



ANNO DECIMO

# GEORGIIV. REGIS.

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## Cap. xlviii.

An Act to consolidate and extend the Powers and Provisions of the several Acts relating to the *Oxford Canal Navigation*.

[14th May 1829.]

**W**HEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for making and maintaining a Navigable Canal from the Coventry Canal Navigation to the City of Oxford*: And whereas another Act was passed in the Fifteenth Year of the Reign of His said late Majesty, intituled *An Act to amend an Act made in the Ninth Year of the Reign of His present Majesty, for making and maintaining a Navigable Canal from the Coventry Canal Navigation to the City of Oxford*: And whereas another Act was passed in the Twenty-sixth Year of the Reign of His said late Majesty, intituled *An Act to amend and render effectual Two Acts of the Ninth and Fifteenth Years of His present Majesty, for making and maintaining a Navigable Canal from the Coventry Canal Navigation to the City of Oxford*: And whereas another Act was passed in the Thirty-fourth Year of the Reign of His said late Majesty, intituled *An Act for amending and altering certain Acts of Parliament, for making and maintaining a Navigable Canal from the Coventry Canal Navigation to the City of Oxford*: And whereas another Act was passed in the Thirty-ninth Year of the Reign of His said late Majesty, intituled *An Act for explaining, amending, and rendering more effectual several Acts passed in the Ninth, Fifteenth, Twenty-sixth, and Thirty-fourth Years of the Reign of His present Majesty, for making and maintaining a Navigable Canal from the Coventry*

9 G. 3. c. 70.  
15 G. 3. c. 9.  
26 G. 3. c. 20.  
34 G. 3. c. 103.  
39 G. 3. c. 5.

[Local.] 13 U Canal

- Canal Navigation to the City of Oxford*: And whereas another Act was passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act for amending several Acts for making and maintaining a Navigable Canal from the Coventry Canal Navigation to the City of Oxford*: And whereas another Act was passed in the Forty-eighth Year of the Reign of His said late Majesty, intituled *An Act for amending and enlarging the Powers of the several Acts relating to the Oxford Canal Navigation*: And whereas another Act was passed in the Thirty-third Year of the Reign of His said late 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*: And whereas another Act was passed in the Thirty-fourth Year of the Reign of His said late Majesty, intituled *An Act for making and maintaining a Navigable Canal out of and from the Warwick and Birmingham Canal, now cutting or intended to be cut, in the Parish of Budbrooke in the County of Warwick, into the Oxford Canal in the Parish of Braunston in the County of Northampton*: And whereas another Act was passed in the Thirty-sixth Year of the Reign of His said late Majesty, intituled *An Act for authorizing the Company of Proprietors of the Warwick and Braunston Canal Navigation to vary the Course of a certain Part of the said Canal; and for amending and altering the Act made in the Thirty-fourth Year of the Reign of His present Majesty, for making the said Canal*: And whereas another Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act for making and maintaining a Navigable Canal from the Union Canal in the Parish of Gumley in the County of Leicester, to join the Grand Junction Canal near Long Buckby in the County of Northampton; and for making a Collateral Cut from the said intended Canal*: And whereas another Act was passed in the Twenty-fifth Year of the Reign of His said late Majesty, intituled *An Act to enable the Company of Proprietors of the Navigation from the Trent to the Mersey, and the Company of Proprietors of the Navigation from Birmingham to Fazeley, to make a Navigable Canal from the said Trent and Mersey Navigation, on Fradley Heath in the County of Stafford, to Fazeley in the said County; and for confirming certain Articles of Agreement entered into between the said Trent and Mersey, the Oxford, and the Coventry Canal Navigation Companies*: And whereas by the said Act passed in the Ninth Year of the Reign of His said late Majesty, the several Persons therein named, their respective Executors, Administrators, and Assigns, together with such Person or Persons as they or the major Part of them at any General Meeting assembled should nominate and appoint under their Hands and Seals, were united into a Company, for better carrying on, making, completing, and maintaining a Navigable Cut or Canal from the Coventry Canal Navigation, at a Place called *Longford*, near the City of *Coventry*, to the City of *Oxford*, and for that Purpose were made a Body Politic and Corporate by the Name of "The Company of Proprietors of the *Oxford Canal Navigation*," and by that Name were to have perpetual Succession and a Common Seal; and by the said Act certain Rates and Duties were granted to the said Company, for Coals and other Merchandize navigated on the said Canal; and by the same Act, and the said Acts of the Fifteenth, Twenty-sixth, Thirty-fourth (first herein-before mentioned), Thirty-ninth, Forty-seventh, and Forty-eighth Years of the Reign of His said late Majesty, certain Privileges, Powers, and Authorities were given to them,

for making and maintaining the said Canal, and the Works and Appurtenances belonging thereto: And whereas by virtue of a Provision contained in the said Act of the Ninth Year of the Reign of His said late Majesty the Company of Proprietors of the *Coventry* Canal Navigation are entitled to receive the Rates and Duties granted by the said Act, for Coals navigated upon any Part of the said *Oxford* Canal within Two Miles from the Junction thereof with the *Coventry* Canal at *Longford* aforesaid; and the said Company of Proprietors of the *Oxford* Canal Navigation are entitled to receive the Rates and Duties granted by an Act passed in the Eighth Year of the Reign of His said late Majesty, intituled *An Act for making and maintaining a Navigable Canal from the City of Coventry, to communicate, upon Fradley Heath in the County of Stafford, with a Canal now making between the Rivers Trent and Mersey, for all Goods, Wares, and Merchandize, except Coals, navigated upon any Part of the said Oxford Canal, and afterwards upon the Coventry Canal within Three Miles and a Half of the Junction of the said Two Canals at Longford aforesaid towards Coventry*: And whereas by the said Act of the Twenty-fifth Year of the Reign of His said late Majesty the Tonnage for Coals on the said *Oxford* Canal Navigation, authorized to be taken by the said Act of the Ninth Year of the Reign of His said late Majesty, is reduced: And whereas by virtue of the said Acts passed in the Thirty-third, Thirty-fourth (secondly herein-before mentioned), and Thirty-sixth Years of the Reign of His said late Majesty, the said Company of Proprietors of the *Oxford* Canal Navigation are entitled to certain other Tolls, Rates, or Duties in the several Cases in the same Acts mentioned: And whereas by the said Act of the Fiftieth Year of the Reign of His said late Majesty a certain Sum was granted to the Company of Proprietors of the *Grand Union* Canal, for every Ton of Coal and Coke which should pass from the *Leicestershire* and *Northamptonshire* Union Canal into or upon the *Grand Union* Canal, and should afterwards pass into or upon the said *Oxford* Canal; and by the same Act a like Sum *per* Ton, for every Ton of Coal and Coke so passing as last mentioned, was directed to be paid by the Company of Proprietors of the said *Grand Union* Canal to the Company of Proprietors of the said *Oxford* Canal Navigation: And whereas the said Canal authorized to be made by the said Acts of the Ninth, Fifteenth, Twenty-sixth, Thirty-fourth (first herein-before mentioned), Thirty-ninth, Forty-seventh, and Forty-eighth Years of the Reign of His said late Majesty, or some of them, has long since been completed, from *Longford* aforesaid to a certain Place called *Badcocks Garden* in the City of *Oxford*, and a large Sum of Money has been expended in making the same, and considerable Sums of Money have been borrowed and are now due under the Authority and on the Credit of the said Acts: And whereas the said Company of Proprietors of the *Oxford* Canal Navigation are desirous to shorten and improve the said *Oxford* Canal, and to reduce the Tolls, Rates, and Duties herein-after mentioned, granted to them by the said Acts of the Thirty-third, Thirty-fourth (secondly herein-before mentioned), and Thirty-sixth Years of the Reign of His said late Majesty; and they are also desirous that the Payment directed to be made to them by the said Act of the Fiftieth Year of the Reign of His said late Majesty, by the said Company of Proprietors of the *Grand Union* Canal, for Coal and Coke passing from the *Leicestershire* and *Northamptonshire* Union Canal into or upon the *Grand Union* Canal, and afterwards into or upon the *Oxford* Canal, should be reduced, the  
Tonnage

Tonnage payable to the said Company of Proprietors of the Grand Union Canal, for Coal and Coke so passing, being in consideration thereof reduced in the like Amount; and it would be beneficial to the Public if the said *Oxford* Canal were shortened and improved, and the said Tolls, Rates, Duties, and Payments reduced as aforesaid: And whereas by virtue of the said Acts of the Thirty-third, Thirty-fourth (secondly herein-before mentioned), and Thirty-sixth Years of the Reign of His said late Majesty, if the Rates thereby granted to the said Company of Proprietors of the *Oxford* Canal Navigation, and certain other Rates therein mentioned, do not in any Year amount to the Sum of Ten thousand Pounds, the Company of Proprietors of the Grand Junction Canal are required to pay to the said Company of Proprietors of the *Oxford* Canal Navigation such Sum of Money as with the Amount of the said Rates within that Year will make up the Sum of Ten thousand Pounds, and so as often as the Case shall happen: And whereas the said Company of Proprietors of the *Oxford* Canal Navigation are desirous that the said Company of Proprietors of the Grand Junction Canal should be released from the said Liability to make up the said Sum of Ten thousand Pounds: And whereas it would be convenient to the said Company of Proprietors of the *Oxford* Canal Navigation, and to the Public, if the said Acts of the Ninth, Fifteenth, Twenty-sixth, Thirty-fourth (first herein-before mentioned), Thirty-ninth, Forty-seventh, and Forty-eighth Years of the Reign of His said late Majesty, and so much of the said Act passed in the Twenty-fifth Year of the Reign of His said late Majesty as relates to the said *Oxford* Canal, were repealed, and new Powers and Provisions granted and made instead thereof, for the Maintenance and Management of the said Canal, and for the other Purposes herein-after mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act the Seven Acts first herein-before recited, of the Ninth, Fifteenth, Twenty-sixth, Thirty-fourth, Thirty-ninth, Forty-seventh, and Forty-eighth Years of the Reign of His said late Majesty, and all and every the Powers, Authorities, Matters, and Things therein respectively contained, and also so much of the said Act passed in the Twenty-fifth Year of the Reign of His said late Majesty as relates to the said *Oxford* Canal, shall be and the same are hereby repealed.

