



ANNO QUINQUAGESIMO OCTAVO

GEORGI II. REGIS.

Cap. xvi.

An Act to enable the Grand Junction Canal Company to vary the Line of Part of their Canal in the County of *Hertford*, and for altering and enlarging the Powers of several Acts relating to the said Canal. [17th March 1818.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a navigable Canal, from the Oxford Canal Navigation at Braunston, in the County of Northampton, to join the River Thames at or near Brentford, in the County of Middlesex, and also certain collateral Cuts from the said intended Canal*, by which certain Persons therein named were incorporated, by the Name and Stile of *The Company of Proprietors of the Grand Junction Canal*, for making the said Canal and collateral Cuts, and the several other Works necessary for carrying the said Act into Execution: And whereas another Act was passed in the Thirty-fourth Year of the Reign of His present Majesty, intituled *An Act for making certain navigable Cuts from the Towns of Buckingham, Aylesbury, and Wendover, in the County of Buckingham, to communicate with the Grand Junction Navigation, authorized to be made by an Act of the last Session of Parliament, and for amending the said Act*: And whereas another Act was passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled *An Act for authorizing the Company of Proprietors of the Grand Junction Canal to vary the Course of a certain Part of the said Canal, in the County of Hertford, so as to render the Navigation thereof more safe and convenient, and*

[Local.] 4 M for

33 G.3. c.80.
34 G.3. c.24.
35 G.3. c.8.

- for making some other Amendments and Alterations in an Act made in the Thirty-third Year of the Reign of His present Majesty, for making the said Canal: And whereas another Act was passed in the Thirty-fifth Year of
- 35 G. 3. c. 43. the Reign of His present Majesty, intituled *An Act for making a navigable Cut from the Grand Junction Canal, in the Precinct of Norwood, in the County of Middlesex, to Paddington, in the said County*: And whereas another Act was passed in the Thirty-sixth Year of the Reign of His
- 36 G. 3. c. 25. present Majesty, intituled *An Act to enable the Company of Proprietors of the Grand Junction Canal to finish and complete the same, and the several Cuts and other Works authorized to be made and done by them by virtue of several Acts of Parliament*: And whereas another Act was passed in the
- 38 G. 3. c. 33. Thirty-eighth Year of the Reign of His present Majesty, intituled *An Act for confirming and carrying into Execution certain Articles of Agreement made and entered into between Beilby Lord Bishop of London, Thomas Wood Esquire, Sir John Frederick Baronet, and Arthur Stanhope Esquire, Sir John Morshead Baronet, and Dame Elizabeth his Wife, and Robert Thistlethwaite Esquire, and Selina his Wife, and the Company of Proprietors of the Grand Junction Canal, and for other Purposes therein mentioned*: And whereas another Act was passed in the Forty-first Year of the
- 41 G. 3. c. 71. Reign of His present Majesty, intituled *An Act for enabling the Company of Proprietors of the Grand Junction Canal more effectually to provide for the Discharge of their Debts, and to complete the whole of the Works to be executed by them, in pursuance of the several Acts of the Thirty-third, Thirty-fourth, Thirty-fifth, Thirty-sixth, and Thirty-eighth Years of the Reign of His present Majesty, and for altering and enlarging the Powers and Provisions of the said Acts*: And whereas another Act was passed in the Forty-third
- 43 G. 3. c. 8. Year of the Reign of His present Majesty, intituled *An Act for empowering the Company of Proprietors of the Grand Junction Canal to raise a further Sum of Money to enable them to complete the Works authorized to be executed, in pursuance of the several Acts passed in the Thirty-third, Thirty-fourth, Thirty-fifth, Thirty-sixth, Thirty-eighth, and Forty-first Years of the Reign of His present Majesty, and for amending, altering, and enlarging the Powers and Provisions of the said Acts*: And whereas another Act was passed in
- 45 G. 3. c. 68. the Forty-fifth Year of the Reign of His present Majesty, intituled *An Act for altering, amending, and enlarging the Powers of certain Acts for making and maintaining the Grand Junction Canal*: And whereas another Act was passed in the Fifty-first Year of the Reign of His present Majesty, intituled
- 51 G. 3. c. 169. *An Act for confirming certain Articles of Agreement entered into between the Company of Proprietors of the Grand Junction Canal and certain Persons for supplying with Water the Inhabitants of the Parish of Paddington, and the Parishes and Streets adjacent, in the County of Middlesex*: And whereas another Act was passed in the Fifty-second Year of the Reign of His present
- 52 G. 3. c. 140. Majesty, intituled *An Act to explain, amend, and enlarge the Powers of certain Acts passed for making and maintaining the Grand Junction Canal*: And whereas the said Company of Proprietors have made and completed the said Grand Junction Canal, and have, in pursuance of the Provisions of the said first-recited Act, made and maintained a Reservoir for the Use of the Mills situate on the River Colne; but the said Company have not made any Reservoir for the exclusive Supply or Service of the Mills on the Berkhamstead River called Bulborne, or on the united Streams of the Rivers Bulborne and Gade, in the several Parishes of Northchurch, Great Berkhamstead, Hemelhempstead, Kings Langley, Abbots Langley, Watford, and Rickmersworth, all in the said County of Hertford, but in lieu thereof
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have erected and worked a Steam Engine, for the throwing up the Water from a Place near the Mill Tail of *Nash Mill*, situate on the said united Rivers *Bulborne* and *Gade*, in the said Parish of *Abbots Langley* into the said Canal and Rivers above *Nash Mill* aforesaid, and above Three other Mills on the said united Rivers respectively called *Apsley Mill*, *Frogmoor Mill*, and *Two Waters Mill*; and the said Company have also made and worked Side Pounds at each of the Four Locks on the said Canal next *Nash Mill* aforesaid, for the Purpose of diminishing the Consumption of Water thereat from the said united Rivers: And whereas Disputes have for several Years subsisted between the said Company of Proprietors, and the Owners and Occupiers of the said Two Mills respectively called *Apsley Mill* and *Nash Mill*, respecting the Subtraction of Water by Means of the said Canal from the said Two Mills, and the Inadequacy of the Supply afforded by the said Engine and Side Pounds to compensate for such Subtraction, and Leakage and Evaporation, and the Want of such Reservoir to supply the same: And whereas the Contiguity of the said Four Locks to each other, and the working of the said Side Pounds, are productive of much Inconvenience and Delay to the Persons using the Navigation: And whereas, in order to make the Line of Canal more commodious, and to put an End to all the said recited Disputes, the said Company of Proprietors have, at the special Instance, and with the Consent and Approbation of the Owners and Occupiers of *Apsley Mill* and *Nash Mill* aforesaid, caused Surveys to be made, whereby it appears, that if Part of the said Canal between *Frogmoor* Swing Bridge, in the said Parish of *Hemel Hempstead*, and its Junction with the Tail Water of *Nash Mill* aforesaid, were abandoned, and the Course or Line thereof carried into and along the said united Rivers *Bulborne* and *Gade*, in the said Parishes of *Hemel Hempstead*, *Kings Langley*, and *Abbots Langley*, to the Place where the said Canal now unites with the Tail Water of *Nash Mill* aforesaid, it would prevent the Loss and Waste of Water from the said Two Mills, by Means of Leakage and Evaporation, from the said Part of the said Canal, so to be abandoned, and would also be more commodious for Navigation; but the same cannot be effected without the Authority of Parliament; and it is expedient that several of the Powers and Provisions of the said recited Acts should be altered and enlarged, for the more completely carrying into Effect the several and respective Purposes of the said Acts and this Act, and extending the beneficial Objects thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Servants, and Workmen, to make, complete, and maintain a Variation from the Line of the said Canal, and the several Works thereof or connected therewith, in and through such Parts of the said Parishes of *Hemel Hempstead*, *Kings Langley*, and *Abbots Langley*, in the said County of *Hertford*, as is and are described and shewn in the Map or Plan and Book of Reference deposited in the Office of the Clerk of the Peace for the said County of *Hertford*, on the Thirtieth Day of *September* One thousand eight hundred and seventeen, any Thing in the said first-recited Act to the contrary in anywise notwithstanding; and also to make, erect, execute, do, and perform all such Works, Matters, and Things as shall be requisite and convenient for making, completing,

