act or Acts of Parliament for the Repair of such Roads respectively, shall give Notice to the said Proprietors or their Agent or Agents to take up and remove or repair the same; and in case they shall neglect or refuse for the Space of Twenty-four Hours after such Notice, to take up and remove or repair such Pipes, then and in every such Case the said Company of Proprietors shall forfeit and pay to the said Trustees the Sum of Five Pounds, and the like Sum of Five Pounds upon a like Neglect or Refusal after every subsequent Notice, until the same shall be taken up and removed; and whenever it shall be found necessary by such Proprietors, their Agents or Workmen, to open the Ground in or under any Part of the said Roads, for the Purpose of amending or laying their Water-pipes or Plugs or for any other Purpose, the same shall be done within the Space of Two Days, and the Ground filled and rammed in, and the Road made good; and in case the said Company of Proprietors, their Agents or Workmen shall neglect or refuse by the Space of Twenty-four Hours next after such Pipes shall have been laid down or repaired as aforesaid, to fill and ram in the Ground, and make good the Road in Manner aforesaid, the Surveyor or Surveyors to such Trustees respectively is and are hereby empowered to cause the same to be done, and the Expence thereof shall be paid by the said Company of Proprietors to the said Trustees or their Treasurer for the Time being, and in the mean Time such Agent or Workman so opening the Ground shall secure the respective Parts in such Manner as to prevent any Damage or Inconvenience happening to Passengers, Cattle or Carriages, upon Pain of forfeiting any Sum not exceeding Forty Shillings for every Hour that the Ground shall remain open or not secured in Manner aforesaid; and whenever it shall happen that by the bursting, breaking or running of any such Pipes or Plugs the Water shall overflow any Part of the said Roads, so as to occasion any Damage or Inconvenience to Passengers, Cattle or Carriages or Injury to the Road, then in case the said Proprietors, their Agent or Agents, shall after Twelve Hours Notice thereof neglect to do what shall be necessary to remedy the Danger and Inconvenience arising therefrom, it shall be lawful for the Surveyor and Surveyors of the said Roads respectively to do what he or they shall judge requisite to drain off the Water and to prevent any Danger or Inconvenience therefrom in future, the Expence whereof shall be reimbursed to such Surveyor or Surveyors by the said Company of Proprietors; all which respective Forfeitures and Sums shall and may from Time to Time be recovered of and from the Treasurer, Clerk, or Agent to the said Company of Proprietors in such Manner as other Penalties and Forfeitures are by this Act to be recovered, and when so recovered shall from Time to Time be paid to the said Trustees respectively or their Treasurer or Treasurers for the Time being, and shall be applied for and towards amending the said Roads respectively.

XIX. And be it further enacted, That if any Person shall bathe in any Reservoir, Aqueduct, Water-way, Feeder, or Pond, being the Property

For preserv-
ing the Water
clean and
Of wholesome.

of the said Company of Proprietors, made, maintained, or supported by virtue of this Act, or wash any Dog or other Animal therein, or throw or cast any Dog or Cat, or any Filth, Dirt, or other noisome or offensive Thing, or wash or cleanse any Cloth, or any Wool or Leather, or the Skins of Sheep, Lambs, or other Animal, or any noisome or offensive Thing in any such Reservoir or Aqueduct, Water-way, Feeder, or Pond, or cause or suffer the Water of any Sink, Sewer, or Drain, to run or be conveyed into any such Reservoir, Aqueduct, Water-way, Feeder, or Pond, or cause any other Annoyance to be done to the Water contained in any such Reservoir, Aqueduct, Water-way, Feeder, or Pond, whereby or by Means whereof the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in each and every such Case every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For hinder-
ing Persons
supplied from
supplying
others; and
for punish-
ing Persons
wilfully let-
ting off the
Water,

XX. Provided always, and be it further enacted, That if any Person or Persons shall take, or use, or cause, permit, or suffer to be taken or used any Water from or out of any Reservoir, Aqueduct, or Pipe, which shall be made or laid by virtue of this Act, without the previous Consent of the said Company of Proprietors; or if any Person or Persons supplied with Water by virtue of this Act, shall supply any other Person with any Part of such Water, or if any Person or Persons shall wilfully let off or cause to run to waste any Water from any such Aqueduct or Pipe, then, and in every such Case, every Person so offending shall, for every such Offence, forfeit and pay to the said Company of Proprietors any Sum not exceeding Ten Pounds; and it shall and may be lawful to and for the said Company of Proprietors, if they shall so think fit, to take or cut off the Water so supplied by the said Company of Proprietors, from the House, Building, or other Premises of the Person or Persons so offending.

except in cer-
tain Cases.

XXI. Provided nevertheless, and be it enacted, That nothing herein contained shall extend or be construed to extend to subject any Person or Persons whomsoever supplied with Water by virtue of this Act, to any Penalty or Forfeiture for supplying any Person or Persons whomsoever with any Quantity of such Water in case of Fire, or during any Time that the Pipe or Pipes, Cock or Cocks belonging to any Person or Persons supplied with Water by the said Company of Proprietors, shall or may happen to be out of Repair, such Pipe or Pipes, Cock or Cocks, nevertheless being repaired as soon as may be after any Damage shall happen thereto.

Fire Plugs.

XXII. Provided also, and be it enacted, That the said Company of Proprietors shall, and they are hereby required to insert Fire Plugs at proper and convenient Distances from each other, in every Main Pipe which shall or may be laid in any of the Streets, Squares, Courts, Yards, Lanes, Passages and Places in the said City of *Bristol* or Liberties thereof, and keep and maintain such Fire Plugs at all Times in good and complete Repair, and also shall provide a proper and sufficient Number of Keys to the said Plugs, and deposit One of such Keys at the least with every Person employed as a Turn-Cock by the said Company of Proprietors, and with every Person having the Care of a Fire Engine for Public Use, in the said City of *Bristol*, which Plugs shall be used only in Case of Fire.

XXIII. And

XXIII. And be it further enacted, That it shall and may be lawful to and for an Engineer, or any other Person or Persons acting by or under the Authority of the said Company of Proprietors, or of their Committee of Management, at all seasonable Times in the Day Time, upon giving Twenty-four Hours previous Notice of their Intention to enter into any House, Building, or other Premises supplied with Water by the said Company of Proprietors, in order to inspect and examine if there be any Waste, undue Diversion, or improper Appropriation of the Water so supplied by the said Company of Proprietors; and if such Engineer or other Person acting by or under the Authority of the said Company of Proprietors, or their said Committee of Management, shall at any such Time or Times be refused Admittance or Entrance into any such Dwelling House, Building, or other Premises; for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination as aforesaid, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors to cut and turn off, or cause to be cut and turned off, the Water supplied by the said Company of Proprietors from such House, Building, or other Premises.

For enabling the Company to enter Premises, to see that there is no Waste of Water.

XXIV. And to prevent as much as possible the wilful and negligent Waste of Water, be it further enacted, That each and every Person supplied with Water by the said Company of Proprietors shall, and he, she, and they is and are hereby required to provide a proper Cistern or Cisterns of Lead, Stone, Brick, Wood, or other Materials, to receive and hold such Quantity of Water as shall be by him or them deemed sufficient for his, her, or their Consumption; and he, she, and they is, and are hereby required to provide a Ball and Stop-cock, and to affix, or cause to be affixed the same to the Pipe conducting the Water from the Main or Service-pipe belonging to the said Company of Proprietors to such Cistern or Cisterns, for the Purpose of preventing the Water running into such Cistern or Cisterns from running to waste when the same shall be full; and in case any Person or Persons supplied with Water by the said Company of Proprietors shall neglect to provide such Cistern or Cisterns, and also a Ball and Stop-cock, and to affix, or cause to be affixed the same in Manner aforesaid, for the Purpose of preventing the Water from running to waste when such Cistern or Cisterns shall be filled as aforesaid, it shall and may be lawful to and for the said Company of Proprietors, or their Committee of Management, or any Person or Persons acting by virtue of or under the Authority of the said Company of Proprietors, or their said Committee of Management, to cut and turn off the Water by such Ways and Means as to him or them shall seem right or proper, from the House, Building, or other Premises of every such Person, until such Cistern or Cisterns, and Ball or Stop-cock shall be provided, and such Ball or Stop-cock added in Manner aforesaid.

Cisterns to be provided.

XXV. And be it further enacted, That it shall not be lawful for the said Company, at any Time hereafter, to sell or dispose of any of the Rights, Privileges or Powers, or Authorities vested in them by this Act of supplying the said Parishes or Places with Water, or any of such Parishes, or any Part of any of them to any other Water Company now existing, or which may hereafter be established for the supplying of

That the Powers vested in the Company by this Act shall not be alienable.

Water, or to any Person or Persons whomsoever, but only to take and demand such Sums as shall be reasonable for the Water supplied under the Provisions of this Act.

In case Com-
pany do not
lay Pipes in
14 Years, Act
to cease so
far as relates
to the Water-
works.

XXVI. Provided always, and be it further enacted, That in case the said Company of Proprietors, or their Successors, shall not, within the Space of Fourteen Years, to be computed from the passing of this Act, construct or cause to be constructed such Engines, Reservoirs, and Main-pipes as may be necessary for the Purpose of supplying such of the Inhabitants of the said City of *Bristol* and its Environs with Water, as shall have required to be so supplied, in Cases where the Water Rents to be paid shall be adequate to the Expence of laying Pipes and supplying such Water; that then, and from thenceforth, all and singular the Clauses, Provisions, Powers and Authorities herein contained, so far as relate to the said Water-works, or the Powers hereby given for purchasing Lands, Tenements, or Hereditaments for the Purposes of the said Water-works, shall cease and determine, any Thing hereinbefore contained to the contrary notwithstanding.

Power to
make In-
clined Planes,

XXVII. And be it further enacted, That if the said Company of Proprietors shall deem it expedient that Boats, Barges, or other Vessels should be conveyed over or along any Part or Parts of the Line herein directed to be pursued in making the said Canal and Cut, by Rollers, Inclined Planes, or in any other Manner than by Means of Locks or Sluices, then and in such Case it shall be lawful for the said Company of Proprietors to cause any Rollers, Inclined Planes, or other Works to be made for that Purpose, at such Parts or Places in the said Line as they shall think proper, and the same shall be considered to be Part of the said Works hereby authorized to be made, in like Manner, and to all Intents and Purposes, as if such Parts or Places were made navigable.

Houses, &c.
not to be
taken down,

XXVIII. Provided always, and be it further enacted, That nothing in this Act contained, shall extend to authorize or empower the said Company of Proprietors, or any other Person or Persons, to take or cut down any Timber or other Trees whatsoever (except such as shall be in the immediate Line of the said Canal, and Cut and Water-works respectively, or of the Towing-Paths and Banks belonging thereto, or as shall in any Manner obstruct the Navigation of the said Canal, and Cut and Water-works respectively); nor to take, use, injure, or damage any House or other Building, or any Ground which upon the First Day of *October* One thousand eight hundred and ten, was the Scite of any House or other Building, or a Garden, Orchard, Yard, Park or Planted Walk, or Avenue to a House, or a Lawn or Pleasure Ground, inclosed or adjoining to a Dwelling House, or any Wharf or Wharfs now in the Occupation of the Proprietors of the present navigable Part of the River *Avon*, or their respective Tenants, without the Consent in Writing of the respective Owners and Occupiers thereof, other than and except such as are specified in the Schedule hereunto annexed.

except cer-
tain Pre-
mises, parti-
cularly speci-
fied.

Plans and
Books of Re-
ference to
remain with
Clerks of the
Peace.

XXIX. And whereas Maps or Plans describing the Lines of the said Canal and Cut and Water Works, and Variation of the Course of the River *Avon*, and the Lands through which the same are to be carried, together with Books of Reference, containing Lists of the Names of the Owners,

or

or reputed Owners and Occupiers of such Lands, have been deposited at the Offices of the Clerks of the Peace for the respective Counties of *Somerset and Gloucester*: Be it therefore further enacted, That the said Maps or Plans, and Books of Reference, shall remain in the Custody of the respective Clerks of the Peace for the said Counties, and to the End that all Persons may, at any seasonable Times, have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every Two hundred Words of such Copies or Extracts of the said Books of Reference; and that the said Company of Proprietors, in making the said Canal and Cut, shall not deviate more than One hundred Yards from the Lines or Courses thereof, described in the said Maps or Plans; and in making the said Water-works shall not deviate more than Twenty Yards from the Lines thereof, described in the said Maps or Plans, nor shall any such Deviation be made into or carried through the Lands of any Person not named in the said Books of Reference, or in the Schedule hereto annexed, without the Consent in Writing of such Person; nor shall the said Company of Proprietors make any Reservoir for such Water-works in any other Lands or Grounds than such as are described in the said Maps or Plans as intended for that Purpose, without the Consent in Writing of the respective Owners and Occupiers thereof: Provided always, that no Advantage shall be taken of or against the said Company of Proprietors, or any Interruption be given to the making of the said Canal and Cut and Water-works, or any of them, on account of any Error or Omission in the said Books of Reference, in case it shall appear to any Five or more of the Commissioners appointed by this Act, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

XXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or empower the said Company of Proprietors to enter upon or make Use of or to buy or purchase the Alms-house or Chapel called *Trinity Alms-house*, or any Lands, Tenements or Hereditaments of or belonging or appertaining to the Trustees of the said Alms-house, situate in the In-parish of *Saint Philip and Jacob* in the said City of *Bristol* without the Consent in Writing of the said Trustees or the major Part of them under their Hands, first had and obtained, or any of the Lands, Tenements or Hereditaments of or belonging or appertaining to the Feoffees of the Land settled by *John Whitson* Esquire, deceased, to certain charitable Uses, situate in the said In-parish of *Saint Philip and Jacob* in the said City of *Bristol*, without the Consent in Writing of the same Feoffees or the major Part of them, first had and obtained, or any of the Messuages, Buildings, Lands, Tenements or Hereditaments of or belonging or appertaining to the Mayor, Burgeses and Commonalty of the said City of *Bristol*, or their Successors, situate in the said In-parish of *Saint Philip and Jacob*, in the said City of *Bristol*, without the Consent and Approbation of the said Mayor, Burgeses and Commonalty, under their Common Seal, first had and obtained, notwithstanding the same or any of them is or are specified in the Schedule hereto annexed.

XXXI. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend (further than in this Act not to abridge this Rights of

the Corpora-
tion of Bristol.

this Act is mentioned) to abridge or lessen any of the Rights, Privileges, Franchises, Immunities, Powers or Authorities of the said Mayor, Burgeses and Commonalty of the said City of *Bristol*, or their Successors.

Protection of
Drains, &c.
in Widcomb.

XXXII. And whereas, by reason of the Diversion of the River *Avon* and the Formation of the Canal by this Act authorised to be made, the Discharge of the Sewers and Drains of the said Parish of *Lyncomb* and *Widcomb* into the said River will be obstructed; be it therefore enacted, that the said Company of Proprietors shall and they are hereby directed and required at their Costs, before any Works shall be commenced, by which the said Drains and Sewers, or any of them, shall or may be affected, so as to prevent or interrupt their free Discharge into the said River *Avon*, to make, construct and finish a good, sufficient and convenient Sewer or Sewers, Drain or Drains, Culvert or Culverts, and such other Works necessary for the complete and effectual Discharge of the Filth, waste Water and other offensive Matters from the said Parish of *Lyncomb* and *Widcomb* into the said River *Avon*, as shall be satisfactory to the Commissioners appointed by this Act.

Towing-Path
in Widcomb,
to be on the
North Side
of the Canal.

XXXIII. And be it further enacted, That the Towing-Path of such Part of the said Canal as may be situate in the said Parish of *Lyncomb* and *Widcomb*, above the Old Bridge at *Bath*, shall be made; and from Time to Time continued by the said Company of Proprietors on the North Side of the said Canal, and that it shall not be lawful for them to make or continue such Towing-Path elsewhere in the said Parish above the said Bridge.

Company to
fence Canal
from adjoining
Lands in
Widcomb,
if necessary.

XXXIV. And be it further enacted; That the said Company of Proprietors shall, at their own proper Costs, divide and separate the Southern Bank or Boundary of the said Canal, in the said Parish of *Lyncomb* and *Widcomb*, from the Lands or Grounds adjoining thereto in the same Parish, by good and sufficient Stone Walls, or other proper Bounds or Fences; and in case the said Company of Proprietors, or their Agents, shall neglect or refuse to make, erect, and set up such Walls, Bounds, or Fences as and when the same shall become necessary, and shall be deemed proper and sufficient by the Commissioners by this Act appointed, from and after Fourteen Days Notice given to the principal Clerk of the said Company of Proprietors, then, and in every such Case, it shall be lawful for every or any of the Owners or Occupiers of the adjacent Lands or Grounds, and every other Person and Persons who shall find himself, herself, or themselves aggrieved by any such Neglect or Refusal to make, erect, and set up such Walls, Bounds, and Fences as are hereinbefore directed to be made, erected, and set up by the said Company of Proprietors as aforesaid, and all the reasonable Costs and Charges thereof (to be settled and allowed by the Commissioners by this Act appointed) shall be repaid to the Person or Persons who shall have expended, incurred, or sustained the same by the said Company of Proprietors, within the Space of Fourteen Days next after the same shall have been so settled and allowed, and an Account and Demand thereof shall have been delivered and made to and from the principal Clerk of the said Company for the Time being, and in Default of Payment of the said Costs and Charges within the Time aforesaid, it shall be lawful for the said Commissioners, and they are hereby required, by Warrant under their
Hands

Hands and Seals, to levy the said Costs and Charges by Distress and Sale of the Goods and Chattels of the said Company of Proprietors which shall be found in or upon the said Canal, or the Wharfs, Quays, or Warehouses belonging to the said Company, to and for the Use of the Person and Persons who shall have incurred or sustained such Costs and Charges, rendering to the said Company of Proprietors, or to some or one of their Agents or Collectors, the Overplus (if any), after deducting the reasonable Charges and Expences of making such Distress and Sale, to be settled also by the said Commissioners, or otherwise the Person or Persons who shall have expended, incurred, or sustained such Costs and Charges, shall and may sue for and recover the same against the said Company of Proprietors, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

XXXV. And be it further enacted, That the said Company of Proprietors shall, and they are hereby directed and required at their own proper Costs and Charges, in cutting the said Canal at the South End of the Old *Bath* Bridge, and in the Erection of any Bridge over the same, carefully and with as little Delay as possible, secure or take up and remove the Main and other Pipes that now are or may at any Time hereafter, previous to the building of the said Bridge, be laid on or across the Line of the said Canal or any Part thereof, for conveying Water from certain Springs or Reservoirs in *Beechen* Cliff, in the said Parish of *Lyncomb* and *Widecomb*, into the said City of *Bath*, for the Supply of the Inhabitants of the same City, and belonging to the Mayor, Aldermen and Citizens of the same City, and to secure or relay and place the same at such Depth and in such convenient Situation, for the Conveyance of such Water into the said City, as the said Mayor, Alderman and Citizens may approve and direct, and that any Injury or Damage that may be done to the said Pipes or any of them, in respect of the taking up, removing and replacing the same, shall be well and sufficiently repaired by and at the Costs of the said Company of Proprietors; and also that it shall be lawful for the said Mayor, Aldermen and Citizens, their Agents, Servants or Workmen, from Time to Time, as often as Occasion may require, to dig or break up the Ground or Soil on, through, or under which such Pipes or any of them may be placed or laid, and to remove, alter, vary or repair the same, or to lay such other Pipes or Trunks therein, and to do such other Works as they may deem necessary thereto, they the said Mayor, Aldermen and Citizens, filling up and replacing such Ground or Soil, and repairing any Injury or Damage that may be done thereto, in the Execution of such Works or any of them.

XXXVI. Provided always, and be it enacted, That nothing herein contained shall extend to authorize or empower the said Company of Proprietors to alter or widen any Arch or other Part of the Old *Bath* Bridge without the Consent of the Mayor, Aldermen and Citizens of the said City of *Bath* first obtained in Writing, under their Common Seal, for the doing thereof.

XXXVII. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors, in the Formation of the said Canal by this Act authorized to be made, to make or raise, and they are

[*Loc. & Per.*]

42 X

are

Company not to alter or widen Bath Bridge, but with Consent of Corporation.
Height of Towing-path, and preventing

Any noyances
near the City
of Bath.

are hereby strictly prohibited and restrained from making or raising any Bank or Bound thereof, or any Towing-path, Building or Erection near or adjoining thereto, of a greater Height than the Level of the present paved Foot-way before and adjoining to the Dwelling-house of *Alexander Luders* Esquire, in *Claverton* Road, in the said Parish of *Lyncomb* and *Widcomb*, except so far as shall be necessary for the effecting the Building of a Bridge across the said Canal, near the Old Bridge at *Bath*, and making the necessary Approaches to the said intended Bridge, and except on such Lands as have not been known to be flooded by the Waters of the River *Avon*, and also that it shall not be lawful for the said Company of Proprietors or their Agents to exercise or carry on, on or near the said Canal, within the Distance of Two Miles from the Old Bridge at *Bath*, any Trade, Manufacture or Work, that may by the Mayor, Aldermen and Common Council of the said City of *Bath* be deemed injurious or offensive to the Inhabitants of the said City, or to Persons airing in Carriages, Horses or otherwise, and also, that it shall not be lawful for the said Company of Proprietors to make or construct any Weir, Sluice, Drain or Flood-gate, on any Part of the said Canal, between its Commencement and the Two Weirs at *Twerton*, but shall and will, and they are hereby required, before the said Canal shall be completed and open for Navigation, on some Part thereof, below such Weirs and as near thereto as conveniently may be, to make, construct and continue a waste Weir or Weirs for the Discharge of Water from the said Canal into the River *Avon*, below such Weirs in Times of Flood.

Height and
Width of
Canal Bridge
near Claver-
ton Road.

XXXVIII. And be it further enacted, That the said Company of Proprietors shall, and they are hereby directed, and required in the Formation of any Bridge intended to be made over the said Canal, near the *Claverton* Road, in the said Parish of *Lyncomb* and *Widcomb*, to make the same Fifty Feet wide at the least, and so to construct the same, as that no Arch thereof shall be more than Two Feet higher than the Centre Arch of the Old *Bath* Bridge, and shall and will, as soon as the said Canal Bridge shall be completed, so form the Road and Footways from the same Bridge to the Dwelling House and Premises of *Alexander Luders* Esquire, in the *Claverton* Road aforesaid, as that the same shall be on a regular and gradual Descent; and the said Company of Proprietors are hereby also directed and required, in forming and cutting the said Canal on the Southward Side of the said Old *Bath* Bridge, at their own proper Costs and Charges, to widen the said Road from the South West End thereof, adjoining to the *Holloway* Road, Five Feet, terminating in a Point at the Commencement of certain Tenements in the said *Claverton* Road, now belonging to *Alexander Luders* Esquire; and the said Company of Proprietors are hereby also required in the Progress of such Work, at their Costs and Charges, to improve, and render as commodious to the Public as Circumstances will admit, the Approach from the said *Claverton* Road into *Bath*, at the North West End or Corner thereof.

Company to
make and
keep certain
Roads in
Repair for
Three Years,
and build

XXXIX. And whereas, in making the said Canal by this Act authorized to be made, a Diversion of certain Turnpike Roads in the said Parishes of *Lyncomb*, and *Widcomb*, and *Twerton*, comprised in a certain Act of Parliament passed in the Fiftieth Year of the Reign of His present Majesty, intituled, *An Act for repealing an Act passed in the Thirty-third Year of His present Majesty, intituled, 'An Act for amending im-*
proving

'proving and keeping in Repair several Roads leading to and from the
 'City of Bath, and for granting further Powers for more effectually
 'improving the several Roads therein described, being in and leading to
 'and from the said City,' and under the Care and Management of cer-
 tain Trustees therein named, is intended to be made: And whereas
 the Ground on which such new Roads are intended to be made is on a
 Declivity and bad Foundation, and the making and repairing the same
 will therefore be attended with considerable Expence to the said Trustees,
 unless Provision is made for a temporary Exoneration therefrom: Be it
 therefore enacted, That the said Company of Proprietors shall, and they
 are hereby directed and required not only to make and finish such new
 Roads as shall be necessary, and also Foot-paths adjoining thereto, to-
 gether with Drains, Ditches, Water-courses, Bounds, and Fences for
 Preservation and Protection of the same, but also to keep the same, and
 every Part thereof, in perfect and substantial Repair for the Term of
 Three Years, to be computed from the Day on which such new Roads
 shall be completed and opened for public Use; and that such new Roads,
 Foot-paths, Drains, Ditches, Water-courses, Bounds, and Fences shall
 be made, completed, and from Time to Time repaired, raised, scoured,
 cleansed, amended, preserved, and kept during the said Term, under
 the Management, Care, and Inspection of the Engineer of the said Com-
 pany of Proprietors for the Time being, and such Persons as the Trustees
 acting under the said Act for the Time being may from Time to Time
 appoint; and the said Company of Proprietors are hereby also directed
 and required, at their Costs, to erect and finish on such Part of the di-
 verted *Bristol* Road as the said Trustees shall direct; and before such new
 Road shall be opened for public Use, a good and convenient Toll-house
 and Offices, with a substantial Toll-Gate or Gates to the same, in lieu
 of the present Toll-house, Offices, and Gates on the *Bristol* Road, if
 the same shall be rendered useless to the said Trustees by reason of such
 Diversion; and that on the Completion of such new Toll-house, Offices,
 and Toll-Gate or Gates in a substantial and Workmanlike Manner, the
 said Company of Proprietors shall be entitled to the Materials of the
 existing Toll-house, Offices, and Toll-gates called the *Bristol* Gate.

new Toll-
 house on the
 Bristol Road.

XL. And whereas, by reason of such Diversion, a Part of certain Roads
 in the Parishes of *Lyncomb*, and *Widcomb*, and *Twerton*, comprized in the
 said recited Act, will be required and used for the Purposes of this Act,
 and other Parts of such Roads may be thereby rendered useless to the
 Public: Be it therefore enacted, that when, and as soon as any such
 Roads shall be taken by the said Company of Proprietors for the Pur-
 poses of this Act, and the same or any Part thereof shall be rendered
 useless to the Public travelling from *Bath* to *Bristol*, or to intermediate
 Places, the said Company of Proprietors shall from thenceforth become
 liable to the Repair of such Roads, if the same shall continue to be neces-
 sary for the Use and Convenience of the Inhabitants of the respective
 Parishes in which the same are situate, or to such Part and Parts thereof
 as shall be necessary for the Convenience and Use of the said Inhabitants,
 and to the Costs, Charges and Expences attending any Indictment or
 Suit that shall or may be preferred or prosecuted against any Person or
 Persons in respect thereof, and shall also save harmless and keep in-
 demnified the Inhabitants of the said Parishes of *Lyncomb*, and *Widcomb*,
 and *Twerton*, for the Time being, and also the Trustees acting under or
 by

Company to
 widen the
 said Road.

by virtue of the said Act for the Time being, and all other Persons whatsoever, of, from and against the Costs, Charges and Expences of any Indictment or Suit to be preferred or prosecuted against them, or any of them, in respect of the same, and also in respect of the Roads hereinbefore directed and required to be made and repaired by the said Company of Proprietors for the said Term of Three Years.

Width of
Canal, &c.

XLI. And be it further enacted, That the Lands or Grounds to be taken and used for the said Canal and Cut, and the Towing-paths, Banks and Side-drains thereof respectively, and the Ditches and Fences for separating such Towing-paths, Banks and Side-drains from the adjoining Lands, shall not exceed Thirty Yards in Breadth measured horizontally, except in such Places where any Dock, Basin, Reservoir, Sluice or Weir shall be made or where the said Canal and Cut shall be raised higher or shall be cut more than Six Feet deeper than the present Surface of the Land, and except in such Places where it shall be judged necessary for Boats, Barges, and other Vessels to turn, lie, or pass each other in, or where any Warehouse, Crane or Weighing-Beam shall be erected, or where any Wharf shall be made for the Landing or Delivery of any Goods, Wares or Merchandize which shall be carried or conveyed on the said Canal and Cut, not more than One hundred Yards in Breadth in any Place except where the said Canal and Cut shall pass through or over any Common or Waste Lands, or where the Owner or Owners of any Lands or Grounds through which the said Canal and Cut will pass, shall desire to have the same made wider at his, her, or their own Expence, in that Part of his, her, or their Lands or Grounds respectively, through which the same will pass.

Where Roads
are injured,
others to be
made.

XLII. Provided always, and be it further enacted, That in all Cases where it shall be found necessary, in making the said Canal and Cut, to cut through or take, or so much to injure any Part of any Carriage or Horse-road or Foot-way either public or private as to render the same impassable or inconvenient for Travellers or Carriages, or the Persons entitled to the Use thereof, the said Company of Proprietors shall, at their own Expence, before any such Road or Way shall be cut through, taken or injured as aforesaid, cause a good and sufficient Carriage or Horse-road, or Foot-way (as the Case may require) to be set out and made instead thereof, as convenient for Passengers and Carriages as the Road to be cut through, taken, or injured as aforesaid, or as nearly so as Circumstances will permit, and shall cause the same to be put into good and substantial Order and Condition.

Pieces of
Land sepa-
rated to be
purchased, if
required.

XLIII. And be it further enacted, That if in making the said Canal and Cut, any Pieces or Parcels of Ground shall be cut through, and divided or separated from the other Parts of the Lands belonging to the same Owner or Owners, so as that the same cannot be conveniently occupied by him or them, without a Bridge being erected for making a Communication therewith, or so that what shall be left on each or either Side of the said Canal and Cut shall be less than One Acre in Quantity, or shall be throughout the whole Length thereof less than Fifty Yards in Breadth, and if the Owner or Owners of any such Pieces or Parcels of Ground shall not have any other Land or Ground adjoining or contiguous to what shall

be

be so left on each or either Side of the said Canal or Cut, then and in every such Case, and if the Owner or Owners, or Person or Persons entitled to the Possession or to the Rents and Profits of the same shall so require, but not otherwise, they the said Company of Proprietors shall also take and purchase the Piece or Parcel, or Pieces or Parcels of Ground so to be separated, or the Piece or Pieces of Ground so to be left on each or either Side of the said Canal and Cut, being less than One Acre in Quantity, or less than Fifty Yards in Breadth throughout the whole Length thereof as aforesaid, and shall pay for the same after the same Rate and in the same Manner as they shall pay for the Land or Ground adjoining thereto, which shall be taken and used for making the said Canal and Cut.

XLIV. Provided also, and be it further enacted, That nothing herein contained shall extend, or be construed to extend to enable the said Company of Proprietors, their Successors or Assigns, to enter upon any of the Lands, Premises or Hereditaments belonging to the said Duchess of Chandos, lying within the Parish of *Keynsham*, for any of the Purposes of the said Canal and other Works hereby authorized to be made on any Pretence whatever, save and except the Field in the Parish of *Keynsham*, marked No. 3. in the Plan deposited with the Clerk of the Peace of the said County of *Somerset*, unless there shall hereafter appear to be Lands or Hereditaments of the said Duchess on the Line of the said Canal, which are by Mistake omitted to be described, as her Property in the aforesaid Plan, and in the Book of Reference relating thereto, or either of them.

Not to take
Lands of
Duchess of
Chandos.

XLV. And be it further enacted, That after any Lands, Tenements, Grounds, or Hereditaments shall be set out and ascertained as aforesaid, for the making the said Canal and Cut, Water-works and Reservoirs respectively, or any Wharfs, or other the several Works or Conveniencies hereby authorized to be made, it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbonds, Guardians, Trustees, and Feoffees in Trust for Charities or other Purposes, Committees, Executors, and Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves and their respective Heirs and Successors, but also for and on the Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them if incapacitated, and for and on Behalf of their respective Wives and *Cestuique* Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert who are or shall be seized, possessed, or interested in their own Right, and also to and for all and every other Person and Persons whomsoever, who are or shall be seized, possessed, or interested of or in any Lands, Tenements, Grounds, or Hereditaments, which shall be so set out and ascertained as aforesaid, or which are by this Act authorized or directed to be taken and purchased by the said Company of Proprietors, or any Part thereof, respectively to treat and agree for the absolute Sale of, and accordingly to sell and convey unto the said Company of Proprietors all or any Part or Parts of the Lands, Tenements, Grounds, or other Hereditaments, (whether the same shall be Freehold, Copyhold, or Leasehold,) which shall from Time to Time be so set out and ascertained as aforesaid, or which are by

Bodies Politic, &c. Tenants for Life, and others, empowered to sell and convey Lands for the Purposes aforesaid;

and with
Consent of
Commission-
ers to sell or
exchange any
Lands, which
may be so
separated as
to render the
Occupation
thereof in-
convenient.

this Act directed to be taken and purchased by the said Company of Proprietors, either in consideration of a Sum of Money at once to be paid for the same, or of an annual Rent or Payment to be charged and secured as hereinafter is mentioned, at the Election of such Vendor or Vendors, Person or Persons who shall be so entitled or interested as aforesaid: and if it shall happen that by making the said Canal and Cut, or any Aqueduct for the Conveyance of Water thereto or therefrom, the Lands, Tenements, Grounds, or Hereditaments of any Person or Persons shall be separated into small Parcels, so as to render the Occupation thereof inconvenient, it shall and may be lawful to and for all such Bodies Politic, Corporate, or Collegiate, Corporations, and all and every such other Person and Persons as aforesaid, being seised, possessed, or interested of or in the same in Manner aforesaid, (in all Cases where the Lands or Hereditaments so to be separated into small Parcels shall be less than One Acre in Quantity, or less than Fifty Yards in Breadth throughout the whole Length thereof, by and with the Consent of the Commissioners hereinafter appointed, to be testified by any Writing or Writings under their Hands and Seals, and attested by Two or more credible Witnesses,) to contract for, sell, and dispose of all or any Part or Parts of such Lands, Tenements, Grounds, or Hereditaments, (whether Freehold, Copyhold, or Leasehold,) as shall be so separated into small Parcels as aforesaid, either unto the said Company of Proprietors, or unto any other Person or Persons whomsoever, for such Price or Prices in Money, or by way of Annual Rent, as to the said Commissioners shall seem reasonable; and that all such Contracts, Agreements, Sales, Conveyances, and Assurances as shall be made and executed for the Purposes aforesaid, and all Matters and Things relating thereto, shall be made and done at the Expence of the said Company of Proprietors, and shall be valid and effectual in the Law to all Intents and Purposes whatsoever; and that such Conveyances and Assurances may respectively be made according to the Form hereinafter mentioned, or as near thereto as Circumstances will permit, any Law, Statute, Custom, or Usage to the contrary notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and other Persons so conveying or exchanging as aforesaid, are hereby indemnified on account or in respect of any such Sale or Exchange which he, she, or they, or any of them shall respectively make by virtue or in pursuance of this Act.