Repeal of former Acts for making and maintaining the *Oxford* Canal.

Repeal not to prevent the Recovery of Penalties and Punishment of Offences under former Acts.

II. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent the suing for or Recovery of any Penalty incurred by any Offence against the Provisions of the said Acts hereby repealed, or any of them, previously to the passing of this Act, or to prevent or defeat any Prosecution commenced or to be brought for any such Offence, but all Penalties which may have been incurred before the passing of this Act, under the Provisions of the said Acts hereby repealed, may be sued for, and all Offences which may have been committed before the passing of this Act, against the Provisions of the said Acts hereby repealed, or any of them, may be prosecuted, in the same Manner, to all Intents and Purposes, as if this Act had not been passed.

III. And

III. And be it further enacted, That from and immediately after the passing of this Act the several Persons and Bodies Politic and Corporate who are now Proprietors of Shares in the Joint Stock or Fund of the Company of Proprietors of the *Oxford Canal Navigation* established by the said recited Acts hereby repealed, shall be and they are re-united into, and they, their Successors, Executors, and Assigns, Proprietors for the Time being of Shares in the Capital or Joint Stock of the Company hereby established, shall for ever remain a Company for maintaining and supporting the said Canal, with the Works and Appurtenances belonging thereto, (except as herein-after mentioned,) and also for making, maintaining, and supporting the several Cuts or Canals herein-after authorized to be made, and the Works to be connected therewith, according to the Rules, Orders, and Directions herein-after contained, and for that Purpose shall be One Body Corporate by the Stile and Title of "The Company of Proprietors of the *Oxford Canal Navigation*," and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued, and shall have full Power to purchase and hold Lands, Tenements, and Hereditaments, to them, their Successors and Assigns, for the Purposes of this Act, without incurring any of the Penalties of the Statutes of Mortmain, and shall have Power to sell and dispose of any Lands, Tenements, and Hereditaments hereby vested in them, or to be hereafter purchased or taken by them, in the Manner directed by this Act.

Re-establishment of Oxford Canal Company.

IV. And be it further enacted, That from and immediately after the passing of this Act the said Canal already made under the Authority of the said several Acts so repealed as aforesaid, or some of them, from the said *Coventry Canal* at *Longford* aforesaid to the said Place called *Badcocks Garden*, in the City of *Oxford* aforesaid, and passing through the several Parishes, Townships, Hamlets, or Places of *Foleshill, Sow, and Ansty*, in the County of the City of *Coventry*, *Shilton, Withybrook, Hopsford, Combe, Stretton-under-Fosse, Monks Kirby, Newbold Rewell, Brinklow, Easenhall, King's Newnham, Little Harborough, Little Lawford, Newbold upon Avon, Cosford, Brownsover, Clifton-upon-Dunsmore, and Hill Morton*, in the County of *Warwick*, *Kilsby* in the County of *Northampton*, *Barby* in the Counties of *Warwick* and *Northampton*, *Onley* in the County of *Northampton*, *Willoughby* in the County of *Warwick*, *Braunston* in the County of *Northampton*, *Wolfhampcote, Shuckborough, Napton, Grandborough, Radbourne, Priors Hardwick, Priors Marston, Wormleighton, Fenny Compton, and Farnborough*, in the County of *Warwick*, *Claydon, Clattercott, Cropredy, Prescott, Bourton, Neithrop, Banbury, Boddicott, and Adderbury*, in the County of *Oxford*, *Aynho* in the County of *Northampton*, *Souldern, Fritwell, Somerton, Upper Heyford, Lower Heyford, Kirtlington, Bletchington, Shipton, Thrup, Kidlington, Yarnton, Water Eaton, and Wolvercot*, in the County of *Oxford* and the City of *Oxford*, and all and every other the Canals, Branches, and Cuts constituting the present *Oxford Canal*, and the Railways, Aqueducts, Tunnels, Culverts, Bridges, Embankments, Feeders, Locks, Basins, Docks, Towing Paths, Wharfs, Quays, Warehouses, Toll Houses, Houses, Buildings, Weighing Machines, Engines, and other Works belonging thereto, and the Ground and Soil thereof respectively, and all and every other the Lands and Hereditaments which at the Time of passing this Act shall be vested in the said Company of Proprietors of the *Oxford Canal Navigation*, established by the said Acts hereby repealed,

Canal and other Property vested in the Company established by this Act.

for an absolute Estate of Fee Simple, shall be vested in the said Company hereby established, their Successors and Assigns, and all the Estate, Interest, or Right which the said Company established by the said Acts hereby repealed shall have at the Time of passing this Act in any other Lands, Tenements, or Hereditaments not vested in them for an absolute Estate of Fee Simple, shall be and the same is hereby, from and after the passing of this Act, vested in the said Company hereby established.

Debts, Con-  
tracts, &c.  
vested in the  
Company  
established  
by this Act.

V. And be it further enacted, That from and immediately after the passing of this Act all the Monies, Goods, Chattels, Effects, and Personal Estate of the said Company of Proprietors of the *Oxford* Canal Navigation established by the said Acts hereby repealed, shall be and the same are hereby vested in the said Company of Proprietors hereby established; and that all Persons and Bodies Politic and Corporate who at the Time of the passing of this Act shall owe any Sum of Money to the said Company of Proprietors established by the said Acts hereby repealed shall pay the same, together with all Interest (if any) due or to accrue due for the same, to the said Company hereby established; and all Debts which at the Time of the passing of this Act shall be due and owing by the said Company established by the said Acts hereby repealed shall be paid, together with all Interest (if any) due and to accrue due for the same, by the said Company hereby established; and that all Rates, Tolls, and Duties which at the Time of the passing of this Act shall be due and payable, or then accruing due, under or by virtue of the said Acts hereby repealed, or any other Acts or Act, to the Company of Proprietors established by the said Acts hereby repealed, shall become and be due and payable to the said Company of Proprietors hereby established, and shall and may be collected and recovered by the same Ways and Means, and under the same Restrictions and Regulations, and with the same Penalties in respect thereof, as the Rates, Tolls, or Duties by this Act made payable to the said Company of Proprietors hereby established; and that all Conveyances, Contracts, Agreements, Bonds, Covenants, and Securities made or entered into before the passing of this Act to, with, in favour of, or by or for the said Company of Proprietors established by the said Acts hereby repealed, shall be and remain as good, valid, and effectual, in favour of, against, and with reference to the said Company of Proprietors hereby established, and may be proceeded on and enforced in the same Manner, to all Intents and Purposes, as if the said Company of Proprietors hereby established had been Parties to and had executed the same, or had been named or referred to therein, instead of the said Company of Proprietors established by the said Acts hereby repealed.

Books kept  
under former  
Acts to be  
Evidence as  
far as they  
now are.

VI. And be it further enacted, That all Entries of the Orders and Proceedings of the Commissioners appointed by or under the Acts hereby repealed, made in the Books kept pursuant to the said Acts, and signed by any Five or more of the said Commissioners, and attested by a Clerk to the Company established by the said Acts, shall be deemed Originals, and admitted as Evidence, without further Proof, in all Courts whatsoever; and all other Documents, Instruments, and Writings shall be admissible as Evidence in all Courts whatsoever, in the same Manner and to the same Extent as they would have been if the said Acts hereby repealed had remained in full Force.

VII. And

VII. And be it further enacted, That the several Persons who at the Time of the passing of this Act shall compose the General Committee of Management of the said Company established by the said Acts hereby repealed, and the several Sub-Committees thereof, shall respectively continue in their respective Offices until they shall be removed therefrom respectively, or until others shall have been elected, nominated, or appointed in their Place or Stead, in pursuance or under the Authority of this Act; and such General Committee and such Sub-Committees respectively shall be invested with and shall and may have and exercise the same Powers and Authorities as if they had respectively been nominated or appointed by virtue of this Act.

Present  
Committees  
to continue  
till removed.

VIII. And be it further enacted, That each Clerk, Agent, Collector, and other Officer (except the Treasurer) appointed under and by virtue of or acting under the Authority of any of the said several Acts hereby repealed, shall hold and enjoy such his Office and Employment, together with the Salary or Emolument thereunto annexed, until he shall be removed therefrom by the said Company of Proprietors hereby established, or by the General Committee of Management of the said Company, or by any Sub-Committee thereof; and each such Clerk, Agent, Collector, and other Officer shall have the like Power and Authority, for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if he had been appointed by virtue of this Act.

Clerks, &c.  
to remain in  
Office till  
removed.

IX. And be it further enacted, That the said Company of Proprietors hereby established shall be and they are hereby authorized and empowered, from Time to Time and at all Times hereafter, by themselves, their respective Deputies, Agents, Officers, Workmen, and Servants, to maintain and support the said *Oxford* Canal so made as aforesaid under or by the Authority of the said recited Acts hereby repealed, or some of them, together with the several Buildings, Erections, Locks, Quays, Wharfs, Reservoirs, Aqueducts, Tunnels, Culverts, Weirs, Basins, Docks, Locks, Bridges, Cuts, Feeders, Drains, Soughs, Buildings, Engines, and other Works belonging thereto, and to make, construct, erect, sink, and drive all such and so many other Buildings, Erections, Locks, Quays, Wharfs, Reservoirs, Aqueducts, Tunnels, Culverts, Weirs, Bridges, Cuts, Feeders, Drains, Soughs, and other Works, as the said Company shall think expedient, for repairing, maintaining, and supporting the said Canal, with the Reservoirs and Appurtenances belonging thereto, and for the full Use and Enjoyment thereof, and for supplying the same with Water; and it shall be lawful for the said Company to supply the said Canal so made as aforesaid, and also the Cuts or Canals hereinafter authorized to be made, with Water, from any Brooks, Streams, and Watercourses which are or shall be found within the Distance of One thousand Yards from any Part of the said Canal, or within the Distance of Five Miles from any Part of the said Canal which lies upon the Summit between the Two Locks from which the Water falls North and South.