Company
empowered
to vary the
Line of the
Canal.

completing, and maintaining the said varied Line of Canal, and the Navigation thereof, according to the several Powers, Authorities, Provisions, Matters, and Things in the said recited Acts contained (subject to the Provisions and Restrictions contained in this Act), so far as the same are or shall be applicable, shall be used and exercised by the said Company of Proprietors, their Deputies, Agents, Servants, and Workmen, and shall extend to and be applied and enforced for making, completing, preserving, and maintaining the said varied Line and Works thereof or connected therewith, and for making, erecting, executing, doing, and performing all such other Works, Matters, and Things, as the said Company of Proprietors shall think necessary or expedient from Time to Time for the Benefit of the said varied Line of Canal, and of the Navigation thereof, and for defraying the Expences thereof, and for making Compensation for the Tithes of the Lands to be taken or used for the Purposes aforesaid; and for ascertaining, collecting, receiving, recovering, and letting to farm the Rates granted by the said recited Acts; and for recovering the Penalties and Forfeitures imposed or made payable by virtue of the said Acts or of this Act, and in all other Respects in such and the like Manner, and as fully and effectually to all Intents and Purposes, as if the said several Powers, Authorities, Provisions, Matters, and Things were repeated and re-enacted in the Body of this Act as to such varied Line, and the making and maintaining thereof; and as if the varied Line of Canal and Works, by this Act authorized to be made, completed, and maintained, had been and was Part of the Line and Works by the said recited Acts, or any of them, authorized or intended to be made, completed, and maintained.

Power to purchase by annual Payments repealed, and Purchase Monies in Gross to be paid.

II. And be it further enacted, That so much of the said first herein-before recited Act as authorizes the said Company to purchase or make Compensation for any Lands or Hereditaments to be used for the Purposes of the said Canal, by an annual Payment, shall be and the same is hereby repealed; and the said Company shall in all Cases pay such Sum or Sums of Money in Gross, for the Purchase of all Lands, Tithes, or Hereditaments to be by them taken or used for the Purposes of the said Canal, as shall from Time to Time be ascertained and settled, agreeably to the Provisions contained in the said first herein-before recited Act; any Thing in the said Act contained to the contrary notwithstanding.