Lands taken
or used by
the Company,
how to be
conveyed.

XLVI. And be it further enacted, That all Lands, Tenements, Grounds, and Hereditaments (whether Freehold, Copyhold, or Leasehold,) which shall be so set out and ascertained as aforesaid, or which shall be taken and purchased by the said Company of Proprietors, or any other Body Politic, Corporate, or Collegiate, or Person or Persons whatsoever, pursuant to any Directions of this Act, or which shall be conveyed, or assured by the said Company, or any other Person or Persons whatsoever, pursuant to the Powers or Directions herein contained, to any Body Politic, Corporate, or Collegiate, or other Person or Persons whatsoever, may be conveyed and assured by the Person or Persons by this Act authorised and empowered to convey the same, or by the Person or Persons who, by the ordinary Rules of Law, shall be enabled and competent to do, or by the said Company of Proprietors, as the Case may be, unto the said Company of Proprietors, or such other Body Politic, Corporate, or Collegiate, or other Person or Persons whatsoever, as the Case may be
and

and require, by a Deed in Writing, in the Form or to the Effect following; (that is to say)

KNOW all Men by these Presents, That I, *A. B.* of
 [or, we, the Company of Proprietors of the *Bath* and *Bristol* Canal and *Bristol* Water-works, as the Case may be] in
 consideration of the Sum of
 to me, [or, us] paid [or, in consideration of all
 [or, to us] hereinafter or hereinbefore [as the Case may be] granted
 [or, in consideration of the annual Rent of
 to me [or, us] to be from henceforth yielded and paid by Two equal
 half-yearly Payments, on the
 the
 Day of
 in every Year,] by the
 Company of Proprietors of the *Bath* and *Bristol* Canal and *Bristol*
 Water-works, [or, by *C. D.* of
 , as the Case may be]
 do hereby, in pursuance and by virtue of the Power in that Behalf con-
 tained in an Act of Parliament made in the Fifty-first Year of the Reign
 of His Majesty King *George* the Third, intituled, [insert the Title
 of this Act] grant, bargain, sell, release, and convey [or, bargain,
 sell, and assign or surrender, if Leasehold or Copyhold] [or, demise
 and lease, as the Case may be] unto the said Company of Proprietors
 [or, unto the said *C. D.* as the Case may be] All [here insert the proper
 Description of the Lands or Hereditaments intended to be conveyed,
 or demised, as the Case may be] and all my [or our] Estate and Interest
 therein, to hold unto and to the Use of the said Company of Proprietors
 [or, of the said *C. D.* his Heirs and Assigns] for ever, [or, if Leasehold,
 Copyhold, or for any partial or qualified Estate or Interest, of the said
 Company, or, of the said *C. D.* his Executors, Administrators, and As-
 signs, specifying the Term, Estate, or Interest intended to be conveyed]
 according to the true Intent and Meaning of the said Act of Parliament,
 [making the necessary Variations, according to the Circumstances of every
 particular Case]. In Witness whereof I have hereunto set my Hand
 and Seal, [or, we, the said Company, have caused our Common Seal to
 be hereunto affixed] the
 Day of
 in the Year of our Lord

Form of
Conveyance.

And that all such Conveyances and Assurances as aforesaid, to the said
 Company, or to any Body Politic, Corporate, or Collegiate, or other
 Person or Persons whatsoever, in pursuance of this Act, shall be good,
 valid, and effectual in the Law, to all Intents and Purposes, and shall be a
 complete Bar of all Estates Tail and other Estates, Rights, Titles, Trusts,
 and Interests whatsoever in Possession, Reversion, Remainder, or Expec-
 tancy, without any Bargain and Sale, for a Year, Feoffment, Livery of
 Seisin or Inrollment, and without any Fine, Recovery or Surrender
 of the Freehold or Copyhold Hereditaments to be therein respectively
 comprised.

XLVII. And be it further enacted, That in all Cases where there shall be
 Occasion to cut through, take, or use for the Purposes of this Act, any
 Part or Parts of any Commons, Waste Grounds, or other Lands, Te-
 nements, or Hereditaments which shall be charged with or subject to
 any Right or Rights of Common or Commons, whether of Pasture,
 Turbary, Estovers, Piscary, or any other Profit, Appendre, or Ease-
 ment, whether Appendant, Appurtenant, or in Gross, and whether
 created, or then subsisting, by Grant, Prescription, Custom, or other-
 wise

Conveyance
by Lords of
Manors of
Lands taken
from Com-
mons, to be
sufficient.

wife howsoever, the Conveyance thereof by the Body Politic, Corporate, or Collegiate, or other Person or Persons having of and in the Manor wherein such Lands, Tenements, Common or Waste Ground, shall be situate, or, if the same shall not be the Waste of any Manor, then having of and in the Soil of such Lands, Tenements, Waste, Common, or Hereditaments, any such Estate or Interest in respect whereof Persons are herein-before enabled to sell and convey other Lands, Tenements, and Hereditaments, shall be a good and sufficient Conveyance to the said Company of Proprietors, for the Purpose of vesting in them the Fee Simple and Inheritance of such Waste Ground or Common, or other Lands, Tenements, or Hereditaments, as fully and effectually as if every Person having such Right or Rights, of Common or Commons, upon such Commons or Waste Grounds, or other Lands, Tenements, or Hereditaments, were seized thereof in Fee Simple and Possession, and had joined in and executed such Conveyance; and that the Compensation to be paid for any Right of Common upon any such Commons or Waste Grounds as aforesaid, shall be paid by the said Company of Proprietors to the Churchwardens of the respective Parishes wherein such Commons or Waste Grounds shall lie, and shall be by such Churchwardens received and applied for such general or public Purposes within such Parishes respectively, as a Vestry of every such Parish to be convened by such Churchwardens for that Purpose, shall, with the Consent and Approbation in Writing of the Body Politic, Corporate, or Collegiate, Person or Persons having such Estate and Interest in such Manor, or the Soil of such Commons or Wastes as aforesaid, direct; and that in Cases where such Rights, Commons, Profits, or Easements shall be, and extend over, and be enjoyed and taken out of any other Lands, Tenements, or Hereditaments, than such Wastes and Commons, the Compensation shall be paid or tendered to the Person or Persons, Bodies Politic, Corporate, or Collegiate, having such Estate and Interest as aforesaid in the said Rights, Commons, Profits, or Easements, or in the Lands, Tenements, or Hereditaments, whereunto the same shall be appendant, or appurtenant, or deposited in the Bank of *England* in Manner by this Act directed, as the Case may be: Provided, that in Cases where any such Manor is vested in Freeholders or Inhabitants at large, or in any greater Number of Persons than Four, or where it is not known to what Lord or Lady such Manor belongs, or in what Manor such Common or Waste Ground is situated, the Conveyance by Four at least of the Freeholders whose Estates have Common Right on such Common or Waste Ground, and whose said Estates amount, in yearly Value as aforesaid to the Poor Rates, to Three-fifths at least of the whole of the Estates which have such Common Right, to the said Company, shall also be a good and sufficient Conveyance.

Company
empowered
to sell
Lands.

XLVIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to sell, grant and convey in Fee, all such of the Messuages, buildings, Lands, Tenements, or Hereditaments, which shall be purchased by and conveyed to the said Company, as shall not be wanted for the Purposes of the said Canal and Works, or any Part or Parts thereof, for such Sum or Sums of Money as in such Conveyances shall be expressed; and that all such Grants and Conveyances may be made in or according to the Form hereinbefore prescribed for the Conveyance of Lands, or as near thereto as the Circumstances of the Case will admit, and shall be valid and effectual, any Thing to the contrary notwithstanding;

ing; and upon Payment of the Money which shall arise by the Sale or Sales of such Messuages, Lands, Tenements or Hereditaments, or any Parts or Parcels thereof, it shall and may be lawful for the Treasurer or Treasurers for the Time being to the said Company of Proprietors to sign and give Receipts for the Money for which the same shall be sold; which Receipts shall be sufficient Discharges to the Purchaser or Purchasers, for the Money for which such Premises shall be so sold or for so much thereof as in such Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not be answerable or accountable for any Losses, Misapplication or Non-application of such Purchase Money, or any Part thereof; which said Money shall be applied by the said Company of Proprietors for the same, or for the like Purposes as the Money hereby authorized to be raised is to be applied: Provided, that the said Company, before they shall contract for the absolute Sale and Disposal of any such Messuages, Lands, Tenements, or Hereditaments, shall first offer to re-sell the same to the Person or Persons from whom the said Company shall have purchased such Premises, his, her, or their Heirs, at a Price to be fixed on by the said Company; and in case such Person or Persons, his, her, or their Heirs, to whom such Offer shall be made, shall not then and thereupon agree, or shall refuse to re-purchase the same, any Affidavit to be made and sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Premises shall lie, by some Person or Persons no Way interested in the said Premises, stating that such Offer was made by or on Behalf of the said Company of Proprietors, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

XLIX. Provided always, and be it enacted, That in case the Person or Persons to whom such Offer shall be made shall be willing to purchase the Lands, Tenements or Hereditaments so offered to them by the said Company of Proprietors, but shall be desirous that the Price to be paid for the same shall be ascertained by the Commissioners hereinafter appointed, or by a Jury in like Manner as the Price to be paid for Land to be taken by the said Company in pursuance of this Act, then and in such Case the Price to be paid for the same to the said Company of Proprietors shall be adjusted, settled and ascertained by the said Commissioners, or a Jury, in the like Manner as the Price for any Land to be taken in pursuance of this Act is hereby directed to be settled, in case of Difference or Dispute as to the Value thereof.

Value of Lands sold by the Company may be ascertained by a Jury.

L. And be it enacted, That in all Cases where the said Company of Proprietors shall enter upon and take any Lands or Grounds with the Consent of the Proprietor thereof, and such Proprietor shall afterwards die before he or she shall execute the Conveyance thereof to the said Company, then and in such Case the Heirs, Devisees or Assigns of such Proprietor or other Possessor of the Estate from which such Lands or Grounds shall have been taken, if capacitated, or the Husbands, Guardians,

As to Conveyance of Lands in certain Cases.

dians, Committees, or Trustees of Femies Covert, Infants, Lunatics, and other *Cestuique* Trusts shall, and they are hereby authorized and required to convey such Lands or Grounds to the said Company, upon Receipt or Transfer of the Purchase Money or other Equivalent to be agreed upon for the same, or so much thereof as shall not have been paid or transferred to such deceased Person on account thereof.

Compensation to Mr. Smith.

LI. And whereas, *John Smith*, of the Parish of *Walcot*, in the said County of *Somerset* Merchant, is the Proprietor of a certain Wharf or Landing-place and Yard, and divers Warehouses situate and being on the North Bank of the River *Avon* aforesaid, in the purchasing, erecting, furnishing and completing of which he hath laid out and expended considerable Sums of Money; and whereas, by the Formation of the said intended Canal or Cut, the said *John Smith* apprehends the Value of the said Wharf or Landing-place, Yard and Warehouses will be diminished; Be it therefore enacted, that the said Company of Proprietors shall, and they are hereby directed, within Two Years after the passing of this Act, to make and pay unto him, the said *John Smith*, his Executors or Administrators, a full and fair Compensation or Recompence and Satisfaction for all Loss and Damage whatsoever, if any shall be occasioned, or is likely to ensue to him or them by means of the making and establishing the said intended Canal or Cut, and of the Deterioration of the Value of his said Wharf or Landing-place, Yard and Warehouses, and for all other Loss and Damage whatsoever which shall or may be sustained by or occasioned to him by the forming or making of the said intended Canal or Cut.

To be ascertained by a Jury.

LII. And be it further enacted, That in case the said Company of Proprietors, or their Committee of Management for the Time being, and the said *John Smith*, his Executors or Administrators, cannot agree between themselves whether any Compensation or Recompence and Satisfaction shall be due and payable to the said *John Smith*, his Heirs, Executors or Administrators, or as to the Amount and Extent of the Compensation or Recompence and Satisfaction hereinbefore mentioned, then and in that Case all Questions respecting the same, and as to the Amount and Extent thereof, shall be ascertained and settled by the Verdict of a Jury; in the same Manner as is hereinafter in and by this Act directed with respect to the ascertaining and settling the Amount of the Purchase Money and Recompence to be paid by the said Company of Proprietors to the Owners of or Persons interested in the Lands, Grounds, Tenements, Waters or Hereditaments which shall or may be taken, used, affected, damaged or prejudiced, in pursuance of the Power hereby granted.

Compensation for Wharfs on the Avon.

LIII. And whereas, by reason or in consequence of the making the said Canal and Works hereby authorized to be made, certain Quays, Wharfs, Yards, Warehouses, Tenements, and other Hereditaments, near to or adjoining the River *Avon*, in the Parishes of *Walcot*, *Saint James's*, and *Lyncomb* and *Widcomb*, in the said County of *Somerset*, may become less valuable, by means of the Trade or Business on the said River being wholly or in part diverted: Be it therefore enacted, That in case such Quays, Wharfs, Yards, Warehouses, Tenements, or other Hereditaments, or any of them, shall, by reason of the said intended Canal or Works, or any

any or either of them, be rendered less valuable than they are at the Time of the passing of this Act, by reason or means of the said Trade being diverted therefrom, the said Company shall, and they are hereby required to make to the Owners and Occupiers of, and all other Persons interested in such Quays, Wharfs, Yards, Warehouses, Tenements, or other Hereditaments, just and liberal Compensation or Satisfaction for the Injury, Loss, or Damage, if any, which such Person or Persons respectively shall have thereby suffered and sustained; such Compensation to be settled at any Time within Three Years next after the said Canal shall be opened and in general Use for the Purposes of Navigation between the Cities of *Bath* and *Bristol*; and in case of Difference, in the like Manner as all other Payments and Compensations are hereby directed to be settled: Provided, that in estimating or assessing the Amount of any such Compensation, no such Compensation shall extend to any Erections, Buildings, or Improvements that may be made after the passing of this Act.

LIV. And whereas the Owners of Shares in the Undertaking for making and keeping the River *Avon* navigable from the City of *Bath* to or near *Hanham* Mills, in the County of *Gloucester*, are or may be apprehensive that the Value of such Shares, and of the Tolls arising therefrom, may be diminished in consequence of the making of the said Canal: For the Remedy and Compensation thereof, be it further enacted, that in case the Owner or Owners of any such Share or Shares, and the said Company of Proprietors, shall not be able to agree upon some Price for the absolute Purchase thereof (which the said Company of Proprietors are hereby empowered to do, and accordingly to purchase the same), or some Recompence for such expected Diminution in Value, then, and in every such case, it shall and may be lawful for the Owner or Owners of any such Share or Shares in the said Undertaking and Tolls, within Six Months next after the passing of this Act, to give Notice in Writing to the principal Clerk of the said Company of Proprietors, that he, she, or they is, or are desirous that the said Company shall purchase such Share or Shares; and to chuse and express in such Notice, in which one of the Methods hereinafter mentioned the Price thereof shall be ascertained, and the said Company of Proprietors are hereby authorized and required absolutely to purchase such Share or Shares, at such Price or Prices as the Commissioners herein mentioned, or a Jury to be impannelled in manner herein mentioned, shall, within Twelve Calendar Months next after the passing of this Act, adjudge, find or award.

LIV. And whereas Differences may arise between the said Company of Proprietors and the Owners of or Persons interested in the Lands, Grounds, Tenements, Waters, or Hereditaments which shall or may be taken, used, affected, damaged, or prejudiced in pursuance or execution of the Powers hereby granted, touching the Purchase Money or Recompence to be paid or made for the same: Be it therefore further enacted, That every Person seized or entitled in his own Right, or in Right of his Wife (but not as Mortgagee) at the Time of his acting, of or to any Freehold or Copyhold Estate or Estates; or both, in the said Counties of *Somerset* and *Gloucester*, and Cities of *Bath* and *Bristol*, or any of them, of the clear yearly Value of One hundred Pounds, and also every Person residing in the said Counties or Cities, or any or either of them, and within

Compensation for Shares of River Avon.

and may be

Commissioners appointed for settling Differences between the Company and private Individuals, whose Property may be affected or damaged.

within Twenty Miles of the Line of the said intended Canal and Cut, and having a Personal Estate, or a Real and Personal Estate together of the Value of Three thousand Pounds, shall be and is hereby appointed a Commissioner for settling, determining, and adjusting all Questions, Matters, and Differences which shall or may arise between the said Company of Proprietors and the several Proprietors of and Persons interested in any Lands, Grounds, Tenements, Waters, or other Hereditaments that shall or may be taken, used, affected, damaged, or prejudiced in pursuance or execution of any of the Powers hereby granted, and for other the Purposes in this Act mentioned.

Qualification
of Commis-
sioners.

LVI. Provided always, and be it further enacted, That no Person shall act as a Commissioner in the Execution of this Act, who shall be Owner or Occupier of any Land intended to be purchased in order to be cut through in making the said Canal or Cut, and other Works, or who shall not be resident in the County wherein the Matter in Question (if local), or some Part thereof, is situated, nor in any Case during the Time of his holding any Place of Profit under the said Company of Proprietors, nor during the Time of his being a Proprietor in the said intended Navigation and Undertaking, nor in any other Case where he shall be in anywise interested or concerned in the Matter in Question; and also that no Person shall act as a Commissioner in the Execution of this Act, otherwise than in administering an Oath or Affirmation to the Effect following, until he shall have taken and subscribed such Oath or Affirmation before some One or more of the said Commissioners, who is and are hereby authorized and empowered to administer the same; (that is to say)

Oath to be
taken by
Commission-
ers.

“ I *A. B.* do swear [*or, being one of the People called Quakers, do so-*
“ *lemnly affirm*] that I am truly and *bonâ fide* in the actual Possession
“ or Enjoyment of the Rents and Profits of Freehold or Copyhold Lands,
“ Tenements, or Hereditaments, or both, of the clear yearly Value of
“ One hundred Pounds above all Reprizes [*or, possessed of or entitled*
“ to a Personal Estate, or a Real and Personal Estate together, to the
“ Amount or Value of Three thousand Pounds]; and that I will,
“ without Favour or Affection, truly and impartially, according to the
“ best of my Skill and Knowledge, execute and perform the Powers and
“ Authorities vested in me as a Commissioner, by an Act made in the
“ Fifty-first Year of the Reign of His Majesty King *George the Third,*
“ intituled, [*insert the Title of this Act*].”

Penalty on
Persons act-
ing as Com-
missioners,
not being
duly qualifi-
ed.

And that no Person shall act as a Commissioner at any Meeting of Commissioners (other than and except at the First Meeting to be held by virtue of this Act, and at any Adjournment thereof to be held within One Calendar Month of such first Meeting), unless he shall have taken the said Oath at some other Meeting One Calendar Month at least previously to the Time of his claiming to act as such Commissioner; and if any Person not being qualified as herein-before is mentioned, or hereby made incapable to act as a Commissioner, shall nevertheless presume to act as such in the Execution of the Powers hereby given, or any of them, every such Person shall, for every such Offence, forfeit the Sum of Fifty Pounds to the said Company of Proprietors, to be recovered, with full Costs of Suit, by Action at Law in any of His Majesty's Courts of Record at *Westminster*, and every such Person so sued or prosecuted shall

shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Plaintiff, than that such Person hath acted as a Commissioner in the Execution of the Powers given by this Act: Provided always nevertheless, That it shall be lawful for any of the said Commissioners who are or shall be in the Commission of the Peace for the said Counties of *Somerset* and *Gloucester*, and for the said Cities of *Bath* and *Bristol*, or any or either of them, to act as Justices of the Peace in or relating to the Execution of this Act, notwithstanding their being Commissioners. Commissioners may nevertheless act as Justices of the Peace.

LVII. And be it further enacted, That the said Commissioners shall hold their First Meeting for the Purposes of this Act in the Parish of *Keynsham*, at such Time as they shall be thereunto required, by Notice to be given in some Newspaper published or circulated in each of the Counties of *Somerset* and *Gloucester*, and Cities of *Bath* and *Bristol*, by Order of the Committee of Management to be appointed as herein-after mentioned, at their First Meeting; and the said Commissioners may afterwards meet from Time to Time, by Adjournment, or otherwise, as they shall think necessary or proper; but no Meeting whatever (except Adjourned Meetings) of the said Commissioners, shall at any Time be had (except in such Cases as are hereinafter otherwise ordered and provided for), unless Fourteen Days previous Notice at least of the Time, Place, and Purpose of such intended Meeting, shall be given and inserted in some Newspaper published or circulated in the County wherein such Meeting is intended to be held; and that every Meeting of the said Commissioners, by virtue of this Act, shall be public; and that no Act, Order, or Proceeding of the said Commissioners, or any of them, in or relating to any of the Matters or Things hereby meant to be submitted to their Decision and Determination, (except in such Cases as are hereby otherwise ordered and provided for), shall be valid, unless the same shall be done or made at a Meeting to be held in pursuance of this Act, and of the Directions herein contained; and that all and singular the Powers and Authorities hereby given to or vested in the said Commissioners, shall and may from Time to Time be exercised by the Majority of the Commissioners assembled at such Meetings respectively, the whole Number present at such Meetings respectively not being less than Five, and at every such Meeting One of the Commissioners present shall be appointed President or Chairman, who, in case of an equal Division of Voices, shall have the decisive or casting Vote. Meetings of Commissioners to be public, and Notice thereof to be given. Commissioners' Powers not to be executed by less than Five.

LVIII. And be it further enacted, That upon Requisition to be made by the said Committee of Management, or upon Application by any Three Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments to be affected by the said Canal, Cut, and other Works, or any other of the Works hereby authorized to be made or carried on, unto the Clerk to the Company of Proprietors, to appoint a General Meeting of the said Commissioners, the said Clerk shall and is hereby required, within Fourteen Days after such Requisition or Application made to him, to give public Notice in Manner aforesaid, of a General Meeting of the said Commissioners, to be held at such Time and Place as shall be specified in such Notice, such Time not being less than Twenty-one Days, nor more than Twenty-eight Days from the Day on which such Requisition or Application shall be made as aforesaid; and the said Commissioners General Meetings of Commissioners, how to be called.

are hereby authorized and required to assemble at the Time and Place so to be appointed, in order to put this Act, and the Powers and Authorities hereby given to and vested in them, into Execution, notwithstanding any previous Adjournment of the said Commissioners; and in case the Business to be transacted at any Meeting of the said Commissioners to be held in pursuance of this Act, shall not be concluded or finished on or within the Day mentioned in such Notice, then the Commissioners present at such Meeting shall and may adjourn themselves, and afterwards meet at such Time and Place as they shall think proper and expedient; and if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Commissioners, a sufficient Number of Commissioners to act at such Meeting, and to adjourn to any other Time, then and in such Case, and from Time to Time as often as the same shall happen, the Clerk to the said Commissioners for the Time being shall and may, by public Notice to be given in the Manner aforesaid, appoint the said Commissioners to meet at the Place where a Meeting of the said Commissioners was last appointed to be held, upon the Day Three Weeks next after the Day last appointed for such Meeting.

Meetings of the Commissioners for determining Disputes to be held within Ten Miles of the Place in Dispute.

LIX. Provided also, That every Meeting of the said Commissioners for the hearing and determining of any Complaint, Controversy, Dispute, or Difference between the said Company of Proprietors and any other Person or Persons, shall be held at some Place within Ten Miles of the Place where or respecting which such Complaint, Dispute, or Difference shall arise, and that no Business shall commence at any Meeting of the said Commissioners before Ten of the Clock in the Forenoon, nor after Three of the Clock in the Afternoon.

Commissioners to determine what Sums of Money, or annual Rent, the Company shall pay for the Purchase of Lands, and what Sums they shall pay for Damages.

LX. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time, assembled at a Meeting to be held in the Manner hereinbefore directed, and they are hereby fully authorized and empowered by Writing under their Hands, except in such Cases as are hereinafter otherwise provided for (with the Consent of the Parties concerned), to determine and adjust what Sum or Sums of Money, for the absolute Purchase of any Lands, Tenements, Grounds, or Hereditaments, which shall be set out and ascertained, or be intended to be taken or used as aforesaid, for making the said Canal and Cut, and other Works, or the Towing-Paths thereto, or any Part thereof respectively, or for other the Purposes herein mentioned, or which shall be taken by the said Company of Proprietors pursuant to any of the Directions of this Act, ought in the Opinion of the said Commissioners to be paid by the said Company of Proprietors unto the Bodies Politic, Corporate, or Collegiate, or other Person or Persons respectively, who shall be entitled thereto, either by an annual Rent or by a Sum in gross, at the Election of the Bodies or Persons so entitled thereto, and also to determine and adjust what other separate and distinct Sum or Sums of Money ought, in the Opinion of them the said Commissioners, to be paid by the said Company of Proprietors as a Recompence for any Damages which shall or may, at any Time or Times before such Meeting, have been sustained by any Bodies Politic, Corporate, or Collegiate, or other Person or Persons respectively, being Owners of or interested in any Lands, Grounds, Tenements, Waters, or Hereditaments, and for the future temporary or perpetual Continuance of any recurring Damages, to be by such Bodies and Persons thereafter sustained; which shall before such Meeting have been

been only in part obviated, repaired, or remedied by the said Company of Proprietors, and shall have been by them occasioned, for or by reason of the severing or dividing the same Lands, Grounds, Tenements, Waters, or Hereditaments, or by reason of the making, repairing, or maintaining of the said Canal and Cut, and Towing-Paths, or any of the Reservoirs, Aqueducts, Feeders, Drains, Back Drains, Trenches, Passages, Gutters, Water-courses, Roads, Ways, Sluices, or other Works hereby authorized to be made and carried on, and maintained, or by reason or means of the flowing, leaking, or oozing of the Water over or through the Banks of the said Canal, Cuts, Reservoirs, Aqueducts, Feeders, Drains, Trenches, Passages, Gutters, and Sluices, or any of them, or of the supplying the same or any of them with Water, or by not cleansing the said Water-courses, Trenches, or Passages, or by turning or diverting any Streams or Brooks into the same, or any of them, or by reason or means of the Execution of any of the Powers hereby given to the said Company of Proprietors, their Agents, Workmen, or Servants, in case such annual Rent or Sum in gross, or such Damages and Recompence respectively, cannot be settled, adjusted, and agreed upon by and between the said Company of Proprietors and the Owners of or Persons interested in such Lands, Grounds, Tenements, Waters, or Hereditaments as aforesaid.

LXI. And be it further enacted, That if the said Company of Proprietors or their Committee of Management for the Time being, or if any such Body Politic, Corporate or Collegiate, Trustee or Trustees, or other Person or Persons, so interested or entitled as aforesaid, for and on Behalf of himself, herself or themselves, or for and on the Behalf of their respective Cestuique Trusts, or of the Person or Persons entitled in Remainder after them as aforesaid, shall refuse to submit such Compensation or Recompence as aforesaid to the Determination of the said Commissioners, or shall be dissatisfied with their Determination respecting the same, and of such Dissatisfaction shall, within Twenty-one Days next after such Determination, give Notice to the Commissioners making such Determination, or if any such Body Politic, Corporate or Collegiate, Trustee or Trustees or other Person or Persons entitled or interested as aforesaid, shall refuse to receive upon due Tender thereof, such Purchase Money or Annual Rent, or such Recompence as shall be so adjusted and determined to be paid as aforesaid, or shall for the Space of Twenty Days next after Notice in Writing shall be given to the principal Officer or Officers of such Body Politic, Corporate or Collegiate, or to such Trustee or Trustees, or other Person or Persons respectively, or left at his, her or their usual or last Place or Places of Abode, or with the Tenant or Tenants, Occupier or Occupiers of such Lands, Grounds, Tenements or Hereditaments respectively as aforesaid, neglect or refuse to treat or shall not agree with the said Company of Proprietors concerning the same, or shall by reason of Absence be prevented from treating, or shall by reason of Non-age, or other Impediment not provided for by this Act, be incapable of treating or making such Agreements as shall be expedient for enabling the said Company to proceed in the making and carrying on of the said Canal, Cut and other the Works aforesaid, then, and in any or either of the said several Cases, the said Commissioners or any Three of them, although not assembled at any Meeting to be holden in Manner hereinbefore mentioned,

In case the Parties refuse to submit to the Determination of the Commissioners, and in certain other Cases, a Jury may be summoned to assess and ascertain such Purchase Money or annual Rent, and the Recompence for Damages.

mentioned, upon Application made to them, either by the principal Clerk of the said Company of Proprietors, or by any other Person or Persons interested as aforesaid, are hereby empowered and required from Time to Time to issue a Warrant or Warrants under their Hands and Seals to the Sheriff of the County wherein such Lands, Grounds, Tenements, or Hereditaments as aforesaid are situated, or in which the Matter or Question in Dispute shall arise, or in case such Sheriff or his Under Sheriff shall happen to be one of the said Company of Proprietors, or enjoy any Office of Trust or Profit under them, or shall be otherwise interested in the Matter in Question, then to any one of the Coroners of the same County not interested as aforesaid, or if all the Coroners shall be so interested, then to the last Person then in being who filled the Office of Sheriff of the same County, and who shall not be interested as aforesaid, commanding such Sheriff or Coroner or other Person, to impanel, summon and return, and the said Sheriff or Coroner, or other Person, is hereby accordingly authorized, empowered and required to impanel, summon and return a Jury of Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trial of Issues joined in His Majesty's Courts of Record at *Westminster*, to appear before the said Commissioners, or such of them as shall be assembled at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Nine nor more than Twenty Days after such Warrant or Warrants shall be served upon the said Sheriff, Coroner or other Person as aforesaid, and the Clerk of the said Company for the Time being is hereby also required forthwith, by such public Notice as herein is before mentioned, to call a Meeting of the said Commissioners at the same Time and Place mentioned in such Warrant, and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid the said Sheriff or Coroner or other Person, shall return other honest and indifferent Men of the Standers-by, or that can speedily be 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, but shall not challenge the Array, and the said Commissioners, or any Three or more of them, although not assembled at such Meeting as aforesaid, are hereby empowered also to summon and call before the Commissioners to be so assembled, or before the said Jury (as the Case may be), all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in Question, and the said Commissioners, or any Three of them, although not so assembled, shall and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matter in Controversy, and such Jury upon their Oaths (or, being of the Society of Persons called Quakers, upon their solemn Affirmations), which Oaths and solemn Affirmations as well as the Oaths and solemn Affirmations to such Person or Persons as shall be called upon to give Evidence, any Five such Commissioners are hereby empowered to administer, shall enquire of, assess, and ascertain the Sum or Sums of Money, or annual Rent or Rents to be paid for the Purchase of such Lands, Grounds, Tenements, or Hereditaments as aforesaid, and also what other separate and distinct Sum or Sums of Money shall be paid by way of Recompence, whether for the Damages which shall or may before that Time have been so sustained

Witnesses
may be
summoned.

sustained as aforesaid, as for the future, temporary, or perpetual Continuance of any recurring Damages which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been only in part obviated, repaired or remedied by the said Company of Proprietors, and which can or will be no further obviated, repaired, or remedied by them; and the said Commissioners so to be assembled shall accordingly give Judgment for such Purchase Money, Rent or Recompence as shall be assessed by such Jury, which said Verdict, and the Judgment to be thereupon pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes, against all Bodies Politic, Corporate or Collegiate, and all other Persons whomsoever.