Company  
authorized  
to maintain  
the Canal  
already made.

X. And

Powers to make Reservoirs may be exercised for supplying Water to the Warwick and Napton Canal.

X. And be it further enacted, That all the Powers in this Act contained, touching the making and preserving Reservoirs and other Works for procuring and supplying Water for the Use of the said *Oxford Canal*, may be exercised and carried into effect by the Company of Proprietors hereby established, for the Purpose of enabling them to supply Water, as well for the Use of the *Warwick* and *Napton Canal* as for the Use of the said *Oxford Canal*.

Power to Oxford Canal Company to supply Warwick and Napton Canal with Water.

XI. And be it further enacted, That it shall be lawful for the said Company of Proprietors hereby established to feed and supply the said *Warwick* and *Napton Canal* with Water from the said *Oxford Canal*, or from any Reservoir or Reservoirs maintained and supported, or to be made, maintained, and supported by virtue and authority of this Act; and it shall be lawful for the Company of Proprietors of the *Warwick* and *Napton Canal Navigation*, with the Consent of the said Company of Proprietors hereby established, from Time to Time and at all Times after the passing of this Act, to supply to the said *Warwick* and *Napton Canal*, from the said *Oxford Canal*, or from any Reservoir or Reservoirs for the Time being maintained or supported by the said Company of Proprietors hereby established, such Quantity of Water, and under such Rules and Regulations, as shall be settled and agreed upon between the said Company of Proprietors hereby established and the said Company of Proprietors of the *Warwick* and *Napton Canal Navigation*.

Existing Agreement with the Warwick and Napton Canal Company not invalidated.

XII. Provided always, and be it further enacted, That nothing herein contained shall extend to invalidate any Agreement heretofore entered into, and at the Time of the passing of this Act remaining in force, between the said Company of Proprietors of the *Oxford Canal Navigation*, established by the said Act of the Ninth Year of the Reign of His said late Majesty, and the said Company of Proprietors of the *Warwick* and *Napton Canal Navigation*, relative to supplying the said *Warwick* and *Napton Canal* with Water from the said *Oxford Canal*.

Power to make new Cuts.

XIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors hereby established, and they are hereby authorized and empowered, at their own Costs and Charges, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain, so as to be navigable and passable for Boats, Barges, and other Vessels, the several Cuts or Canals herein-after mentioned; (that is to say,)

1. A Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called the *Five Acres*, in the Occupation of *William Whiting*, in *Sow* aforesaid, near a Cottage called *Black Hall*, to join and communicate with the *Oxford Canal* at or near a Piece of Land called *Sow Common*, in *Sow* aforesaid, near and to the Westward of a Bridge called *Stone Bridge*, and passing from, through, or into the Parish or Township of *Sow* aforesaid:
2. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Colts Close*, in the Occupation of *Susannah Deeming* in *Sow* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Culvert Close*, in the Occupation



Occupation of *John* and *Joseph Cater*, in *Sow* aforesaid, to the Southward of a Bridge called *Cater's Bridge*, and passing from, through, or into the Parish or Township of *Sow* aforesaid :

3. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Noon Hill*, in the Occupation of *John Reynolds*, in *Ansty* in the County of the City of *Coventry*, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Topcoal Piece*, in the Occupation of *William Jackson*, in *Shilton* in the County of *Warwick*, and passing from, through, or into the several Parishes or Townships of *Ansty* aforesaid and *Shilton* aforesaid :
4. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Shilton* aforesaid, to join and communicate with the *Oxford Canal* at or near a Garden in the Occupation of *Joseph Astell*, in *Ansty* aforesaid, and passing from, through, or into the several Parishes or Townships of *Shilton* and *Ansty* aforesaid :
5. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Bottom Mill Field*, in the Occupation of *William Orton*, in *Ansty* aforesaid, and near and to the Eastward of a Bridge called *Squire's Bridge*, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Bridge Close*, in the Occupation of *William Pridmore*, in *Ansty* aforesaid, and passing from, through, or into the Parish or Township of *Ansty* aforesaid :
6. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-described Cut or Canal in *Ansty* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called the *Hill Close*, in the Occupation of *Thomas Arnold*, in *Ansty* aforesaid, and passing from, through, or into the Parish or Township of *Ansty* aforesaid :
7. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-described Cut or Canal in *Ansty* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Horse Close*, in the Occupation of *William Pridmore*, in *Combe* in the County of *Warwick*, near and to the Eastward of a Bridge called *Pridmore's Foot Bridge*, and passing from, through, or into the several Parishes or Townships of *Ansty* and *Combe* aforesaid :
8. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-described Cut or Canal in *Combe* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Broad Ground*, in the Occupation of the Trustees or Executors named in the Will of the late *Richard Arnold*, in *Combe* aforesaid, and passing from, through, or into the Parish or Township of *Combe* aforesaid :
9. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Broad Ground*, in the Occupation of *William Pridmore*, in *Combe* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Horse Close*, in the Occupation of *George* and *Francis Grimes*, in *Combe* aforesaid, and passing from, through, or into the Parish or Township of *Combe* aforesaid :
10. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called the *House Ground*, in the Occupation of *John Johnson*, in *Combe* aforesaid, to join and communicate with the *Oxford Canal*

Canal at or near another Part of the last-mentioned Piece of inclosed Land in *Combe* aforesaid, near and to the Southward of a Bridge called *Lord Craven's Bridge*, and passing from, through, or into the Parish or Township of *Combe* aforesaid :

11. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Combe* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Bridge Close*, in the Occupation of *John Mayne*, in *Stretton under Fosse* in the County of *Warwick*, and passing from, through, or into the Parishes or Townships of *Combe*, *Monk's Kirby*, and *Stretton under Fosse*, in the County of *Warwick* :
12. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Stretton under Fosse* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *River Field*, in the Occupation of *Edward Power*, in *Stretton under Fosse* aforesaid, and passing from, through, or into the several Parishes or Townships of *Stretton under Fosse* aforesaid and *Monk's Kirby* aforesaid :
13. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called the *Hill*, in the Occupation of *George Blundell*, in *Newbold Revell* in the County of *Warwick*, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called the *Cherry Orchard*, in the Occupation of *Michael Bray*, in *Easehall* in the County of *Warwick*, and passing from, through, or into the several Parishes or Townships of *Newbold Revell*, *Easehall*, and *Monk's Kirby* aforesaid :
14. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-described Cut or Canal in *Easehall* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Hall Oaks Close*, in the Occupation of *Elizabeth Bray*, in *Easehall* aforesaid, and passing from, through, or into the several Parishes or Townships of *Easehall* and *Monk's Kirby* aforesaid :
15. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-described Cut or Canal in *Easehall* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land opposite *Hall Oaks Wood*, in the Occupation of *Stephen Jones*, in *Easehall* aforesaid, and passing from, through, or into the several Parishes or Townships of *Easehall* and *Monk's Kirby* aforesaid :
16. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Crowthorn Close*, in the Occupation of *Thomas Cattell*, in *Easehall* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Pierce's Bottom Field*, in the Occupation of *Martha Tuckey*, in *Little Harborough* in the County of *Warwick*, and passing from, through, or into the several Parishes or Townships of *Easehall*, *Little Harborough*, and *Monk's Kirby* aforesaid, and *Newbold upon Avon*, in the County of *Warwick* :
17. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-described Cut or Canal in *Little Harborough* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called the *Home Close*, in the Occupation of

*Thomas Walton*, in *Little Harborough* aforesaid, near and to the Westward of a Bridge called *Walton's Bridge*, and passing from, through, or into the several Parishes or Townships of *Little Harborough* and *Newbold upon Avon* aforesaid, and *King's Newnham* and *Church Lawford*, in the County of *Warwick* :

18. Also a Cut or Canal from and out of the *Oxford Canal* at or near an inclosed Piece of Ground called *Buswell Leys*, in *Little Harborough* aforesaid, in the Occupation of *Thomas Walton*, to join and communicate with the *Oxford Canal* near a Bridge called *Old Park Bridge*, in *Little Harborough* and *Little Lawford* aforesaid, and passing from, through, or into the Parishes or Townships of *Little Harborough* and *Little Lawford* aforesaid, and *Newbold upon Avon* aforesaid :
19. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Little Harborough* and *Little Lawford* aforesaid, to join and communicate with the *Oxford Canal* at or near the West End of *Fall's Turn* in *Little Lawford* aforesaid, and passing from, through, or into the several Parishes or Townships of *Little Harborough*, *Little Lawford*, and *Newbold upon Avon* aforesaid :
20. Also a Cut or Canal from and out of the *Oxford Canal* at or near the East End of *Fall's Turn* in *Newbold upon Avon* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Ground called the *First Cocklands* or the *Leys*, in *Newbold upon Avon* aforesaid, in the Occupation of *Thomas Walker*, near and to the Westward of a Bridge called *Perkin's Bridge*, and passing from, through, or into the Parish or Township of *Newbold upon Avon* aforesaid :
21. Also a Cut or Canal from and out of the *Oxford Canal* at or near a small Plantation or Spinney, belonging to the said *Thomas Walker*, in *Newbold upon Avon* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Mowlands*, in the Occupation of the said *Thomas Walker*, in *Newbold upon Avon* aforesaid, and passing from, through, or into the Parish or Township of *Newbold upon Avon* aforesaid :
22. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land, in the Occupation of the Reverend *John Thomas Parker* Clerk, in *Newbold upon Avon* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Below the Barn*, in the Occupation of *John Perkins*, in *Newbold upon Avon* aforesaid, and passing from, through, or into the Parish or Township of *Newbold upon Avon* aforesaid :
23. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-described Cut or Canal in *Newbold upon Avon* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Penn Close*, in the Occupation of *John Billingham* and *Eleanor Bird*, in *Brownsover* in the County of *Warwick*, near and to the Westward of a Bridge called *Master's Bridge*, and passing from, through, or into the several Parishes or Townships of *Newbold upon Avon* and *Brownsover* aforesaid, and *Clifton upon Dunsmore*, in the County of *Warwick* :
24. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Garden, in the Occupation of *Robert Watson*, in *Brownsover* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed

inclosed Land called *Arnold's Ground*, in the Occupation of *Thomas* and *John Townsend*, in *Clifton upon Dunsmore* aforesaid, and passing from, through, or into the several Parishes or Townships of *Brownsover* and *Clifton upon Dunsmore* aforesaid :

25. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Dunslan's Meadow*, in the Occupation of *William Butlin* and *Joseph Parsons*, in *Clifton upon Dunsmore* aforesaid, to join and communicate with the *Oxford Canal* at or near another Part of the last-mentioned inclosed Piece of Land in *Clifton upon Dunsmore* aforesaid, and passing from, through, or into the Parish or Township of *Clifton upon Dunsmore* aforesaid :
26. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called the *Heath*, in the Occupation of *Edward Sale*, in *Clifton upon Dunsmore* aforesaid, to join and communicate with the *Oxford Canal* at or near another Piece of inclosed Land also called the *Heath*, in the Occupation of the said *Edward Sale*, in *Clifton upon Dunsmore* aforesaid, near and to the Westward of a Bridge called *Double Bridge*, and passing from, through, or into the Parish or Township of *Clifton upon Dunsmore* aforesaid :
27. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land, in the Occupation of the said *Edward Sale*, in *Clifton upon Dunsmore* aforesaid, and near and to the Westward of a Drawbridge, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land, in the Occupation of *Thomas Townsend*, in *Hill Morton* in the County of *Warwick*, opposite to the Lock called the *Lower Lock*, and passing from, through, or into the several Parishes or Townships of *Clifton upon Dunsmore* and *Hill Morton* aforesaid :
28. Also a Cut or Canal from and out of the *Oxford Canal* at or near *Hill Morton Wharf* in *Hill Morton* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land in the Occupation of *John Odey*, near and to the Eastward of a Foot Bridge in *Hill Morton* aforesaid, and passing from, through, or into the Parish or Township of *Hill Morton* aforesaid :
29. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Hill Morton* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Meadow Land, in the Occupation of *James Downing*, in *Kilsby* in the County of *Northampton*, and passing from, through, or into the several Parishes or Townships of *Hill Morton* and *Kilsby* aforesaid :
30. Also a Cut or Canal from and out of the *Oxford Canal* at or near to the last-mentioned Piece of inclosed Land in *Kilsby* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Haswell's Meadow*, in the Occupation of *Nathaniel Wiggins*, in *Barby* in the County of *Northampton*, and passing from, through, or into the several Parishes or Townships of *Kilsby* and *Barby* aforesaid :
31. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Barby Haugh*, in the Occupation of *Nathaniel Wiggins*, in *Barby* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called the *Dairy Ground*, in the Occupation of *Thomas Parnell* and *William Cornish*, in *Barby* aforesaid, at a short Distance Northward of a Foot Bridge, and passing from, through, or into the Parish or Township of *Barby* aforesaid :
32. Also a Cut or Canal from and out of the *Oxford Canal* at or near the last-

- last-mentioned Piece of inclosed Land in *Barby* aforesaid, and also at a short Distance to the Northward of the said Foot Bridge, to join and communicate with the *Oxford Canal* at or near another Part of the last-mentioned Piece of inclosed Land in *Barby* aforesaid, at a short Distance from and to the South-westward of the last-mentioned Foot Bridge, and passing from, through, or into the Parish or Township of *Barby* aforesaid :
33. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Barby* aforesaid, to join and communicate with the *Oxford Canal* or at or near a Piece of inclosed Land called *Wormborough*, in the Occupation of *John Odey*, in *Barby* aforesaid, near and to the North-westward of a Bridge, and passing from, through, or into the Parish or Township of *Barby* aforesaid :
34. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Barby* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land in the Occupation of *Thomas Wise*, called *Plough Meadow*, in *Onley* in the County of *Northampton*, near and to the West of a Bridge called *Barby Wood Bridge*, and passing from, through, or into the several Parishes or Townships of *Barby* and *Onley* aforesaid :
35. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Rowdyke*, in the Occupation of *William Pittom* in *Onley* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called the *Meadow*, below the Canal, in the Occupation of *Thomas Coleman*, in *Willoughby* in the County of *Warwick*, and passing from, through, or into the several Parishes or Townships of *Onley* and *Willoughby* aforesaid :
36. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Willoughby* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land, in the Occupation of *William Ellard*, near and to the Westward of the Dwelling House of the said *William Ellard*, in *Willoughby* aforesaid, and passing from, through, or into the Parish or Township of *Willoughby* aforesaid :
37. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Willoughby* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land, in the Occupation of *William Crupper*, in *Willoughby* aforesaid, near and to the Southward of a Foot Bridge called *Ellard's Foot Bridge*, and passing from, through, or into the Parish or Township of *Willoughby* aforesaid :
38. Also a Cut or Canal from and out of the *Oxford Canal* at or near a Piece of inclosed Land called *Two Acre Denny Furlong*, in the Occupation of *James Tibbetts* senior, in *Braunston* in the County of *Northampton*, to join and communicate with the *Oxford Canal* at or near a Piece of inclosed Land called *Kilm Leys*, in the Occupation of *George Tibbetts*, in *Wolfhampcote* in the County of *Warwick*, and passing from, through, or into the several Parishes or Townships of *Braunston* and *Wolfhampcote* aforesaid :
39. Also a Cut or Canal from and out of the *Oxford Canal* opposite to the Termination of the last-mentioned Cut or Canal in *Wolfhampcote* aforesaid, to join and communicate with the *Oxford Canal* at or near a Piece

of inclosed Land called the *Eighteens*, in the Occupation of *George Tibbetts*, in *Wolfhampcote* aforesaid, and passing from, through, or into the Parish or Township of *Wolfhampcote* aforesaid :

Power to supply the same Cuts with Water.

And also to make, construct, erect, sink, and drive such and so many Reservoirs, Aqueducts, Feeders, Tunnels, Perforations, Weirs, Shafts, Wheels, Engines, and other Machinery for the Purpose of filling and supplying the said Cuts or Canals hereby authorized to be made, or any Part or Parts thereof, and such Reservoirs, with Water, and for conveying Water to and from the same for the Purposes of Navigation, and for the Purpose of the better making and maintaining of such last-mentioned Cuts or Canals, as the said Company hereby established shall from Time to Time think necessary or expedient ; and also to supply the same Cuts or Canals and Reservoirs, whilst making and after the same shall be made, with Water from the said *Oxford* Canal already made, and from all such Brooks, Springs, Streams, Watercourses, Mines, Hollows, Caverns, and other Sources or Repositories of Water as shall be found in making the same Cuts or Canals and Reservoirs ; and to enlarge, widen, deepen, divert, alter, or vary such Roads or Ways, and the Courses of such Brooks, Streams, or Watercourses as may cross the Line of the same Cuts or Canals, or which may prevent or otherwise impede or obstruct the making of the same ; and also to widen the said existing *Oxford* Canal, for the more convenient passing of Boats and Barges, in a Field, in the Occupation of *Richard Lakin*, in *Braunston* aforesaid, opposite and near to the Commencement of the Cut or Canal before described as commencing at or near a Piece of inclosed Land called *Two Acre Denny Furlong* in *Braunston* aforesaid, also in a Field, in the Occupation of *George Grimes* and *Francis Grimes*, in *Combe* aforesaid, below the Dwelling House of the said *George Grimes* and *Francis Grimes*, and also in a Garden in *Hill Morton* aforesaid, in the Occupation of *Stephen Barrett*, below the Middle Lock in *Hill Morton* aforesaid, on the said existing Canal.

Company may enter on Lands for the Purposes of this Act.

XIV. And be it further enacted, That for the Purposes of this Act the said Company of Proprietors hereby established, their Deputies, Agents, Servants, Surveyors, and Workmen, shall be and they are hereby authorized and empowered to enter into and upon the Lands and Grounds of or belonging to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever, subject to the Directions and Provisions of this Act, and to survey and take Levels of the same or any Part thereof, and to set out, ascertain, and appropriate such Part or Parts thereof as they shall think necessary or expedient for making, maintaining, and completing the said Cuts or Canals and the other Works hereby authorized to be made, and to bore, dig, cut, trench, drain, sough, get, raise, remove, take, carry away, lay, use, and manufacture any Earth, Soil, Clay, Stone, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things which can or may be dug, raised, or gotten in the making, carrying on, maintaining, or repairing of the said Cuts or Canals or other Works respectively, or out of any Lands or Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, adjoining or lying near thereto, and which may be proper, requisite, necessary, or convenient for the same, or which may hinder, prevent, or obstruct the same ; and also to make, build, erect, bank, excavate, or set up, amend, and alter, in, under, or upon the said Cuts or Canals and other Works,