Not to deviate without Consent.

III. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors, upon any Account or Pretence whatsoever, to deviate more than Fifty Yards from the Line described in the said last-mentioned Map or Plan and Book of Reference, within the said Parishes of *Hemel Hempstead*, *Kings Langley*, and *Abbots Langley*; nor to make any Alteration in the State of Communication between the said Canal and the Rivers *Gade* and *Bulborne*, Northward of *Nash Mill* aforesaid, other than as authorized by this Act, nor to divert any of the Waters of the said Rivers, or either of them, in any other Manner than as diverted at the Time of passing this Act: 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 varied Line of Canal and Works hereby authorized to be made, or any of them, on account of any Error or Omission in the said Book of Reference or Plan, in case it shall appear to any Two or more Justices of the Peace acting for the said County of *Hertford*,

No Advantage to be taken of any Error by Mistake in the Reference Book or Plan.

Hertford, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake.

IV. And be it further enacted, That when and so soon as the said varied Line of Canal shall be completed and used for Navigation, the said Company of Proprietors shall and they are hereby authorized and required to stop and for ever thenceforth to discontinue the Navigation of such Part of the present Line of Canal as lies between a Point to be measured, Three hundred and thirty Yards Southward of *Frogmoor* Swing Bridge aforesaid, and the Junction of the said Canal with the Tail Water of *Nash Mill* aforesaid, below the Four Locks in the said Parish of *Abbots Langley*.

The old Line to be discontinued when new Line made.

V. Provided always, and be it further enacted, That the said Company of Proprietors, before they shall sell or dispose of any Lands or Buildings, Part or Parcel of the present Line herein-before directed to be discontinued after the said varied Line of Canal shall be completed, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, or who would have been then entitled thereto in case such Lands or Buildings had not been purchased by the said Company of Proprietors (except a small Portion of the said Line abutting on Lands of *John Dickinson* near the Four Locks aforesaid, and which the said Company have covenanted to give up to the said *John Dickinson* in Exchange for certain Lands belonging to him; and required for the Purposes of the said varied Line of Canal), the Price at which the same shall be resold to such former Owner, or Representative of such Owner, being adjusted and settled by a Jury, in like Manner as the Price of any Land to be taken in pursuance of the said recited Acts is directed to be settled in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree, or shall refuse to purchase the same, an Affidavit made before a Master Extraordinary in the High Court of Chancery, or one of His Majesty's Justices of the Peace for the County of *Hertford*, by any Person or Persons not interested in the Premises, stating that such Offer was made by or on behalf of the said Company of Proprietors, and that such Person or Persons did not agree or refused to purchase such Lands or Buildings (as the Case may be), shall in all Cases be sufficient Evidence and Proof that such Offer was made and not agreed to, or was refused.

First Offer on Resale of old Land to be made to former Owners, &c.

VI. Provided always, and be it further enacted, That in all Places where the Line of the said Canal by this Act directed to be made shall cross any public Carriage Road, the Ascent to every Bridge to be made over the said Canal for the Purpose of such Road shall not be more than One Foot in Thirteen; and that a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Ascents to Bridges, and Fences thereon.

VII. Provided always, and be it further enacted, That such and the like Rates of Tonnage as are now payable to the said Company of Proprietors for and in respect of the Part of the said Canal so intended to be abandoned by virtue of this Act, shall be paid to the said Company of Proprietors upon the varied Line of Canal to be made in pursuance of this Act: Provided nevertheless, that none of the said Rates shall be payable or taken, by virtue of this Act, for or in respect of Goods and other Articles and

No additional Rates to be taken on varied Line.

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Things necessarily navigated by the Occupier or Occupiers for the Time being of the said Two Mills called *Apfley Mill* and *Nash Mill*, or either of them, along any Part of the said varied Line of Canal between the said Two Mills, and not navigated through more than One of the Locks on the said varied Line of Canal from the Mill Heads of *Apfley Mill* and *Nash Mill* respectively; and provided the Boat, Barge, or other Vessel conveying such Goods and other Articles and Things, be not on any Pretence moored on the Towing-path Side of the Canal, nor any Obstruction caused to the Navigation of the said Canal by means thereof.

Repealing
the Clauses
in 33 G. 3.
respecting
Reservoirs,
&c.