LXII. And be it further enacted, That if any such Sheriff or his Deputy, or any such Coroner or other Person, hereinbefore authorized and directed to act in the Stead of such Sheriff, shall make Default in the Premises, he shall for every such Offence, forfeit the Sum of Twenty Pounds; and if any Person so to be summoned and returned upon any such Jury as aforesaid shall not appear, or appearing, shall refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act, or if any Person so to be summoned to give Evidence as aforesaid shall not appear, or appearing, shall refuse to be sworn or examined, or to give Evidence, then and in such Case the Party on whose Behalf such Person was so summoned shall and may have such and the like Remedies by Action or otherwise so far as Circumstances will admit, against such Person, as if the Proceeding in which such Person shall be so summoned were an Action depending in any of His Majesty's Courts of Record at *Westminster*; or otherwise every Person so offending, having no reasonable Excuse, to be allowed by the said Commissioners, shall at the Election of the Party in whose Behalf such Person was so summoned, forfeit, and pay for every such Offence, for the Benefit of the said Party, any Sum not exceeding Five Pounds, to be levied by virtue of any Warrant or Warrants, under the Hands and Seals of the said Commissioners, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering to him or them the Overplus of the Money thereby produced, after such Penalty, and the Charges of such Distress and Sale, shall be deducted.

Penalty upon Sheriffs, Jurymen, and Witnesses making Default.

LXIII. And be it further enacted, That every such Jury and Jurymen as aforesaid, shall be liable and subject to the same Regulations, Pains and Penalties as if such Jury or Jurymen had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and that all and every Person and Persons, who in any Examination to be taken by virtue of this Act, upon their Oath (or, being of the Society of Persons called Quakers, upon their solemn Affirmation), shall wilfully and corruptly give false Evidence before the said Commissioners, or before any Justice of the Peace, acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof, shall be subject and liable to the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury, are by the Laws in being subject and liable to.

Jury to be under same Regulations as Juries at Westminster. Persons giving false Evidence.

LXIV. And be it further enacted, That where the Determination of the Commissioners to be made as aforesaid, shall be acquiesced in by both Parties

Expences of Commission-

e's and Jury,
by whom to
be borne.

Parties concerned, then and in such Case, if the Determination shall be made for more Money to be paid as a Recompence or Satisfaction for any Lands, Grounds, Hereditaments, or Property, or for any Damage which may be done to any Lands, Grounds, Hereditaments, or Property whatsoever, than shall have been previously offered or tendered by and on the Behalf of the said Company of Proprietors, or if no such Recompence or Satisfaction shall have been offered or tendered by them, or on their Behalf, to the Person or Persons competent to accept and take the same, all the Expences of the Calling and Meeting of such Commissioners shall be defrayed by the said Company but if the Determination shall not be made for more Money than shall have been previously offered or tendered by the said Company as aforesaid, the Expences of Calling and Meeting of such Commissioners, or so much thereof as the said Commissioners shall judge reasonable or proper, shall be defrayed by the Person or Persons with whom the said Company shall have had such Controversy or Dispute; and where either of the Parties concerned shall refuse to submit any such Matter as aforesaid to the Determination of the said Commissioners, or shall be dissatisfied with their Determination therein, and give Notice of such Dissatisfaction as aforesaid, then and in every such Case, if the Verdict of the Jury shall be given for more Money to be paid as a Recompence or Satisfaction as aforesaid, than shall have been previously offered or tendered by or on the Behalf of the said Company, or determined by the said Commissioners as the Case shall be, or if no such Recompence or Satisfaction shall have been tendered by them, or on their Behalf, to the Person or Persons competent to accept and take the same, all the Expences of the Calling and Meeting of such Commissioners, summoning such Jury, and taking the Inquest, shall be defrayed by the said Company; but if the Verdict of the Jury shall not be given for more Money than shall have been previously offered or tendered by the said Company as aforesaid, or determined by the said Commissioners, as the Case shall be, the Expences of the Calling and Meeting of such Commissioners, summoning such Jury, and taking the Inquest, or so much thereof as the said Commissioners shall judge reasonable and proper, shall be defrayed by the Person or Persons with whom the said Company shall have had such Controversy or Dispute, and all such Expences as aforesaid shall be settled by the said Commissioners present at such Meeting respectively, and in all Cases where the whole of such Expences shall not be directed by the said Commissioners to be paid by such Person or Persons as aforesaid, the Remainder shall be paid by the said Company of Proprietors, and the Expences which are hereinbefore directed to be paid by the Person or Persons with whom the said Company shall have had any Controversy or Dispute, shall and may be deducted out of the Money to be determined or adjudged to be paid to such Person or Persons as aforesaid, as so much Money advanced to and for his, her, or their Use, and the Payment or Tender of the Remainder of the Money so to be determined or adjudged, shall be deemed and taken, to all Intents and Purposes whatsoever, to be a good Payment or Tender, in Satisfaction of the whole thereof: Provided always, that in all Cases where, by reason of Absence or otherwise, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Company of Proprietors.

LXV. And be it further enacted, That all and every Person and Persons with whom the said Company shall have such Controversy or Dispute as aforesaid, and who shall refuse to submit any such Matter as aforesaid to the Determination of the said Commissioners, or shall be dissatisfied with their Determination thereof, shall, before the said Commissioners shall be obliged to issue out their Warrant or Warrants for the summoning such Jury, first enter into a Bond to the Treasurer or Treasurers to the said Company for the Time being in the Penalty of Fifty Pounds or in such other Penalty as the said Commissioners shall appoint, not exceeding the Sum of One hundred Pounds to prosecute such his, her, or their Complaint, and to bear and pay the Expences of the Calling and Meeting of such Commissioners, of summoning such Jury, and taking such Inquest, in case such Costs and Expences shall fall upon him, her, or them to be paid, according to the true Intent and Meaning of this Act.

Persons requesting a Jury to enter into a Bond to prosecute.

LXVI. And be it further enacted, That the said Commissioners, or any of them, shall not be obliged by virtue of this Act to receive or take Notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained or supposed to be sustained as aforesaid, unless such supposed Injury or Damage shall have commenced and been sustained within the Space of Twelve Calendar Months next before the Time when Application shall first be made in relation thereto, by or on Behalf of such Person or Persons, to the said Company of Proprietors, or to their principal Clerk, Treasurer or Treasurers.

Notice of Injury or Damage to be given to the Company before Complaint made to the Commissioners.

LXVII. And be it further enacted, That full Recompence and Satisfaction shall be made by the said Company of Proprietors for all the Tythes, both great and small, of the Lands which shall or may be taken or made Use of by the said Company for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled or who would have been entitled to such Tythes in case such Lands had not been so taken or made Use of according to their respective Interests therein, such Tythes to be estimated at the average Value of Four Years, commencing at *Michaelmas* One thousand eight hundred and six, and ending at *Michaelmas* One thousand eight hundred and ten; such Average Value to be ascertained (in case of any Difference concerning the same) in like Manner as the Value of any other Hereditaments is hereinbefore directed to be ascertained: Provided always, that the Recompence and Satisfaction to be given by virtue of this Act, for all Glebe Lands and Tythes belonging to spiritual Persons, shall be made to such Persons by an annual Rent.

What Satisfaction to be made for Tythes.

LXVIII. And be it further enacted, That all the Orders and Proceedings of the said Commissioners shall be regularly entered in a Book to be kept for that Purpose by their Clerk or Clerks; which Book shall be provided at the Expence of the said Company of Proprietors, and shall be open at all seasonable Times for the Inspection of any Person or Persons interested in the said Proceedings without Fee or Reward; and such Entries being signed by such Number of the said Commissioners as are empowered by this Act to make such Orders or carry on such Proceedings respectively, shall be deemed Originals, and the same or true Copies thereof

Proceedings of the Commissioners to be entered in a Book.

Clerks to
Commission-
ers, how to
be appointed.

thereof shall be admitted as Evidence in all Courts whatsoever; and that the said Commissioners shall appoint such One out of Five Persons to be nominated for that Purpose by the said Company of Proprietors or their Committee of Management, as they the said Commissioners shall think proper to be the Clerk to the said Commissioners appointed by this Act; and that the said Commissioners shall and may, from Time to Time, remove any such Clerk, and on such Removal, or in case any such Clerk shall die or quit the said Employment, the Committee of Management of the said Company shall, within the Space of Fourteen Days after Notice in Writing for that Purpose to be given by any Three or more of the said Commissioners to the principal Clerk to the said Company, nominate Five other Persons, and give Notice thereof unto the said Commissioners, from whom such Notice in Writing shall be received; and the said Commissioners shall and may appoint One of the said Five last-mentioned Persons to be the Clerk to the said Commissioners, and every such Clerk shall be paid for his Care, Expence, and Trouble in the Execution of his Office, by the said Company of Proprietors.

On Payment
of Purchase
Money, or
giving Se-
curity for
Payment of
the annual
Rent fixed
for Purchase
of Lands, the
Company
may enter
and proceed
with their
Works.

LXIX. And be it further enacted, That upon Payment of such Sum or Sums of Money in gross, or giving Security which shall be approved of by the Commissioners for the Payment of such annual Rent or Rents as shall be so contracted and agreed for between the Parties, or determined and adjusted by the said Commissioners, or assessed by a Jury as aforesaid, for the Purchase of any such Lands, Grounds, Tenements, or Hereditaments as aforesaid to the Owner or Owners thereof, or other Person or Persons entitled to receive such Money or Rent respectively, or upon legal Tender of such Money, or Tender of such Security respectively to such Owner or Owners, or other Person or Persons, or to the principal Officer or Officers of any Body Politic, Corporate, or Collegiate at any Time after such Money or Rent shall have been so agreed for, determined or assessed; or if such Owners or other Persons cannot be found or ascertained, or shall refuse to accept such Money or the Security for such Rent; or in case it doth not appear to whom the same ought to be paid or given, then upon Payment of the said Sum or Sums of Money into the Bank of *England* as hereinafter directed and required for the Use of the Person or Persons entitled thereto, then, but not before, it shall be lawful for the said Company of Proprietors, and their Agents, Servants, and Workmen immediately to enter into and upon such Lands, Grounds, Tenements, and Hereditaments respectively, and to dig, cut, trench, fough, and remove Earth, Stones, Rubbish, Trees, Roots of Trees, and other Obstructions, and do all other Matters and Things necessary and proper for the making, using, maintaining, and repairing of the said Canal and Cut and the Towing-Paths on the Sides thereof, Water-works and other the Works and Conveniencies aforesaid, in or upon such Lands, Grounds, Tenements, or Hereditaments respectively, and thereupon to make, erect, carry on, complete, repair, and maintain the said Canal, Cut, Towing-Paths, Water-works, and other Works and Conveniencies respectively, as they the said Company of Proprietors shall think fit, and to have, use, and enjoy such Lands, Grounds, Tenements, or Hereditaments respectively, to and for their own Use and Benefit, for the Purposes of the said Canal and Cut, Water-works, and other Works.

LXX. And

LXX. And be it further enacted, That all Determinations of the said Commissioners which shall be submitted to and acquiesced in by the Parties concerned, and also the Verdicts of the Juries, and the Judgments of the said Commissioners thereon as aforesaid, shall, with all convenient Speed, be transmitted to and shall be kept by the Clerk of the Peace for the County or Counties in which the Lands or Hereditaments are situated; respecting which such Determinations, Verdicts, and Judgments respectively shall be made or given, amongst the Records of the Quarter Sessions of such County, and shall be deemed Records to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have free Liberty to inspect the same, paying for each Inspection the Sum of One Shilling, and also to take Copies thereof, paying for each Copy after the Rate of Sixpence for every Two hundred Words, and that immediately after the Payment of such Sum or Sums of Money, in Gross, or the Delivery of such Security for the Payment of such annual Rent or Rents as aforesaid, and after such Determinations, Verdicts, and Judgments of such Commissioners and Juries, shall be transmitted to such Clerk of the Peace as aforesaid, the Lands, Tenements, Grounds, or Hereditaments so purchased, and concerning which such Determinations, Verdicts, and Judgments shall be made and given as aforesaid, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand at Law or in Equity, of the Person or Persons for whose Use such Money or Rent shall be paid or secured as aforesaid, in, to, and out of the same, and also the Fee Simple and Inheritance thereof, shall vest in the said Company of Proprietors, and they shall be deemed in Law to be in the actual Possession and Seisin thereof; to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate or Interest therein, had actually conveyed the same to them by any legal Conveyance whatsoever, and such Payment or Security shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to or for whose Use the same shall be made or given, but also shall bar the Dower of the Wife of every such Person respectively, and all Estates Tail, and other Estates and Interests in Possession, Remainder, or otherwise, against the Issue of such Person or Persons, and against all Infants, Females Covert, and all and every other Person and Persons whomsoever having or claiming any Right, Title, Estate, or Interest therein, either in Law or Equity.

Determinations of Commissioners and Verdicts of Juries to be recorded, and thereupon the Lands purchased to vest absolutely in the Company.

LXXI. And be it further enacted, That the said Commissioners shall be and are hereby empowered to settle what Shares and Proportions of the Purchase Money or Compensation for Damages which shall be so agreed for, determined and adjusted, or assessed in Manner as aforesaid, shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interest or respective Interests therein.

Commissioners to settle Proportions of Purchase Money where different Interests.

LXXII. Provided always, and be it further enacted, That in case any Lands, Tenements, or Hereditaments to be taken and used by the said Company of Proprietors for the Purposes or pursuant to the Directions of this Act, shall happen to be in Mortgage to any Person or Persons, then it shall be lawful for the said Company of Proprietors, upon Application being made to them by the Mortgagee or Mortgagees thereof, his, her, or their

The Company may pay Purchase Monies to Mortgagees of the Lands purchased, if required.

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their

their Executors or Administrators, for that Purpose, to pay such Sum or Sums of Money as shall have been so agreed for, adjusted or assessed as aforesaid, for the Purchase of or for the Damage done to such Lands, Tenements, or Hereditaments, in Mortgage, or the Residue of such Sum or Sums after such Allowance and Payment thereof to any Lessee or Tenant as aforesaid, unto such Mortgagee or Mortgagees, his, her, or their Executors or Administrators, in Part, Discharge, and Satisfaction of the Principal Money due on such Mortgage: Provided always, that upon Receipt of such Sum or Sums, such Mortgagee or Mortgagees, his, her, or their Executors or Administrators respectively, shall acknowledge the Receipt thereof, by an Indorsement to be made upon the Back of such Mortgage or Mortgages, and to be signed by such Mortgagee or Mortgagees, his, her, or their Executors or Administrators respectively, in the presence of One or more credible Witnesses or Witnessess, in Satisfaction of so much of the Principal Money and Interest due upon such Mortgage or Mortgages.

Mortgages not to be paid off without Notice.

LXXIII. Provided always, and be it enacted, That no Sum or Sums of Money so lent and advanced on Mortgage shall be paid off and discharged by the said Company of Proprietors (save and except with the Consent of the Mortgagee or Mortgagees) unless Six Calendar Months previous Notice, under the Hand of the principal Clerk of the said Company of Proprietors shall have been given to such Mortgagee or Mortgagees, or left at his, her, or their last or usual Place of Abode, of such Intention to pay off and discharge the same; or unless the said Company of Proprietors in lieu of such last mentioned Notice, shall pay to the said Mortgagee or Mortgagees Six Calendar Months Interest of the Money so intended to be paid off, in addition to the Interest then due to the said Mortgagee or Mortgagees in respect thereof.

Monies to be paid for Damage of any Kind, how to be recovered.

LXXIV. And be it further enacted, That in Default or Refusal of Payment by the said Company of Proprietors of such Sum or Sums of Money, and at such Times and in such Manner as shall be agreed upon, awarded, or assessed as herein before is mentioned, as a Recompence for any Damages to be done in Exercise of the Powers hereby given, it shall be lawful for the said Commissioners, and they are hereby authorized and required, by Writing under their Hands, to appoint One or more Person or Persons (from whom the said Commissioners so assembled, shall take a proper Security) to collect and receive the Tolls, Rates, and Duties by this Act imposed, or any of them, and thereout in the first Place to pay all such Damages so to be agreed upon, awarded, or assessed as aforesaid, and the Costs (if any) occasioned by such Default or Refusal of Payment thereof, together with legal Interest for the same, to be computed from the Time such Damages shall be agreed upon, awarded, or assessed, and also the Costs and Expences of collecting and receiving the said Tolls, Rates, or Duties; and the Person or Persons so to be appointed, shall be deemed a Collector or Collectors of the said Tolls, Rates, and Duties, and shall have such and the same Powers for collecting the same, as if he, or they had been appointed for that Purpose by the said Company of Proprietors; and the Money so to be collected and received by such Person or Persons, shall be and is hereby declared to be, as to much Money received to, and for the Use of the Person or Persons who shall be entitled to receive such Satisfaction for Damages

damages as aforesaid, in Order and Course respectively, as such Agreement, Award, or Assessment, shall be in Priority of Time, and after such Damages, Interests, and Costs, shall be paid and satisfied, the Power and Authority of such Collector or Collectors for the Purposes aforesaid, shall cease and determine; or otherwise the Party or Parties so aggrieved shall and may recover such Sum and Sums of Money so to be agreed upon, awarded, or assessed, and which shall not be paid as aforesaid; together with Interest and Costs for the same, by Action at Law, in any of His Majesty's Courts of Record at *Westminster*, against the said Company of Proprietors with full Costs of Suit; or otherwise, it shall be lawful for the said Commissioners, in case such Damages, Interests, and Costs, shall not be satisfied and paid within the Space of Four Calendar Months after such Damages shall be so agreed upon, awarded, or assessed, as aforesaid, on Complaint to them by or on the Behalf of the Person or Persons sustaining such Damages, to issue their Warrant under their Hands and Seals to the Sheriff of the County wherein such Damages shall be occasioned, authorizing and requiring him to levy and raise such Damages, Interests, and Costs as aforesaid, by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with such reasonable Charges as the said Commissioners shall in such Warrant direct and appoint.

LXXV. And be it further enacted, That all and every such annual Rent and Rents as shall be agreed on, or settled and ascertained to be paid for any Lands, Grounds or Hereditaments, which shall or may be taken for the Purposes or pursuant to the Directions of this Act as aforesaid, shall be charged on the Tolls, Rates or Duties hereinafter granted to the said Company of Proprietors, and shall be paid by the said Company of Proprietors as the same shall become due and payable; and in case any such annual Rent or Rents, or any Part thereof, shall be in Arrear and unpaid for the Space of Twenty-one Days next after the same shall respectively become due and payable, it shall be lawful for the said Commissioners, and they are hereby authorized and required, by Writing under their Hands, to appoint One or more Person or Persons to collect and receive the said Tolls, Rates, or Duties; and to pay the same to the Person or Persons to whom such annual Rent or Rents so in Arrear shall be due, they, the said Commissioners, taking such Security from every such Collector for the due and faithful Execution of his Office as they shall judge proper and sufficient; and the Person or Persons so to be appointed shall be deemed a Collector or Collectors of the said Tolls, Rates, and Duties, and shall have such and the same Powers for collecting the same as if he or they had been appointed for that Purpose by the said Company of Proprietors; and the Power and Authority of every such Collector shall continue until such annual Rent or Rents so in Arrear, with the Costs and Charges of recovering and receiving the said Tolls, Rates, or Duties shall be fully satisfied and paid; or the Person or Persons to whom such annual Rent or Rents shall be due, shall and may sue for and recover the same, with Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*; or otherwise it shall be lawful for such Person or Persons, and he and they is and are hereby empowered to seize and distrain any Boats, Barges, or Vessels, or other Goods and Effects of the said Company of Proprietors which shall be found on the said Canal and Cut, or in, upon, or about the Wharfs, Quays, Warehouses, Water-works, or other Works belonging to the said Company of Proprietors, and to detain the same until Payment of such

such Rent or Rents, together with the reasonable Charges attending such Distress; and if such Distress shall not be redeemed within Five Days after the same shall be taken, and Notice thereof given in Writing by affixing such Notice on some publick Place at any of the Wharfs, Quays, or Toll-houses belonging to the said Company of Proprietors, then such Boats, Barges, or Vessels, or other Goods or Effects so distrained, shall and may be appraised and sold in such Manner as the Law directs in Cases of Distress for Rent.

One or more of the Remedies given for recovering of annual Rents and Sums for Damages may be used.

Directing the Application of Money paid for Compensation for Lands, &c. when amounting to or exceeding 200l.

LXXVI. Provided always, and be it further enacted, That the Person or Persons to whom such annual Rent or Rents, or such Sum or Sums of Money for Damages shall be payable as aforesaid, shall and may for the Recovery thereof use all or any One or more of the Remedies by this Act given or provided for the Recovery of the same.

LXXVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the said Company of Proprietors, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Parts thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall, from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so hereby directed

directed to be purchased, in case such Purchase or Settlement were made.

LXXVIII. Provided always, and be it further enacted; That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the Manner hereinbefore directed; or otherwise, the same shall be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Committee of the said Company of Proprietors (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the said Court of Chancery.

When less than 200l. and exceeding 20l.

LXXIX. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements; or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners or any Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When less than 20l.

LXXX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Company of Proprietors; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors to order the said Sum or Sums of Money, so awarded as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant-General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank,

subject to the Order of the Court of Chancery, on Motion or Petition.

ments, (describing them) subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession at the Time of Purchase shall be deemed entitled thereto.

LXXXI. Provided always, and be it enacted, That where any Question shall arise, touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant-General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest, in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act; or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities, to be purchased with such Money, and also the Capital of such Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may order reasonable Expences of Purchases to be paid.

LXXXII. Provided also, and be it enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases, from Time to Time, to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable to be paid by the said Company of Proprietors, out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

LXXXIII. And

LXXXIII. And be it further enacted, That the said Company of Proprietors shall, at their own proper Costs and Charges, divide and separate, and keep constantly divided and separated the Towing-Paths on the Sides of the said Canal and Cut, and the several Trenches, Feeders, and Aqueducts to be made by virtue of this Act, or such and so many, or such Part or Parts of such Trenches, Feeders, and Aqueducts respectively, (in case of any Dispute about the same) as shall by the said Commissioners be thought necessary to be divided and separated from the Lands or Grounds adjoining to such Towing-Paths, Trenches, Feeders, and Aqueducts respectively, with good and sufficient Posts, Rails, Hedges, Ditches, or other Fences, to be set or made on the Lands or Grounds which shall be purchased by, or conveyed to, or vested in the said Company of Proprietors as aforesaid, and shall from Time to Time repair, maintain, and support the said Towing-Paths, Posts, Rails, Hedges, Ditches, and Fences, so to be made or set up as aforesaid; and the said Company of Proprietors shall also, at their own Costs and Charges, make, erect, and set up, and from Time to Time, maintain, support, and keep in good Repair such and so many convenient Gates and Stiles upon and across the said Towing-Paths, and in and through the Hedges and Fences, to be by them so made on the Sides of such Towing-Paths as aforesaid; and also such good and sufficient Fences round the Shafts or Pits that shall be made in any Tunnel or Tunnels of the said Canal, and also such and so many convenient Bridges, Arches, Culverts, Passages, and Roads over, under, or by the Side of the said Canal and Cut, and the Feeders, Trenches, Levels, and Water-courses communicating therewith respectively, at such Places, and of such Dimensions, and in such Manner as the said Commissioners shall from Time to Time judge necessary, and appoint (in case there shall be any Dispute about the same) for the Use of the Owners and Occupiers of the Lands, Grounds, or Hereditaments adjoining to such Canal and Cut, Trenches, Feeders, Watercourses, and Towing Paths respectively, and of all Persons who now have or may hereafter have a Right of Way over or through the Lands or Grounds which shall be used for making the said Canal and Cut, Trenches, Feeders, Water-courses, and Towing-Paths, or any of them respectively; and that the said Company of Proprietors shall not make or carry the said Canal or Cut, or any Feeder, Trench, or Water-course, in or across any common Highway, Public, or Bridle Way, or Foot-Path, until such Time as they shall at their own proper Charges have made and perfected such Bridge or Bridges, Arch or Arches, or other convenient Passages over or under the Places where the said Canal and Cut, Feeders, Trenches, or Water-courses respectively shall be intended to be made or carried, and of such Dimensions, and in such Manner as the said Commissioners shall adjudge proper, in case of any Dispute about the same; and in case it shall be found necessary for the Purposes of the said Navigation to alter or widen any Arch or Arches already existing, the same shall be done at the Expence of the said Company of Proprietors, but such Arch or Arches shall always afterwards be repaired and supported at the joint and equal Expence of the said Company of Proprietors, and of the Person or Persons who would have been liable to repair the same, in case the same had not been so altered or widened: Provided that the Arches of the Aqueduct to be built across the River *Avon* shall contain on the Level of high Water at the Place

Towing-
Paths, &c. to
be fenced off
from adjoining
Lands.

Gates and
Stiles to be
erected on
the Towing
Paths.

and Bridges,
to be erected
by the Com-
pany.

of

of its crossing the said River *Avon*, not less than One hundred and thirty lineal horizontal Feet of Water-Way.

In case of Failure to fence off Towing Paths and make Bridges, Owners of Lands adjoining may do the same at the Company's Expence.

LXXXIV. And be it further enacted, That in case the said Company of Proprietors or their Agents shall refuse or neglect to make, erect, and set up such good and sufficient Posts, Rails, Hedges, Ditches, or other Fences for the Purpose of separating the said Towing Paths, Trenches, Feeders, and Aqueducts from the Lands or Grounds adjoining as aforesaid, or to make, erect, and set up such Gates and Stiles upon and across the said Towing-Paths, and in and through the Hedges and Fences to be made on the Sides thereof, and of the said Trenches, Feeders, and Aqueducts as aforesaid, or such Bridges, Arches, Culverts, Passages, and Roads over, under, or by the Side of the said Canal and Cut, Feeders, Trenches, and Water-courses respectively as aforesaid, for the Use and Convenience of such Persons as hereinbefore mentioned, and of such Dimensions and in such Manner as the said Commissioners shall from Time to Time direct and appoint, (in case there shall be any Dispute about the same,) or to repair, maintain, and support such Posts, Rails, Hedges, Ditches, and Fences, Gates, Stiles, Bridges, Arches, Culverts, Passages, and Roads, or any of them, after the same shall be made, erected, and set up as aforesaid for the Space of Three Calendar Months next after the Times to be appointed for those Purposes respectively by the said Commissioners, then and in every such Case it shall be lawful for every or any of the Owners or Occupiers of the adjacent Lands or Grounds, and every other Person and Persons who shall find himself, herself, or themselves aggrieved by any such Refusal or Neglect, to make, erect, and set up such Posts, Rails, Hedges, Ditches, and Fences, Gates, Stiles, Bridges, Arches, Culverts, Passages, and Roads as are hereinbefore directed or appointed to be made, erected, and set up by the said Company of Proprietors as aforesaid, or to repair, maintain, and support such Posts, Rails, Hedges, Ditches, and Fences, Gates, Stiles, Bridges, Arches, Culverts, Passages, and Roads, or any of them, from Time to Time as Occasion shall require, so that in making, maintaining, or repairing the same respectively, the said Canal and Cut, or the Banks thereof, or any Feeders or Aqueducts belonging thereto, shall not be stopped or injured for any longer Space of Time, or in any other Manner than shall be necessary for the doing thereof; and all the reasonable Costs and Charges thereof (to be settled and allowed by the said Commissioners,) shall be repaid to the Person or Persons who shall have expended, incurred, or sustained the same, by the said Company of Proprietors within the Space of Twenty Days next after the same shall have been so settled and allowed, and an Account and Demand thereof shall have been delivered and made to and from the principal Clerk to the said Company for the Time being; and in Default of Payment of the said Costs and Charges within the Time aforesaid, it shall be lawful for the said Commissioners, and they are hereby required by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, which shall be found in or upon the said Canal and Cut, or the Wharfs, Quays, or Warehouses belonging to the said Company, to and for the Use of the Person and Persons who shall have incurred or sustained such Costs and Charges, rendering to the said Company of Proprietors, or to some or one of their Agents or Collectors the Overplus (if any), after deducting the reasonable Charges and Expences

Expences of making such Distress and Sale, to be settled also by the said Commissioners, or otherwise the Person or Persons who shall have expended, incurred, or sustained such Costs and Charges, shall and may sue for and recover the same against the said Company of Proprietors, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at Westminster.

LXXXV. And be it further enacted, That the said Company of Proprietors shall at their own Costs and Charges divide and separate and keep constantly divided and separated the Sides of the said Canal and Cut opposite the Towing-Path from the adjoining Lands and Premises, in such Manner and at such Places only as the said Commissioners may from Time to Time order and direct, and from Time to Time maintain, support, and keep the Fences so directed, to be made for the Purposes aforesaid, in good and sufficient Repair.

Canal to be kept divided from Lands.

LXXXVI. And be it further enacted, That the said Company of Proprietors shall also at their own Costs and Charges make, maintain, and support such proper and convenient Watering Places for Cattle wherever, by means of the said Canal and Cut, or other Works hereby authorized to be made, Cattle shall have been deprived of their ancient or former Watering-Places, and shall at all Times supply the same with Water in such Manner as the said Commissioners shall, from Time to Time, in case of any Dispute about the same, order and direct; and that the said Company of Proprietors shall also, wherever the said Canal and Cut, or other Works to be made in pursuance of this Act, shall interfere with any Rivers, Brooks, or Streams of Water now used for watering the Farms or Grounds contiguous or adjoining thereto, erect and make proper and sufficient Hatches, Water Carriages, and Back Drains for conveying and securing the Water, not taken by virtue of this Act, for supplying the said Canal and Cut, in such Manner as the said Commissioners (in case of any Dispute about the same) shall direct, in order that the Enjoyment of such Water may be continued to such Farms or Grounds in as ample and beneficial a Manner as at present, or as near thereto as Circumstances will permit; and in case the said Company of Proprietors shall refuse or neglect to make or maintain, or support any such Watering-Places as aforesaid, or to erect and make any such Hatches, Water Carriages, and Back Drains as aforesaid, for the Space of One Calendar Month next after the Time to be appointed for that Purpose by the said Commissioners, then and in every such Case it shall be lawful for the Person or Persons who shall be damaged or aggrieved by such Refusal or Neglect, to make or maintain, or support such Watering-Places, and to erect and make such Hatches, Water Carriages, and Back Drains respectively, so that the said Canal and Cut, or the Banks thereof, or any Feeders or Aqueducts belonging thereto, shall not be thereby stopped or injured for any longer Space of Time, or in any other Manner than shall be absolutely necessary for the making or doing the same; and all the reasonable Costs and Charges attending the same (to be settled and allowed by the said Commissioners), shall be repaid to the Person or Persons who shall have expended, incurred, or sustained such Costs and Charges by the said Company of Proprietors, within the Space of Twenty Days next after the same shall have been so settled and allowed, and an Account and Demand thereof shall have been delivered and made

The Company to make proper Watering-places for Cattle,

and to make Hatches, &c. for conveying and securing Water for watering Farms or Grounds.

If Company refuse or neglect so to do, the Land Owners may make same at the Company's Expence.

to and from the principal Clerk to the said Company of Proprietors, and in Default of Payment of the said Costs and Charges within the Time aforesaid, the same shall and may be levied or recovered in such and the same Manner as the Costs and Charges hereinbefore mentioned are directed to be levied or recovered.

Owners and Occupiers of Lands may erect Bridges, &c. at their own Expence, if not satisfied with those erected by the Company as aforesaid.

LXXXVII. And be it further enacted, That it shall and may be lawful to and for the Owners or Occupiers of any Lands or Grounds through which the said Canal and Cut, or any Trenches, Feeders, and Aqueducts shall be made as aforesaid, or any other Person or Persons having a Right of Way or Passage over such Lands or Grounds (with the Consent and Approbation of the Committee of Management of the said Company for the Time being, upon Request made to them for that Purpose, or in case of their Refusal to consent thereto for the Space of Twenty Days after such Request, then with the Consent and Approbation of the said Commissioners), to make, fix, and erect, at their own proper Costs and Charges, such Gates, Stiles, Bridges, Arches, Culverts, and Passages, Watering-Places, Hatches, Water Carriages, and Back Drains, or other Conveniencies, upon, in, over, or near the said Canal or Cut, Trenches, Feeders, Aqueducts, and Towing-Paths respectively, in such Places, and in such Manner as the said Owners and Occupiers shall judge most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of the said respective Lands or Grounds, over and besides any such Gates, Stiles Bridges, Arches, and Passages, Watering-Places, Hatches, Water Carriages, Back Drains, or other Conveniencies, as shall have been made or erected by the said Company, and to repair and support the same respectively at their own like Costs and Charges as Occasion shall require, so that the Navigation or Passage of or upon the said Canal and Cut, Trenches, Feeders, Aqueducts, or Towing-Paths respectively, be not thereby prevented or obstructed for any longer Space of Time than as aforesaid, or in any other Manner than shall be absolutely necessary, and so that no Damage or Injury (otherwise than by such Obstructions as aforesaid) be thereby done to any of the Works belonging to the said Company of Proprietors.

The Company to spread abroad and level Clay, Gravel, Rubbish, &c. on adjoining Lands, and then cover same with the Soil which shall be first taken off for that Purpose.