Works, or upon the Lands adjoining the same respectively, such and so many Bridges, Piers, Arches, Tunnels, Aqueducts, Sluices, Culverts, Locks, Weirs, Dams, Pens for Water, Tanks, Basins, Reservoirs, Drains, Soughs, Wharfs, Quays, Docks, Landing Places, Houses, Warehouses, Toll Houses, Weighing Beams, Cranes, Fire Engines, or other Machines, Fences, Ways, Roads, and Conveniences, as, where, and in such Manner as the said Company of Proprietors shall think requisite or convenient for the several Purposes aforesaid (subject to the Restrictions and Directions herein-after mentioned); and also from Time to Time to alter, repair, amend, improve, or discontinue the same; and also to place, lay, work, or manufacture the Materials necessary for the making, erecting, maintaining, and repairing the said Cuts or Canals and other Works on the Lands or Grounds adjoining to the Place or Places where the said Works or any of them shall be carrying on and executed; and also to make, set out, and appoint such Roads, Towing Paths, Banks, and Ways convenient for towing, hauling, or drawing of Boats, Barges, or other Vessels passing in, through, or upon the said Cuts or Canals, with Men or Horses, or otherwise, and such Places for Boats, Barges, or other Vessels to lie or turn in, as the said Company of Proprietors shall think proper or convenient; and to construct, erect, and keep in repair any Bridges, Piers, Arches, or other Works, in, upon, and across any Rivers or Brooks, for the making, effecting, preserving, improving, completing, using, maintaining, and repairing the said Cuts or Canals and other Works; and also to dig, take, and carry away any Soil, Clay, Gravel, Sand, Sandstone, or other Materials, for the Purposes of this Act, in or from the Grounds or Premises of any Person or Persons within One thousand Yards of the said Canal, Cuts, or Canals, or any Part thereof, (such last-mentioned Grounds and Premises not being the Scite of any House, nor a Garden, Yard, Park, Paddock, Walk, or Avenue to a House, or Lawn inclosed or adjoining to a Mansion House); and also to construct, erect, make, and do all other Works, Matters, and Things which they shall think necessary and convenient for the making, completing, altering, repairing, preserving, improving, carrying on, and using the said Cuts or Canals and other Works to be made or constructed in pursuance of and according to the true Intent and Meaning of this Act, they the said Company of Proprietors, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in manner herein-after mentioned to the Owners and Proprietors of and all Persons interested in any Lands, Tenements, or Hereditaments, Mills, Forges, Watercourses, Brooks, or Rivers respectively, which shall be taken, used, removed, diverted, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Company of Proprietors, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisions and Restrictions as are herein-after mentioned and contained.

XV. And be it further enacted, That it shall be lawful for the said Company of Proprietors hereby established to discontinue the Use for the Purpose of Navigation of all Parts of the existing *Oxford Canal*

Power to discontinue certain Parts of the present Canal, on the which

new Cuts  
being com-  
pleted.

which shall be cut off or shortened by the several Cuts or Canals hereby authorized to be made, except the following; (that is to say,)

The Part of the existing Canal which passes from the Commencement of the Cut or Canal herein-before described as commencing at or near a Piece of inclosed Land called the *Five Acres*, in the Occupation of *William Whiting*, in *Sow* aforesaid, near a Cottage called *Black Hall*, to the Termination of the same Cut or Canal at or near a Piece of Land called *Sow Common* in *Sow* aforesaid, near and to the Westward of a Bridge called *Stone Bridge* :

Also the Part of the existing Canal which passes from the Termination of the Cut or Canal before described as terminating at or near a Piece of inclosed Land called *Horse Close*, in the Occupation of *William Pridmore*, in *Combe* aforesaid, near and to the Eastward of a Bridge called *Pridmore's Foot Bridge*, to a Place called *Sandhole Turn*, *Hopsford Puddle*, in *Hopsford* in the County of *Warwick* :

Also the Part of the existing Canal which passes from the Termination of the Cut or Canal before described as terminating at or near a Piece of inclosed Land called *Bridge Close*, in the Occupation of *John Mayne*, in *Stretton under Fosse* aforesaid, to a Wharf called *Stretton Wharf*, in *Stretton under Fosse* aforesaid :

Also the Part of the existing Canal which lies between a Bridge called *Thompson's Bridge*, in *Brinklow* in the County of *Warwick*, and the Commencement of the Cut or Canal before described as commencing at or near a Piece of inclosed Land called the *Hill*, in the Occupation of *George Blundell*, in *Newbold Revell* aforesaid :

Also the Part of the existing Canal which passes from the Basin in *Fennis Field*, in *King's Newnham* in the County of *Warwick*, to the Termination of the Cut or Canal before described as terminating at or near a Piece of inclosed Land called *Pierce's Bottom Field*, in the Occupation of *Martha Tuckey*, in *Little Harborough* aforesaid :

Also the Part of the existing Canal which passes from the Commencement of the Cut or Canal herein-before described as commencing at or near a Piece of inclosed Ground called *Buswell Leys*, in *Little Harborough* aforesaid, to the Termination of the same Cut or Canal near a Bridge called *Old Park Bridge*, in *Little Harborough* and *Little Lawford* aforesaid :

Also the Part of the existing Canal which passes from the Limeworks called *Mr. Walker's Further Limeworks*, in *Newbold-upon-Avon* aforesaid, to the Commencement of the Cut or Canal herein-before described as commencing at or near the East End of *Fall's Turn*, in *Newbold upon Avon* aforesaid :

Also the Part of the existing Canal which passes from the Termination of the Cut or Canal before described as terminating at or near a Piece of inclosed Land called *Below the Barn*, in the Occupation of *John Perkins*, in *Newbold upon Avon* aforesaid, to a Wharf called *Rugby Wharf*, in *Newbold upon Avon* aforesaid, which last-mentioned Part of the existing Canal lies in the Parish or Township of *Newbold upon Avon* aforesaid :

Also the Part of the existing Canal which passes from the Termination of the Cut or Canal before described as terminating at or near a Piece of inclosed Land called *Penn Close*, in the Occupation of *John Billingham* and *Eleanor Bird*, in *Brownsover* aforesaid, near and to the  
Westward



Westward of a Bridge called *Master's Bridge*, to a Place called *Cosford Puddle*, in *Cosford* in the County of *Warwick* :

Also the Part of the existing Canal which passes from the Termination of the Cut or Canal before described as terminating at or near a Piece of inclosed Land called *Arnold's Ground*, in the Occupation of *Thomas and John Townsend*, in *Clifton upon Dunsmore* aforesaid, to a Place called *Clifton Wharf*, in *Clifton upon Dunsmore* aforesaid :

Also the Part of the existing Canal which passes from Messieurs *Pickford and Company's* Offices, in *Braunston* aforesaid, to the Commencement of the Cut or Canal before described as commencing at or near a Piece of inclosed Land called *Two Acre Denny Furlong*, in the Occupation of *James Tibbetts senior*, in *Braunston* aforesaid :

And each of the existing Parts of the *Oxford* Canal hereby authorized to be discontinued as a Navigation may be discontinued as such when and so soon as the new Cut or Canal, which will extend to and from the same Points as the Part which or a Portion of which is hereby authorized to be discontinued shall have been completed and rendered fit for Navigation, but all other Parts of the said existing *Oxford* Canal shall still be kept open for the Purpose of Navigation ; and it shall be lawful for the said Company of Proprietors to sell and dispose of the Whole or any Part or Parts of those Portions of the said Canal, the Use whereof shall be so discontinued as aforesaid, under and subject to such Regulations as are herein-after contained relative to the Sale of Land of which the said Company may become seised, not necessary for effecting the Purposes of this Act, and to convey the same to the Purchaser or Purchasers thereof.

XVI. And whereas a Map or Plan, describing the Line or Course of the said Cuts or Canals hereby authorized to be made, and the Lands or Grounds in, through, across, under, over, or upon which the same are proposed to be carried or made, together with a Book of Reference thereto, containing Lists of the Owners and Occupiers or reputed Owners and Occupiers of such Lands and Grounds, have been deposited at the respective Offices of the Clerks of the Peace for the Counties of *Warwick* and *Northampton*, and the County of the City of *Coventry* ; be it therefore enacted, That the said Maps or Plans and Books of Reference so deposited shall remain with and be kept by the said Clerks of the Peace, and all Persons interested in any Manner therein shall have Liberty to inspect and peruse the same, and make Extracts from and Copies thereof, at all seasonable Times, on Payment of One Shilling for each Time of Inspection, and of One Shilling more for every Hour during which such Inspection shall continue after the first Hour, and paying for every Copy not exceeding One hundred Words the Sum of Sixpence, and so in proportion for any greater Number of Words ; and the said Maps or Plans and Books of Reference, or true Copies thereof, or of so much thereof as shall relate to any Matter which may be in question, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Maps, &c. to remain in Custody of the Clerks of the Peace.

XVII. And be it further enacted, That the said Company hereby established shall and may make and complete the said Cuts and Canals, and the other Works by this Act authorized, into, through, and over the

Lands, &c. may be taken notwithstanding

[Local.]

14 A

Lands

accidental  
Omissions in  
Maps, &c.

Lands and Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, if it shall appear to the Satisfaction of any Two or more Justices of the Peace for the County within which such Lands or Grounds may lie or be situate, and be by them certified in Writing under their Hands, that the Name or Names, Title or Titles, Designation or Designations of such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall have been by Mistake omitted or inaccurately described in the said Maps or Plans and Books of Reference or any of them, or across any Roads, Brooks, or Rivulets which shall so appear and be certified to have been omitted by Mistake or inaccurately described in manner aforesaid, or that instead thereof the Name or Names, Title or Titles, Designation or Designations of some other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom such Lands or Grounds do not belong, shall have been by Mistake inserted therein, any thing herein contained to the contrary thereof in anywise notwithstanding.

Not to deviate  
from the Line  
laid down in  
the Plan.

XVIII. Provided always, and be it further enacted, That the said Company of Proprietors shall not in making the said new Cuts or Canals and other Works deviate more than One hundred Yards from the Course laid down in the said Map or Plan.

No Water to  
be taken  
from Brooks  
not in the  
Plan.

XIX. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors hereby established, or their Servants, Agents, or Workmen, or any of them, or any other Person or Persons whomsoever, to divert or take, for the Use or Supply of the said Cuts or Canals hereby authorized to be made (except as herein-before mentioned), any Water from and out of any other Brooks, Streams, or Watercourses than such as are laid down in the said Maps or Plans and Books of Reference relating to the said Cuts or Canals.

Houses not  
to be taken  
except such  
as are men-  
tioned in the  
Schedule.

XX. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Company hereby established, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage for the Purposes of this Act any House or other Building, or any Ground which on or before the First Day of *June* now last past formed the Scite of a House or other Building, or any Land or Ground which at that Period was set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Occupiers thereof, other than and except such as are specified and set forth in the Schedule to this Act annexed.