VIII. And whereas it is in and by the said first-recited Act, amongst other Things, provided and enacted, that before any of the Brooks, Streams, Rivulets, Waters, Watercourses, or Springs, which then supplied the Rivers or Streams of *Gade* or *Colne*, or the *Berkhampstead* River called *Bulborne*, or any of the Streams or Cuts which were formed out of or communicated with such Rivers or Streams or any of them, should be taken or used for the Use or Supply of the said Grand Junction Canal, and before the said Rivers or Streams of the *Gade*, the *Colne*, or the *Bulborne*, or such other Streams or Cuts, should be diminished by means thereof, the Commissioners thereby appointed should and were thereby authorized and required to set out, in some Place or Places as near to the Line of the said Canal, and to such Brooks, Streams, Rivulets, Waters, Watercourses, or Springs respectively, as they should judge most proper and convenient, a Piece or Pieces of Land for the making and forming a Reservoir or Reservoirs for collecting Flood Waters sufficient to supply such Rivers, Streams, and Cuts with a Quantity of Water equal at least to what should be taken from the said Rivers, Brooks, Streams, Cuts, Rivulets, Waters, Watercourses, or Springs, for the Use or Supply of the said Canal; and that the said Company of Proprietors should at their own Expence make and for ever afterwards support and maintain a Reservoir or Reservoirs of such Extent and in such Manner, together with such Aqueducts or Feeders from such Reservoirs to such Rivers, Streams, and Cuts respectively, as should be sufficient for the Purposes aforesaid, and the same should at all Times be made use of for supplying and serving with Water such Rivers or Streams and Cuts, and the Mills thereon respectively; and that whenever there should be a Want of Water in any of the said Rivers, Streams, or Cuts, for the Use or Supply of any Mill or Mills thereon, it should be lawful for the Person who should be appointed as therein-after mentioned by the Majority of the Mill Owners who might be affected thereby, and he was thereby empowered and directed, at the Instance of the Occupiers of such Mill or Mills, to let off from any such Reservoir or Reservoirs, and to convey to any such River, Stream, or Cut, by means of such Aqueducts or Feeders above such Mill or Mills, such Supply of Water as should be equal at least to the Quantity taken from such River, Stream, or Cut above such Mill, for the Use or Supply of the said Canal; and the Occupiers of the several Mills which might be affected by the taking of the Water which supplied any such Rivers, Streams, or Cuts as aforesaid, or the major Part of them who should attend a Meeting to be held for that Purpose, upon Notice given to each of them, might and were thereby empowered from Time to Time to appoint a proper Person or Persons to attend and have the Care, Oversight, and Management of such Reservoirs, Aqueducts, and Feeders, and for letting off or conveying the Water from the same into

such Rivers, Streams, or Cuts as aforesaid; and every such Person or Persons should be allowed and paid by the said Company of Proprietors such Salary for his or their Trouble as the Commissioners named in the said first-recited Act should direct and appoint; and it is by the said Act further provided, that in case a sufficient Quantity of Flood Waters could not be collected and obtained to answer the Purposes aforesaid at all Times and Seasons of the Year, then, whenever and as soon as it should appear that such a sufficient Quantity of Flood Water could not at all Times be collected and retained for the Purpose of constantly supplying such Rivers, Streams, or Cuts, and serving such Mills with a Quantity of Water equal at least to what should be taken from them for the Use or Supply of the said Canal, the said Company of Proprietors should not at any Time thereafter take or use or have any further Communication with any of the Waters of the said Rivers, Streams, or Cuts, or either of them, or with the Brooks, Streams, Rivulets, Waters, Watercourses, or Springs, which then supplied the said Rivers, Streams, or Cuts, for any Purpose whatsoever relating to the said Canal, but should from thenceforth absolutely cease to take or use or cause to be taken or used the said Waters or any Part thereof for any Purposes whatsoever relating thereto, except it were the waste Waters only thereof after the same were discharged from the said Rivers, Streams, or Cuts, any Thing in the said first-recited Act contained to the contrary thereof in anywise notwithstanding; be it further enacted, That from and after the passing of this Act, the said several Provisions contained in the said first-recited Act, and herein-before set forth or recited, shall be and the same are hereby repealed.

IX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to defeat, abridge, alter, or affect any of the Provisions or Regulations relating to the said River *Colne* contained in the said recited Act of the Fifty-second Year of His present Majesty's Reign, intituled *An Act to explain, amend, and enlarge the Powers of certain Acts passed for making and maintaining the Grand Junction Canal.*

Nothing in this Act to affect the 52 G. 3. relating to the River Colne.

X. And be it further enacted, That all Writs, Notices, and other legal Proceedings against the said Company, shall and may be served on the Clerk for the Time being to the said Company, and in case there shall not be any such Clerk, then on some Agent or Servant of the said Company, and shall from Time to Time be kept, and shall be deemed and taken to be good and valid Service of such Notices, Writs, and other legal Proceedings on the said Company.

Manner of serving Notices on the Company.

XI. And in order that the said Company of Proprietors may be enabled to carry on, prosecute, complete, and maintain the several Works hereby authorized and directed to be made, and to discharge sundry Debts incurred by them in making Reservoirs, Feeders, and other Conveniences for the Purposes of the said Canal; be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, to borrow and raise any Sum or Sums of Money, not exceeding in the whole the Sum of Thirty thousand Pounds, by all or any of such Ways and Means as they are already authorized to raise any Money by virtue of any Act or Acts of Parliament now in force for making and completing the said Canal and Cuts, or by Mortgage

The Company empowered to raise a Sum not exceeding 30,000l.