LXXXVIII. And be it further enacted, That before any Clay, Gravel, Sand, Rubbish, or other Materials (except Soil) to be dug up or gotten in the cutting and making of the said Canal and Cut, Water-works, and Reservoirs, and which shall not be used or be intended to be used in or about the same, shall be laid upon any Land adjoining or near thereto, all the Soil of such adjoining Land, to the Depth of Nine Inches at the least, shall be taken off and removed, and the same, together with the Soil which shall in like Manner be taken off and removed from the Land to be used for the said Canal, Cut, and Works, shall be laid in Heaps, distinct and apart from such Clay, Gravel, Sand, Rubbish, and other Materials upon some convenient Part or Parts of such adjoining Land, and that the said Clay, Gravel, Sand, Rubbish, and other Materials (except as aforesaid) shall as soon as may be, in a proper and husbandlike Manner, be spread abroad and levelled upon such Part of such adjoining Land from whence the Soil shall have been so previously taken off and removed as aforesaid, and then the whole of such Soil as aforesaid shall in like Manner be carried and spread upon and over the Surface of the said levelled Clay, Gravel, Rubbish, and Materials, so and in such Manner as to render

der such Land as fit and proper as may be for the Purposes of Vegetation, Culture, and Husbandry, and that such levelling of the said Clay, Gravel, Sand, Rubbish, and Materials, and such carrying and spreading of the said Soil thereon as aforesaid, shall be fully and effectually done and completed in each and every Close or separate Piece of Ground in or through which the said Canal, Cut, or Works shall be made, within Three Calendar Months next after the same shall be cut and made through such Close or separate Piece of Ground; and that if the said Company of Proprietors or their Agents or Servants shall refuse or neglect, within the respective Times aforesaid, to remove and place in Heaps such Soil as aforesaid, or any Part thereof, or to spread abroad and level such Clay, Gravel, Sand, Rubbish, and Materials as aforesaid, or to carry and spread the said Soil thereon in the Manner hereinbefore specified and directed, then and in every such Case, it shall be lawful for the Owner or Owners, Occupier or Occupiers for the Time being of the Close, Land, or Ground wherein or whereon the Subject-matter of such Refusal or Neglect shall be or arise; and he, she, and they respectively is and are hereby fully empowered to cause the Clay, Gravel, Sand, Rubbish, Materials, and Soil respectively, concerning which such Refusal or Neglect shall be made or arise, to be respectively removed, turned over, levelled, separated, and spread so and in such Manner as to effect the bringing the Soil to the Surface, and thereby rendering it Land-fit and proper for the Purposes aforesaid, and all the reasonable Costs, Charges, and Expences attending the same (to be settled and allowed by the said Commissioners) shall be repaid to the Person or Persons who shall have expended, incurred, or sustained the same, by the said Company of Proprietors, within the Space of Twenty Days next after the same shall have been so settled and allowed, and an Account and Demand thereof shall have been delivered and made to and from the principal Clerk to the said Company for the Time being; and in default of Payment of such Costs, Charges, and Expences, within the Time aforesaid, the same shall and may be levied and recovered in such and the same Manner as the Costs and Charges of erecting Bridges and other Works by the Owners and Occupiers of Lands, upon the Refusal or Neglect of the said Company to make and erect the same, are hereinbefore directed or appointed to be levied and recovered.

If Company refuse so to do, the Land Owners may do the same at the Company's Expence.

LXXXIX. And be it further enacted, That the said Company of Proprietors shall, at their own Expence, well and effectually puddle the Sides of the said Canal, Cut, Waterworks, and Reservoirs respectively, at all Places wherever it shall be necessary so to do, so as to prevent as much as possible the Water from oozing through such Sides, to the Detriment and Injury of the Lands or Grounds lying below the said Canal, Cut, Waterworks, and Reservoirs respectively.

The Company to puddle the Sides of the Canal, Cut, and Reservoirs where necessary.

XC. And be it further enacted, That the said Company of Proprietors shall also, at their own proper Costs and Charges, make or cause to be made such Arches, Tunnels, Culverts, Drains, or other Passages over, under, by the Side of, or into the said Canal and Cut, and the Trenches, Streams, and Water-courses communicating therewith, and the Towing-Paths on the Sides thereof of such Depth, Breadth, and Dimensions as shall be sufficient at all Times to convey the Water from the Lands adjoining or lying near the said Canal and Cut, without obstructing or impeding the same, and shall likewise make or cause to be made such

The Company to make Drains, to convey Water from adjoining Lands, and keep the same clean,

and if the
Company ne-
glect so to do,
the Land
Owners may
do the same
at the Ex-
pence of the
Company.

such Back Drain or Drains as may be necessary and shall be sufficient to carry off any Water which may ooze or pass through any of the Banks of the said Canal or Cut, to the prejudice of any of the Lands or Grounds contiguous thereto, and that all such Arches, Tunnels, Culverts, Drains, Back Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good and sufficient Repair by the said Company of Proprietors; and if at any Time or Times after One Calendar Month's Notice shall have been given in Writing by or on the Behalf of the Owner or Occupier, Owners or Occupiers of the adjacent Lands or Grounds who shall find himself, herself, or themselves aggrieved by the Obstruction of any such Water-courses, to the principal Clerk to the said Company of Proprietors for the Time being, the said Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages shall not be made, cleansed, repaired, and maintained according to the true Intent and Meaning of this Act, then and in such Case, and when and so often as the same shall happen, it shall and may be lawful to and for such Owner or Occupier, or Owners or Occupiers, having an Order in Writing for that Purpose from the said Commissioners, from Time to Time to make, cleanse, scour, and repair such Arches, Tunnels, Culverts, Drains, Back Drains, and other Passages, in such Manner as shall be found expedient, and the reasonable Costs and Charges thereof (to be ascertained by the said Commissioners) shall be defrayed by the said Company of Proprietors; and in case of Refusal or Neglect to defray the same for the Space of Twenty Days after Demand thereof, made upon their principal Clerk for the Time being, such Costs and Charges shall and may be levied or recovered in such and the same Manner as the Costs and Charges of making and erecting Bridges and other Works by the Owners and Occupiers of Lands, upon the Refusal or Neglect of the said Company of Proprietors to make and erect the same, are hereinbefore appointed and directed to be levied or recovered: Provided always, that such Owner or Occupier, Owners or Occupiers of the Lands adjoining or contiguous to the said Canal and Cut shall, at the Time of giving such Notice to the principal Clerk to the said Company as aforesaid, have his, her, or their own Ditches, Drains, and Water-courses, leading to or from the said Canal or Cut, or to or from the Trenches, Drains, and Water-courses belonging to the said Company, sufficiently cleaned and opened to convey the Water to and from the same; and provided also that nothing herein contained shall extend to enforce the admitting of any Water arising from sudden Floods, or Land Floods into the said Canal or Cut, which may injure the said Navigation.

The Com-
pany may
cleanse ad-
joining
Ditches and
Drains at the
Expence of
the Owners,
if neglected
by them.

XCI. And be it further enacted, That if at any Time hereafter the Ditches, Drains, or Water-courses belonging to the Owner or Occupier of any Lands adjoining or contiguous to the said Canal and Cut shall not be sufficiently open for the free Passage of the Water from the Drains, Tunnels, Culverts, and Water-courses belonging to the said Company of Proprietors, and the same shall not be remedied within One Calendar Month after Notice in Writing for that Purpose, shall be given to such Owner or Occupier, or left at his or her usual Place of Abode, by the principal Clerk to the said Company of Proprietors, it shall be lawful for the said Company of Proprietors, having an Order in Writing for that Purpose from the said Commissioners, from Time to Time as often as there shall be Occasion, to order, cause, and procure such Ditches, Drains, and Water-courses as aforesaid.

aforesaid to be opened and cleansed in such Manner as may be necessary or expedient, and the reasonable Expences thereof (to be ascertained and allowed by the said Commissioners) shall be repaid to the said Company of Proprietors by such Owner or Occupier as aforesaid; and in case of Refusal to pay the same for the Space of Twenty Days after Demand thereof, the same shall and may be recovered in such Manner as any Penalties are by this Act directed to be recovered.

XCII. And whereas it may happen from Floods or from some unexpected Accidents that the said Canal or Cut, or the Locks, Weirs, Flood Gates, Dams, Banks, Trenches, Aqueducts, or other Works belonging to the said Company of Proprietors, may be damaged or destroyed, and the adjacent Lands may thereby likewise be endangered or damaged, and that it may be necessary the same should be immediately repaired or rebuilt to prevent further Damage; be it therefore further enacted, That when and so often as any such Floods or Accidents shall happen, it shall be lawful for the said Company of Proprietors, or their or any of their Servants, Agents, or Workmen, from Time to Time, without any previous Application to the said Commissioners, and without any Delay or Interruption from any Person or Persons whomsoever, to enter into any Lands, Grounds, or Hereditaments adjoining or near to the said Canal and Cut, Trenches, Aqueducts, or other Works, or any of them (not being the Ground whereon any House stands, or a Park, Garden, or Ground planted as a Nursery for Trees, or an Avenue to a House) and to dig for, get, work, take, carry away, and use all such Stones, Gravel, and other Materials as may be necessary or proper for the Purposes aforesaid, without any previous Treaty whatsoever with the Owner or Owners, or Occupier or Occupiers of, or other Person or Persons interested in such Lands, Grounds, or Hereditaments, or any of them, doing thereby as little Damage as the Nature of the Works will admit of, and making Recompence to the Person or Persons sustaining such Damage, within the Space of Three Calendar Months next after the same shall be demanded; for all Damages which shall or may be done by means of the digging for, getting, working, taking, carrying away, and using such Stones, Gravel, and Materials, or any of them; all which Damages, and the Satisfaction and Recompence to be made for the same, shall be adjusted, assessed, ascertained, settled, and determined by the Ways and Means; and in the Manner hereinbefore prescribed, with respect to any other Damages to be done in the Course of making and completing the said Canal and Cut, and other Works.

For repairing Damages occasioned by Floods, and preventing further Damage from the same.

XCIII. Provided also, and be it enacted, That the said Company of Proprietors shall make ample and full Satisfaction and Compensation to the Owners and Occupiers of any Lands, Hereditaments, and Premises that may be prejudiced or damaged by reason of any Floods or Accidents happening by reason or in consequence of the making of the said Canal and other Works, for all such Damage or Loss which they may respectively sustain by reason of any such Floods or Accidents so happening as aforesaid, the same to be ascertained and settled in case of Difference, in Manner aforesaid.

Compensation in case of Floods.

XCIV. And, to the end that the said Company of Proprietors may be enabled to carry on the said Undertaking, be it further enacted, That

The Company em-

[Loc. & Per.]

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it

dowered to
raise
500,000l.
among them-
selves.

Application
thereof.

The Money
raised to be
divided into
5000 Shares,
which shall be
numbered in
Progression.

it shall and may be lawful to and for the said Company of Proprietors, to raise and contribute amongst themselves, in such Proportions as to them shall seem meet and convenient, such Sum or Sums of Money, as they shall think necessary for the making, carrying on, and completing of the said Canal and Cut, Water-works, Reservoirs, Aqueducts, Quays, Wharfs, and other Works, and Conveniencies hereby authorized to be made, not exceeding in the whole the Sum of Five hundred thousand Pounds, (except as hereinafter is mentioned); and that the same shall be divided into such Number of Parts or Shares as hereinafter directed, and that no Person subscribing to, or becoming a Proprietor in the said Undertaking, shall become a Proprietor of less than a Share, or of more than Fifty Shares, either in his own Name, or in the Name of any other Person or Persons, in Trust for him (except the same shall come to him by Will, Settlement, or Act of Law) upon Pain of forfeiting to the said Company of Proprietors all such Shares exceeding Fifty Shares as aforesaid; and that the Money so to be raised as aforesaid, or a sufficient Part thereof, shall be laid out and applied in the first Place, in Payment, Satisfaction, and Discharge of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and the making the proper Surveys, Plans, and Estimates, and the doing and providing of all the Matters and Things preparatory and previous thereto, and that all the Residue of such Money shall be applied and disposed of, for or towards the making, carrying on, completing, and maintaining of the said Canal, Cut, Water-works, and other Works respectively, and for other the Purposes of this Act.

XCV. And be it further enacted, That the said Sum of Five hundred thousand Pounds, or such Part thereof as shall be so raised and contributed as aforesaid, shall be divided into Five thousand equal Shares, and that such Shares shall be numbered in regular numerical Progression, and every Share shall for ever afterwards be distinguished by the Number to be appointed for the same, and that all such Shares shall be deemed Personal Estate, and be transmissible as such, and not of the Nature of Real Estate, and that the said Five thousand Shares shall be, and they are hereby vested in the several Bodies Politic and Corporate, and other Persons subscribing for and undertaking to raise and contribute the same, and their respective Successors, Executors, Administrators, and Assigns, to and for their own respective Use and Benefit, according and proportionably to the Number of Shares which they shall respectively subscribe for, and undertake to raise and contribute; and that all Bodies Politic and Corporate, and other Persons, and their respective Successors, Executors, Administrators, and Assigns, who shall subscribe for any Share or Shares in the said Undertaking, and pay such Sum or Sums of Money as shall be demanded on Account thereof, (not exceeding in the whole, a proportionable Part of the said Sum of Five hundred thousand Pounds towards the carrying on and completing the said Canal, Cut, Water-works, and such other Works as aforesaid), shall be entitled to and receive (after the said Navigation and Water-works shall be completed) a due and just Proportion, according to their respective Number of Shares, not exceeding Five thousand Shares as aforesaid, of the clear Profits and Advantages, which shall or may arise and accrue by or from the Rates, Tolls, Duties, and other Monies to be raised, recovered, or received by virtue of this Act,

Act,

Act, and shall also from Time to Time bear and pay a like due and just Proportion of the Money wanted for carrying on the said Navigation and Undertaking in the Manner hereinafter directed.

XCVI. And, for the better securing to the several Subscribers towards the said Navigation and Undertaking their respective Shares therein, be it further enacted, That the said Company of Proprietors, or their Committee of Management, shall, as soon as the same can or may be done, cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Navigation and Undertaking, and the Number of Shares to which they shall be respectively entitled, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a Register Book, to be kept by the principal Clerk to the said Company of Proprietors, and after such Entry, to cause the common Seal of the said Company of Proprietors to be affixed thereto; which said Book shall from Time to Time be altered and corrected, and new Books from Time to Time shall be made and sealed with the said common Seal, as the Change of Proprietors and Transfer of Shares shall render necessary or expedient; and the said principal Clerk shall also cause as many Tickets or Instruments to be prepared, as there shall be Shares in the said Navigation and Undertaking; bearing respectively the same Numbers as in the said Book, and the common Seal of the said Company of Proprietors to be affixed to each such Ticket or Instrument, and thereupon to cause to be delivered to every Subscriber towards the said Navigation and Undertaking, upon Demand, a Ticket or Tickets, specifying the Share or Shares to which he or she is entitled in the said Undertaking, and every such Subscriber shall pay to the Clerk to the said Company Two Shillings and Sixpence and no more for every such Ticket, or Instrument, and such Ticket and Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscribers, his or her Executors, Administrators, and Assigns, to the Share therein specified; but the Want of any such Ticket or Instrument shall not hinder or prevent the Owner of any Share from selling or disposing thereof, or from receiving annually, his Share of the Profits of the said Navigation and Undertaking in respect thereof.

Names of Proprietors and the Numbers of their Shares to be entered in a Book, and Tickets with the same Numbers delivered to them.

Shares to be Personal Estate.

XCVII. And be it further enacted, That if the said Sum of Five hundred thousand Pounds hereinbefore authorized to be raised, shall be found insufficient for the making, completing and maintaining of the said Canal, Cut, and Water-works, and other Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the said Company of Proprietors, after an Order or Resolution for that Purpose shall be made at a Special Meeting of the Proprietors, to be called by the Committee of Management of the said Company of Proprietors, and of which Meeting Fourteen Days previous Notice shall have been given in some Newspaper or Newspapers published or usually circulated in the said Cities of *Bath* and *Bristol*, and Counties of *Somerset* and *Gloucester*, to contribute among themselves any further Sum or Sums of Money for the Purposes aforesaid, not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, and such further Sum or Sums of Money shall, after such Order or Resolution for that Purpose as aforesaid, be raised

If the Sum of 500,000. is not sufficient, the Company may raise more among themselves.

raised and contributed by the several Persons possessed of the aforesaid Five thousand Shares in the said Navigation and Undertaking, according and in proportion to their respective Shares and Interests therein, and the said Five thousand Shares and the Owners thereof shall continue to be, in respect of such further Sum or Sums of Money, under and subject to such and the same Calls to be made by the Committee of Management of the said Company of Proprietors, in such and the same Proportions, and within such and the same Time, and under and subject to such and the same Regulations, Rules, Orders, Fines and Forfeitures as the said Five thousand Shares and the Owners thereof are hereafter made subject and liable to in respect of the said Sum of Five hundred thousand Pounds as fully and effectually to all Intents and Purposes, as if such further Sum or Sums of Money had constituted part of the original Sum hereby authorized to be raised.

Or they may raise the said 150,000l. by Mortgage.

XCVIII. Provided always, and be it further enacted, That if the said Company of Proprietors shall be desirous of raising the said additional Sum of One hundred and fifty thousand Pounds or any Part thereof, by Mortgage of the said Navigation and Undertaking, and shall make an Order or enter into a Resolution to that Effect, at a Special Meeting of the said Company of Proprietors, for that Purpose to be called by their Committee of Management for the Time being, and of which Meeting Fourteen Days previous Notice shall be given in the Manner aforesaid, then and in such Case it shall be lawful for the said Company of Proprietors, pursuant to such Order or Resolution, to borrow and take up at Interest the said Sum of One hundred and fifty thousand Pounds, or any Part thereof, upon the Credit of the said Navigation and Undertaking, as to them shall seem meet and convenient, and the said Company of Proprietors are hereby accordingly fully authorized and empowered to grant, assign, and make over by way of Mortgage, the several Tolls, Rates, and Duties granted to them by this Act, or any Part thereof (the Costs and Charges of which Assignment shall be paid out of such Tolls, Rates and Duties) as a Security for the Sum or Sums of Money so to be borrowed, together with Interest for the same, unto the Person or Persons who shall lend and advance such Sum or Sums of Money, or unto his, her, or their Trustee or Trustees, all which Assignments or Mortgages shall be made by a Deed in Writing, under the common Seal of the said Company, in the Form, or to the Effect following; (that is to say)

Form of Mortgage.

BY virtue of an Act made in the Fifty-first Year of the Reign of His Majesty King George the Third, intituled, [*insert the Title of this Act,*] We, the Company of Proprietors of the said Navigation and Undertaking, incorporated by virtue of the said Act, in consideration of the Sum of
 lawful Money of *Great Britain*, to us paid by *A. B.* of
 do hereby bargain, sell, and assign unto the said *A. B.* his Executors, Administrators and Assigns, the said Navigation and Undertaking, and all and singular the Tolls, Rates, and Duties, granted or arising and payable to us by virtue of the said Act, and all the Estate, Right, Title and Interest of us the said Company of Proprietors of, in, to, or out of the same respectively, to hold unto the said *A. B.*, his Executors, Administrators and Assigns, until the said Sum
 of

together with Interest for the same, after the Rate of *per Centum per Annum*, shall be fully paid and satisfied to him or them: Given under our common Seal this _____ Day of _____

And that all Persons to whom such Assignments or Mortgages shall be made, shall be equally entitled one with the other to the said Tolls, Rates, Duties and Premises thereby assigned, according and in proportion to the Sums by them respectively lent and advanced on the Credit thereof as aforesaid, without any Preference by reason of the Priority of Date of any such Assignment or Mortgage, or upon any other Account whatsoever; and that the Money so to be borrowed as aforesaid, shall be applied and disposed of for the carrying on, completing, and maintaining of the said Navigation and other Works hereby authorized to be made, and for carrying the several Powers and Authorities hereby given into Execution.

No Preference among Mortgagees.

XCIX. And be it further enacted, That an Entry or Memorial of every such Assignment or Mortgage as aforesaid, containing the Date thereof, the Name or Names, and Addition of the Party or Parties to whom the same shall be made, and the Sum thereby secured, with the Rate of Interest to be paid for the same, shall be made or entered in a Book to be kept for that Purpose, by the principal Clerk to the said Company of Proprietors for the Time being, and that such Book shall and may be perused gratis, at all seasonable Times by any of the Proprietors or Creditors of the said Navigation and Undertaking; and that all and every Person or Persons to whom any such Assignment or Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, shall and may from Time to Time, assign, transfer and make over his, her, or their Right, Title and Interest therein; unto any Person or Persons whomsoever, either by Indorsement thereon or otherwise; which Transfer shall and may be made by a Deed in Writing in the Form or to the Effect following; (*videlicet*)

A Memorial of Mortgages to be entered by the Company's Clerk.

Mortgages may be transferred.

I *A. B.* in consideration of the Sum of _____ to me, paid by *C. D.* of _____ do hereby transfer the within Mortgage, [*or*, a certain Mortgage made to me by the Company of Proprietors of the *Bath and Bristol Canal and Bristol Water-works*, bearing Date the _____ Day of _____] and the Principal Sum of _____ thereby secured, and the Interest now due and hereafter to grow due for the same, and all my Right and Property therein, unto the said *C. D.*, his Executors, Administrators and Assigns. In Witness whereof I have hereunto set my Hand and Seal, this _____ Day of _____

Form of Transfer.

And that every such Transfer shall, within Thirty Days after the Date thereof, be produced to the principal Clerk to the said Company of Proprietors, who shall thereupon cause an Entry or Memorial thereof, to the same Purport and Effect as hereinbefore directed, with respect to the original Assignment or Mortgage to be made or entered in the Book to be kept for entering the Memorials of such original Assignments, or Mortgages, and that after such Entry shall be made, but not before, such Transfer shall entitle the Assignee or Assignees

Memorials of Transfers to be entered.

signees therein named, and his, her, or their Executors, Administrators and Assigns to the full Benefit of the original Mortgage.

Proprietors
to have a
Vote for
every Share.

Votes may be
given in Per-
son or by
Proxy.

C. And be it further enacted, That every Body Politic and Corporate, and all and every other Person and Persons who shall by virtue of this Act have subscribed for, or shall become entitled to and be in the actual Possession of One or more Share or Shares in the said Navigation and Undertaking, shall be deemed a Proprietor for every such Share, and shall have a Vote in respect of every such Share, not exceeding Twenty Votes in the whole at all Meetings of the said Company of Proprietors, to be held in pursuance of this Act for carrying on the said Navigation and Undertaking or relating thereto; and such Vote or Votes shall and may in all Cases be given by such Body Politic or Corporate, and other Person and Persons, or by their, his, or her Proxy, duly constituted under the Seal of such Body Politic or Corporate, or the Hand or Hands of such other Person or Persons; or in case of the Infancy of any such other Person or Persons, then under the Hand or Hands of his, her, or their Guardian or Guardians, such Proxy being a Proprietor of One or more Share or Shares in the said Navigation and Undertaking, and that every such Vote by Proxy shall be as good and valid; to all Intents and Purposes, as if the Principal or Principals had voted in Person, or being an Infant or Infants had been of full Age; and the Appointment of every such Proxy shall and may be made in the Form or to the Effect following; (that is to say)

Form of Ap-
pointment of
Proxy.

‘ [A. B. Proprietor [or, We A. B. and C. D. Guardians of E. F. a Pro-
‘ prietor] of Share or Shares in the *Bath* and
‘ *Bristol Canal* and *Bristol Water-works*, do hereby nominate, constitute
‘ and appoint G. H. to be my [or, his or her] Proxy in my [or, his or
‘ her] Name, and in my [or, his or her] Absence, to vote and give my
‘ [or, his or her] Assent or Dissent to any Business, Matter, or Thing re-
‘ lating to the said Navigation and Undertaking, which shall be men-
‘ tioned or proposed at any Meeting of the Proprietors of the said Navi-
‘ gation and Undertaking, or any Adjournment thereof, in such Manner
‘ as he the said G. H. shall think proper, according to his Opinion and Judg-
‘ ment, for the Benefit of the said Navigation and Undertaking, or any
‘ Thing appertaining thereto, until I [or, we, or the said E. F.] shall revoke
‘ this Appointment, by Notice in Writing to the principal Clerk to the said
‘ Company of Proprietors. In Witness whereof, I [or, we] have here-
‘ unto set my Hand [or, our Hands] the
‘ Day of

At Meetings
of Proprietors
all Questions
to be deter-
mined by the
Majority of
Votes,
and one of
the Proprie-
tors present
to be appoint-
ed President
or Chairman,
who shall
have the cast-
ing Vote.

And that every Question, Matter, and Thing whatsoever which shall be proposed, discussed, or considered at any Meeting of Proprietors to be held by virtue or in pursuance of this Act, shall be finally determined by the Majority of Votes and Proxies then present, computing One Vote to every Share in the said Navigation and Undertaking as aforesaid; and that at every such Meeting One of the Proprietors present shall be appointed President or Chairman, who shall not only have such Vote or Votes as a Proprietor, or as Proxy for any other Person or Persons as aforesaid, but shall also, in case of an equal Division, have the decisive or casting Vote; and if at any Time Two or more Persons shall be proposed as President or Chairman, and shall have an equal Number of Votes, then the Persons so proposed shall draw Lots for the said Office: Provided always,

always, that no Person shall give or deliver any Vote or Votes as Proxy for more than Five absent Proprietors.

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

No Proprietor to vote till Call paid.

CII. And be it further enacted, That all Proxies shall be produced to the principal Clerk to the said Company of Proprietors, and entered in a Book or List to be kept by him for that Purpose, before any Vote shall be given in respect of such Proxies, which Book shall be sufficient Authority for any Person deputed by such Proxy to give his Vote without Production of the Proxy at the Time of his voting, until such Proxy is revoked.

Proxies to be entered in a Book.

CIII. And be it further enacted, That for the better carrying the Purposes of this Act into Execution, all the Affairs and Business of the said Company of Proprietors, (except with respect to such Matters as are by this Act expressly directed to be done at a Meeting or Meetings of the Proprietors at large) shall be transacted and managed by a Committee of Fifteen Persons, of whom Fourteen shall from Time to Time be elected and qualified in the Manner hereinafter mentioned, and the Chairman of the Committee of Management of the Affairs and Business of the Company of Proprietors of the *Kennet and Avon* Canal Navigation, shall be the other of such Persons, *ex officio*, which said Committee of Fifteen Persons shall be called, "The Committee of Management of the *Bath and Bristol* Canal and *Bristol* Water-works," and that in all Cases where the Committee of Management is mentioned in this Act, it shall be deemed and construed to mean the said Committee of Management of the *Bath and Bristol* Canal and *Bristol* Water-works, except where otherwise expressed; and that for the Purpose of electing Fourteen Members of such Committee, the said Company of Proprietors shall be divided or distinguished into Three distinct Classes, One of which Classes shall comprehend all the Proprietors resident in the Cities of *London* and *Westminster*, and within Fifty Miles thereof, who shall be called "The Proprietors of the *London* District," One other of the said Classes shall comprehend all the Proprietors resident in the Principality of *Wales* and County of *Monmouth*, who shall be called, "The Proprietors of the *Welch* District," and the other of the said Three Classes shall comprehend all the Proprietors resident in the City of *Bristol*, and in all other Parts of *England*, except such as are comprehended in the *London* and *Welch* Districts, who shall be called, "The Proprietors of the *Bristol* District," and that there shall be a General Meeting of the Proprietors of the *London* District, at the City of *London* Tavern in the City of *London*, on the Third *Wednesday* after the passing of this Act, at Eleven of the Clock in the Forenoon, and a like General Meeting of the Proprietors of the *London* District,

The Affairs and Business of the Company, except in certain Cases, to be managed by a Committee of Fifteen.

and for the Purpose of electing such Committee, the Proprietors to be divided into Three Classes, and to be called,

"The Proprietors of the *London* District,"

"The Proprietors of the *Welch* District,"

and "The Proprietors of the *Bristol* District."

General Meeting of

the Proprietors of the London District, when and where to be held.

At such General Meetings Five Proprietors of the London District to be elected Members of the Committee to manage the Affairs of the Company.

General Meetings of the Proprietors of the Welch District, when and where to be held;

at such General Meetings Three Proprietors of the Welch District to be elected Members of the said Committee.

General Meetings of the Proprietors of the Bristol District, when and where to be held.

At such last General Meeting Three Proprietors of the Bristol District to be elected Members of the said Committee.

District, shall be held once in every future Year, on the First *Wednesday* in *September* at Eleven of the Clock in the Forenoon, at the City of *London* Tavern aforesaid, or at such other Place in the said City of *London* as shall have been fixed upon for that Purpose; at the preceding General Meeting; and that at such First General Meeting, and also at every subsequent General Meeting, to be held on the said First *Wednesday* of *September* yearly, the said Proprietors of the *London* District, or such of them as shall be present, together with such Proxies as shall be present, shall elect and make choice of Five Persons who shall be respectively Proprietors of Ten or more Shares in the said Navigation and Undertaking, to be Members of the said Committee to manage the Affairs and Business of the said Company, in the Manner hereinafter directed, for the Space of One Year then next ensuing, and until Five other Persons, qualified in like Manner, shall be elected in their Stead, pursuant to the Directions of this Act; and that there shall also be a General Meeting of the Proprietors of the *Welch* District, at the King's Head Inn, in *Newport*, in the County of *Monmouth*, on the Third *Wednesday* after the passing of this Act, at Eleven of the Clock in the Forenoon, and a General Meeting of the Proprietors of the *Welch* District, shall be held once in every future Year, on the First *Wednesday* in *September* at Eleven of the Clock in the Forenoon, at the King's Head Inn aforesaid, or at such other Place in *Newport* aforesaid as shall have been fixed upon for that Purpose, at the preceding General Meeting; and that at such First Meeting, and also at every subsequent General Meeting, to be held on the said First *Wednesday* in *September* yearly, the said Proprietors of the *Welch* District, or such of them as shall be present, together with such Proxies as shall be present, shall elect and make choice of Three Persons out of the said Proprietors of the *Welch* District, who shall be respectively Proprietors of Ten or more Shares in the said Navigation and Undertaking, to be Members of the said Committee to manage the Affairs and Business of the said Company, in the Manner hereinafter directed, for the Space of One Year then next ensuing, and until Three other Persons, qualified in like Manner, shall be elected in their Stead, pursuant to the Directions of this Act; and that there shall also be a General Meeting of the Proprietors of the *Bristol* District, at the White Lion Inn, in *Broad Street*, in *Bristol*, on the Third *Wednesday* after the passing of this Act; at Eleven of the Clock in the Forenoon, and a like General Meeting of the Proprietors of the *Bristol* District shall be held once in every future Year on the First *Wednesday* in *September*, at Eleven of the Clock in the Forenoon, at the White Lion Inn aforesaid, or at such other Place as shall have been fixed upon for that Purpose at the preceding General Meeting; and that at such First General Meeting, and also at every subsequent General Meeting to be held on the said First *Wednesday* in *September* yearly, the said Proprietors of the *Bristol* District, or such of them as shall be present, together with such Proxies as shall be present, shall elect and make Choice of Three Persons out of the said Proprietors of the *Bristol* District, who shall be respectively Proprietors of Ten or more Shares in the said Navigation and Undertaking, to be Members of the said Committee, to manage the Affairs and Business of the said Company in the Manner hereinafter directed, for the Space of One Year then next ensuing, and until Three other Persons, qualified in like Manner, shall be elected in their Stead pursuant to the Directions of this Act; and that the Persons returned to be Members of the Committee

mittee of Management of the Affairs and Business of the Company of Proprietors of the *Kennet and Avon Canal Navigation*, and who shall be present at the General Meeting of the said last-mentioned Committee, which is directed by an Act of Parliament made and passed in the Thirty-fourth Year of the Reign of His present Majesty, intituled, *An Act for making a navigable Canal from the River Kennet, at or near the Town of Newbury, in the County of Berks, to the River Avon, at or near the City of Bath, and also certain navigable Cuts therein described*, to be held annually on the Second *Tuesday* next after the Day of Election of the said last-mentioned Committee, whether such Meeting be attended by a sufficient Number of Members to elect a Chairman under the Direction of the said last-mentioned Act or not, shall and they are hereby authorized and empowered to elect and make Choice of Three Persons, who shall be respectively Proprietors of Ten or more Shares in the said *Bath and Bristol Canal*, and *Bristol Water-works*, to be Members of the said Committee of Management of the same Canal and Water-works for the Space of One Year from the Third *Wednesday* after the passing of this Act, and from the Third *Wednesday* in *September* in every following Year then next ensuing, and until Three other Persons, qualified in like Manner, shall be elected and returned in their Stead pursuant to the Directions of this Act: Provided always, that nothing herein contained shall extend to prevent any Person from being re-elected a Member of the said Committee; and provided also, that no Person holding any Office or Place of Profit under the said Company of Proprietors, shall be elected a Member of the said Committee; and that if any Person who shall be elected a Member of such Committee shall afterwards accept any Office or Place of Profit under the said Company of Proprietors, he shall be no longer capable of acting as a Member of such Committee, but some other Person shall be appointed in his Stead in the Manner hereinafter mentioned.

Any Member may be re-elected, but no Person holding any Office or Place of Profit to be elected on such Committee.