As to Water  
to be taken  
from the  
Grand Junc-  
tion Canal.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to enable the said Company of Proprietors hereby established to take, make use of, or divert any Water for the Purpose of supplying the existing *Oxford* Canal, or the Cuts hereby authorized to be made, or the said *Warwick* and *Napton* Canal, which the Company of Proprietors of the Grand Junction Canal, by virtue of the said recited Act of the Thirty-third Year of the Reign of His late Majesty, have already taken, made use of, or diverted for supplying the said Grand Junction Canal; and the Reservoirs and other Works belonging thereto; or are empowered hereafter to take, make use of, or divert; nevertheless

nevertheless the said Company of Proprietors hereby established shall continue to have and enjoy the free Use of all such Water as shall be permitted to flow from the Lower Lock of the said Grand Junction Canal in the said Parish of *Braunston*, into the Level or Pound at or in which the said *Oxford* Canal and Grand Junction Canal unite, not exceeding Six hundred Cubic Feet for each Lock-full, as heretofore for some Years past has been customary: Provided always, that nothing herein contained shall authorize the said Company of Proprietors hereby established to alter or vary the Level of the Weirs of the said *Oxford* Canal in the said Parish of *Braunston*, without the Consent of the said Grand Junction Canal Company under their Seal.

XXII. And be it further enacted, That the said Company of Proprietors hereby established shall from Time to Time and at all Times hereafter keep and maintain the said *Oxford* Canal, from its Junction with the said *Coventry* Canal to its Junction with the said Grand Junction Canal, in good and sufficient Repair and Condition for the Navigation of Boats and other Vessels usually navigated thereon, and supply the same with Water sufficient for that Purpose.

Oxford Canal, from the Coventry Canal to the Grand Junction Canal, to be kept in repair.

XXIII. And whereas by reason of the Exercise of the Powers granted by this Act there may be Deficiencies in the Assessments for Land Tax in the several and respective Parishes, Townships, Hamlets, or Places from, in, through, or into which the said Cuts or Canals and other the Works by this Act authorized may pass or may be made or be situate; be it therefore enacted, That for preventing the same the said Company hereby established shall, from and after they shall have become seised and possessed by virtue of the Powers of this Act of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall have been completed and assessed to such Land Tax, unless the said Company shall think fit to redeem the same, under the Powers of the Acts for the Redemption of Land Tax, be subject and liable from Time to Time to pay and make good to or in aid of the said several Parishes, Townships, Hamlets, or Places respectively, out of the Monies to arise by virtue of this Act, all such Sum and Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes, Townships, Hamlets, or Places respectively, by reason or means of taking down or using, or cutting through, over, or upon, for the Purposes of this Act, any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer, Collector, or Receiver to the said Company shall be and is hereby authorized and required to pay all such Assessments on Demand thereof to the Collectors of the said Assessments.

Deficiencies in Land Tax to be made good by the Company.

XXIV. Provided always, and be it further enacted, That in all Places where the Line of the Works hereby authorized shall be made across any public Carriage Road, the Ascent to any Bridge to be made over any Part of the said Canal for the Purpose of such Road shall not be greater than One Foot in Thirteen Feet; and 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.

Regulations as to Ascent to Bridges, and Height of Fences.

XXV. And

Provisions in  
case of Injury  
to Roads.

XXV. And be it further enacted, That in all Cases when in exercise of the Powers hereby granted any Part of any Carriage or Horse Road, either public or private, shall be found necessary to be cut through or taken, or so much injured as to be impassable or inconvenient for Passengers or Carriages, or to the Persons entitled to the Use thereof, the said Company hereby established shall, at their own Expence, before any such Road shall be cut through, taken, or injured as aforesaid, cause a good and sufficient temporary Carriage or Horse Road (as the Case may require) to be set out and made instead thereof, as convenient for Passengers and Carriages as the Road so to be cut through, taken, or injured as aforesaid, and as near thereto as may be, and shall cause the same to be put into good and substantial Order and Condition, where the former Road cannot be more easily restored; and where the Road cut through or used shall be a Turnpike Road, such temporary Road shall be made, and the principal Road shall be restored, within Six Months after the Commencement of such Operation; and where the said Canal shall cross such Turnpike Road the Bridge over the same shall for ever thereafter, whether such Road shall continue to be or shall cease to be a Turnpike Road, be made and kept in repair by the said Company, so as to prevent Inconvenience or Obstruction to the Passage along such Turnpike Road.

Bridges to be  
repaired by  
the Company,  
but not the  
Roads lead-  
ing to them.

XXVI. Provided always nevertheless, and be it further enacted, That the said Company of Proprietors hereby established shall not be liable to repair or amend any Part of the Roads approaching to any Bridge or Bridges made or to be made over the said Canal, Cuts or Canals, or any Part thereof, after such Roads shall have been first made and used for One Year, and then put into good and sufficient Repair by the said Company of Proprietors, beyond or further than the Extremity of the Wing Walls of any such Bridge or Bridges; but nothing herein contained shall be construed to exonerate the said Company from the future Repairs of all such Bridges, and of the Wing Walls, Ramparts, and Side Banks thereof.

Steam En-  
gines to con-  
sume their  
own Smoke.

XXVII. And be it further enacted, That every Steam Engine which shall be erected by virtue of the Powers of this Act shall be constructed so as to consume its own Smoke.

Breadth of  
Land to be  
taken for  
Canals.

XXVIII. And be it further enacted, That the Lands and Grounds to be purchased and taken for making, completing, and maintaining the said Cuts or Canals hereby authorized to be made, and the Towing Paths, Banks, and Side Drains thereof, and the Ditches and Fences for separating such Towing Paths, Banks, and Side Drains from the adjoining Lands, shall not exceed Twenty-five Yards in Breadth, measured horizontally, except in those Places where any Basin, Sluice, or Weir shall be made, or where the said Canal shall be raised higher or shall be cut more than Three Feet deeper than the present Surface of the Land, and except also in those Places where it shall be judged necessary for Boats, Barges, or other Vessels to turn or lie in or pass each other, or for raising Embankments for crossing the Vallies, or in deep Cuttings, or where any Warehouses, Cranes, or Weighbeams may be erected, or where any Place may be set out or appropriated for the forming of Wharfs, or for the Reception or Delivery of Goods, Wares, and Merchandize; nor shall such  
Breadth

Breadth of Land exceed Eighty Yards in any Place, except where the said Canal shall pass through or over any Common or Waste Land, without the Consent of the Owners of the Lands or Hereditaments immediately adjoining that Part of the said Cuts or Canals where an extra Breadth shall be deemed necessary.

XXIX. And be it further enacted, That after any Lands, Grounds, or Hereditaments to be taken or used for the Purposes of this Act shall have been set out and ascertained, it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, (if incapacitated,) and for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever who is or are or shall be seised, possessed of, or interested in or entitled to any such Lands, Grounds, or Hereditaments as shall be so set out and ascertained as aforesaid, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of Proprietors hereby established; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding, and be a complete Bar to all Estates Tail, with the Remainders or Reversions expectant thereon, and all other Estates, Rights, Titles, Trusts, and Interests whatever; and all Bodies Politic, Corporate, or Collegiate, and all other Persons so conveying as aforesaid, are hereby indemnified for what they shall respectively do by virtue hereof; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors; and such of them as shall be made of any Freehold Lands or other Hereditaments to the said Company of Proprietors, may be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; *widelicet,*

Bodies Politic, &c. empowered to sell and convey Lands.

‘ I *A. B.* of \_\_\_\_\_, in consideration of  
 ‘ the Sum of \_\_\_\_\_ of lawful Money  
 ‘ of *Great Britain*, to me paid by the Company of Proprietors of the  
 ‘ *Oxford Canal Navigation*, do hereby by virtue of the Powers contained  
 ‘ in an Act passed in the Tenth Year of the Reign of His Majesty King  
 ‘ *George the Fourth*, intituled [*here set forth the Title of this Act,*] grant  
 ‘ and release to the said Company of Proprietors all [*describing the*  
 ‘ *Premises to be conveyed*], and all my Estate, Right, Title, and Interest  
 ‘ in and to the same and every Part thereof, to hold unto and to the  
 ‘ Use of the said Company of Proprietors and their Successors for ever,  
 ‘ by virtue of and according to the true Intent and Meaning of the said  
 ‘ Act. In witness whereof I have hereunto set my Hand and Seal, the  
 ‘ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

Form of Conveyance to the Company.

[*Local.*]

14 B

And

And if the Premises are Leasehold for Years, they may be assigned by a Form answerable to the above, substituting only the Words applicable to the Assignment of a Chattel; and all such Conveyances and Assignments respectively shall be kept by the Clerk or Clerks to the said Company of Proprietors, who shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons requiring the same, and shall have and receive for such Copies the Sum of Sixpence for every One hundred Words, exclusive of the Expence of the Stamps.

Provision as  
to Convey-  
ance of Copy-  
holds.

XXX. Provided always, and be it further enacted, That if any Contract or Agreement shall be made or entered into for or in respect of any Lands, Tenements, or Hereditaments to be taken or used for the Purposes of this Act, which shall be of Copyhold or Customary Tenure, or of the Nature of such Tenure, such Contracts and Agreements shall be executed and completed by Surrender of the Lands, Tenements, or Hereditaments comprised therein, in the Court of the Manor of which the same are holden or Parcel, according to the Custom of such Manor; and such Lands, Tenements, or Hereditaments shall continue subject to the same Fines, Rents, and Services as are due and payable and of Right accustomed, in the same Manner as if this Act had not been passed, unless the Lord or Lords, Lady or Ladies of the Manor for the Time being, shall be desirous of enfranchising the same, in which Case such Lord or Lords, and also such Lady or Ladies, notwithstanding her or their Coverture, and whether sole or married, is and are hereby empowered so to do, notwithstanding he, she, or they shall be seised of or entitled to the same Manor for a less Interest than an Estate of Inheritance in Fee Simple; but inasmuch as the vesting and continuing of such Copyhold or Customary Premises in the said Company of Proprietors hereby established as a Body Corporate would prevent such Lord or Lords, Lady or Ladies, from receiving the same Benefit of Fines, Heriots, and other Services due upon Death, Descent, or Alienation, in like Manner as he, she, or they would have done in case such Copyhold or Customary Premises had continued to be the Property of Persons in their natural Capacities, the said Lord or Lords, Lady or Ladies of the said Manor, in case he, she, or they shall decline to enfranchise the respective Parcels of Copyhold or Customary Land held of or Parcel of the said Manor which shall be so purchased by or vested in the said Company of Proprietors for the Purposes aforesaid, shall be entitled to and shall be paid by the said Company a reasonable Recompence and Satisfaction for the Loss that would arise to him, her, or them in respect of such Fines, Heriots, and other Services, the Receipt or Enjoyment of which shall be diminished or lost by the vesting and continuing of such Copyhold or Customary Premises in a Body Corporate, which Recompence and Satisfaction, and also the Appointment or Apportionment of certain Copyhold or Customary Rents issuing out of such Copyhold or Customary Tenements, of which a Part only shall be taken for any of the Purposes of this Act, shall, if not settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, as is herein-after directed.