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of the Shares purchased or to be purchased by the said Company of Proprietors by virtue of the Power vested in them in that Behalf, or by Mortgage of the Mills, Lands, Tenements, and Hereditaments purchased by or belonging to the said Company of Proprietors, by virtue of the Powers vested in them by the said recited Acts or any of them, or by this Act; and all Clauses, Powers, Authorities, Regulations, and Provisions, in the said Acts or any of them contained, with respect to raising or borrowing any Money by the said Company, shall be extended to and may be used and applied in the raising and borrowing the said Sum of Thirty thousand Pounds, or any Part or Parts thereof, under [this Act, as fully and effectually to all Intents and Purposes as if the said Clauses, Powers, Regulations, and Provisions were repeated and re-enacted in the Body of this Act, for the enabling the said Company to raise the said Sum of Thirty thousand Pounds, or any Part or Parts thereof.

Half Yearly
General Assembly to be
held in December instead of
November.

XII. And be it further enacted, That the General Assembly of the said Company of Proprietors, by the said first-recited Act directed to be holden upon the First *Tuesday* in the Month of *November* in every Year, shall for the future, instead of that Day, be held upon the First *Tuesday* in the Month of *December* in every Year; and it shall be lawful for the said Company to hold their General Assemblies on any Day in the Months of *June* and *December* in each Year, although the Proprietors present at any next preceding Assembly may not have fixed or appointed any particular Day for holding such General Assembly or Assemblies; any Thing in the said first-recited Act contained to the contrary notwithstanding.

Power for
Company to purchase
Mills, &c.

XIII. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, to contract with all Bodies Politic, Corporate, or Collegiate, and other Persons whomsoever, for the Purchase of any Mill or Mills, Stream or Streams of Water, Lands, Tenements, or Hereditaments, either for supplying the said Canal and Works with Water, or for erecting or providing any Messuages, Tenements, Warehouses, or other Buildings thereon, for the depositing or keeping any Goods, Merchandize, or other Things carried or conveyed, or intended to be carried or conveyed, upon the said Canal and Works, or for making any convenient Roads, Avenues, and Ways leading thereto, or otherwise, which they the said Company shall judge requisite and necessary; provided such Bodies Politic, Corporate, and Collegiate, and the Owners and Proprietors of and other Persons interested in such Mill or Mills, Stream or Streams of Water, Lands, Tenements, or Hereditaments, or the Guardians, Committees, or Trustees of such of them as shall be under any Disability or Incapacity of acting for themselves, shall be consenting to sell the same, but not otherwise; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, and all other Person and Persons whomsoever, to grant or sell unto the said Company of Proprietors and their Successors any Mill or Mills, Stream or Streams of Water, Lands, Tenements, or Hereditaments whatsoever, for the Purposes aforesaid, in the same Manner as Parties are authorized and empowered to convey Lands under and by virtue of the said first herein-before recited Act.

Regulating
the Mode of
drawing down
Water at the
Mills.

XIV. And be it further enacted, That if, at any Time or Times after the said varied Line of Canal shall be completed and used for Navigation, the Owner or Owners, or the Occupier or Occupiers for the Time being of either

either of the said Two Mills called *Apsley Mill* and *Nash Mill*, or any of his or their Agents, Servants, or Workmen, or any other Person or Persons whomsoever acting under his or their Authority, shall draw down or let off the Water of the said River or Canal lower than Seven Feet Ten Inches and a Half of an Inch below the Centre of the Arch over the present Southernmost Window in the Half Stuff Mill at *Nash Mill* aforesaid, or lower than Nine Inches and a Half of an Inch below the Offset in the Brickwork at the South Corner of the South West Wall of the Steam Engine Mill at *Apsley Mill* aforesaid, or below a Stone to be set and worked by the said Company in the Upper Wing Wall on the Eastern Side of each of the Locks to be built for lifting Vessels down out of *Apsley Mill Head* and *Nash Mill Head* respectively, for the Purpose of indicating the necessary Depths of the Water in the said Canal; and if the Occupier or Occupiers for the Time being of the said Two Mills shall not, on Notice in Writing from the Lock-keeper, or other Agent of the said Company of Proprietors, left at *Apsley Mill* or *Nash Mill* aforesaid, as the Case may require, forthwith, without Delay under any Pretence whatever, shut such respective Mills until the Water shall have accumulated to the proper Level as aforesaid, then and in every such Case the Occupier or Occupiers for the Time being of the said Mills, shall, in respect of every Person so offending, forfeit and pay to the said Company of Proprietors the Sum of Fifty Pounds for every Offence to be recovered and applied in like Manner as any Penalty imposed by the said first-recited Act may be recovered and applied; provided that the said Levels shall not be deemed or taken to form a Standard for fixing the Height of Water between the said *Apsley Mill* and *Nash Mill*, or between the said *Apsley Mill* and *Frogmore Mill*, but only for fixing the Level to which the Water may be drawn at each of the said Mills, after the said varied Line of Canal is made and completed.