CIV. Provided also, and be it further enacted, That if at the Time of any such Election of Committee-men for the said respective Districts, there shall not be Fifteen Persons at the least resident in either of the said Districts who shall be respectively possessed of Five Shares at the least in the said Navigation and Undertaking, then and in such Case no Election of Committee-men shall take place at such Meeting; but Committee-men in respect of such District shall be elected in the same Manner as is hereinafter directed in the Case of no due Election having taken place in One or more of the said Districts.

If Fifteen Persons possessed of Five Shares are not present no Election of Committee to take place.

CV. And be it further enacted, That the respective Presidents or Chairmen of the General Meetings of the aforesaid Three several Classes of Proprietors respectively, to be held for the Purpose of electing Members of the Committee of Management as hereinbefore is directed, shall immediately after such Meetings respectively transmit or return to the principal Clerk to the said Company of Proprietors, a List of the Persons who shall be elected at such Meetings respectively to be Members of such Committee, and the principal Clerk to the Company of Proprietors of the *Kennet and Avon Canal Navigation*, shall in like Manner transmit or return to the principal Clerk to the Company of Proprietors of the said *Bath and Bristol Canal and Bristol Water-works*, a List of the Persons elected by the Committee of Management of the *Kennet and Avon Canal*,

The President or Chairman of the Meeting of each Class of Proprietors for electing Members of Committee to transmit a List of the Members elected to the principal Clerk of the Company.

Deficiency in
any such List
or Return
how to be sup-
plied.

Members of
Committee of
Management
how disquali-
fied.

Vacancies in
Committee of
Management
by Disqualifi-
cation, Death,
or Resigna-
tion, to be
filled up by
the remaining
Members, for
the current
Year.

The Proprie-
tors so to be
elected as
afore said, to
be a Commit-
tee, with the
Title of "The
Committee
of Manage-
ment of the
Bath and Bris-
tol Canal and
Bristol Water-
works."

to be Members of the Committee of Management of the *Bath* and *Bristol* Canal and *Bristol* Water-works, and the Name of the Chairman of the Committee of Management of the *Kennet* and *Avon* Canal, which Lists or Returns shall from Time to Time be produced by such last-mentioned principal Clerk at the First General Meeting of the Committee of Management to be held in pursuance of this Act; and if there shall at any Time happen to be a Deficiency of Names in any such List or Return, or if any Neglect shall have happened in the Election of any such Committee-men, or in the making of any such List or Return, or if no due Meeting or due Election shall have taken place in or for such District or Districts, or if no due List shall be returned from or for any such District or Districts, or transmitted to the said principal Clerk, and produced at the said First Meeting of the said Committee, then and in any such Case, and when and so often as the same shall happen, such of the Members duly elected and returned on such Committee, as shall be present at the First General Meeting of such Committee to be held in pursuance of this Act, or the major Part of them, shall have full Power and Authority to elect out of the Proprietors at large a sufficient Number of Persons, duly qualified as aforesaid, to be Members of the said Committee to supply the Deficiency in or of any such List or Return; and if any Person, being a Member of the Committee of Management, shall neglect to attend at Three successive Meetings of the said Committee, without sending what shall be thought a sufficient Excuse in the Opinion of the Members present at the last of such Three Meetings, or the major Part of them, or attending any Meeting, shall refuse to act in the Business there brought forward, every such Person shall thenceforth cease to be a Member of such Committee, and all his Power and Authority as such shall be at an End; and when and as often as any Member of the said Committee of Management (except the Chairman of the Committee of Management of the *Kennet* and *Avon* Canal,) shall become incapacitated in the Manner aforesaid, or shall die, or give in his Resignation, such of the remaining Members of such Committee as shall be present at the Meeting at which such Incapacity, Death, or Resignation shall be declared or announced, shall thereupon elect some other Person, being a Proprietor of Ten or more Shares in the said Navigation, to be a Member of the said Committee in his Stead and Place, until a new Committee of Management shall be chosen pursuant to the Directions of this Act; and every Person who shall be so elected a Member of the said Committee of Management in any of the Cases before mentioned, shall have full Power and Authority to act in all Matters and Things relating to the said Navigation and Undertaking, in the same Manner as if he had been originally elected a Member thereof.

CVI. And be it further enacted, That the said Five Persons to be elected by the Proprietors of the *London* District, the said Three Persons to be elected by the Proprietors of the *Welch* District, and the said Three Persons to be elected by the Proprietors of the *Bristol* District, and the said Three Persons to be elected by the Committee of Management of the *Kennet* and *Avon* Canal, and the Chairman for the Time being of the said last-mentioned Committee in the Manner aforesaid (making Fifteen Persons in the whole) shall be the said Committee of Management of the *Bath* and *Bristol* Canal, and *Bristol* Water-works, and shall continue in Office for the Space of One Year, and until a new Committee

Committee of Management shall be appointed in their Stead; and until the Day appointed for the First Meeting of such Committee, pursuant to the Directions of this Act; and a General Meeting of every such Committee of Management shall be held for putting this Act in Execution on the Second *Wednesday* next after the Day of their Election; and a like General Meeting of the Committee of Management shall afterwards be held Three Times in every Year, in the Months of *December*, *March*, and *June* respectively, at Eleven of the Clock in the Forenoon, at such Place and on such Days as the said Committee of Management shall at their preceding General Meeting appoint; of all which General Quarterly Meetings public Notice shall be given in some Newspaper or Newspapers published or usually circulated in the said Cities of *Bath* and *Bristol*, and Counties of *Somerset* and *Gloucester*, Seven Days at least before the Time appointed for every such Meeting; and it shall be lawful for the said Committee of Management, at any General Meeting to be held in pursuance of this Act, to adjourn themselves from Time to Time, and from Place to Place, as they shall think proper and expedient.

General Meetings of Committees of Management, when and where to be held.

Public Notice to be given of General Quarterly Meetings.

CVII. And be it further enacted, That the said Committee of Management shall, at their First General Meeting to be held in pursuance of this Act, elect a Chairman out of the Members of such Committee then present to preside at such Meeting, and at all other Meetings of the same Committee whilst he shall continue to be a Member thereof; and in case the Office of Chairman shall at any Time become vacant by Death, Resignation, or otherwise, the Committee of Management shall at their next Meeting after such Vacancy elect some other Person out of the Members of such Committee then present, to be their Chairman at such Meeting, and at all other Meetings of the same Committee to be held whilst he shall continue a Member thereof; and that any Eight or more Members of the Committee of Management, but not less, shall be a sufficient Number to constitute a Meeting for the Purpose of electing a Chairman of such Committee; and that after a Chairman shall be elected, any Five or more of such Committee, (whereof the Chairman, or in his Absence such other Member of the said Committee as he shall from Time to Time, by any Writing under his Hand, appoint to supply his Place, shall be One) but not less, shall be a sufficient Number to constitute a Meeting for the Purpose of doing all other Acts, Matters and Things, and exercising all other Powers and Authorities hereby directed to be done by and vested in such Committee; and that all Questions, Matters and Things which shall be proposed, discussed, or considered by the said Committee, at their Meetings to be held in Manner aforesaid, shall be decided and determined by the Majority of Members then present, but no Member shall have more than One Vote at any such Meeting, save and except that in case of an equal Division the Chairman, or the Person appointed to supply his Place as aforesaid, shall always have the casting Vote; and if at any Meeting to be held for the Election of a Chairman as aforesaid, Two or more Persons shall be proposed to fill that Office, and shall have an equal Number of Votes, then the Persons so proposed shall draw Lots for the same: Provided always, that if on the Day appointed for any such Meeting of the Committee of Management as aforesaid there shall not attend so many Members of such Committee as are hereby required to constitute a Meeting for exercising the Power hereby vested in such Committee, then and in such Case, and when and so often as the same shall happen, the

Committee of Management at their First Meeting to elect a Chairman.

Vacancy in the Office of Chairman how to be supplied.

Eight or more of the Committee competent to elect a Chairman.

Five or more of the Committee, of whom the Chairman or his Deputy to be One, to be competent to do all other Business.

All Questions at the Meetings of the Committee to be decided by a Majority.

Chairman or his Deputy to have the casting Vote.

If Two or more Persons be proposed as Chairmen, and Votes equal, they shall draw Lots.

If a sufficient Number of

Members do not attend to make a Meeting, those present, or the Clerk, to adjourn the same.

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

Committee of Management at their First Meeting to appoint a General Meeting of Proprietors at large for electing a Treasurer.

If so many of the Proprietors as shall have Five hundred Shares shall be dissatisfied with the Treasurer, a General Meeting of Proprietors may be called to consider of his Conduct.

Meeting shall be adjourned to that Day Fortnight by the Member or Members then present, or if no Member shall be present, by the principal Clerk to the said Company of Proprietors, or such other Person as shall attend in his Place.

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

CIX. And be it further enacted, That the said Committee of Management shall, at their First General Meeting after the passing of this Act, and also at their First General Meeting, which shall be held in the Month of *September* in every subsequent Year; and also at their First General Meeting after any Vacancy shall happen by Death or otherwise in the Office of Treasurer to the said Company of Proprietors, appoint a General Meeting of the Proprietors at large, to be held at such Time and Place as they shall think proper, within One Calendar Month next after such General Meeting of the said Committee, for the Purpose of electing a Treasurer or Treasurers to the said Company of Proprietors, and shall cause public Notice of the Time and Place appointed for such Meeting of the Proprietors at large, to be given by Advertisement in some Newspaper or Newspapers published or usually circulated in the said Cities of *Bath* and *Bristol*, and Counties of *Somerset* and *Gloucester*, within Seven Days at least before the Time appointed for such Meeting; and the Proprietors who shall be assembled at such Meeting are hereby accordingly authorized and required to elect and make choice of some Person or Persons to be a Treasurer or Treasurers to the said Company; and in case so many of the said Company of Proprietors as shall be possessed of Five hundred Shares in the said intended Navigation and Undertaking, shall at any Time be dissatisfied with the Conduct of the Treasurer or Treasurers to the said Company, and shall signify such their Disapprobation, in Writing signed by them, to the Committee of Management, at any General Meeting to be held as aforesaid, then such Committee shall thereupon call and appoint a General Meeting of the Proprietors at large, to be held within Twenty-one Days from that Time, for the Purpose of taking into Consideration the Cause of Complaint against such Treasurer or Treasurers, and shall give public Notice of such Meeting in the Manner aforesaid, Seven Days at least before the Time appointed for holding the same; and the Proprietors to be assembled at such Meeting shall and may, after taking the

the Matter into Consideration, either continue such Treasurer or Treasurers in his or their Office, or remove and dismiss him or them from the same, and elect and appoint some other Person or Persons in his or their Stead, according as they shall judge proper and expedient.

CX. Provided always, and be it further enacted, That the said Company of Proprietors, from Time to Time, electing any such Treasurer or Treasurers as aforesaid, shall direct such Security to be taken from him or them for the faithful Execution of his or their Office, as they in their Discretion shall deem sufficient, and such Security shall be required and taken accordingly, before such Treasurer or Treasurers shall be permitted to receive any Monies for or on Account of the said Company. Security to be taken from the Treasurer.

CXI. And be it further enacted, That it shall and may be lawful for the Committee of Management, at any such General Meeting as aforesaid, and they are hereby authorized and required, from Time to Time, to nominate and appoint a principal Clerk or principal Clerks, on whom the Service of all Writs, Notices, and other legal Proceedings against the said Company of Proprietors, shall be deemed good Service on the said Company, and shall and may also nominate and appoint a Superintendant or Superintendants of the Works of the said Company of Proprietors, if they shall think it expedient, and also such One or more other Clerk or Clerks, and such Engineers, Surveyors, Collectors of the Tolls, Rates and Duties hereinafter granted, and other Officers (except the Treasurer or Treasurers), as the said Committee of Management shall think proper and expedient for the better carrying the Purposes of this Act into Execution, the said Committee always taking good and sufficient Security from all Collectors and other Officers who shall have the Care or Custody of any Money to be raised or received by virtue of this Act, for the faithful Discharge of the Trust reposed in them; and also from Time to Time to discharge and dismiss any such Clerks, Superintendants, Engineers, Surveyors, Collectors, or other Officers, and appoint others in their Stead, as there shall be Occasion; and that all such Clerks, Superintendants, Engineers, Surveyors, Collectors, and other Officers of the said Company of Proprietors, who shall at any Time quit or be dismissed from the Service of the said Company, and the respective Executors or Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Committee of Management, or to such Person or Persons as they shall direct, all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody or Power of such Clerks, Superintendants, Engineers, Surveyors, Collectors, or other Officers, Executors, or Administrators respectively, in anywise relating to the said intended Navigation and Undertaking; and the said Committee of Management, or any Sub-committee or Sub-committees to be appointed in Manner after mentioned, shall also have full Power and Authority, and they are hereby required at the General Meeting, to be held annually in the Month of *September* as aforesaid, to call for, audit, and settle all Accounts of Money received, paid, laid out, and disbursed up to that Time, for or on Account of the said Company of Proprietors, by the Treasurer or Treasurers, Collectors, and other Officers so to be appointed as aforesaid, or by any other Person or Persons to be employed on Behalf of the said Company in or about the said intended Navigation and Undertaking: Provided always, that it shall be lawful for Committee of Management may appoint Clerks, Engineers, Collectors, &c.
Taking Security from those who are to have Custody of Money, and again to discharge such Clerks, &c.
Clerks, &c. quitting or discharged from Service of Company, and Executors of those dying, to deliver up Books, &c.
Committee of Management to settle Accounts of Treasurers, Collectors, &c. at the General Meeting in September.

may settle
such Accounts
oftener if they
please.

the said Committee to call for, audit, and settle such Accounts, or any of them, oftener than once a Year, if they shall deem it proper or expedient so to do.

Officers, &c.
to account.

CXII. And be it further enacted, That every such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, and every other Officer and Person so to be appointed as aforesaid, shall, under their Hands at such Time and Times, and in such Manner as the said Company of Proprietors or their Committee of Management shall direct, deliver to the said Company of Proprietors, or to the said Committee, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been by such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer, or Officers, and Person or Persons respectively, received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Company of Proprietors, or to the said Committee of Management, or to such Person or Persons as they respectively shall appoint; and if any such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Person shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Company of Proprietors, or to the said Committee, or to such Person or Persons as they respectively shall appoint, within Twenty-one Days after being thereunto required by the said Company of Proprietors, or by the said Committee, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies, as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Company of Proprietors, or the said Committee, or as they respectively shall direct or appoint, then and in any of the Cases aforesaid, the said Company of Proprietors may, and they are hereby authorized and required to bring or cause to be brought any Action or Actions against the Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Company of Proprietors, or by the said Committee, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any One or more of the Justices of the Peace for the County, City, or Place wherein the said Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing shall be or reside, such Justices may, and they are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing to be brought before them, and upon his or their appearing, or having been summoned, and not appearing, without giving some reasonable Excuse for such Non-appearance to the Satisfaction of such Justice or Justices, or not being to be found, to hear and determine the

the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justices that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons, such Justices may, and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons respectively, and if no Goods or Chattels of such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Company of Proprietors, or to the said Committee, or as they respectively shall appoint, then and in any of the Cases aforesaid, such Justices shall commit every such Offender to the common Gaol for such County, City, or Place, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Company of Proprietors, or with the said Committee, and shall have paid such Composition in such Manner as they respectively shall appoint, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company of Proprietors, or to the said Committee: Provided always, That no Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, Officer, or Person so committed for want of sufficient Distress, shall be confined or detained in Prison, by virtue of this Act for any longer Space than Three Calendar Months.

CXIII. And be it further enacted; That all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody of any such Treasurer, Engineer, Superintendant, Surveyor, Clerk, Collector, and every other Officer and Person so to be appointed as aforesaid, his Executors or Administrators respectively, in anywise relating to the said intended Navigation and Undertaking shall be and the same are hereby declared to be and shall be construed, deemed, and taken to be the Right and Property of the said Company of Proprietors.

Books, &c.
declared to be
the Property
of the Com-
pany.

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

Principal
Clerk may
appoint a De-
puty.

CXV. And be it further enacted, That the Committee of Management shall also have full Power and Authority, from Time to Time, at any Meeting

Committee of
Management
Meeting

may make
Calls for
Money.

Committee
of Manage-
ment may
contract for
and purchase
Lands, and
treat and
agree con-
cerning Da-
mages, &c.

and may ge-
nerally ma-
nage the Bu-
siness of the
Company,
and do all
Acts which
the Company
are autho-
rized to do,
except such
as are to be
done at Meet-
ings of Pro-
prietors to be
held as before
and after-
mentioned.

Committee
of Manage-
ment may ap-
point Sub-
committees,
with Power to
make Con-
tracts, &c.

Meeting of the said Committee to be held in pursuance of the Powers and Provisions of this Act, to make such Call or Calls for Money from the several Proprietors of the said Navigation and Undertaking in order to defray the Expences of or carrying on the same, as they shall from Time to Time find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds for or in respect of every Share in the said Navigation and Undertaking, and so that no such Calls be made but at the Distance of Two Calendar Months at least, from each other, and so that Twenty-eight Days' Notice, at least, shall be given of every such Call, by Advertisement, in some Newspaper or Newspapers published or usually circulated in the said Cities of *Bath* and *Bristol*, and Counties of *Somerset* and *Gloucester*, and also in some *London* Newspaper or Newspapers, all which Money so to be called for as aforesaid, shall be paid into the Hands of the Treasurer or Treasurers of the said Company of Proprietors, so to be issued, paid and applied, for carrying on the said Navigation and Undertaking, in such Manner as the said Committee of Management shall from Time to Time order and direct, and that the said Committee of Management shall also have full Power and Authority, either by themselves, at every such Meeting as aforesaid, or by their deputing such Superintendant or Superintendants at any such Meeting, and for any Period of Time to be from Time to Time limited by the said Committee, and with such other Limitations and Restrictions as the said Committee shall appoint on Behalf of the said Company of Proprietors, to contract for and purchase all such Lands, Tenements or Hereditaments, and all such Materials and other Things as shall or may be wanted for the said Navigation, and other Works hereby authorized to be made, and to treat and agree with any Person or Persons whomsoever, touching the Compensation to be made for any Damages to be done in the Exercise of the Powers hereby given, and to enter into and make such Contracts or Agreements with any Engineer or Engineers, Surveyors, Agents, Workmen, Servants, or other Persons, in and about or for the carrying on of the said Navigation and other Works, or any Part thereof, as shall be thought expedient, and to enter into and make all such other Contracts, Bargains, and Agreements whatsoever, touching or in anywise concerning the said Undertaking, as they or he shall think proper, and to order and direct how the several Works shall from Time to Time be carried on, and generally to direct and manage all and singular the Affairs and Businesses of the said Company of Proprietors, and to do, execute, and perform all Acts, Matters, and Things, which the said Company are by this Act authorized and empowered to do, save and except such only as are hereby expressly directed to be done by the Proprietors at large, at any Meeting or Meetings of such Proprietors to be held as hereinbefore and hereinafter mentioned.

CXVI. And be it further enacted, That it shall be lawful for the Committee of Management at any such General Meeting as aforesaid, to nominate and appoint out of their own Body One or more Sub-committee or Sub-committees, (every such Sub-committee to consist of Three or more Persons), who shall have full Power and Authority to enter into and make any such Contracts or Agreements on Behalf of the said Company of Proprietors as aforesaid; and to hire and employ any Agents, Workmen or Servants in and about the said Undertaking, and to do, execute

execute, and perform all other Matters and Things whatsoever, and in about the said Navigation and Undertaking, which the said Committee of Management are themselves hereinbefore authorized to do, or such of them as the said Committee of Management shall think proper to intrust to the Care and Management of any such Sub-committee or Sub-committees, save and except, nevertheless, the appointing of Clerks, Collectors, Engineers, Surveyors, and other Principal Officers, and the making Calls for Money upon the Proprietors of the said Navigation and Undertaking, all which shall be done by the said Committee of Management only as hereinbefore is directed; and it shall also be lawful for the said Committee of Management by an Order or Resolution for that Purpose, at any General Meeting to break up and dissolve any such Sub-committee or Sub-committees, or to remove or displace any Member or Members thereof, and appoint some other or others in his or their Place and Stead, when and as often as such Committee of Management shall think proper and expedient; and such Sub-committees shall have full Power and Authority to meet from Time to Time, and adjourn from Place to Place as they shall think proper, and as Occasion shall require, for effectuating the Purposes as aforesaid; and all Powers and Authorities hereby vested, or which shall by the said Committee of Management be vested in any such Sub-committee within the Intent and Meaning of this Act, shall and may be exercised by the major Part of the Members present, at their respective Meetings, the whole Number of Members present not being less than Three; and at all Meetings of such Sub-committees respectively, one of the Members present shall be appointed President or Chairman, and all Questions shall be decided by the Majority of Votes, and the President or Chairman shall have the casting Vote in case of an equal Division, but no other Member shall have more than One Vote.

and Committee of Management may dissolve such Sub-committees. Sub-committees may meet and adjourn as Occasion requires.

And all Powers given Sub-committees may be exercised by Majority, so that there be Three Members present. At all Meetings of Sub-committees one of the Members to be appointed President or Chairman, who shall have the casting Vote.

CXVII. And be it further enacted, That the Committee of Management, and also every such Sub-committee as aforesaid, shall enter or cause to be entered into Books, to be provided for that Purpose at the Expence of the said Company of Proprietors, a full and true Account of all Money disbursed, and Payments made by such Committee and Sub-committees respectively, and by all and every Person and Persons employed by or under them, and of all Monies which shall be paid to or received by them respectively for or on account of the said Company of Proprietors; and also a full and true Account or proper Notes and Minutes of every Contract, Bargain and Agreement, which shall be entered into by them respectively, for and on Behalf of the said Company of Proprietors, and of all and singular their respective Orders, Transactions and Proceedings whatsoever in and about the Affairs and Business of the said Company, and all reasonable Expences to be incurred at or by the respective Meetings of the said Committee of Management, and of such Sub-committees respectively as aforesaid, shall be paid and defrayed out of the Cash or Stock of the said Company of Proprietors, and such Committee of Management and Sub-committees respectively, shall and may from Time to Time, draw for the Amount of such Expences respectively, upon the Treasurer or Treasurers to the said Company: but no other Money shall be issued or paid by the said Treasurer or Treasurers, for or on account of the said Company of Proprietors, without an Order being made for that Purpose by the Committee of Management at some such Meeting

Committee of Management, and Sub-committees to keep Account of Monies received and paid, and Minutes of all Contracts, &c. and of all their Transactions and Proceedings. Expences of Committee of Management and Sub-committees to be defrayed by the Company, and Treasurer to be drawn upon for the same; but no other Money to be

issued by the Treasurer without an Order of the Committee of Management. as aforesaid, nor without a Draft or Order signed by Three or more of the Members of the said Committee of Management; and every such Book, and all other Books, Papers and Writings belonging to the said Company of Proprietors, shall at all seasonable Times be open to the Inspection of all the said Proprietors, who may take Copies thereof or Extracts therefrom, without Fee or Reward.

Sub-committees to make Reports of their Proceedings to and be under Controul of the Committee of Management. CXVIII. And be it further enacted, That every such Sub-committee so to be appointed as aforesaid, shall from Time to Time make Reports of their Proceedings to the Committee of Management, and shall at all Times be subject to the Examination and Controul of such Committee of Management, and shall pay due Obedience to all their Orders and Directions, in and about the Affairs and Business of the said Company, so that such Orders and Directions be not contrary to the express Directions, Regulations or Provisions contained in this Act.

Committee of Management may make Bye Laws. CXIX. And be it further enacted, That the said Company of Proprietors shall also have full Power and Authority from Time to Time, at any General Meeting of the said Company of Proprietors to be held in Manner hereinafter mentioned, to make such Rules, Orders, and Bye Laws, as to them shall seem meet and proper for the good Government of the said Company of Proprietors, and for regulating the Proceedings of the said Committee of Management, and Sub-committees respectively, and for the regulating of all Officers, Workmen, and Servants to be employed in or about the Affairs or Business of the said Company of Proprietors, and for the well and orderly using of the said intended Navigation, and the Tunnels, Locks, Sluices, Weirs, Hatches, Aqueducts, Railways, Rollers, Feeders, Wells, Trenches, Levels, Reservoirs, Stanks, Dams, Wharfs, Cranes, Warehouses, Towing-Paths, Ways, Roads, Gates, Bridges, Culverts, Engines, and Machines thereto belonging, and for regulating the Commencement, Continuance, Suspension, Cessation, Precedence, Time, and Order of the passing and re-passing and navigating of all Vessels, Boats, and Barges, Persons, Horses, and Carriages, and the Structure, Materials, Dimensions, Form, and Manner of building of all such Vessels, Boats, Barges, and Carriages, as shall from Time to Time be used upon the said Canal, Navigation, Railways, Rollers, Towing-Paths, Roads, Ways, or Wharfs, and of the Oars, Poles, Wheels, and other Implements to be used about or with the same respectively, and the conveying of all Goods, Wares, and Merchandize which shall be navigated or conveyed thereon, and for the orderly Behaviour of all Bargemen, Watermen, Boatmen, and others, who shall be employed in carrying or conveying any such Goods, Wares, or Merchandize, and also for the due and orderly using of the said intended Water-works, Reservoirs, Engines, Pipes, Gocks, Water-houses and other Works, and for the Superintendance and Management of the said Navigation and Undertaking, in all other Respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Company of Proprietors shall seem meet and expedient, and all Rules, Orders, and

and Bye Laws, so to be made as aforesaid, being reduced into Writing, and the Common Seal of the said Company of Proprietors thereto affixed, shall be binding upon and be observed by all Persons using or in anywise concerned in the said Navigation and Works, and shall be sufficient in any Court of Law or Equity, to justify all Persons who shall act under the same, provided that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom called *England*, or any of the express Directions or Provisions of this Act; and provided that Copies of such Rules, Orders, and Bye Laws, or such of them as shall concern or relate to the using of the said intended Navigation and Water-works, and the Tunnels, Locks, Reservoirs, and Aqueducts belonging thereto, or to the Conduct and Behaviour of Bargemen, Boatmen, Watermen, and others conveying Goods thereon, or to the Conduct and Behaviour of any Officers, Servants, or other Persons employed in or about the said Navigation and Works, or of the Persons resorting to or making Use thereof, shall be written or printed in large Characters, and be affixed and continued in some conspicuous Place or Places upon all the Wharfs on the said Navigation and in the Office of the Clerk, appointed for the Direction of the Water-works.

CXX. Provided always, and be it enacted, That in all Cases of ^{Authenticat-} Prosecution for Offences against the said Bye Laws, the Production of ^{ing Bye Laws.} a printed Paper, purporting to be the Bye Laws of the Company, and authenticated by the engraved or printed Impression or Copy of the Impression of such Bye Laws, having the Common Seal of the Company affixed thereto, shall be sufficient Evidence of the Existence of such Bye Laws, and that it shall be sufficient to prove that a printed Paper in Characters sufficiently plain, purporting to be a Copy of such Bye Laws hath been affixed, and published in Manner aforesaid, and in case of its being afterwards displaced or damaged, hath been replaced with another such Paper as soon as conveniently, might be in some conspicuous Place upon the Wharf or Office nearest to the Place where the Offence was committed, unless Proof shall be adduced by the Defendant, that such printed Paper is not a Copy of such Bye Laws, or hath not been duly kept up and generally continued at such Wharf or Office.

CXXI. And be it further enacted, That if it shall at any Time appear ^{Committee of} to the Committee of Management, or to the Proprietors of Five hun- ^{Management} dred Shares at the least, to be necessary or expedient to call a Special ^{may call Spe-} Meeting of the Proprietors at large for the more effectually putting ^{cial Meetings} this Act in Execution, or in order to take their Opinion respecting ^{of Proprietors} any Matter or Thing to be done in or about the said Navigation ^{at large.} and Undertaking, or respecting any Matters or Things in which the Interest of the said Canal and Water-works, the Extension of its Trade or the Interests of the Proprietors, is in any Respect implicated or concerned, it shall be lawful for the said Committee of Management, pursuant to an Order or Resolution for that Purpose to be made at any Meeting of the same Committee, or for the principal Clerk to the said Company of Proprietors, upon the Requisition in Writing of the Proprietors of Five hundred Shares, or more, in the said Undertaking, to call a
Special

Special Meeting of the Proprietors at large, by Public Advertisement, in some Newspaper or Newspapers, published or usually circulated in the said Cities of *Bath* and *Bristol*, and Counties of *Somerset* and *Gloucester*, and also in some *London* Newspaper or Newspapers, specifying in such Advertisement, the Cause of calling such Special Meeting, and the Time and Place when and where the same shall be held, the Time not being less than Fourteen Days after such Notice shall be given; and the said Company of Proprietors are hereby authorized and required to meet pursuant to such Notice, and to take into Consideration the Matters to be submitted to them by the said Committee of Management, or expressed in such Requisition, and specified in such Notice, and the Decision and Determination of the Proprietors present at such Meeting, or the major Part of them, according to the Number of Votes they shall have a Right to give either as Principals or Proxies, respecting such Matters only, shall be binding and conclusive upon the rest of the Proprietors, to all Intents and Purposes, and shall be observed and acted upon accordingly.

Proprietors to pay their Shares of the Money called for at the Place appointed.

If any Proprietor make Default, the Company may recover the same by Action,

and the Persons making Default to forfeit for every Share,

and if Calls not answered in Three Months Shares to be forfeited.

CXXII. And be it further enacted, That every Proprietor of any Share or Shares in the said Navigation and Undertaking shall from Time to Time pay his or her Proportion of the Money so to be called for, as hereinbefore is mentioned, into the Hands of the Treasurer or Treasurers to the said Company, at such Time and Place as shall be appointed for that Purpose, by the Committee of Management making such Call, and of which such Notice shall be given as hereinbefore is directed; and that if any Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid, at the Time and Place which shall be appointed for that Purpose, in Manner aforesaid, it shall be lawful for the said Company of Proprietors, in case they shall so think fit, to sue for and recover the same, together with the Penalty hereinafter-mentioned, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case; and the Person or Persons so refusing or neglecting to pay such his, her, or their proportionable Part of such Money, in Manner aforesaid, shall forfeit to the said Company of Proprietors, if such Payments shall not be made within Thirty Days next after the Time appointed for Payment of the same, the Sum of Five Shillings *per* Share, or if such Payment shall not be made within Sixty Days next after the Time appointed for the Payment of the same, the Sum of Ten Shillings *per* Share, for and in respect of every Share of such Person or Persons, in respect whereof such Person or Persons shall so neglect or refuse to pay as aforesaid; and in case any such Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid, for the Space of Three Calendar Months after the Time to be appointed for Payment thereof as aforesaid, together with the said Penalty of Ten Shillings *per* Share as aforesaid, and the same shall not have been sued for by the said Company of Proprietors, as aforesaid, or if sued for shall not have been recovered by them, then, and in such Case, the Person or Persons so neglecting or refusing shall, if the said Committee of Management shall so determine, but not otherwise, absolutely forfeit all his, her, or their Share, Part, and Interest whatsoever in the said Undertaking, and all Profit and Advantage thereof, and all Money theretofore advanced by

by him, her, or them, on account thereof, to and for the Use and Benefit of the other Proprietors of the said Undertaking; and all Shares that shall or may be so forfeited shall be sold by the said Committee of Management by public Auction, for the most Money that can be gotten for the same, and the said Penalty of Five Shillings *per* Share, or Ten Shillings *per* Share, as the Case may be, and the Produce of the Shares so to be forfeited and sold, shall be, and the same respectively is and are hereby directed to be paid to the said Treasurer, and applied in making, furnishing, completing, and maintaining the said Navigation and Water-works: Provided always, that if there shall be no Bidder for such Share or Shares at such Auction for the Sale thereof, the same Share or Shares shall or may be sunk and merged into the rest of the Shares in the said Undertaking, if the said Committee of Management shall think fit; and in that Case the Name or Names of such Proprietor or Proprietors, and the Number or Numbers of such Share or Shares shall be expunged and struck out of the Books of the said Company, and the said Committee of Management shall and may in such Case borrow and raise any Sum of Money not exceeding the Amount of One hundred Pounds a Share on the Number of Shares so forfeited and merged, and to secure the same with Interest, in like Manner as the said Company are enabled by this Act to borrow and secure any Sum not exceeding One hundred and fifty thousand Pounds for the Purposes herein-mentioned: Provided always nevertheless, that no Advantage shall be taken of such Forfeiture of any Share or Shares in the said Navigation and Undertaking as aforesaid, until after personal Notice shall be given by the Treasurer or principal Clerk of the said Company of Proprietors, to the Owner or Owners thereof, or until Notice in Writing shall be left at his her, or their usual or last Place or Places of Abode, or published Three several Times in the *London Gazette*, and also in some Newspaper or Newspapers published and circulated in the said Cities of *Bath* and *Bristol*, and Counties of *Somerset* and *Gloucester*, nor unless the same shall be declared to be forfeited at some General Meeting of the Committee of Management: Provided also, that every such Forfeiture, after the same shall be taken advantage of by the rest of the said Company of Proprietors as aforesaid, shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors so forfeiting, against all Actions, Suits, and Prosecutions, for any Breach of Contract or other Agreement between such Proprietor or Proprietors so forfeiting, and the rest of the said Company, with regard to the future carrying on and Management of the said intended Navigation and Undertaking.