Lords of  
Manors  
under Inca-  
pacity en-

XXXI. And be it further enacted, That in all Cases where the Lord or Lords, Lady or Ladies of any Manor whereof any Copyhold or Customary Lands or Tenements required to be taken or used for the Purposes  
of

of this Act are holden or Parcel, shall be willing or desirous to enfranchise the same Copyhold or Customary Lands or Tenements, and such Lord or Lords, Lady or Ladies, shall be seised of or entitled to such Manor or Manors respectively for a less Interest than an Estate in Tail General or Special, or where he, she, or they cannot, either alone or with the Concurrence of any other Person or Persons who shall consent to the Enfranchisement, by levying a Fine or Fines, or suffering a Common Recovery or Common Recoveries, or otherwise enfranchise the same Lands or Tenements, then the Money agreed or assessed to be paid for the Enfranchisement thereof, shall be paid, applied, and disposed of, by the Direction and under the Approbation of the Court of Exchequer, or without such Direction and Approbation, according to the Amount thereof, in the same Manner in all respects as in this Act is directed and provided with respect to Money agreed or assessed to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes thereof, which shall belong to any Person under any Disability or Incapacity; and in all Cases in which the Appointment or Apportionment of the certain Copyhold or Customary Rents issuing out of such Copyhold or Customary Lands and Tenements, of which a Part only shall have been taken for any of the Purposes of this Act, shall be settled by Agreement between the Parties, such Agreement shall be made with, and shall not be valid without, the Consent and Approbation of the Lord or Lords, Lady or Ladies of the Manor or respective Manors whereof the same Copyholds or Customary Lands and Tenements are holden or Parcel, and if not so settled it shall then be settled or assessed by the Verdict of a Jury, if required, in such Manner as in and by this Act is directed and provided; and the Apportionment of such Copyhold or Customary Rents as aforesaid shall not in any Manner invalidate, prejudice, or destroy the Custom or Customs in other respects by or under which the said Copyhold or Customary Lands or Tenements shall or may be holden, or the Remedy or Remedies for the Recovery of such Rents after the Apportionment thereof; and in all Cases where the Lord or Lords, Lady or Ladies of any Manor whereof any Copyhold or Customary Lands or Tenements purchased or taken by the said Company of Proprietors hereby established for the Purposes of this Act shall refuse or decline to enfranchise the same Lands or Tenements, and shall in consequence thereof have received from the said Company a Recompence and Satisfaction in respect of the Fines, Heriots, and other Services being diminished or lost by the vesting and continuing of such Copyhold or Customary Lands or Tenements in a Body Corporate, then and in every such Case, if the same Lands or Tenements, or any Part thereof, shall not be ultimately required for the Purposes aforesaid, or any of them, and shall be sold and disposed of by the said Company under the Authority to them given for that Purpose, the Copyhold or Customary Lands and Tenements which shall be sold and disposed of by the said Company shall remain in the Hands of the Purchaser or Purchasers thereof, and for ever thereafter continue freed and discharged from the Fines, Heriots, and other Services in respect whereof such Recompence and Satisfaction shall have been made as aforesaid.

abled to enfranchise and apportion Rents.

XXXII. And be it further enacted, That if in making the said Cuts, Canals, or other Works hereby authorized to be made, any Pieces or Parcels of Ground shall be cut through and divided, so that what shall

Where small Parcels of Land, intersected by the  
be

new Cuts, the Company compellable to purchase the whole.

be left on each or either Side of the said Cuts, Canals, or other Works shall be less than One Acre in Quantity, or 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 to that which shall be so left on each or either Side of the said Cuts, Canals, or other Works, then and in every such Case, if the Owner or Owners of or Person or Persons entitled to the Possession or to the Rents and Profits of the same shall so require, but not otherwise, the said Company of Proprietors hereby established shall also take and purchase the Piece or Parcel or Pieces or Parcels of Ground so left on each or either Side of the said Cuts, Canals, or other Works, being less than One Acre in Quantity, or less than Fifty Yards in Breadth as aforesaid, the Value thereof to be ascertained in the same Manner as is herein directed concerning any Land or Ground to be taken and used for the Purposes of this Act.

Waste Lands to be conveyed by Lords of Manors.

XXXIII. And be it further enacted, That in all Cases where in making the said Cuts, Canals, or other Works hereby authorized to be made, there shall be Occasion to cut through, take, or use any Part of any Commons or Wastes, or other Lands, Tenements, or Hereditaments which shall be charged with or subject to any Right of Common or Easement, whether appendant, appurtenant, or in gross, or whether created or then subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance thereof by any Body Politic, Corporate, or Collegiate, or other Person or Persons having such and the like Estate or Interest of and in the Manor wherein such Lands, Tenements, and Common or Waste Grounds shall be, or if the same shall not be the Waste of any Manor, then having such or the like Estate or Interest of or in the Soil of such Lands, Tenements, and Wastes or Commons as the Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons who is and are herein-before enabled to sell and convey other Lands, Tenements, and Hereditaments, shall be a good and sufficient Conveyance thereof to the said Company of Proprietors hereby established, for the Purpose of vesting in them the Fee Simple and Inheritance of such Waste Grounds or Commons, or other Lands, Tenements, or Hereditaments discharged from such Right of Common or Easement, as fully and effectually as if every Person having such Right or Rights of Common upon such Commons or Waste Grounds, or other Lands, Tenements, or Hereditaments, were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyance; and the Compensation to be paid for the Extinguishment of any Right of Common upon any such Common or Waste Ground as aforesaid shall be paid by the said Company hereby established to the Churchwardens of the respective Parishes wherein such Commons or Waste Grounds shall be, and shall by such Churchwardens be received and applied for such general or public Purposes within such Parishes respectively as a Vestry of such respective Parishes, to be convened by such Churchwardens for that Purpose, shall direct; and in all 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 or Interest as aforesaid in the said Rights, Commons, Profits, or Easements, or in the Lands,  
2
Tenements,



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 all 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 situate, the Conveyance by Four at least of the Freeholders whose Estates have Common Right in such Common or Waste Ground, and whose said Estates are assessed yearly to the Poor Rates to Three Fifth Parts at least of the whole Property in each of the said Parishes which have such Common Right, to the said Company, shall be a good and sufficient Conveyance for vesting in the said Company the Fee Simple and Inheritance of such Common or Waste Grounds discharged from such Right of Common.

XXXIV. And be it further enacted, That all and every Body and Bodies, Politic, Corporate, and Collegiate, Trustees and other Person or Persons herein-before enabled to sell or convey Lands or other Hereditaments, and any other Owner or Owners, and the Occupier or Occupiers of any Lands, Grounds, or other Hereditaments through, in, over, or upon which the said Cuts, Canals, and other Works hereby authorized shall be made, may accept and receive in gross Sums such Satisfaction for the Value of such Lands, Grounds, and Hereditaments, and also such Compensation for the Damages to be sustained by making or completing the said Works herein-before directed, and also for or by reason of the severing or dividing the same Lands and Hereditaments from the other Lands and Hereditaments belonging to such Body or Bodies Politic, Corporate, or Collegiate, Trustees and other Person or Persons interested therein, and for or on account of the Detriment, Injury, Loss, Damage, or Prejudice which shall or may be sustained by such Body or Bodies Politic, Corporate, or Collegiate, Trustees and other Person or Persons interested therein, as shall be agreed upon by and between the said Owners and Occupiers respectively, or any of them, and the Company of Proprietors hereby established; and in case the said Company of Proprietors and the said Parties interested in such Lands, Grounds, or other Hereditaments, cannot or do not agree as to the Amount or Value of such Satisfaction and Compensation, the same shall be ascertained and settled by the Verdict of a Jury, as is herein-after directed.

Satisfaction to be made for Lands taken for the Purposes of the Act.

XXXV. And be it further enacted, That in case of any Difference between the said Company of Proprietors hereby established or their Agents, and any Body or Bodies Politic, Corporate, or Collegiate, Trustees or other Person or Persons interested in or entitled to, or hereby empowered to sell or agree for any Lands, Tenements, or Hereditaments which shall or may be taken, used, affected, damaged, or prejudiced in pursuance or execution of the Powers hereby granted, relative to the Price or Value, Damages or Recompence, to be given for the same; and in case such Price or Value, Damages or Recompence, cannot be settled, adjusted, and agreed for by and between the said Company of Proprietors or their Agents, and such Proprietors or Persons interested in the Lands, Tenements, or Hereditaments as aforesaid, his, her, or their Agents; or if any such Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons interested or entitled as aforesaid, shall refuse to

Differences to be settled by a Jury.