XV. And for the better Security of the Navigation of the said varied Line of Canal, be it further enacted, That if the Owner or Owners, Occupier or Occupiers for the Time being of the said *Apsley Mill* and *Nash Mill*, or either of them, or his or their Agents, Servants, or Workmen, shall by any Means or Device, or under any Pretence whatsoever, draw down the Water of the Mill Heads of the said Two Mills, or either of them, below the Levels last before mentioned, at any Time or Times after the Completion and using of the said varied Line of Canal for Navigation, and shall not forthwith cease so drawing down the Water, on Notice in Writing from the Lock-keeper, or other Agent of the said Company of Proprietors, left at the said Mills, or either of them, as the Case may be and require, then it shall and may be lawful for the said Company of Proprietors, by their Agents, Servants, and Workmen, to enter and go upon the Banks and Soil of the said River, at either of the Mill Heads of the said *Apsley Mill* and *Nash Mill* respectively, in the Space between the Lock and the Waste Gates at each of the said Mills, but as near as possible to the Lock, and to make and construct a Stank and Stop Gates in such Manner as shall give the said Company of Proprietors the Power of reserving the Water for the Purposes of the Navigation at all Times at the Levels herein-before mentioned, provided that such Stank and Stop Gates shall be constructed according to the following Plan; that is to say, the Sill at the Bottom of the Gates shall be so laid in as to leave a Depth of at least Three Feet of Water over it at the Time of the Mill Head being

Empowering
the Company
to erect Stop
Gates.]

[Local.]

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at the fixed Level, and there shall be a clear Waterway of at least Twenty-seven Feet in Width in the whole, and each Gate shall not be less than Nine Feet wide; and in case of the Construction of such Works, the same shall be subsequently used and limited in the Manner following; that is to say, at such Times as the Water in the Mill Heads shall be at the Height necessary for the Navigation, none of the said Gates shall be shut; and in case of the Water being at any Time drawn down lower than the Stones to be worked into the Wing Walls of the Locks as before mentioned, the Lock-keeper or other Agent of the said Company of Proprietors shall leave Notice in Writing at the Mill from the Head whereof the Water shall be so drawn, previous to the shutting of the said Gates; and immediately after the Water shall be restored to its proper Level as aforesaid, the said Lock-keeper or other Agent shall completely open the said Gates which may have been previously stopped or shut in consequence of the Water having been so drawn down; and that the said Company of Proprietors shall not be liable to make or pay any Compensation for Loss of Water, or for Loss of Work, at either of the said Mills, during the Time employed in the Erection or Repairs of the said Stop Gates, provided the same shall not exceed on any Occasion Seven Days, nor during the Time the said Gates shall be shut, in Manner herein-before directed.

The Com-
pany to keep
Locks and
Banks in Re-
pair.

XVI. And be it further enacted, That in case the Locks to be erected for letting Vessels down out of the said *Apsley Mill* Head and *Nash Mill* Head, or either of them, or the Lock to be erected at *Nash Mill* Bridge, or any of the Banks of the said Canal, between the said Lock at *Apsley Mill* Head and the said Lock at *Nash Mill* Bridge, shall be at any Time or Times in any Manner defective or out of Repair, the said Company of Proprietors shall forthwith alter and repair the same so as effectually to prevent any Loss or Waste of Water; and if such Defects or Want of Reparation shall not be removed or amended, as the Case may require, by the said Company of Proprietors, then and in that Case the Occupiers for the Time being of the said *Apsley Mill* and *Nash Mill* respectively are hereby authorized and empowered, within Three Days after Notice in Writing, to be by them delivered as follows; that is to say, by the Occupier for the Time being of *Apsley Mill* aforesaid in respect of the said Lock out of *Apsley Mill* Head and the Banks above the said Lock, and by the Occupier for the Time being of *Nash Mill* aforesaid in respect of the said Lock out of *Nash Mill* Head, and the said Lock at *Nash Mill* Bridge, and of the Banks above the said Two Locks, at the Office for the Time being of the said Company in *London*, of the Want of Reparation of the said Locks or Banks, or any or either of them, to put the same respectively in Repair at the Expence of the said Company of Proprietors; and that the Amount of such Repairs, unless the same shall be paid within One Calendar Month next after Demand made, and an Account thereof presented at the said Office, shall and may be recovered by such Occupier or Occupiers against the said Company in an Action upon the Case for Money paid, laid out, and expended to and for the Use of the said Company.

Boats not to
stop near
Nash Mill

XVII. And in order to prevent Trespasses within the House, Gardens, and other Lands and Grounds of *John Dickenson* near *Nash Mill* aforesaid, through or by which the said Deviation of the said Canal will be made,
be

be it further enacted, That no Person having the Conduct of any Boat, Barge, or other Vessel navigating the said Canal, shall upon any Account or Pretence (except in case of unavoidable Accident) stop with such Boat, Barge, or other Vessel, within Three hundred Yards South of *Nash Mill* afore said, or within Four hundred and sixty-five Yards North of *Nash Mill* afore said, after Sunset or before Sunrise, upon Pain of forfeiting any Sum not exceeding Five Pounds for every such Offence, to be recovered by any Person who will sue for the same by Information before any One or more Justice or Justices of the Peace in the said County of *Hertford*, One Half of the said Penalty to be paid to the Informer, and the other Half to the Poor of the said Parish of *Abbots Langley*, or in default of Payment forthwith, be committed to the Common Gaol of the said County of *Hertford* for One Calendar Month without Bail or Mainprize.

after Sunset
or before
Sunrise.