But Shares not to be forfeited without Notice, nor without being declared forfeited at a General Meeting of Committee.

Forfeiture of Shares to be an Indemnity to Persons forfeiting.

CXXIII. And be it further enacted, That if the Proprietor of any Share or Shares in the said Navigation and Undertaking, shall die before Payment shall have been made by him or her of the full Sum to be called for and advanced as aforesaid, in respect of each Share which he or she shall have been possessed of or entitled to, the Executor or Administrator of such deceased Proprietor being possessed of sufficient Assets, shall pay the Call or Calls then due, and the future Calls to be made in respect of such Share or Shares; and if such deceased Proprietor shall not have left Assets sufficient, the said Company of Proprietors shall and they are hereby authorized and required (unless such Executor or Administrator shall duly pay such Call and Calls,) to admit any other Person or Persons to be a Proprietor or Proprietors of

In case of Deaths of Subscriber before their Subscriptions are completed, Executors to complete the same.

In case of want of Assets the Company to admit

mit other Persons to such Shares on paying the same.

the Share or Shares of such deceased Proprietor, on Condition that such Person or Persons so to be admitted do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Proprietor, or to the Trustee or Trustees, Guardian or Guardians of any Infants, or others entitled to his or her Effects, the full Sum or Sums of Money which shall have been paid by such deceased Proprietor, in his or her Life-time, in consequence of any Call or Calls, or otherwise upon or in respect of such Share or Shares, or so much Money as the same can be sold for.

Treasurers may allow Interest to Proprietors for Payments in advance.

CXXIV. Provided always, and be it enacted, That if any Subscriber to the said Undertaking shall be minded and desirous to pay or advance immediately into the Hands of the Treasurer or Treasurers of the said Company of Proprietors, the full Amount of his or her Subscription for such Share or Shares for which he may have subscribed, or any Part thereof, not being less than a Sum of One hundred Pounds, without waiting for the said Call or Calls, then and in such Case it shall be lawful for the said Treasurer or Treasurers to pay to the said Subscriber or Subscribers, out of the Funds of the said Company, Interest upon the same at the Rate of Five Pounds *per Centum per Annum*, upon the Amount which such Payment or Advance may be over and above the said Calls, and from the Period of the Call immediately preceding such Payment or Advance, up to the Period of such subsequent Call respectively, according to the Sum then in Advance, and above the Amount of the said Call.

Where the Right in Shares passes from one to another otherwise than by Transfer, sufficient Proof to be adduced.

CXXV. And be it further enacted, That in Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original or other Proprietor thereof to any other Person or Persons, by the Marriage, Death, or Bankruptcy, or Insolvency and general Assignment of Effects of such Proprietor, or by any other legal Means than by a Transfer or Conveyance thereof, which is by this Act required to be produced to the principal Clerk for the Purpose herein mentioned, good and sufficient Proof thereof respectively shall be adduced and made to the said principal Clerk, and the Probate of the Will or the Letters of Administration to the Effects of such deceased Person, or the Deed of Assignment of the Effects of such Insolvent or Bankrupt Person, or any other Instrument whereby such Alteration in the Right and Property of such Share or Shares may fully appear, shall be produced to the said principal Clerk to be registered, to the Intent that he may and is hereby required to register the Name or Names of every such married Person, Executor, Administrator, or Assignee, or other new Proprietor in the said Register Book.

Other Regulations for ascertaining the Proprietorship of Shares.

CXXVI. And be it enacted, That the Bodies Politic and Corporate, and all and every Person and Persons whose Names shall at any Time hereafter stand in the said Register Book, or List of Proprietors of the said Company, either as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, whether as original Subscribers, or as Successors, Executors, Administrators, or Assigns of original Subscribers, shall be deemed and taken to be Proprietors of the several Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of all and every Call and

Calls

Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which Proprietors of Shares in the said Undertaking are made subject and liable by this Act; and that all Notices by this Act required to be given previous to the Forfeitures of Shares to the Proprietors thereof, shall, if given to the Persons appearing by the said Register Book of the said Company to be such Proprietor or Proprietors, or their Representatives, be in all respects good, sufficient, and conclusive; and all Payments of Interest and Dividends due and to grow due on any such Shares, shall be made to such Persons as by the said Book of the said Company shall so appear to be Proprietors thereof; and that no Assignment, Transfer, or Bargain and Sale of any Share or Shares, or other Instrument giving Title to any such Share or Shares, which shall not have been brought to the said Principal Clerk to be enrolled or registered as directed by this Act, shall be given or admitted as Evidence either to defeat any Action or Suit brought or to be brought by the said Company of Proprietors to recover the said Calls, or to entitle any Person or Persons to recover any Share or Shares forfeited to the Company of Proprietors, or to make the said Company of Proprietors liable to the Payment of Interest or Dividends to any other Person or Persons than such as appear upon the said Book to be Proprietors of the said Shares, but that in all such Cases, unless where it shall be expressly proved that the said Book is defective by reason of some Neglect or Default of the said Clerk, the said Book shall be considered as sufficient and conclusive Evidence of the Proprietorship of the said Shares.

CXXVII. And be it further enacted, That it shall be lawful for the several Proprietors of the said Navigation and Undertaking, or any of them, to sell, dispose of, and transfer any Share or Shares which he, she, or they shall respectively be entitled to therein, unto any other Person or Persons, in the Manner and subject to the Rules and Conditions hereinafter mentioned; and that the Conveyance of all such Shares respectively shall be effected by a Deed or Deeds in Writing to be prepared by the Principal Clerk in the Form or to the Effect following, (that is to say,)

I *A. B.*, in consideration of *paid*
 to me by *C. D.* of *do* hereby bargain,
 sell, assign, and transfer to the said *C. D.*, his Executors, Administrators, and Assigns, *Share [or Shares]* in the
Bath and Bristol Canal, and Bristol Water-works, being No.
of the Shares in the said Navigation and Undertaking:
 To hold to the said *C. D.*, his Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions that I held the same immediately before the Execution hereof: And I the said *C. D.* do hereby agree to accept of the said *Share [or Shares]* subject to the same Rules, Orders, Restrictions, and Conditions. Witness our Hands and Seals the
 Day of

And on every such Sale, the Deed of Conveyance being executed by all Parties, shall be kept by the Principal Clerk to the said Company of Proprietors, who shall enter in the Book or Books to be kept for that Purpose a Memorial of such Sale and Conveyance, for the Use of the said Company of Proprietors, and certify the Entry of such Memorial

Shares may be sold and how.

Form of Conveyance of Shares on a Sale.

Memorial of all such Sales and Conveyances to be registered.

by

by an Indorsement on a Copy of such Conveyance, which Copy shall be delivered to the Purchaser, for the Preparation of which Deed, and the Copy thereof, and for which Entry and Certificate no more than Fifteen Shillings shall be paid, and until such Memorial shall have been entered as before directed, the Purchaser or Purchasers shall not have any Part or Share of the Profits of the said Navigation and Undertaking, or any Dividend paid to him, her, or them, for or in respect of such Share or Shares so to be purchased, nor be entitled to any Vote in respect thereof, as a Proprietor or Proprietors of the said Navigation and Undertaking; and every such Copy, after such Memorial shall be so indorsed thereon shall be admitted and received as Evidence in all Cases in which such original Deed or Conveyance as aforesaid could or might be received as Evidence.

No Share to be sold after a Call, till the Call be answered.

CXXVIII. Provided always, and be it further enacted, That after any such Call for Money shall be made by the Committee of Management as aforesaid, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall then possess in the said Navigation and Undertaking, until the Money so to be called for in respect of his, her, or their Share or Shares intended to be sold shall be paid; and every Person making Default herein shall forfeit such his or her Share or Shares in the said Navigation and Undertaking, to and for the Benefit of the rest of the said Proprietors, unless he or she shall, at the Time of such Sale or Transfer, and immediately after the Execution of the same, pay to the Treasurer of the said Company of Proprietors the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture nevertheless to be first notified and declared in the Manner hereinbefore directed with respect to the Forfeiture of Shares, for not answering the Calls to be made thereon as aforesaid.

Shares may be mortgaged.

CXXIX. And be it further enacted, That it shall be lawful for any Proprietor of any Share or Shares in the said Navigation and Undertaking to transfer and mortgage the same to any other Person as a Security for Money, such Transfer being in the Form hereinbefore prescribed for the Conveyance of Shares, with Proviso or Condition thereto added, that if the Mortgagor, his Executors or Administrators, shall pay to the Mortgagee, his Executors or Administrators, the Principal Sum thereby to be secured, with legal or less Interest, on or before a certain Time, then the Mortgagee, his Executors or Administrators, shall re-transfer such Share or Shares to such Mortgagor, his Executors or Administrators, a Memorial of which Mortgage shall be registered by the Principal Clerk in such Manner as Memorials of Conveyances of Shares are directed to be registered, but the Name of the Mortgagor shall continue to stand in the Register Book, as the Proprietor of such Share or Shares, and such Mortgagor shall continue to possess and enjoy such and the like Powers, Rights, Privileges, Emoluments, and Advantages, as if such Mortgage had not been made, until Default shall be made in Payment of the Mortgage Money for Six Calendar Months after Payment of the same shall have been required by Notice in Writing, and until the said Principal Clerk shall be required by the Mortgagee to insert his Name as the Proprietor of such Share or Shares, from which Time such Mortgagee shall be considered as the legal Proprietor thereof.

CXXX. And

CXXX. And be it further enacted, That in consideration of the Charges and Expences, which the said Company of Proprietors will be at in making and maintaining the said Canal, Cut, and other Works hereby authorized to be made, erected, and maintained as aforesaid, it shall and may be lawful to and for the said Company of Proprietors, from Time to Time, and at all Times for ever hereafter, to ask, demand, take, and receive to and for their own Use and Benefit, for the Tonnage of all Goods, Wares, Merchandize, and Commodities whatsoever, which shall be carried or conveyed upon the said Canal and Cut, or any Part thereof respectively, of and from the Owner or Owners of such Goods, Wares, Merchandize, or Commodities, or of or from the Owner or Owners, or Person or Persons having the Care, Custody, or Charge of, or navigating the said Boats, Barges, or Vessels conveying the same, at the Option of the said Company of Proprietors, the respective Rates, Tolls, and Duties hereinafter mentioned; (that is to say)

The Company
empowered to
take Rates
and Tolls.

For all Hay, Straw, Dung, Peats, and Peat Ashes, and for all other Ashes intended to be used for Manure, and for all Chalk, Marle, Clay, and Sand, and for all Lime and Limestone intended to be used for Manure, and for all other Articles intended to be used for Manure, and for all Materials for the Repair of Roads the Sum of One Penny Halfpenny *per Ton per Mile*; and so in proportion for any greater or less Quantity than a Ton, or a greater or less Distance than a Mile:

For all Coals, Culm, Coke, Cinders, Charcoal, Iron-Stone, Pig or Cast Iron, Iron Ore, Copper Ore, Lead Ore, Lime, Limestone, (except such Lime and Limestone which shall be intended to be used for Manure) and other Stone, Bricks, and Tiles, the Sum of Two-pence *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile:

For all Corn and other Grain, Flour, Malt, Meal, Timber, Wrought Iron and Tin-Plates, and Lead, the Sum of Twopence Halfpenny *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile:

And for all other Goods, Wares, Merchandize, and Commodities whatsoever, in respect of which no Toll, Rate, or Duty is hereinbefore made payable, the Sum of Threepence *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile:

For every Passenger or other Person who shall be carried upon the said Canal in any Boat, Barge, or Vessel, not being a Person then employed in navigating the same, for every Mile which any such Passenger shall be carried, Two-pence, and so in proportion for any greater or less Distance than a Mile:

For every separate Package, Parcel, or other Article, not exceeding Two Hundred Weight each, and belonging and consigned to different or distinct Persons, the Sum of One Halfpenny *per Mile*, and so in proportion for any less Distance than a Mile.

CXXXI. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to authorize or empower the said Company of Proprietors, their Servants, or Agents to ask, demand, or receive of or from any Person or Persons for or in respect of any Stone or other Materials to be conveyed on the whole Line, or any Part of, the

Tonnage on
Stone for
Roads.

[*Lac. & Per.*]

43 M

said

said Canal, for the Repair or Improvement of any of the Roads comprised in a certain Act of Parliament made and passed in the Fiftieth Year of the Reign of His present Majesty, intituled, *An Act for repealing an Act passed in the Thirty-third Year of His present Majesty, intituled, 'An Act for amending, improving, and keeping in Repair several Roads leading to and from the City of Bath, and for granting further Powers for more effectually improving the several Roads therein described, being in and leading to and from the said City,'* or for the Repair or Improvement of any of the Public Streets or Highways in the City of Bath, and the Parishes of *Walcot-Batbwick*, and *Lyncomb*, and *Widcomb* adjoining thereto, any greater Sum than One Shilling per Ton.

Passage Boats
to be licensed.

CXXXII. Provided also, and be it further enacted, That no Boat or other Vessel, used for carrying Passengers or any other Person or Persons not employed in navigating such Boat or other Vessel, shall be used or navigated upon the said Canal or Cut by any Person or Persons without the Consent and Licence of the said Company of Proprietors, or the Committee of Management of the said Company for the Time being.

Tonnage
may be
reduced.

CXXXIII. Provided also, and be it enacted, That in all Cases wherein the Company of Proprietors of the *Kennet* and *Avon* Canal shall at any Time deem it expedient for the Benefit of the Trade passing between *Bristol* and *Newbury*, or *London*, to reduce the Rates of Tonnage which they are entitled to receive in respect of such Goods, Wares, Merchandize, or Commodities of all or any one or more Description or Descriptions whatsoever, which may be carried along the whole Line of the *Kennet* and *Avon* Canal; then and in every such Case, the Rates of Tonnage to be received by the Company of Proprietors hereby created, for the same Goods, Wares, Merchandize, and Commodities carried the whole Length of the Canal hereby authorized to be made, and terminating or commencing either at the Floating Harbour, or near the Old Market at *Bristol*, (exclusive of the additional Rates, Tolls and Duties to be received for the Benefit of the *Bristol* Dock Company as hereinafter mentioned) shall not exceed the reduced Rates of Tonnage so to be received by the said Company of Proprietors of the *Kennet* and *Avon* Canal, and that the same and no higher Rates, Tolls, and Duties exclusive as aforesaid shall also be received by the said Company of Proprietors hereby created, for the like Goods, Wares, Merchandize, and Commodities carried the whole Length of the Canal hereby authorized to be made, terminating or commencing as aforesaid, and also along the whole Line of the *Wilts* and *Berks* Canal: And provided also, that no other Reduction of the Rates, Tolls and Duties hereby granted, nor any Drawback, Advantage, or Preference whatsoever shall be allowed or given to any Boats, Barges, or other Vessels, Articles or Commodities whatsoever passing upon the *Kennet* and *Avon* Canal, which shall not be extended to the *Wilts* and *Berks* Canal.

Tolls, to be
paid for a full
Half Mile,
and for a full
Quarter of a
Ton.

CXXXIV. Provided nevertheless, That in all cases where any Boat, Barge or other Vessel shall be navigated or pass by any Post, or Mark, or Place where such Post or Mark had stood or been fixed on the Side of the said Canal and Cut respectively, describing and regulating the Length of Half a Mile (and which Posts or Marks the said Company of Proprietors

Proprietors are hereby required to cause to be affixed or set up, in Manner hereinafter mentioned) the said Rates, Tolls, and Duties shall be paid for a full Half Mile, although such Boat, Barge, or other Vessel shall not have actually passed the full Half Mile; and that in all Cases where the Weight of the Lading contained in any such Boat, Barge, or other Vessel, shall not make up an even Quarter of a Ton, yet the said Rates, Tolls, or Duties which would be payable for a full Quarter of a Ton, shall be paid to the said Company of Proprietors for any less Quantity.

CXXXV. Provided always, and be it further enacted, That no Boat, Barge, or other Vessel, laden with Hay, Straw, or Corn in the Straw, or with any Kind of Manure, except Ashes, shall pass through any Lock, to be made by virtue of this Act, except at such Times only as the Water shall flow over the Waste Weir next above such Lock, without the Consent of the Committee of Management, or of some Sub-committee to be appointed as aforesaid, or of some Agent to the said Company of Proprietors.

CXXXVI. And, for the better ascertaining the Tonnage of Timber and of Light Goods to be charged with the Payment of the Rates, Tolls, or Duties aforesaid, be it further enacted, That Forty Cubic Feet of round, or Forty Cubic Feet of square Oak, Ash, Elm, or Beech Timber, and Fifty Cubic Feet of Fir or Deal, Poplar or Birch, not cut into Scantlings, and Sixty Cubic Feet of light Goods, shall be deemed, rated, and estimated as and for One Ton Weight.

CXXXVII. And be it further enacted, That the Rates, Tolls, and Duties hereby authorized to be demanded and taken by the said Company of Proprietors, shall be paid to such Person or Persons, at such Place or Places upon or near to the said Canal and Cut, and in such Manner, and under such Regulations as the Committee of Management shall in that Behalf direct or appoint; and in case of Neglect or Refusal to pay any such Rates, Tolls, or Duties, or any Part thereof, unto the Person or Persons who shall be so appointed to receive the same as aforesaid, it shall be lawful for the said Company of Proprietors, to sue for the same by Action of Debt, or upon the Case, in any of His Majesty's Courts of Record at *Westminster*; and in every such Action it shall be sufficient for the Plaintiff to declare that under and by virtue of a certain Act of Parliament passed in the Fifty-first Year of His Majesty King George the Third, intituled, *An Act for making a navigable Canal between the Cities of Bath and Bristol; and also for supplying with Water the Inhabitants of the City of Bristol and its Environs*, the said Company, or their Assignees or Mortgagees were lawfully possessed of or entitled to such Tolls or Duties as in and by the said Act are sought to be recovered, and to alledge when, where, how, and wherefore such Tolls, Rates, or Duties accrued and became payable to the said Plaintiff; or it shall be lawful for the Person or Persons to whom such Rates, Tolls, or Duties ought to have been paid, and he and they is and are hereby fully authorized and empowered to seize and distrain the Goods, Wares, Merchandize, or Commodities, for or in respect of which such Rates, Tolls, or Duties ought to have been paid as aforesaid, or any Part thereof, and the Boat, Barge, or other Vessel laden therewith, or any other

other Boat, Barge, or Vessel, Goods, or Commodities belonging to the Owner of such Boat, Barge, or other Vessel, and lying or being upon the said Canal or Cut hereby authorized to be made, or upon any Wharf, or in any Warehouse adjoining thereto, and to detain the same respectively, until full Payment shall be made of such Rates, Tolls, or Duties, and of all Arrears of the same which may be then due from the Owner of such Boat, Barge, or Vessel, to the said Company of Proprietors, together with the reasonable Costs and Charges of such Seizure and Distress; and in case such Distress shall not be redeemed within Five Days after the taking thereof, the same shall and may be appraised and sold as the Law directs in Cases of Distress for Rent.

The Com-
pany may
from Time to
Time vary
the Tolls.

CXXXVIII. And be it further enacted, That it shall be lawful for the Committee of Management, from Time to Time, at any General Meeting of the said Committee to be held pursuant to the Directions of this Act, to lower or reduce such of the said Rates, Tolls, and Duties to be paid as aforesaid as the said Committee shall think proper, and afterwards from Time to Time, at any such General Meeting, again to advance and raise all or any of the said Rates, Tolls, and Duties which shall have been so lowered or reduced; Provided always, that the Rates, Tolls, and Duties so to be advanced and raised as aforesaid, shall not in any Case exceed the respective Sums and Measures hereinbefore authorized.

Amount of
clear Profits
of the intend-
ed Naviga-
tion how to be
ascertained.

CXXXIX. And be it further enacted, That in order to ascertain the Amount of the clear Profits of the said Navigation and Undertaking, the Committee of Management shall cause to be entered and kept in a Book or Books to be provided for that Purpose, a true and particular Account of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and of all Money already laid out, and which shall hereafter from Time to Time be laid out and expended in, or in anywise relating to the making, completing, and maintaining of the said Canal or Cut, Water-works, and other Works hereby authorized to be made and carried on, and of all Costs, Charges, and Expences which shall, from Time to Time, be incurred on account or by means of the said Navigation and Water-works, and the several Works thereto belonging respectively, until the same shall be fully made and completed; and that the said Committee shall also, from and after the said Navigation and Water-works, and other Works shall be fully completed, cause a true, exact, and particular Account to be kept and annually made up and balanced to the Thirty-first Day of *August* yearly, of the Rates, Tolls, and Duties, and other Monies to be collected and received by virtue of this Act, and of the Costs, Charges, and Expences incidental to and attending the supporting, repairing, maintaining, and using the said Navigation and Water-works, and other Works; and the said first-mentioned Account, as well as every such annual Account as aforesaid, shall at all reasonable Times be open to the Inspection and Perusal of every Person being a Proprietor in the said Navigation.

Navigation to
be free on
Payment of
the Tolls.

CXL. And be it further enacted, That all and every Person and Persons shall have free Liberty to use with Horses, Cattle, and Carriages, the

the private Ways and Roads belonging to the said Company of Proprietors (except the Towing Paths,) for the conveying any Goods, Wares, Merchandize, or other Things to and from the said intended Canal and Cut, and the Wharfs, Quays, and Landing-places belonging thereto, and also with Boats, Barges, and other Vessels to navigate, pass upon, and use the said Canal and Cut for the Purpose of conveying any Goods, Wares, Merchandize, or Commodities whatsoever thereon respectively, and also to use the said Wharfs, Quays, and Landing-places for the loading and unloading of any Goods or other Things, and the said Towing-Paths for the haling and drawing of such Boats, Barges, and other Vessels, upon Payment of such Rates, Tolls, and Duties for the same respectively as shall be demanded by the said Company of Proprietors, not exceeding the several Rates, Tolls, and Duties hereinbefore mentioned, and subject always to the Rules, Orders, Bye-Laws, and Regulations which shall from Time to Time be made by the Committee of Management, by virtue of the Power hereinbefore given in that Behalf.

CXLI. And whereas the Canal by this Act authorized to be made is intended to be carried into or near a certain Street called *Old Market-street*, in the Parish of *Saint Philip and Jacob*, in the City of *Bristol*, and the Cut hereby authorized to be made therefrom is intended to be made to and into the Floating Harbour at *Bristol*, without communicating with a certain Canal, Aqueduct or Feeder, made in pursuance of an Act of Parliament passed in the Forty-third Year of the Reign of His present Majesty, intituled, *An Act for improving and rendering more commodious the Port and Harbour of Bristol*, at or near *Engine Mills*, in the Parish of *Saint George*, in the County of *Gloucester*, whereby the said Company of Proprietors hereby created will be entitled to the full Enjoyment of the Benefits arising from the making the said Floating Harbour at *Bristol*; but the Company created by the said Act of the Forty-third Year of His present Majesty's Reign, called the *Bristol Dock Company*, may be totally deprived of the Rates and Duties given and granted to them by the same Act, for the Tonnage and Conveyance of all Goods, Wares, Merchandizes, and Commodities carried and conveyed upon the said Canal, Aqueduct or Feeder, and of the Benefit and Advantage intended to arise therefrom, in consideration of their having made the said Floating Harbour and Feeder, and thereby facilitated the Navigation between the Cities of *Bristol* and *Bath*, unless similar Rates and Duties are made payable for the Benefit of the *Bristol Dock Company*, upon all Goods, Wares, Merchandizes, and Commodities carried and conveyed upon the Canal by this Act authorized to be made to and from the Westward of a certain Road in the Parish of *Saint George*, in the County of *Gloucester*, delineated on the said Plan deposited with the Clerks of the Peace as aforesaid, therein numbered Forty-two, and having Lands of *Thomas Pannel*, in the Occupation of *William Baker*, on each Side thereof: Be it therefore enacted, that in addition to the Rates, Tolls, and Duties hereby granted to the said Company of Proprietors, it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and required, from Time to Time, and at all Times for ever hereafter, to ask, demand, take, and receive for the Tonnage of all Goods, Wares, and Commodities whatsoever, which shall be carried or conveyed upon the said Canal and Cut

Additional
Tolls in cer-
tain Cases.

hereby authorized to be made, or any Part thereof, to and from the Westward of the aforesaid Road, in the Parish of *Saint George*, numbered Forty-two in the said Plan, of and from the Owner or Owners of such Goods, Wares, Merchandizes, or Commodities, or of or from the Owner or Owners, or Person or Persons having the Care, Custody, or Charge of or navigating the Boats, Barges, or Vessels conveying the same, at the Option of the said Company of Proprietors, the respective Rates, Tolls, and Duties following; that is to say,

For all Coal, Coke, Culm, Stone, Coal, Cinders, Charcoal, Chalk, Marle, Sand, Lime, Clay, Ashes, Peat, Limestone, Freestone, Pitching and Pavingstone, and Manure of all Descriptions, the Sum of One Penny *per* Ton.

For all Iron, Iron-Stone, Pig-Iron, Copper, Copper Ore, Lead, Calamine, Black-jack, Bricks, Tiles, Deal, Timber, Bark, Corn, Grain, Flour, Malt, Meal, Ochre, Fuller's Earth, Kelp, Pitch, Tar, and Turpentine; Beer, Porter, and Salt, the Sum of Two Pence *per* Ton.

And for all other Goods, Wares, Merchandizes, and Commodities whatsoever, the Sum of Four Pence *per* Ton.

And the said Company of Proprietors, or the Person or Persons appointed by them to ask, demand, take, and receive the said additional Rates, Tolls, and Duties, shall enter, in a Book to be kept for that Purpose, an Account of all and every the said additional Rates, Tolls, and Duties which have become due by virtue of this Act, whether the same shall have been received or not, stating the Time when, and the Persons from whom or on whose Account the said Additional Rates, Tolls, or Duties shall, from Time to Time, have become due and been received; to which Book of Account the Treasurer and Clerk of the said *Bristol Dock Company* for the Time being, or either of them, shall, at all seasonable Times, have Access and be at Liberty to copy the same, or make Extracts therefrom, at his and their Will and Pleasure; and the said Company of Proprietors, or their Treasurer, shall, on the first *Monday* in every Month, well and truly pay into the Hands of the Treasurer of the said *Bristol Dock Company* for the Time being, for the Use and Benefit of the said last-mentioned Company, all and every the Sum and Sums of Money which shall then have been received for or on Account of the said Additional Rates, Tolls, and Duties hereinbefore directed to be paid in respect of such last-mentioned Articles and Things, without making any Deduction thereout under any Pretence whatsoever, save and except the necessary Charges and Expences incurred in the Receipt, Collection, and paying over any of the said additional Rates, Tolls, and Duties; and in case of Neglect or Refusal by the said Company of Proprietors or their Treasurer, for the Space of Ten Days, to pay all such Sum and Sums of Money as shall have been collected and received for the said additional Rates, Tolls, or Duties, and every Part thereof, unto the said Treasurer of the said *Bristol Dock Company*, it shall be lawful for the said Directors of the *Bristol Dock Company*, in the Name of their Treasurer for the Time being, to sue for and recover the same of and from the said Company of Proprietors by Action of Debt or upon the Case, or for Monies had and received by the said Company of Proprietors for the Use of the said *Bristol Dock Company*, in any of His Majesty's Courts of Record at *Westminster*, and in every such

Action

Action it shall be sufficient for the Plaintiff, in order to prove the Amount of the Monies received by the said Company of Proprietors, to produce the said Book in which the Account of the said additional Rates, Tolls and Duties so received, shall be kept as aforesaid, or otherwise to give sufficient Evidence of the Contents of such Book according to Law.

CXLII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent or preclude the Plaintiff in such Action, from giving such other Evidence as shall be sufficient in the Law to prove the Amount of the Monies so had and received, or in support of the Allegations to be contained in the Declaration. Evidence of Monies paid.

CXLIII. Provided also, and be it further enacted, That if the said Company of Proprietors shall, contrary to the Directions of the said *Bristol Dock Company*, to be signified in Writing by the Clerk of the said *Bristol Dock Company* to the Clerk of the said Company of Proprietors, and to be left for him at the Office of the said Company, in *Bath* or *Bristol*, or at his usual Place of Residence, give Credit to any Person or Persons whomsoever, to whom the said *Bristol Dock Company* shall direct in Manner aforesaid that no Credit shall be given for any of the said additional Rates, Tolls or Duties which shall become due and payable from him, her or them by virtue of this Act; then, and as often as it shall so happen, it shall be lawful for the said *Bristol Dock Company*, to recover from the said Company of Proprietors, the Amount of the Monies for which Credit shall be so given, in such Manner and Form, and by such Ways and Means as are hereinbefore enacted and provided for the Recovery of Monies by them received, as if the same had been actually paid to and received by the said Company of Proprietors, or the Person or Persons by them authorized to collect and receive the same as aforesaid. Recovery of Monies where Credit has been given.

CXLIV. Provided always, and be it enacted, That no Person shall be appointed or employed by the said Company of Proprietors, as Clerk or Agent in the Collection, Receipt or Management of the said additional Rates, Tolls and Duties, but such as shall be approved of by the Directors of the said *Bristol Dock Company*, to be certified by Writing under the Hand of their Clerk; nor shall any Person who shall have been appointed or employed in such Collection, Receipt or Management, be continued in such Appointment or Employment by the said Company of Proprietors, after reasonable Notice to the contrary from the said *Bristol Dock* Directors, to be expressed by Writing from their Clerk, to be delivered to or left at the Office of the principal Clerk of the said Company of Proprietors. Officers to be appointed by Bristol Dock Company.

CXLV. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to make the said Company of Proprietors in any Manner subject or liable to the said *Bristol Dock Company*, for any Loss or Damage which shall or may arise or accrue in any Manner whatsoever, by reason or in consequence of any Mismanagement, Neglect or Default of any Person or Persons so appointed as aforesaid, or continued in the Collection, Receipt or Management of the aforesaid additional Rates, Tolls and Duties. Company not liable for Loss in the Collection of Additional Rates.

CXLVI. Pro-

Exemptions
of Duties for
Bristol Dock
Company
extended.

CXLVI. Provided always, and be it enacted, That all Exemptions and Exceptions from Payment of any Rates or Duties to the said *Bristol Dock Company*, contained in the said recited Acts of the Forty-third and Forty-eighth Years of His present Majesty's Reign, or either of them, in regard to Boats, Barges, Vessels, Goods, Wares or Merchandize passing or going to or from the *Bath River Navigation*, or *Kennet and Avon Canal*, shall extend and be applied to Boats, Barges, Vessels, Goods, Wares and Merchandize passing upon or going to or from the Canal and Cut hereby authorized to be made, to the Eastward of *Hanham Mills*, situate upon or near the River *Avon*.

Last men-
tioned Du-
ties to be
charged only
on such Ves-
sels as are
liable to pay
to the Bristol
Dock Com-
pany.

CXLVII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to make subject or liable to the Payment of any such last-mentioned additional Rates, Tolls or Duties, any Boat, Barge, Vessel, Goods, Wares or Merchandize, except such only as are now liable to pay Rates, Tolls or Duties for navigating or being carried on the aforesaid Canal, Aqueduct or Feeder, of or belonging to the said *Bristol Dock Company*.

Masters of
Boats, &c. to
give an Ac-
count in
Writing of
the Goods on
board to the
Collectors of
the Tolls.

CXLVIII. And for the better ascertaining and more easy collecting of the said Tolls, Rates, or Duties, be it further enacted, That the Master, Owner, or other Person having the Care of every Boat, Barge, or other Vessel navigating upon the said Canal and Cut, or any Part thereof, shall, from Time to Time, give in a true and just Account, in Writing, signed by him, to the Collector or Collectors of the said Tolls, Rates, or Duties, at the Place or Places where they shall attend for that Purpose, of the several Quantities, Qualities, and Weight for the Goods, Wares, Merchandize, and Commodities contained in every such Boat, Barge, or other Vessel, and of the Place from whence brought, and where intended to be landed or carried, and also of the Quantities, Qualities, and Weight of such Goods, Wares, Merchandize, or Commodities as shall have been discharged or taken out of such Boat, Barge, or other Vessel, within the Limits of the said Navigation, before their Arrival at the Place where such Account is to be given, and if the Goods, Wares, Merchandize or Commodities on board any such Boat, Barge, or other Vessel, shall be liable to the Payment of different Rates, then such Master, Owner, or other Person shall specify the Quantities liable to the Payment of each Rate, and in case any such Master, Owner, or other Person shall neglect or refuse to give such Account, or refuse to produce his Invoice or Bill of Lading, to such Collector or Collectors, if demanded, or shall give a false Account thereof, or shall deliver any Part of his Lading or Goods at any other Place or Places than what shall be mentioned in such Account, every Person so offending shall forfeit and pay to the said Company of Proprietors the Sum of Forty Shillings for every such Offence, over and above the Tolls, Rates, or Duties which shall be payable for such Goods, Wares, Merchandize or Commodities.

Penalty for
Neglect.