XVIII. And be it further enacted, That the several Clauses in the said herein-before first-recited Act passed in the Thirty-fifth Year of His present Majesty, prohibiting Boats from stopping within the Grounds of the Earls of *Essex* and *Clarendon*, and Sir *John Filmer* Baronet, under the Penalty of Five Pounds, shall be and the same are hereby repealed.

For repealing
Clauses in
35 G. 3. c. 8.
respecting
Obstructions
by Boats
stopping.

XIX. And be it further enacted, That after the passing of this Act, if any Person having the Conduct of any Boat, Barge, or other Vessel navigated upon the said Canal, shall upon any Account or Pretence (except any Accident happens, or for the Purpose of repairing the said Canal, or during such Repairs) stop and remain with such Boat, Barge, or other Vessel, in any Part of the said Canal between the Boundary Line near *Hunton* Bridge, dividing the said Parishes of *Kings Langley* and *Abbots Langley*, and the Southern Extremity of *Casbiobury* Park in the Parish of *Watford*, unless for the Purpose of loading or unloading at any Wharf, or taking on board or landing Passengers or Goods coming to or going from *Casbiobury*, *The Grove*, or *Langleybury* Houses, the same being proved by the Testimony of One or more Witnesses, upon Oath before any One or more Justice or Justices of the Peace for the County of *Hertford*, such Person shall forfeit for every such Offence a Sum not exceeding Five Pounds, One Half to be paid to the Informer, and the other Half to the Poor of the Parish of *Watford* afore said, as the Case may be, or, in default of Payment, forthwith be committed to the Common Gaol of the said County of *Hertford* for One Calendar Month without Bail or Mainprize.

For restrain-
ing Boats
from stopping
in certain
Grounds.

XX. And whereas much Hinderance hath been given to the Trade on the said Canal by the overloading of Barges and other Vessels, be it further enacted, That no Barge with a greater Lading than Fifty-two Tons, or drawing more than Four Feet Depth of Water, to be measured from any Part of the Bottom of such Barge, and no Boat or other Vessel with a greater Lading than Twenty-three Tons, shall be navigated on the said Canal, or any collateral Cut therefrom, during any Part of the Year, against and without the Consent of the General or any other Committee of the said Company; and that during the Months of *August*, *September*, and *October*, no Barge drawing more than Three Feet Four Inches Depth of Water, to be measured as afore said, shall be navigated on any Part of the Long Pound or Level of Canal between *Cowley* and *Paddington* in the said County of *Middlesex*; and no Boat or other Vessel, with a greater Lading than Twenty Tons, shall be navigated on any Part of the said Canal, or any col-

Restricting
the Weight
of Lading of
Boats.

lateral

lateral Cut therefrom, during the said Three Months, against and without such Consent, on Pain of Forfeiture by the Owner or Owners, Person or Persons having the Care or Management of such Barge, Boat, or other Vessel, of any Sum not exceeding Ten Pounds, to be recovered and levied in like Manner as any Penalty imposed by the said recited Act of the Thirty-third Year of the Reign of His present Majesty may be recovered and levied.

Power to remove Nuisances from Wharfs.

XXI. And be it further enacted, That it shall not be lawful for any Person or Persons to deposit or land on any Wharf, belonging to or in the Possession of the said Company or their Assigns, any Manure, Ashes, Bones, Soot, Rubbish, Ordure, Night Soil, Whale Blubber, or Soap Lees, without giving Notice to the Wharfinger or some other Agent of the said Company or their Assigns, without the Consent of the said Company or their Assigns first had and obtained; and that if any Manure, Ashes, Bones, Soot, Rubbish, Ordure, Night Soil, Whale Blubber, or Soap Lees, shall be deposited or landed on any such Wharf without such Notice or Consent, it shall be lawful for the said Company or their Assigns forthwith to order and direct the Removal thereof at the Expence of the Owner or other Person depositing or landing the same, and to sell the same, and retain the Wharfage and Expences.

Penalty for damaging Fence of Wharfs, Reservoirs, Roads, and Bridges.

XXII. And be it further enacted, That in case any Person or Persons shall break down, destroy, carry away, or damage any Gate, Stile, Post, Rail, or other Fence, already or hereafter to be put up or placed under the Authority of the said recited Acts or any of them, or of this Act, for the fencing off the Wharfs, Reservoirs, Roads, Bridges, or other Works belonging to or made by the said Company of Proprietors (such Offence or Offences, not amounting to Felony within the Meaning of the said recited Act passed in the Thirty-third Year of His present Majesty, for the more effectual Punishment of such Persons when the Offence is wilfully and maliciously committed), every Person so offending, and being thereof convicted before any Justice of the Peace (not interested in the Premises) for the County or Place where the Offence shall be committed, or the Offender shall be or reside, on the Confession of the Offender or Offenders, or on Proof of the Offence on the Oath of One or more credible Witnesses or Witnessess (which Oath such Justice is hereby empowered to administer), shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and every Person shall be allowed to give Evidence of such Offence, notwithstanding he may be a Proprietor of the said Canal; and such Penalty shall and may be levied and recovered in like Manner as any Penalty imposed by the said last-mentioned Act may be levied and recovered.

Regulating the Mode of hauling Boats.

XXIII. And be it further enacted, That no Barge shall be hauled with more than Two Horses or Mules, and that no Boat shall be hauled with more than One Horse or Mule along the said Canal, or any collateral Cut therefrom; and that no Sail or Sails shall be used or hoisted on board of any Boat, Barge, or other Vessel on the said Canal, or any Cut therefrom, except whilst such Boat, Barge, or other Vessel is moored alongside any Wharf or Landing Place, such Wharf or Landing Place not being within the Distance of Thirty Yards of any public or private Road Bridge over the said Canal or Cuts, on Pain of Forfeiture by the Owner or Owners,

Owners, Master or Masters, of such Boat, Barge, or other Vessel, to the said Company of Proprietors of any Sum not exceeding Five Pounds; and such Penalty shall be levied and recovered in like Manner as any Penalty imposed by the said recited Act of the Thirty-third Year of the Reign of His present Majesty may be levied and recovered.

XXIV. And be it further enacted, That no Coals, Coke, Culm, Timber, Deals, Goods, or Merchandize, shall be permitted to remain on any Wharf or Landing Place in the Possession or Occupation of the said Company of Proprietors or their Assigns more than Six Hours within Four Feet, nor more than Twelve Hours within Fourteen Feet, of the Bank Water Edge next or adjoining to such Wharf or Landing Place; and that no Ashes, Breeze, Manure, Gravel, Flints, Hay, Straw, Stones, or Rubbish, shall be permitted to remain on any such Wharf or Landing Place more than Four Hours within Four Feet, nor more than Eight Hours within Fourteen Feet, of the Bank Water Edge next or adjoining to such Wharf or Landing Place, on Pain of Forfeiture by the Person or Persons depositing such Articles of a Sum not exceeding Five Pounds, to be recovered and levied in like Manner as any Penalty imposed by the said recited Act of the Thirty-third Year of the Reign of His present Majesty may be recovered and levied.

Penalty on laying Goods too near the Bank Water Edge.

XXV. And be it further enacted, That the said Company of Proprietors or their Assigns shall and may take, seize, and detain, for the Wharfage Dues and for Warehouse Rent, any Goods, Wares, or Merchandizes deposited in any Warehouse or Warehouses, or in or upon any Wharf or Place belonging to them the said Company, in respect whereof such Wharfage Dues or Warehouse Rents shall become payable; and in case of Non-claim of such Goods, Wares, and Merchandizes, or on Non-payment of such Wharfage Dues and Rent within the Space of Two Months next after the same shall have been so deposited, to sell and dispose thereof by public Auction or private Contract, as they shall think best, and out of the Monies to arise from such Sale or Sales pay and satisfy themselves the said Dues and Rent, and all Costs, Charges, and Expences attending such Sale and Sales, rendering the Overplus (if any be) upon Demand to the Owner or Owners thereof respectively, Oath being first made in Writing, if required, by such Owner or Owners, of his, her, or their Right and Title to the said Property so sold and disposed of, before some Justice or Justices of the Peace of and for the County wherein such Warehouse, Wharf, or Place shall be situated, which Oath any such Justice is hereby duly authorized and required to administer.

Power to distrain for Wharfage, &c.

XXVI. And be it further enacted, That in all Bills of Indictment preferred by the said Company against all and all Manner of Persons who may be guilty of any Offence or Offences, it shall be sufficient to state that the Works, Monies, Effects, Goods, Articles, and Things, specified therein, are the Property of the said Company, without naming any one or more of the Proprietors of the said Canal in any such Indictment.

Company may prosecute by Indictment.

XXVII. And whereas the probable Expence of making the said varied Line of Canal hereby authorized to be made will, according to an Estimate made thereof, amount to the Sum of Twelve thousand Pounds, and which said Sum the said Company of Proprietors have already by Contract under their Common Seal bound themselves and their Successors to pay; be it therefore

Expences of making the varied Line, &c. to be raised before the Act is put in force.

[Local.]

4 P

therefore

therefore further enacted, That the whole of the said Sum of Twelve thousand Pounds shall be raised and deposited in the Hands of the Treasurer of the said Company, for the Completion of the said Line and Works, before any of the Powers and Provisions given by this Act shall be put in force, and such Line and Works shall not be commenced unless such Sum of Money shall so be in the Hands of the said Treasurer at the Time of such Commencement; and when such Works shall be so commenced, the Sum so deposited shall be applicable and be applied by the said Treasurer to the Completion of such varied Line and Works, and to no other Use or Purpose whatsoever, until the whole of such new varied Line, and all Works belonging thereto, shall be fully completed.

Limiting the Time for completing the varied Line.

XXVIII. Provided always, and be it further enacted, That if the said varied Line of Canal, and other Works intended to be hereby carried into Effect, shall not have been completed (unless prevented by inevitable Accidents) for the Purposes of Navigation within the Space of Two Years from and after the passing of this Act, all the Powers and Provisions given and granted by this Act shall from thenceforth cease and become void, save only and except as to so much of the said varied Line and other Works as shall have been completed within the said Space of Two Years.

Public Act.

XXIX. And be it further enacted, That this Act shall be deemed 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.

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