In case of any
Dispute or
Difference
about the
Weight of

CXLIX. And be it further enacted, That if any Difference shall arise between any Collector of the said Tolls, Rates, or Duties, and the Master or Person having Charge of any Boat, Barge or other Vessel, or the Owner of any Goods, Wares, Merchandize, or other Commodities

on

onboard thereof, concerning the Weight or Quantity of any such Goods, Wares, Merchandize, or Commodities, it shall be lawful for any such Collector to stop and detain any such Boat, Barge, or other Vessel, and to weigh, measure, and gauge, or cause to be weighed, measured, and gauged all such Goods, Wares, Merchandize, and Commodities as shall be therein contained, and in case the same shall, upon such weighing, measuring, and gauging, appear to be of greater Weight or Quantity than such Master, Owner, or other Person having the Care of such Boat, Barge, or other Vessel, affirmed or stated the same to be, then the said Master, Owner, or other Person having the Care of such Boat, Barge, or other Vessel shall pay the Costs and Charges of such weighing, measuring, and gauging, and such Costs and Charges in case of Refusal of Payment thereof, upon Demand, shall and may be levied and recovered in the same Manner as the said Tolls, Rates, or Duties, are hereby appointed to be levied and recovered; but if such Goods, Wares, Merchandize and Commodities shall appear to be of the same Weight or Quantity as, or of a less Weight or Quantity than the said Master, Owner, or other Person declared the same to be, then the said Company of Proprietors shall pay the Costs and Charges of such weighing, measuring, or gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, and Commodities, such Damages as shall appear to the aforesaid Commissioners, on the Oath of one or more credible Witness or Witnesses, to have arisen from such Detention; but in case it shall at any Time, either in the first Instance, or after such Sum as aforesaid shall have been recovered from the said Company, be made to appear to the said Commissioners, upon the Complaint of the said Company of Proprietors, or any of their Officers, and upon the like Oath of one or more credible Witness or Witnesses, that such Stoppage and Detention, and weighing, measuring and gauging, was without reasonable Ground of Belief or vexatious on the Part of such Collector, then the said Collector shall himself pay the Costs and Charges of such weighing, measuring, or gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, and Commodities, such Damages as shall appear to the aforesaid Commissioners, on the Oath of one or more credible Witness or Witnesses, to have arisen from such Detention; and in Default of immediate Payment thereof by the said Company of Proprietors, or by such Collector (as the Case may be), the same shall be recovered from the said Company of Proprietors, or the said Collector (as the Case may be), by Distress and Sale of their or his Goods and Chattels, by Warrant under the Hands and Seals of the said Commissioners, or otherwise by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

CL. And be it further enacted, That at any Time or Times after the said Company of Proprietors shall have elected, taken, or marked out such Pieces of Land for Public Wharfs, Quays, and Landing-places along the Line of the said Canal and Cut, which they the said Company, at the Time of first marking and setting out the Ground for the Line of the said Canal and Cut shall deem it expedient to take or mark out for those Purposes, it shall be lawful for the

[*Loc. & Per.*]

Goods, Collector may stop and weigh the same.

Lords of Manors and others may erect Wharfs on their own Lands.

Lord or Lords, Owner or Owners of any Manor, Lands or Grounds through which the said intended Canal and Cut shall be made, to make, erect, and set up, either for his, her, or their own private Use, or for the Use of the Public, any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses, in or upon his, her or their respective Wastes, Lands or Grounds adjoining, or near to the said Canal and Cut, and to make and lay out proper Ways and Roads to the same, across any Lands belonging to the said Company of Proprietors, and to land any Goods or other Things upon such Wharfs, Quays, or Landing-places or upon the Banks lying between the same and the said Canal and Cut, and also to make and use proper and convenient Places for Boats, Barges and other Vessels to lie and turn in and pass each other, so that the making or using thereof respectively do not obstruct or prejudice the Navigation of the said Canal and Cut, or the Passage on the Towing-paths on the Sides thereof; and that all Rates or Tolls which shall be demanded and paid for the Use of such of the said Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses respectively, as shall be erected by such Lord or Lords, Owner or Owners for the Use of the Public, shall be and the same are hereby accordingly vested in the Lord or Lords, Owner or Owners of such Manors, Lands or Grounds, who shall make and erect such Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses as aforesaid, and his, her, or their respective Heirs and Assigns, so that the Rates, Tolls, and Duties hereby granted to the said Company of Proprietors for Tonnage be not thereby reduced or altered.

But if they refuse when required by the Company, then the Company may erect the same.

CLI. And be it further enacted, That if any such Lord or Lords Owner or Owners, shall not within the space of Three Calendar Months next, after Notice in Writing shall be given to him, her, or them, or left at his, her or their usual Place or Places of Abode, under the Hand of the said Principal Clerk, on Behalf of the said Company of Proprietors, stating, that any Part or Parts of his, her, or their Wastes, Lands, or Grounds, is or are necessary or proper for erecting and making any Public Wharfs, Quays, Landing-places, Cranes, Weigh Beams, or Warehouses, or for making and laying out of any Road or Roads for the Conveyance of Goods to and from the said Canal and Cut, give Notice in Writing to the said Principal Clerk of his, her, or their Intention to erect and make, and shall not forthwith proceed to erect and make, and within Twelve Calendar Months from the Date of such last-mentioned Notice, make, erect, and lay out, and afterwards, from Time to Time, maintain and keep in good and substantial Repair such proper and sufficient Wharfs, Quays, Landing-places, Cranes, Weigh Beams, Warehouses, and Roads, for the Use of the Public, as the Commissioners appointed by this Act shall judge necessary, on the respective Part or Parts of the Wastes, Lands, or Grounds to be described in such Notice, then and in such Case, the said Company of Proprietors shall have full Power and Authority, without any Hindrance or Restraint whatsoever, to take and make Use of such Part or Parts of such Wastes, Lands, or Grounds for erecting and building proper and sufficient Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses, and for making and laying out necessary and convenient Roads

to and from the said Canal and Cut, agreeably to such Notice so given by the said Principal Clerk as aforesaid, they the Company of Proprietors, first making Satisfaction for the same in such Manner as is hereinbefore directed, with respect to any other Lands or Grounds which shall be taken or used by the said Company for the Purposes of this Act.

CLII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, or any other Person or Persons, to make Use of any Wharfs, Quays, Landing Places, Cranes, Weigh-beams, or Warehouses, which shall be made, erected, or set up, by the Lord or Lords, Owner or Owners, of any Manor, Lands, or Grounds, adjoining or near to the said Canal and Cut, for his, her, or their own private Use only, or to erect or set up any Cranes, or Weighing Machines in or upon any such private Wharfs, Quays, or Landing-places, without the Consent of such Lord or Lords, Owner or Owners: Provided also, that the Sum of Three-pence *per* Ton, and no more, shall be demanded or taken by the said Company of Proprietors, or by any such Lord or Lords, Owner or Owners, who shall make, erect, or build, any such Wharfs, Quays, or Landing Places, and make or lay out any such Roads for the Use of the Public as aforesaid, for the Wharfage of any Coals, Culm, Limestone, Clay, Iron, Iron-Stone, Lead, Ore or any other Ores, Timber, Stone, Brick, Tiles, Slates, Gravel, Hay, Straw, Corn in the Straw, or Manure whatsoever, which shall be placed upon any of the Wharfs or Quays upon or adjoining to any Part of the said Canal and Cut, and continue thereupon for any Time not exceeding Twenty eight Days, and the Sum of Two-pence *per* Ton, and no more, for the Wharfage of any other Goods, Wares, Merchandize, or Commodities whatsoever, which shall be placed upon any such Wharfs or Quays, or continue thereon for any Time not exceeding Six Days, but if any of the Articles before specified, or any other Goods, Wares, Merchandize, or Commodities, shall be left and remain upon any such Wharfs or Quays, for any Time over and above the Time limited for the same respectively, then the Owner or Owners thereof shall pay to the said Company or other the Proprietors of such Wharfs, Quays, or Landing-places respectively, the further Sum of One Penny *per* Ton for every Day which the same shall remain upon such Wharfs or Quays; after the Expiration of the Times before limited for the same respectively: Provided always, and it is hereby declared, that the taking or receiving of any such Wharfage, Toll, or Duty, by any Owner or Owners, Lessee or Lessees, Occupier or Occupiers, or other Person or Persons having the Care and Management of any such Wharf, Quay, or Landing Place, shall be deemed a sufficient Appropriation of such Wharf, Quay, or Landing-place, to and for the Use of the Public, within the true Intent and Meaning of this Act, and the same shall from thenceforth be deemed and taken to be, and shall continue to be a Public Wharf, Quay, or Landing-place accordingly: Provided also, that nothing herein contained shall prevent the several respective Proprietors, Builders, or Lessees, of any such Warehouses, Cranes, Stables, Sheds, Docks, and other Conveniencies, from receiving and having for the Use of the same respectively, such Rent, Hire, or Recompence, for the Use thereof as they may reasonably deserve to have.

Regulations
respecting
Wharfs.

Exemptions
as to Lands
of Allen
Tucker
Esquire.

CLIII. Provided always, and be it further enacted, That the said Company shall not be entitled, under the Powers and Authorities herein contained, or any of them, to enter upon or take, or authorize the entering upon or taking, for any of the Purposes of this Act, without the Consent of *Allen Tucker* Esquire, or his Heirs, in Writing first had and obtained, any of the Lands or Grounds belonging to the said *Allen Tucker* which are situate in the said several Parishes of *Claverton*, otherwise *Clarton*, and *Lyncomb* and *Widcomb*, save and except certain Grounds in the said Parish of *Lyncomb* and *Widcomb*, now converted into and used as Garden Ground, described and numbered Sixteen in the Plan deposited with the Clerk of the Peace for the said County of *Somerset*; and that in making the said Canal through the said several Grounds so numbered Sixteen, the said Company of Proprietors shall not be authorized to take any greater Quantity of such Land than shall be requisite for the making of the said Canal and Towing-Path only; provided nevertheless, that in case the said Company shall, at any Time hereafter, within Two Years after the passing of this Act, find it necessary or convenient for the carrying on the Trade and Business of the said Canal to, and shall desire to have Wharfs, Quays, Landing-Places, Cranes, Weigh-beams, or Warehouses made, erected, or set upon any Part or Parts of the said Lands so described and numbered Sixteen, that then they shall be at Liberty to give Twelve Months Notice in Writing to the said *Allen Tucker*, or his Heirs, of such their Desire, and shall require him or them to make, erect, and set up, or to cause or procure to be made, erected, and set up, such Wharfs, Quays, Landing-Places, Cranes, Weighing Beams, or Warehouses, upon the said Grounds and Premises so described and marked; and in case the said *Allen Tucker*, or his Heirs, shall not within Twelve Months after receiving such Notice in Writing, elect to make, erect and set up such Wharfs, Quays, Landing-Places, Cranes, Weighing-Beams and Warehouses, and of such their Election, give Notice in Writing to the said Company, or if the said *Allen Tucker*, or his Heirs, electing to make, erect and set up such several Wharfs, Quays, Landing-Places, Cranes, Weighing Beams and Warehouses, and giving such Notice of his or their Election so to do, shall not proceed in and complete the same within the Space of Twelve Months after such Election made and the said Canal compleated, that then, and in either of such Cases, it shall and may be lawful for the said Company to take, for the Purposes aforesaid, such Part of the said Land so marked and numbered as aforesaid, they the said Company first making or tendering to the said *Allen Tucker*, or his Heirs, such Recompence and Satisfaction for the Land so taken, in the Manner and subject to the Provisions and Regulations hereinbefore contained for making Compensation to the other Owners of Land, hereinbefore authorized to be taken and used by the said Company for the Purposes of this Act.

Basin and
Wharfs to be
made at
Widcomb,

CLIV. And be it further enacted, That the said Company of Proprietors shall, and they are hereby required, before the said Canal shall be completed and open for Navigation, at their Costs, if the same shall not be done or commenced by any other Person or Persons, to make, and thenceforth to maintain, a Basin with commodious Wharfs adjoining thereto, in the said Parish of *Lyndcomb* and *Widcomb*, and near to the said City of *Bath*, for the Accommodation of the Inhabitants of the said City of
Bath

Bath and its Neighbourhood, subject nevertheless, to such Wharfage and other Dues as in this Act are mentioned.

CLV. Provided always, and be it enacted, That nothing herein contained shall extend, or in anywise be construed to extend, so as to prevent or hinder any Lord or Lords, or Owner or Owners, Lessee or Lessees of any Manor, Lands or Grounds through which the said intended Canal and Cut shall be made, from making or causing to be made any Collateral Branch or Cut, or Collateral Branches or Cuts, to communicate with the said intended Canal or Cut, in, through or over his, her, or their respective Lands or Grounds, provided such Collateral Branches or Cuts be properly puddled, to the Satisfaction of the Engineer, for the Time being of the said Company of Proprietors, and be made so as not to waste or consume by Lockage or Leakage any of the Water of the said Company of Proprietors.

For making navigable Communications.

CLVI. And be it further enacted, That the Lands, Dwelling-houses, Wharfs, Warehouses, Lock-houses and other Houses of and belonging to the said Company, shall be rateable and chargeable to the Maintenance of the Poor, and to all other Parochial Rates and Taxes in the several Parishes and Places where they are respectively situated, the Lands according to the Quantity and Quality, and the Dwelling-houses, Wharfs, Warehouses, Lock-houses and other Houses, according to the Nature and respective Uses, Dimensions and Descriptions thereof, and shall be charged and assessed in like Manner as Lands of a like Quality, and Dwelling-houses, Wharfs, Warehouses, Lock-houses and other Houses of a like and similar Size, Nature, Dimension or Description in the respective Parishes where the same shall be situate, are or shall be assessed and charged, and that the Rates, Duties, and other personal Property of the said Company, liable to be rated to the Poor, or other Parochial Taxes, in any such Parishes or Places shall be rated and assessed in like Manner and in the same Proportion as other personal Property rateable in the said Parishes and Places respectively shall be rated and assessed, and according to the Length of the Line of the said Navigation in such respective Parishes and Places; and not otherwise, or in any other Manner; provided that before such Personal Property shall be rated, Ten Days Notice shall be given in Writing to or left at the Dwelling-house or usual Place of abode of the Treasurer or Clerk, or any other Officer of the said Company residing in the Parish or Place where such Rate shall be intended to be made, by the respective Overseers of the Poor, of the Intention so to do.

Mode of rating Lands and Buildings.

CLVII. And be it further enacted, That no Person shall use or navigate on the said Canal and Cut any Boat or Vessel that shall have a square Head, Stern or Sides, or that shall have an Angle or Projection on the Sides, or at the Bottom thereof, or be constructed in any respect so as to injure, or tend to injure the Lining, Pudding, or other Works of the said Canal and Cut.

Structure of Vessels.

CLVIII. And for the better regulating of the Masters or Owners of Boats, and the Bargemen and others employed by or under them respectively, and for the more easy detecting of any Thing to be done by them contrary to the Directions of this Act, be it further enacted, That every Owner, Master, or Person having the Charge or Command of any Boat,

The Names of the Owner of Boats, &c. to be painted on the Outside.

[Loc. & Per.]

43 P

Barge,

Boats, &c. to be gauged when required by the Company,

and a Certificate of the Measure of such Boat, &c. always to go therewith.

Penalty on Neglect Refusal.

Barge, or other Vessel (not being a Pleasure Boat) navigating and passing upon the said Canal and Cut, shall cause his or her Name and Place of Abode, and the Name or Number of his or her Boat, Barge, or other Vessel, to be entered with some or one of the Clerks to the said Company of Proprietors, and shall also cause the Name of such Owner or Owners, and the Name or Number of such Boat, Barge, or other Vessel, to be painted on a black Ground in large white Capital Letters and Figures Four Inches high at least, and of a proportionable Breadth on the Outside of the Head or Stern of every such Boat, Barge, or other Vessel, so high that no Part of such Letters or Figures shall be under Water when such Boat, Barge, or other Vessel shall be fully laden; and that every Owner, Master, or Person having the Charge or Command of any such Boat, Barge, or other Vessel, shall from Time to Time, when thereto required, permit and suffer the same to be gauged and measured by such Person or Persons as shall be appointed for that Purpose by the said Company of Proprietors, or their Committee of Management, so that no such Boat, Barge, or other Vessel shall be gauged or measured more than Four Times in any one Year, and that the Person or Persons so to be appointed to gauge and measure any such Boat, Barge, or other Vessel, shall from Time to Time register or enter in a Book to be provided and kept for that Purpose, a Memorandum of the Measurement thereof, and all Particulars relating thereto; and shall also thereupon deliver to the Owner, Master, or Person having the Charge or Command of such Boat, Barge, or other Vessel, a Certificate in Writing, specifying the Measure thereof, and what Quantity of Water the same will draw with different Burthens or Ladings, which Certificate shall always go with such Boat, Barge, or other Vessel, and shall from Time to Time be produced and shewn by the Owner, Master or other Person having the Charge or Command thereof, to the several Collectors of the Tolls, Rates, and Duties granted by this Act, who shall require or demand to see the same, in order that the true Weight of the Lading on board may be the more easily known and ascertained by such Collectors; and that every Owner, Master, or other Person having the Charge or Command of any Boat, Barge, or other Vessel, who shall navigate such Boat, Barge, or other Vessel upon the said Canal and Cut, without having such Names, Marks, and Figures thereon as hereinbefore directed, or shall alter, erase, deface, or destroy the same, or any Part thereof, or shall put any false Names, Marks, or Figures on such Boat, Barge, or other Vessel, or who shall refuse to permit such Boat, Barge, or other Vessel to be gauged or measured as aforesaid, or who shall not produce such Certificate as aforesaid when thereto required by any such Collector or Collectors as aforesaid, or who shall give a false Account of the Lading on board of any such Boats, Barges, or other Vessels to the said Collectors, or who shall cause or permit such Boat, Barge, or other Vessel to be at any Time loaded or unloaded, without a Stage being laid from the Side of such Boat, Barge, or other Vessel to the Bank of the said Canal and Cut, in order to prevent any Dirt or Rubbish falling into the same, shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds.

Owners of Boats answerable for Damage done by

CLIX. And be it further enacted, That the Master or Owner of every Boat, Barge, or other Vessel, navigating or passing upon the said Canal and Cut, shall be and he is hereby made answerable for all such Damage,

Damage, Spoil, or Mischief, as shall be done by his Boat, Barge, or Vessel, or the Horses used in drawing the same, or by any of the Boatmen, Watermen, or others, belonging to or employed in or about the same respectively, unto any of the Bridges, Weirs, Locks, Dams, Engines, Trenches, Sluices, or other Works in, upon, or belonging to the said Canal and Cut, either by loading or unloading, or navigating any such Boat, Barge, or other Vessel; or by any other Means whatsoever; and also for any Trespass or Damage that shall or may be committed or done to the Owners or Occupiers of any Buildings, Lands, or Tenements adjoining or lying near the said Canal and Cut, by leaving open Gates, or otherwise, and for any other Trespass whatsoever contrary to the several Directions and Restrictions in this Act contained or any of them, such Trespass or Damage to be ascertained and recovered in like Manner as any Penalty can or may by virtue of this Act be ascertained and recovered; and if the Owner or Owners of any Boat, Barge, or any other Vessel navigating or passing on the said Canal and Cut, shall be compelled to make Satisfaction for any Damages, by reason of any wilful Act, Neglect, or Default of his or their Servant or Servants, Boatmen or Watermen, then and in such Case, every such Servant, Boatman, and Waterman shall be liable to repay such Satisfaction for Damages, with the Costs attending the same, to such Owner or Owners; and in case of Non-payment thereof upon Demand, the same shall be recovered in like Manner as any Penalty can or may by virtue of this Act be recovered.

their Boats
Horses,
or Servants.

Owners of
Boats may re-
cover from
their Servants
what shall be
paid for Da-
mages done by
them.

CLX. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby required in such Parts of the said Canal and Cut, as shall not be of a sufficient Breadth for admitting a Boat, Barge, or other Vessel to turn about, or Two Boats, Barges, or other Vessels to pass each other, to open, and cut proper Spaces or Places in the Lands adjoining to the said Canal and Cut at convenient Distances from each other, for the turning and passing of such Boats, Barges, and other Vessels; and that all Boats, Barges, or other Vessels passing upon the said Canal or Cut, shall, upon meeting any other Boat, Barge, or Vessel, stop at, or go back to, and lie in the said Spaces or Places to be made for that Purpose in such Manner as the Committee of Management shall from Time to Time direct and appoint.

Places to be
made for
Boats to turn
and pass each
other.

CLXI. And be it further enacted, That no Boatman or other Person navigating or having the Care of any Boat, Barge, or other Vessel which shall pass through any Lock to be made upon the said Canal and Cut, shall suffer the Water to remain in such Lock longer than is necessary for his Boat, Barge, or other Vessel to pass through the same; and that every such Boatman or other Person as aforesaid, in going down the said Canal and Cut from the higher to the lower Levels thereof, shall, previously to his bringing his Boat, Barge, or other Vessel into any Lock shut the lower Gates of such Lock and the Sluices thereto belonging, before he shall draw the Sluices of the Upper Gates thereof, and after he shall have brought his Boat, Barge, or other Vessel into the said Lock, he shall then shut the Upper Gates thereof, and the Sluices thereto belonging, before he shall draw the Sluices of the Lower Gates thereof; and in going up the said Canal and Cut

Regulations
for Boats in
passing
the Locks.

Cut towards a higher Lével thereof, such Boatman or other Person shall, as soon as he shall have passed with his Boat, Barge, or other Vessel out of the said Lock, shut the Upper Gates thereof and the Sluices thereto belonging, and afterwards draw the Sluices of the Lower Gates thereof, unless there shall be then a Boat, Barge, or other Vessel in Sight of the said Lock, coming down the said Canal or Cut, in which Case the Lower Gates of the said Lock and the Sluices thereof shall be left shut, and the Upper Gates shall be left open; and at all Times the Vessels going up the said Canal and Cut, if within Sight of any Vessel coming down and at a Distance not exceeding Three Hundred Yards below any Lock, shall pass through such Lock before the Vessel coming down, and then the Vessel above such Lock shall come down; and if there shall be more Vessels than One below and above any Lock at the same Time within the Distance aforesaid (at which Distance a Post or Mark shall be set up or made for ascertaining the same), such Vessels shall go up and come down through such Lock by Turns as aforesaid, until all the Vessels going up and coming down shall have passed the same, in order that One Lock full of Water may serve Two Vessels: and that every Person who shall offend in any of these Particulars, shall, for every such Offence, forfeit a Sum not exceeding Five Pounds.

To prevent
Lock-keepers
giving any
Preference to
Boats.

CLXII. And be it further enacted, That if any Lock-keeper, Wharf-inger, or other Servant belonging to the said Company of Proprietors, shall give any undue Preference, or shew any Partiality to any Boat, Barge, or other Vessel in passing through any Lock or Locks upon the said Canal or Cut, or in loading or unloading any Goods, Wares, Merchandize, or Commodities at any of the Wharfs, Warehouses, Weigh-beams, Cranes, and other Machines belonging to the said Company of Proprietors, he shall forfeit and pay for every such Offence the Sum of Twenty Shillings.

Boats under
Twenty Tons
not to pass
Locks but on
certain Con-
ditions.

CLXIII. Provided always, and be it further enacted, That no Boat, Barge, or other Vessel, liable to pay any Tonnage under this Act, of less Burthen than Twenty Tons, shall pass through any of the Locks, nor of less Burthen than Five Tons through any of the Stop-Gates to be made by virtue of this Act without the Consent in Writing of the Committee of Management, or the Principal Clerk to the said Company of Proprietors, unless the Owner, Master, or other Person having the Care of such Boat, Barge, or other Vessel passing through any such Lock shall pay the same Tonnage throughout every such Voyage, as for a Boat, Barge, or Vessel of Twenty Tons Burthen, and passing through any such Stop-Gate shall pay the same Tonnage throughout every such Voyage as for a Boat, Barge, or Vessel of Five Tons Burthen.

Two Boats
may pass
Locks toge-
ther in certain
Cases.

CLXIV. Provided also, and be it further enacted, That it shall be lawful for Two or more Boats, Barges, or other Vessels, constructed so as to be admitted at the same Time into and to pass through any of the Locks to be made by virtue of this Act, to pass any of the said Locks, upon a Tonnage being paid for the Quantity of Coals or other Goods, Wares, or Merchandize on board such Boats, Barges, or other Vessels, so as such Payment be not for less than Twenty Tons.

CLXV. And

CLXV. And be it further enacted, That if any Boat, Barge, or Vessel shall be placed in any Part of the said Canal or Cut, or of the Trenches, Sluices, or Passages belonging thereto, so as to obstruct the Navigation or Passage thereon; and the Person having the Care of such Boat, Barge, or Vessel, shall not immediately remove the same, or alter the Position thereof upon Request made for that Purpose, he shall, for every such Offence, forfeit a Sum not exceeding Ten Shillings, and shall moreover forfeit a Sum not exceeding Four Shillings for every Hour during which such Obstruction shall continue after such Request for Removal thereof shall be made as aforesaid; and that it shall be lawful for any of the Collectors, Agents, or Servants of the said Company of Proprietors, to cause any such Boat, Barge, or other Vessel to be unladen, if necessary, and to be removed in such Manner as shall be requisite, for preventing any further Obstruction therefrom, and to seize and detain such Boat, Barge, or other Vessel, and the Lading thereof, or any Part of such Lading, until the said Penalty or Penalties, and the Charges of such Unloading and Removal shall be paid; and that if any Boat, Barge, or other Vessel shall be sunk in any Part of the said Canal or Cut, and the Owner or Owners, or Persons having the Care of such Boat, Barge, or Vessel, shall not, without Loss of Time, weigh or draw up the same, it shall be lawful for the Agents or Servants of the said Company of Proprietors, or any of them, to cause such Boat, Barge, or Vessel to be weighed or drawn up, and to detain and keep the same until Payment shall be made of all the Expences thereby necessarily incurred or occasioned.

Boats, &c. obstructing the Navigation to be removed.

Boats sunk to be weighed up.

CLXVI. And be it further enacted, That if any Person or Persons navigating or having the Care of any Boat, Barge, or other Vessel upon the said Canal or Cut, or any Part thereof respectively, shall, with Intent to avoid the Payment of any of the said Tolls, Rates, or Duties, load, unload, or take into any such Boat, Barge, or other Vessel, any Goods, Wares, Merchandize, or Commodities whatsoever liable to pay any of the Tolls, Rates, or Duties hereinbefore mentioned, at any other Place or Places, than at the Public or Private Wharfs or Quays upon or belonging to the said Canal or Cut, without having first obtained a Consent in Writing for that Purpose from the Committee of Management, or some one of the Agents or Collectors of Tolls to the said Company of Proprietors; or if any Person shall do any other Act with Intent to evade the Payment of any of the said Tolls, Rates, or Duties, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty on Persons taking or unloading Goods, unless at a public or private Wharf.

CLXVII. And be it further enacted, That if any Swivel-bridge, or Drawbridge shall be laid for the Use of any Public Highway, or for the Accommodation of any Owner or Occupier of Lands parted by the said Canal, over or across the said Canal or Cut, or any Trenches or Passages for Water to be made by virtue of this Act, all and every Person and Persons opening any such Draw-bridge or Swivel-bridge for the Passage of any Boat or other Vessel, shall from Time to Time as soon as such Boat or other Vessel shall have passed such Bridge, shut and fasten the same; and that every Person neglecting so to do, shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and in case any such Bridge shall be left open longer than necessary for the Passage of

Penalty on Persons leaving open Draw-bridges after being necessarily opened, or leaving open the same without Occasion.

any Boat or other Vessel as aforesaid, through the Neglect or Carelessness of any Person belonging to any such Boat or Vessel, then the Master or Owner of such Boat or Vessel shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and if any Person or Persons shall wilfully open any such Draw-bridge or Swivel-bridge when no Vessel is to pass through the same, so as to interrupt a free Passage for Travellers, Cattle or Carriages, every Person so offending shall for every such Offence, forfeit and pay a Sum not exceeding Five Pounds; all which said Penalties or Forfeitures shall go and be applied, One Moiety to the Informer, and the other Moiety to the Poor of the Township or Parish where the Offence shall be committed.

Penalties on Persons floating Timber on the Canal or otherwise obstructing the Navigation,

and Persons throwing Ballast or Rubbish into Canal.

Penalty on Persons opening Locks, &c. and wasting Water,

Penalty on Persons wilfully destroying the Banks.

Penalty for laying Rubbish on Towing-Paths.

CLXVIII. And be it further enacted, That if any Person or Persons shall float any Timber upon the said Canal or Cut without the Consent of the Committee of Management, or of some Collector or Agent to the said Company of Proprietors, or shall navigate on the said Canal or Cut any Boat or Vessel, laden with Timber, which shall lie over the Sides of such Boat or Vessel, in such a Way as to obstruct the Passage of any other Boat or Vessel, and shall not immediately, upon Notice given of such Obstruction, hale or draw back such Boat or Vessel into such Place or Places as shall be made, or be proper for Boats or other Vessels to pass each other, or shall not otherwise remove the same so as to make a free Passage for other Boats or Vessels; or if any Person or Persons shall wilfully throw any Ballast, Gravel, Stones, Rubbish, or other Matter or Thing into any Part of the said Canal or Cut, Water-works or Reservoirs, or into any Trenches, Sluices, or Passages for Water to be made in pursuance of this Act; or if any Person or Persons shall wantonly or unnecessarily open or draw, or cause to be opened or drawn any Lock, Paddle, Valve, or Sluice belonging to the said intended Navigation or Water-works, or shall snare, angle, or take any Fish out of the same, or shall wilfully flush or draw off, or cause to be flushed or drawn off the Water from any Part of the said Navigation or Water-works, or shall leave any of the Gates or Sluices of any Lock open after any Boat or other Vessel shall have passed through the same (except in such Cases as are hereinbefore otherwise ordered), or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, every Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds.

CLXIX. And be it further enacted, That if any Person or Persons shall wilfully, maliciously, and to the Prejudice of the said Navigation or Water-works, break, throw down, or destroy any Bank, or Banks, or other Works to be erected or made by virtue of this Act, every Person so offending, being lawfully convicted, shall be transported in like Manner as Felons are directed to be transported by the Laws and Statutes of this Realm, or otherwise, the Court before whom such Person shall be convicted, may, in Mitigation of such Punishment, (if they shall think fit), award any such other Punishment as the Law directs in Cases of Petit Larceny.

CLXX. And be it further enacted, that if any Person or Persons shall throw, cast, or lay on any Part of any Bank or Towing-path belonging to the said Canal within Two Miles of the City of *Bath*, any Dung or other Manure,

manure, Dust, Ashes, Rubbish, or other offensive Matter, otherwise than on the Wharfs and other Places to be made and provided for the loading and unloading of Goods, Wares, and Merchandize, every such Person so offending shall forfeit and pay any Sum not exceeding Twenty Shillings, to be recovered and applied in such Manner as other Penalties under this Act are directed to be recovered and applied.

CLXXI. And be it further enacted, That the Lord or Lords, or Owner or Owners, of all and every Manor or Manors through which the said Canal and Cut shall be made, shall have and be entitled to the several and exclusive Right of Fishery, of and in so much of the said Canal and Cut as shall be made through the Common or Waste Lands, within his, her, or their Manor or Manors respectively, or through any other Lands or Grounds lying within such Manor or Manors wherein such Lord or Lords, or Owner or Owners, now have, or hath, or are, or is entitled to the Right of Fishery in the Pits, Ponds, and Waters, now being in such last-mentioned Lands or Grounds respectively: and that the Owner or Owners of all other Lands or Grounds through which the said Canal and Cut shall be made, shall also have and be entitled to the like Right of Fishery of and in so much of the said Canal and Cut as shall be made through his, her, or their Lands, or Grounds so as in the Use and Exercise of any such Right of Fishery as aforesaid, the said Canal and Cut, or the Towing-Paths, Banks, or other Works, and Conveniencies, hereby authorized to be made, shall not be prejudiced or obstructed, or any Water drained or exhausted from or out of the said Canal or Cut, and so as the said Company of Proprietors, or their Agents, Servants, or Workmen, or any of them, shall not be liable to any Penalty, Action, or Prosecution for or by reason of the taking or destroying of any such Fish in the said Canal or Cut, which shall be taken, killed, or destroyed through or by Means of the necessary letting off the Water out of the same respectively, for or on Account of any Repairs or Works to be done in or about the same.

Right of
Fishery reserved to
Lords of Manors, &c.

CLXXII. Provided always, and be it further enacted, That it shall be lawful for the respective Owners and Occupiers of any Lands or Grounds adjoining the said Canal and Cut, to use upon the same any Pleasure Boats, or any Boat for the Purpose of Husbandry only, or for the conveying of Cattle or Manure from any Farm or Land to any other Farms or Lands of the same Owner or Occupier, without any Interruption from the said Company of Proprietors, or any Persons acting under them, and without paying any Rate, Toll, or Duty for the same, so as such Boats be not above Five Feet in Breadth, and Twelve Feet in Length, and do not pass through any Lock, and so as such Pleasure Boats or Boat do not pass through any Lock or Stop-Gate to be made on the said Canal or Cut, and be not employed in carrying any Goods, Wares, or Merchandize to Market or for Sale or Hire, or any Person or Persons for Hire, and so as the same do not obstruct or prejudice the Navigation of the said Canal or Cut, or the Passage upon the Towing-Paths on the Sides thereof; and so that the respective Owners of all such Pleasure Boats or Husbandry Boats, shall, in their own Lands, make convenient Places for such Boats to lie in, and shall not suffer the same to be moored or remain upon the said Canal or Cut.

Owners and
Occupiers of
Lands may
use Pleasure
and Husbandry
Boats free
of Rates.

CLXXIII. And

Canal to be
measured and
Stones to be
erected every
Half-mile.

CLXXIII. And be it further enacted, That as soon as conveniently may be after the said Canal and Cut hereby authorized to be made as aforesaid shall be completed, the said Company of Proprietors shall cause the same to be measured, and Stones or Posts to be erected, and for ever afterwards maintained on the Side or Sides thereof respectively, at the Distance of Half a Mile from each other, with proper and legible Marks thereon, denoting the Distance from such Places as shall be thought proper.

Navigation
not to be sub-
ject to Com-
missioners of
Sewers.

CLXXIV. And be it further enacted, That the said Canal and Cut, and other Works hereby authorized to be made as aforesaid, or any of them, shall not be subject or liable to the Controul, Direction, Survey, or Order of any Commissioners of Sewers, or to any Law or Statute relating to Sewers, any Thing in any former Law or Statute to the contrary notwithstanding.

Remedy for
Damages not
before provid-
ed for.

CLXXV. And be it further enacted, That if at any Time or Times hereafter any Person or Persons shall sustain any Damages in his, her, or their Lands, Tenements, Hereditaments, or Property, by reason of the Execution of any of the Powers hereby given, for which a Compensation is not hereinbefore provided, then and in every such Case, such Damages shall from Time to Time be settled and ascertained by the Commissioners appointed by this Act or assessed by a Jury; and the Sum or Sums of Money to be paid for the same shall be levied, recovered, and applied in such and the same Manner as is hereinbefore directed with respect to such Damages as are hereinbefore provided for, and the Money to be paid as a Recompence for the same.

For compel-
ling Payment
of Subscrip-
tions.

CLXXVI. And be it further enacted, That all and every Person and Persons who have or hath already subscribed, or who shall hereafter subscribe to advance any Money for and towards the making and maintaining of the said Canal and Cut, Water-works, and other Works, hereby authorized to be made as aforesaid, shall pay the Sum or Sums of Money by them respectively subscribed, or to be subscribed, or such Part or Parts thereof, as shall from Time to Time be called for by the Committee of Management of the said Company or Proprietors, by virtue of the Powers, and pursuant to the Directions of this Act, at such Times and Places as shall be appointed for that Purpose by the said Committee in the Manner hereinbefore mentioned; and in case any Person or Persons shall neglect or refuse to pay the Sum or Sums so to be called for from him, her, or them, at the Time and in the Manner to be appointed for that Purpose as aforesaid, it shall be lawful for the said Company of Proprietors to sue for and recover the same in any of His Majesty's Courts of Record at *Westminster*; in an Action of Debt or in an Action of Trespass upon the Case, upon Promises, or in an Action upon the Case in Tort, as they shall deem most expedient.

Lords of
Manors may
work Mines
under Canal.

CLXXVII. Provided also, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to prevent the Lord or Lords of any Manor or Manors, or the Owners or Occupiers of any Lands, Grounds or Hereditaments through or over which the said Canal is intended to pass, to dig for, sink, or work any Mines of Ore, Coals, or Minerals whatsoever lying under the said Canal, or the Land lying contiguous or adjoining the same, or for using any Rights or Royalties

alties which they are entitled to, so that they thereby do no Injury to the said Canal or Works, and so that Notice in Writing be in all Cases given to the Engineer of the said Company by such Lord or Lords, Owners or Occupiers of their Intention to dig for, sink, or work any such Mines.

CLXXVIII. And be it further enacted, That all Complaints and Informations of Offences against this Act, or any Rule, Order, or Bye Law to be made in pursuance thereof, (except in Cases where the Manner of hearing and determining thereof is hereinbefore otherwise directed,) shall and may be made before any Justice of the Peace for the County or Place wherein the Offence shall be committed; and such Justice is hereby authorized and empowered to take Cognizance thereof, and to summon the Person or Persons complained of to appear before him, and upon the appearing or not appearing of such Person or Persons, pursuant to such Summons, to hear the Matter of every such Complaint and Information, by Examination of any Witnesses upon Oath, and to make such Determination therein as such Justice shall think proper; and upon the Conviction of any such Person, such Justice shall and may issue a Warrant, under his Hand and Seal, for levying the Fine, Penalty, or Forfeiture, by virtue of this Act, imposed for such Offence, by Distress and Sale of the Goods and Chattels of the Person so convicted; and all such Fines, Penalties, and Forfeitures, when recovered, after rendering the Overplus (if any) when demanded, to the Owner of such Goods and Chattels, the Charges of such Distress and Sale being first deducted, shall (where the Application is not otherwise directed by this Act) be paid into the Hands of the Treasurer to the said Company of Proprietors, and shall be applied and disposed of towards defraying the Expences of the said Navigation and Undertaking; and in case sufficient Goods or Chattels of any Person liable to pay any such Fine, Penalty, or Forfeiture cannot be found whereon to make such Distress, and such Fine, Penalty or Forfeiture, shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction, for any Time not exceeding Two Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

CLXXIX. And be it further enacted, That all and every Justice and Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or any other Form of Words to the same Effect; *videlicet*,

BE it remembered, That on the _____ Day of _____
in the Year of our Lord _____
A. B. is convicted before me C. D. One of His Majesty's Justices
of the Peace for the County of _____ [specifying the Offence, and Time and
Place when and where the same was committed]. Given under my
Hand and Seal the Day and Year aforelaid.

Form of Con-
viction.

Persons taking a Distress irregularly not to be deemed Trespassers *ab initio*.

CLXXX. 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 Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damages in an Action upon the Case.

Not to be quashed for Want of Form.

CLXXXI. And be it further enacted, That no Proceedings to be had and taken, in pursuance of this Act, shall be quashed or vacated for Want of Form, or be moved by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Appeal given to the Quarter Sessions.

CLXXXII. Provided always, and be it further enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Order or Judgment, made or given in pursuance of any Rule, Bye-Law, or Order of the said Company of Proprietors, or by the Order or Determination of any Justice or Justices of the Peace, in pursuance of this Act, may, within Six Calendar Months after such Order shall be made or given, complain to the Justices of the Peace at the General Quarter Sessions of the Peace, to be held in and for the County or other Place where the Cause of Appeal shall arise, and not elsewhere; the Person or Persons appealing having first given at least Fourteen Days' clear Notice of such Appeal, and of the Nature and Matter thereof to the Person or Persons appealed against, or to the Principal Clerk to the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace, for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon, and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall, in a summary Way, hear and determine such Complaint, at such General Quarter-Sessions of the Peace, to be held for such County or Place, or if they think proper, adjourn the Hearing thereof to the next General Quarter-Sessions of the Peace, to be held for such County or Place, and, if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned, which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Limitation of Actions.

CLXXXIII. And be it further enacted, That if any Action, Suit, or Information shall be brought or commenced by any Person or Persons for any Thing done or to be done in pursuance of this Act, or in the Execution

execution of the Powers and Authorities, or the Orders and Directions hereinbefore given or granted, every such Suit or Information shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing of such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County where the Matter in Dispute shall arise, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any **General** Trial to be had thereupon, and that the same was done in pursu- **Issue.** ance 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 so limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then, and in such Case, the Jury shall find for the Defendant or Defendants; and in such Case also, or if the Plaintiff or Plaintiffs shall become nonsuit or suffer a Discontinuance of his or their Action or Actions, Suit, or Information, after the Defendant or Defendants shall have appeared thereto, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon Demurrer, or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such **Costs.** Remedy for the Recovery of the same, as any Defendant or Defendants hath or have for Costs in other Cases by Law.

CLXXXIV. And be it further enacted, That this Act shall be deemed Public Act, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

THE SCHEDULE to which the foregoing Act refers.

In *Lyncomb* and *Widcomb* Parish.

Owners.	Occupiers.	Description of Property.
Messrs. Smiths, Brewers. } John Pickter, Lessee.	John Pickter.	Stables and Yard.
Do. do.	Thomas Bandy.	Smith's Shop, Hovel, and Yard.
Wm. Smith.	In Hand.	House and Yard.
Do.	George Serjeant.	House.
T. Baylis.	Wm. Price.	Do.
Messrs. Smith.	John Pickter. }	Pack-horse Inn, Outbuildings, and Yard.
John Bayley.	James Durnell.	House and Yard.
Wm. Clark, Esq. }	John Salter.	House, Outbuildings, and Yard.
John Salter, Lessee. }	John Densley.	Stables.
Messrs. Robert and James Grant Smith. }	Thomas Ridout.	House and Yard.
	Wm. Fackerell.	Do.
	Sarah Pofon.	Do.
	Samuel Jefferies.	Do.
	Nehemiah Wilkins.	Do.
	James Freeman.	Do.
	Geo. Smith.	Do.
	Widow Young.	Do.
	Messrs. Smith and John Densley. }	Angel Inn, Stables, Yards, and Outbuildings.
	Elizabeth Young.	House and Yard.
	Thomas Paul.	Do. do.
	Thomas Lewis. }	Yard.
	John Densley.	Garden.
	Jonathan Harman. }	Garden and Workshops.
	John Weston.	House and Garden.
	John Turner.	Garden.
	Widow Miles.	Do.
	John Sheppard. }	House, Outbuildings, and Gar- den.
	John Hix.	Do. and Garden.
	Thomas Toza.	Do. do.
	John De Banks.	Garden.
	John Hix. }	Sawpit, Shed, and Timber Yards.

Lyn-

Lyncomb and Widcomb Parish continued.

Owners.	Occupiers.	Description of Property.
John Sheppard, Lessee.	M. Pontin.	Garden and Garden-house.
Do. do.	John Salter.	Garden and Hot-house.
Do. do.	Reeves.	Garden and Garden-house.
Do. do.	Samuel Orchard.	House and Garden.
Do. do.	Joseph Parker.	Garden.
Do. do.	Jonathan Harman.	House and Garden.
Jonathan Harman, Do.	Samuel Brooks.	Do. do.
Do. do.	Jonathan Harman.	Rope-walks and Sheds.
Do. do.	Anna Morse.	Garden.
Do.	Joseph Essex.	Do. and Garden-house.
Do.	Samuel Randall, and	} Garden.
Do.	Walter Batchellor.	
Do.	Uriah Langley.	Do.
Do.	James Wife.	Do.
Do.	Cornelius Dayley.	Do.
Allen Tucker, Esq.	Clark.	Do.
John Sheppard, Lessee.	Wm. Williams.	Do.
Allen Tucker, Esq.	Apperfield.	Do.
Do.	John Hooper.	Do.
Do.	Joseph Allen, and Un- dertenant.	} Do.
Do.	Do. Goff.	
Do.	Rd. Tongue.	Do. and Garden-house.
Richard Divett, Esq.	Abel Vivian.	Garden.
Samuel Stone, Lessee.	Samuel Stone.	} House, Hot-house, Stable, Garden, and Orchard.
Charles Davis.	W. S. Buckley, Esq.	
W.S. Buckley, Esq. Lessee.	T. Waller.	} Garden or Avenue to the House.
John Sheppard.	George Thomas.	
Messrs. Thomas & James Peacock.	Rd. Brimson.	House and Shop.
Do.	Robert Palmer.	Do.
Do.	Vacant.	Do.
Do.	Steeple.	Do.
James Peacock.	John Burrige.	Do.
Martin Bond, Mrs Ter- ry, Henry Irons, and Mrs. Walter, Repre- sentatives of late Mrs. Timbrell.	Thomas Vann.	House.
	John Bayley.	Do.
	Henry Irons	Do.
	Nehemiah Hayward.	Do.
Thomas Lewis.	Thomas Mitchell.	Do.
	John Sayley.	Do.
Grace Griffiths.	Joseph Oram.	Do. and Shop.
William Butler.	Thomas Peacock.	Do.
John Shephard.	Hannah Pontin.	Do.
Allen Tucker, Esq.	Jeremiah Fry.	Garden and Garden-house.
John Sheppard, Lessee.	James Bush.	Faggot-garden.
William Redman.	James Wife.	House.
Henry House.	William Wilmot.	Do.
	Ethelrid Matthews.	Do.

Lyncomb and Widcomb Parish continued.

Owners.	Occupiers.	Description of Property.
George Stothert.	James Pontin. In Hand.	House. Warehouse and Workshop.
Henry House.	John De Banks. Vacant.	House. Do.
Lord Darlington. Henry House, Lessee.	Robert Hill. Thomas Bendy.	Do. Do.
Blakemore and Tomlinson. John Thomas.	Henry House. Reynolds and Co. In Hand.	Wharf. Warehouse. Wharf and House.
Commissioners of Turn- pike Roads.	John Clarke.	Toll-house and Garden.
Messrs. Reynolds and Co.	Samuel Warren.	House and Garden.
Mrs. Atwood.	Wm. Sharland.	House, Garden, Paddock, and Shed.
James Grift. Do.	In Hand. Henry Morey.	House and Garden. Do.
Samuel Stone. Do.	In Hand. Widow George.	Garden. House and Garden.

Saint James's, City of Bath.

Earl Manvers.	Wm. Board.	Garden and Orchard.
Do. G. Stothert, and John Allen, Lessees.	G. Stothert, and John Allen.	Garden, Wharf, and Work- shop.
Do.	Wm. Dewson.	Garden.
Do.	Abraham Miller.	Do.
Corporation of Bath. Fred. Turner, Esq. sur- viving Trustee to late Mary Pugh, Lessee.	Rd. Trehearne.	Full Moon Inn, Stables, Yard, Garden, and other Out-buildings.
Do. do.	Widow Townsend.	Full Moon Tap-house.

In Twerton Parish.

Trustees of late Jas. Smith.	John Saviour.	Garden.
Do. John Smith, Lessee.	John Smith.	House and Garden.
Do. John Burton, under Mr. Mars.	John Burton.	Do.
Do. John Pearse, do.	Arthur Bond.	Do.
Do. do. do.	In Hand.	Do.
Do. James Beak, do.	James Beak.	Do.
Do. do. do.	Richard Dafter.	Do.
Do. Chas. Deverell, do.	C. Deverell.	Do.
Do. Simon Holder, do.	S. Holder.	Do.
Do. do. do.	William Spackman.	Do.
Do. Mrs. Cook, do.	Isaac Rustall.	Do.
Do. do. do.	Griffiths.	Do.
Do. do. do.	Thomas Waste.	Do.

Twerton

Twerton Parish continued.

Owners.	Occupiers.	Description of Property.
Do. do. do.	William Tyler.	House and Garden.
Do. do. do.	— Alderman.	Do.
Opie Smith, Esq. Mrs. } Cook, Lessee under } Mr. Mars.	Widow Robins.	Do.
Do. do. do.	William Bush.	Do.
Do. do. do.	Widow Clement.	Do.
Do. do. do.	Widow Allanton.	Do.
Do. J. Huckelbridge, do.	Daniel Packhouse	} A Dwelling-house and Gar- den.
Do. do. do.	Enoch Batchelor.	
Do. do. do.	William Gibbes.	
Do. do. do.	In Hand	} House and Garden.
Do. do. Richard Taylor, } under Lessee.	William Lewis.	
	James King	
S. C. Webb.	James Broad.	Do.
	William Locke.	Do.
Dr. Phillott.	William Slead	Do.
	Benjamin Williams.	} House, Outbuildings, and Garden.
Widow Baker.	Widow Baker.	Garden.
	Mrs. Carne.	Do.
Trustees of late James } Smith.	In Hand.	Do.
	Jacob Littlejohn.	} Outbuildings, Orchard, Gar- den, and Yard.
Francis Naish, Esq.	In Hand.	Garden, Orchard or Paddock.
Mrs. Weaver.	S. Challenger.	House and Garden, &c.
	William Pearse.	Do. do.
John Bush.	Robert Woodleton.	Do. do.
	In Hand.	Garden and Orchard.
S. Broad.	Edward Broad.	} House, Outbuildings, Barton and Barn.
	Richard Cooper.	House, Garden, &c.
Do.	In Hand.	Do. do.
Rachael Tanner.	George Collins.	Do. do.
Samuel Broad.	John Mallett.	Cottage and Garden.
John Dafter.	Mary Hood.	Do.
Do.	In Hand.	} Barn, Barton and Out-build- ings.
Do.	— Norris.	Cottage and Garden.
	W. Davis.	Do.
Walter Tanner.	George Sprigg.	Do.
	William Webley.	Do.
Francis Naish, Esq.	Moses Bannister, sen.	Garden.
	Moses Bannister, jun.	Do.
Do.	James Cadby.	Do.
Do.	William Morgan.	Do.
Do.	Levi Dickwich.	Do.
Do.	Jacob Parsons.	Do.
Do.	Abraham Parsons.	Do.
Do.	John Williams.	Do.
Rev. Mr. England.	Robert Cook.	} Stables, Barn, Barton, and Paddock.
Do.	Francis Naish, Esq.	Rack Ground.

Taverton Parish continued.

Owners.	Occupiers.	Description of Property.
Rev. Dr. Fothergill.	In Hand.	Garden, Paddock or Orchard.
	John Whatley.	Cottage and Garden.
	John Kemp.	Do.
	Thomas Watson.	Do.
	Joseph Wills.	Do.
Do. or Francis Naish.	James Sawyer.	Do.
	John Williams.	Do.
	Moses Millins.	Do.
	John Sims.	Do.
	In Hand.	Do.
Mrs. Heneage, John Small- combe Lessee, in trust for the Heirs of the late Henry Luxton.	Samuel Newman.	Garden
	William Treasure.	Do.
	John Smallcombe.	Do. and Buildings.
Francis Naish, Esq.	Robert Reeves.	Cottages and Gardens.
Do.	William Hill.	Do.
Do.	James Toop.	Do.
Do.	Thomas Leslie.	Do.
Do.	John Sim.	Do.
Do.	Wm. and J. Browning.	Do.
Do.	William Webber.	Do.
Do.	John Webb.	Do.
Do.	Ambrose Chalk.	Do.
Do.	Jasper Jones.	Do.
Do.	William Delamore.	Do.
Do.	William Ames.	Do.
Do.	Jane Read.	Do.
Do.	Henry Fussell.	Do.
Do.	Samuel Pitman.	Do.
Do.	Samuel Shoal.	Do.
Do.	Richard Bonner.	Do.
Do.	James Turner.	Do.
Do.	William Newman.	Do.
Do.	Andrew Bishop.	Do.
Do.	Henry Brown.	Do.
Do.	Hercules Miles.	Do.
Do.	William Pullen.	Do.
Do.	Thomas Dridge.	Do.
Do.	William Allen.	Do.
W. G. Langton, Esq. Charles Wilkins, Lessee.	Charles Wilkins	Garden and Tenter Ground.
Charles Wilkins.	John Pritchard.	House and Garden.
Do.	Thomas Down.	Do. Do.
Do.	Thomas Kelson.	Do. Do.
Do. (Lessee under W. G. Langton.)	In Hand.	Do. Outbuildings and Garden.
Charles Wilkins.	Do.	Drying-house and other Out- buildings and Yards at the Mill.
Do.	William Spackman.	Corn Mill and Orchard.
Robert Smith.	In Hand.	House, Brewhouse, Stable, Cottages and Gardens.

In *Saltford* Parish.

Owners.	Occupiers.	Description of Property.
Thomas Browning, Esq.	Jacob Racker.	House, Withy-bed & Orchard.
Do.	John Oakley.	Orchard.
Commissioners of Turnpike Roads.	George Gouldstone.	Toll-house.
George Gouldstone.	In Hand.	House and Orchard.
George Harvey and Widow Hiscox.	In Hand.	Do.
George Flowers Trustees.	George Gouldstone.	Garden.
William Hill.	In Hand.	House, Outbuildings, and Garden.
R. B. Ward, Esq.	Thomas Hancock.	Do. Do. Do.
Harford and the Bristol Bras Company.	Thomas Hancock.	Garden and Paddock.
Do.	Mess. Malcolm and White.	Orchard.
Do.	James Hollis.	Cottage and Garden.
Do.	Robert Williams.	Do.
Do.	James Williams.	Do.
Do.	Wm. Hollis.	Do.
Do.	Mary Hollis.	Do.
Do.	John Hollis.	Do.
Benjamin Milward.	Richard Maggs.	Cottage and Garden.
Do.	James Gouldstone.	Do.
Do.	William Gouldstone.	Do. and Out-buildings.
Rev. Thos. Davis.	In Hand.	Orchard.
Richard Brigdale Ward.	William Gane.	Do. and Garden.
Rev. Thos. Davis.	In Hand.	Barn, Stable, Barton and Gardens.
Sufannah Goodhind	Ambrose Dyer.	Cottage, Orchard and Garden.
William Clement.	Thomas Pyke.	
Sufannah Goodhind.	In Hand.	Garden and Orchard.
Charles Oldfield.	In Hand.	House, Out-buildings, Barton, and Garden.
Do.	Thomas Brimble.	Cottage and Garden.
Thomas Browning, Esq.	Joseph Scroggins.	Do.
George Flowers Trustees.	Robert Nicholas.	Orchard.
	William Francis.	Two ditto and Paddock.

In *Keynsham* Parish.

—— Jolliffe, Esq. | —— Shute. | Withy Bed and Orchard.

In the Hamlet, or Tything of *Hanham*.

Humphry Cresswick, Esq.	Robert Salmon.	Public-house, Out-buildings, and Garden.
Do.	William White.	
Robert Nurse, sen.	Robert Nurse, jun.	Cottage and Garden.
[Loc. & Per.]		House, Out-buildings, Garden and Orchard.

Hamlet of *Hanham* continued.

Owners.	Occupiers.	Description of Property.
Bristol Dock Company.	Vacant.	House and Garden.
	Thomas Porringer.	Do. and Orchard.
	Joseph Brittain.	Do. and Garden.
	In Hand.	Orchard.
Late Blundell.	John Couch.	Cottage and Garden.
Heirs of late Mr. Emmerson, under late Blundell; P. George, Esq. and Co. Lessees.	P. George, Esq. and Co.	Puddling Houses.
John Couch.	In Hand.	Tile-house, Orchard, and Withy-bed.
John Lutton.	Thomas Willis.	House, Out-buildings, and Garden.

In *Saint George's* Parish, County of *Gloucester*.

John Jarratt, Esq.	John Hopkins.	House, Garden, and Quarry.
Do.	George Field.	Do. Do. Do.
Do.	Henry Willis.	Cottage and Garden.
Do.	William Batten.	Do. Do.
Do.	Betty Lewis.	Do. Do.
Do.	Vacant.	Do. Do.
Do.	Do.	Do. Do.
Do.	William Cornish.	Do. Do.
Do.	Elizabeth Durman.	Do. Do.
Do.	Elizabeth Greenway.	Do. Do.
Solomon Leonard.	Moses Bateman	Do. Do.
John Davis, Lessee.	Francis Martin.	Do. Do.
Do.	In Hand.	Public-house, Brewhouse, Stable-yard, and Garden.
Do.	Thomas Hankin.	Cottage and Garden.
Do.	Mary Williams.	Do.
John White.	John Gingell.	Do.
Martha Flook.	Henry Isles.	Do.
Stephen Bush.	In Hand.	Do.
Aaron Gingell.	A. Gingell.	Do.
John Garland.	John Garland.	Do.
Isaac Winders.	In Hand.	Do.
Isaac Sharland.	In Hand.	Do.
Francis Sheppard.	In Hand.	Do.
Thos. Morgan Harry Lusk.	In Hand.	Do.
J. M ^c Kinley.	Daniel Ashman.	Do.
John Curtis.	In Hand.	Do.
Do.	Vacant.	Do.
J. M ^c Kinley.	In Hand.	Do.
Brass Wire-Works Company.	Stephen Williams.	Do.
Thomas Phipps, Esq.	John Payne.	Garden.
Do.	Abel Hibbs.	Do.
Do.	Benjamin Fudge.	Do.

Saint

Saint George's Parish continued.

Owners.	Occupiers.	Description of Property.
Thomas Phipps, Esq.	Wm. Cread.	Garden.
Do.	Abraham Payne, jun.	Do.
Do.	George Payne.	Do.
Do.	Mifs Powell's.	Do.
Do.	John Baker.	Do. and Orchard.
Wm. Radford.	John Hayes.	Do.
Do.	Edward Tuff.	Do.
Samuel Griffin.	John Morgan.	Cottage and Garden.
Wm. Radford.	John Maggs.	Do. Do.
Edward Rider.	In Hand.	Do. Do.
Edward Ifes.	In Hand.	Do. Do.
Samuel Whittrick.	Sufannah Rider.	Do.
— Cookson, Esq.	Vacant.	{ Holly-house and Garden, Glas-
Do.	Sufannah Rider.	house, &c.
Do.	John Bowen.	Garden.
Do.	Daniel Smith.	Do.
Do.	John Smith.	Do.
Do.	Wm. Noble.	Do.
Do.	Nicholas Steager.	Do.
Do.	George Bateman.	Do.
P. George, Esq.	Benjamin Hayes.	Cottage and Garden.
Do.	Francis Cook.	Do.
Do.	In Hand.	Lead-works, &c.
Do.	Richard Bush.	Garden.
Do.	George Leonard.	Cottage and Garden.
Do.	James Trott.	Do.
Messrs. Pitt, Anderson,	N. Steager and Others.	Garden.
Birch, and Company.		
Do.	John Rayes.	Do.
Do.	James Hill.	Do.
John Olds,	Wm. Morris and Others.	Do.
Wm. Baker, Lessee.		
John Williams.	In Hand.	Do.
Daniel George.	Sarah George.	Do. and Orchard.
Thomas Panhell.	Wm. Baker.	Old Engine-house and Garden.
Mrs. Stanchall.	Do.	{ Out-buildings, Gardens, and
Do.	John Whitford.	Nursery.
Do.	Wm. Weston.	{ House and Gardens.
John Jarrat, Esq.	— Field.	Garden.
Sarah Crincks.	Jacob Harvey.	Cottage and Garden.
Widow Gange.	Moses Golf.	Do.
Do.	George Chilcot.	Do.
Do.	Mary Hodges.	Do.
William Crinks, Lessee.		
— Cookson, Esq.	John Smith.	Do.
Do.	Richard Newall.	Do.
Do.	Nanny Hall.	Do.
Philip George, Esq.	Wm. Hodge.	Do. and Garden.

In the Parish of *Saint Philip and Jacob*, in the County of *Gloucester*.

Owners.	Occupiers.	Description of Property.
William Withers.	Peter Lawder, sen.	Garden.
Do.	— Evans.	Cottage and Garden.
Do.	John Ashley.	Do. Do.
Do.	Joseph Thomas.	Do. Do.
Do.	James Sutton.	Do. Do.
Do.	Robert Cante.	Do. Do.
Do.	William Thomas.	Do. Do.
Do.	In Hand.	Do. Do.
Do.	Vacant.	Do. Do.
Do.	Elias Hill.	Do. Do.
Do.	Mary Wye.	Do. Do.
Do.	Flower Roberts.	Do. Do.
George Hooper, Esq.	Stephen Keel.	Do. Do.
Stephen Keel, Lessee.		
Joshua Smith, Esq.	John Baker.	Garden.
Mr. Banfield, Lessee.		
Wm. Battersby, Esq.	Edward Thrifisle.	Rope-walk.
Edward Thrifisle, Lessee.		
Do.	— Lear.	Garden.
Joshua Smith, Esq.	Do.	Do.
Wm. Battersby, Esq.	William Tilley.	Do.
William Tilley, Lessee.		
Do.	Thomas Crowden.	Do.
Do.	— Willis.	Do.
Joshua Smith, Esq.	— Lear.	Do.
William Tilley, Lessee.	— Lear.	Garden.
William Battersby.	John Bird.	Garden and Orchard.
Nehemiah Bartley.	In Hand.	House, Garden, and Paddock.
Do.	In Hand.	Do. Pin Manufactory, and Garden.
Henry Lambden.	Messrs. Adams and Co.	Pontypool Japan Manufactory.
Do.	Michael Castle, Esq.	Malthouse.
Henry Lambden.	Henry Mutter.	Crown Public-house.
Corporation of Bristol.	In Hand.	Trinity Alms-house.
Do.	In Hand.	Gardens.
Ann Williams.		

Cut or Branch to the Float.

George Hooper, Esq.	Stephen Keel.	Garden.
John Hall.	— Francis.	Do.
Do.	— Ruffell.	Do.
Do.	Humphry Williams.	Do.
Do.	William Brownjohn.	Do.
Do.	John Hall.	Cottage and Garden.
Do.	John Gill.	Rope-walk and Shed.
Do.	William Yabbicom.	Garden.
Do.	John Harris.	Do.
William Cook.	In Hand.	House, Out-buildings, and Garden.

Cut,

Cut, or Branch to the Float continued.

Owners.	Occupiers.	Description of Property.
Joseph Hill.	John Hutchins.	Pond.
Joseph Hill.	Elizabeth Pearse.	House and Pottery Yard.
Richard Bethell.	Samuel Graves.	Cottage.
Do.	Samuel Joshua.	Do.
Do.	John Tracey.	Do.
Do.	John Davis.	Do.
Do.	Richard Warren.	Do.
Do.	Henry Slade.	Do.
Richard Bethell.	John Lewis.	House and Yard.
John Lewis, Lessee.		
J. S. Riddle, Esq. Hutchins and Co. Lessees.	Hutchins and Co.	Lime Kilns.
Do.	John Davis.	Gardens.
Do.	— Bethell.	Do.
John Hall.	James Fuller.	House, Out-buildings and Garden.
Do.	John Howard.	
Do.	Thomas Isher.	Garden.
Do.	Thomas Sage.	Milk-house.
Do.	Thomas Sage.	Cottage and Garden.
Do.	Richard Crocker.	Do.
Do.	Ann James.	Do.
Do.	William Webb, under Stephen Peacock.	Do.
Do.		William Bateman.
Do.	James Rose.	Do.
Charles Cook.	Charles Cook.	Cottage and Garden.
J. S. Williams.	In Hand.	Do.
Joseph Hill.	— Hutchins.	Paddock and Garden.
Do.	Samuel Moor.	Garden.
Luke Higgs.	Richard Pincott.	House.
Do.	Christopher Triggy.	Do.
Do.	Joseph Pincott.	Do.
Do.	David Darley.	Do.
Do.	Elizabeth Brown.	Do.
Do.	John Pavey.	Do.
Do.	Henry Sydenham.	Do.

WATER WORKS.

In Saint Philip and Jacob, County of Gloucester.

George Hooper, Esq.	Stephen Keel.	House and Garden.
Stephen Keel, Lessee.		
Thomas Hooper.	Joseph Curtin.	Nursery and Garden.
Joshua Smith, Esq.	John Baker.	Gardens.
Mary Roads, Lessee.		
John Noble, Esq.	Stephen Whittaker.	House and Gardens.
Stephen Whittaker, Lessee.		

[Loc. & Per.]

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Parish

Parish of *Saint Philip and Jacob* continued.

Owners.	Occupiers.	Description of Property
Joshua Smith, Esq. } Edward Thriflsle, Lessee. }	Edward Thriflsle.	Rope Walk and Workshops.
Do. Do.	Edmund Jones.	Sheds.
Do. Do.	John Bowman.	Shed.
Do. Mary Roads, Lessee.	Stephen Whittaker.	Gardens.
Do. Do.	Edmund Jones.	House, Yard, and Workshop.
Do. Do.	John Wiltshire.	House.
Corporation of the City } of Bristol. }	Henry Slade.	Garden and Pasture.
Thomas Jones.	George Arnold.	House and Garden.

In *Saint Paul's*, County of *Gloucester*.

Miss Eliza Clarke.	Miss Eliza Clarke.	House and Garden.
Ann Powell Smith, Messrs. } J. Miller, and Sweet, } Lessees.	Miller and Sweet.	Nursery Ground.
Daniel Wait, Esq.	Daniel Wait, Esq.	Part of Yard and Out-house.

In *Saint Paul's*, City and County of *Bristol*.

Thomas Cross.	In Hand.	Gardens.
Trinity Hospital Ground. } John Shortman, Lessee. }	John Shortman.	Gardens.
Ann Powell Smith.	Charles Westwood.	Meadow Land and Garden.
Do.	Isaac Jones.	Do.
Do.		
Messrs. Miller and Sweet, } Lessees.	Messrs. Miller and Sweet.	Nursery Ground.
Daniel Wait, Esq.	Daniel Wait, Esq.	House and Garden.

In *Westbury-upon-Trym*, County of *Gloucester*.

C. A. Partridge, Esq.	Samuel Edwards, Esq. } Isaac Cooke, Esq. }	Meadow Land, Park, and Plea- sure Grounds.
Isaac Cooke, Esq.		Pleasure Grounds.