[*Local.*]

14 C

receive,

receive, upon due Tender thereof made, such Purchase Money or Récompence as shall be offered to be paid by the said Company of Proprietors, or shall for the Space of Twenty-one Days next after Notice in Writing given to the principal Officer of any such Body or Bodies Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments required for the Purposes of this Act, neglect or refuse to treat, or shall not agree with the said Company concerning the same, or shall by Absence or otherwise be prevented from treating, or shall by reason of Nonage or other Impediment not provided for by this Act be incapable of treating or making such Agreement as shall be expedient for enabling the said Company to proceed in the making or carrying on of the said Cuts, Canals, and other Works, or shall not within the before-mentioned Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which they are or shall be in Possession of, and to the Interest which they claim therein, then and in any or either of the said several Cases the said Company of Proprietors shall and they are hereby empowered and required to issue a Warrant or Warrants under their Common Seal to the Sheriff of the County in which the Lands or Hereditaments in question shall be situated; and in case such Sheriff or his Under Sheriff shall be One of the said Company of Proprietors, or enjoy any Office of Trust or Profit under them, or shall be in any way interested in the Matters in question, then to One of the Coroners of such County who shall not be so interested as aforesaid; or if all the Coroners shall be so interested, then to the last Persons or 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, Coroner, or other Person is hereby required accordingly to impanel, summon, and return, a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the Justices of the Peace for the County in which such Lands or Hereditaments shall lie, or the Matter in question or dispute shall arise, at some Court of General or Quarter Sessions of the Peace to be holden for the same County, or at some Adjournment thereof, as in such Warrant or Warrants shall be appointed; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff or Coroner or other Person shall return other honest and indifferent Men of the Ständers-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 may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the Clerk of the Peace for the County in which such Lands or Hereditaments shall lie, or the Matter in question or dispute shall arise, or his Deputy, is hereby empowered and required to summon or call before the said Justices 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 may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matter or Matters in controversy; and such Jury, upon their Oaths, which Oaths, as well as the Oaths to such Person or Persons as

shall be called upon to give Evidence, the said Justices are hereby empowered to administer, shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands or other Hereditaments, and also what other separate and distinct Sum or Sums of Money shall be paid by way of Recompence, either for the Damage which shall or may before that Time have been so sustained as aforesaid, or for the future temporary or perpetual Continuance of any recurring Damage which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, repaired, or remedied by the said Company, and which cannot or will not be further obviated, repaired, or remedied by them; and in so doing the said Jury shall take into Consideration, not only the Damage or Inconvenience, but also the Advantages and Conveniences which shall or may arise to the Person or Persons having such Controversy or Dispute, by means of the said Cuts, Canals, or other Works; and the said Justices shall accordingly give Judgment for the Purchase Money or Recompence to be assessed by such Jury; which said Verdict, and the Judgment thereupon to be 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: Provided always, that not less than Seven Days Notice in Writing of the Time and Place of Meeting of the said Justices and Jury shall be given by the Clerk to the said Company to the Parties or Party with whom such Controversy shall arise, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Clerk or Agent of any such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises to be valued, or respecting which any such Question shall arise.

XXXVI. Provided always, and be it further enacted, That the said Juries shall award all Determinations, Judgments, and Verdicts which they shall respectively make and give concerning the Value of Lands and other Hereditaments separately and distinctly from any Damages sustained or to be sustained as aforesaid, and shall distinguish the Value set upon the Land and other Hereditaments, and the Money assessed or adjudged for such Damages as aforesaid, separately and apart from each other.

Damages to be assessed separately from the Value of the Land.

XXXVII. Provided always, and be it further enacted, That no Person shall be summoned or chosen to be of any such Jury as aforesaid who shall be an Owner or Occupier of any Lands, Grounds, Waters, Tenements, or other Hereditaments which shall be required for any of the Purposes of the said Cuts or Canals, or any of the Works hereby authorized to be made, or who shall be possessed of or interested in any Share or Shares in the said Canal Navigation, or be a Mortgagee of the Tolls, or who shall hold any Office or Place of Trust or Emolument under the said Company, or be otherwise interested in the said Canal Navigation.

Interested Persons not to be summoned on Juries.

XXXVIII. And be it further enacted, That if such Sheriff, or his Deputy or other Person so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, without sufficient Excuse, or appearing shall refuse to be sworn or give his Verdict, or in any other Manner wilfully neglect his Duty contrary to the true Intent of this Act,

Fines on Sheriffs and Persons summoned making Default.

or

or if any Person so to be summoned to give Evidence shall not appear, without sufficient Excuse, after having been paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, examined, or to give Evidence, then and in every such Case every Person so offending shall forfeit and pay, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall be summoned, any Sum not exceeding Ten Pounds, to be levied, by virtue of any Warrant under the Hand and Seal of any of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, her, or them the Overplus of the Money thereby produced, after such Penalty and the Charges and Expences of such Distress and Sale shall be deducted.

Penalties on  
Jurors and  
Witnesses.

XXXIX. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be liable and subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of an Issue joined in any of His Majesty's Courts of Record at *Westminster*; and 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 any such Jury, 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 Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

Expences of  
Juries how  
to be de-  
frayed.

XL. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been previously offered or tendered by the said Company of Proprietors hereby established, for the Purchase of any Lands, Grounds, Messuages, Tenements, or Hereditaments to be used or taken by them for the Purposes of this Act, or as a Compensation or Recompence for any Damage, Loss, or Injury which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury, and the Expence of Witnesses, shall be defrayed by the said Company; and such Costs and Expences shall be settled and determined by some Justice of the Peace for the County wherein such Premises shall lie, not interested in the Matter in question, who is hereby authorized and required to settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Company, or of the Treasurer of the said Company, (unless such Treasurer shall pay such Costs and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for such County, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if the Verdict of the Jury shall not be given for a greater Sum than shall

shall have been previously offered or tendered by or on behalf of the said Company, then and in every such Case one Moiety of the Costs and Expences shall be defrayed by the Person or Persons with whom the said Company shall have such Controversy or Dispute, and the other Moiety thereof shall be defrayed by the said Company; and the said first-mentioned Moiety of such Costs and Expences (all such Costs and Expences having been first ascertained and settled by some Justice of the Peace of such County in manner herein-before described) 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 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 Cases where by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, 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: Provided also, that in case no Compensation shall be given by such Verdict as aforesaid, where the Dispute is for Compensation only, the whole of the aforesaid Costs and Expences shall be paid by the Party claiming Compensation; and the same, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred under this Act.

XLI. And be it further enacted, That all and every Person or Persons with whom the said Company of Proprietors hereby established shall have any such Controversy or Dispute as aforesaid, shall, before the said Company of Proprietors shall be obliged to issue out their Warrant or Warrants for the summoning of such Jury, first enter into a Bond, with Two sufficient Sureties, to the Treasurer of the said Company of Proprietors, in a Penalty of One hundred Pounds, to prosecute his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning and returning such Jury, and taking such Inquest, and of the summoning and of the Attendance of Witnesses, in case any Part of 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 requiring Juries to be summoned to give Security.

XLII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered to settle what Shares and Proportions of the Purchase Money or Compensation for Damages which shall be agreed, 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.

Compensation Money to be apportioned.

XLIII. And be it further enacted, That all the said Verdicts and Judgments, being first signed by the Clerk of the Peace or his Deputy, present at the taking of such Verdict, shall be kept by the Clerk of the Peace for the County in which the Matter of Dispute shall have arisen, among the Records of the Quarter Sessions for such County, and shall be deemed

Verdicts to be recorded.

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 Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and also to take and make Copies thereof, paying for each Copy after the Rate of Sixpence for every One hundred Words.

Damages not provided for to be settled.

XLIV. And be it further enacted, That if any Person or Persons shall sustain any Damage in his, her, or their Lands, Tenements, or other Hereditaments, by reason of the Execution of any of the Powers given by this Act, and through or by means not herein provided for, then and in every such Case such Damages shall be so settled by the said Company hereby established, or by a Jury, as herein-before mentioned; and the Amount of such Damages may be recovered, levied, and applied in manner herein directed with regard to other Damages; and in every such Case the said Company are hereby empowered and required to issue a Warrant or Warrants under their Common Seal to the Sheriff of the said County, commanding him to summon a Jury in manner herein-before mentioned.

Notice of Injury to be given to Company before Complaint made.

XLV. And be it further enacted, That the said Company of Proprietors hereby established shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, 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 or them sustained or supposed to be sustained by virtue or in consequence of the Execution of any of the Powers of this Act, unless Notice shall have been given in Writing, stating the Particulars of such Injury or Damage, and the Amount of Compensation claimed in respect thereof, by or on behalf of such Person or Persons, to the said Company, within the Space of Six Calendar Months after the Time such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money.

XLVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by any Jury in manner aforesaid, for the Purchase of any Lands, Tenements, or other Hereditaments, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages, as herein mentioned, to the Proprietor or Proprietors of such Lands, Tenements, or other Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, or if the Person or Persons so entitled or interested as aforesaid, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purpose of this Act, then, upon Payment of the said Sum or Sums of Money into the Bank of *England*, as hereinafter directed or required, within One Calendar Month after each such Sum or Sums of Money shall have been contracted or agreed for or assessed as aforesaid, for the Use of the Person or Persons entitled thereto, it shall be lawful for the said Company of Proprietors hereby created, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively, and then

then and thereupon such Lands, Tenements, and other Hereditaments, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Company of Proprietors, to and for the Purposes of this Act; and such Payment, Tender, or Investment shall not only bar all Right, Title, Claim, Interest, and Demand of such Person or Persons as aforesaid, and operate as a Merger of all outstanding Terms of Years, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion or Remainder, or otherwise, of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Tender, or Investment as aforesaid, it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut such Lands or Grounds, Tenements or other Hereditaments, for the Purpose of making the said Cuts or Canals and Works, without the Leave and Consent of such Person or Persons respectively; and in case any Person or Persons shall enter upon any such Premises, for any of the Purposes of this Act, before such Payment, Tender, or Investment as aforesaid, every Person so offending shall forfeit and pay the Sum of Ten Pounds for every Day he or they shall remain on the said Premises.

XLVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to the said Company of Proprietors hereby established any Mines, Minerals, Coals, Stone, or Slate under any Land taken or purchased by the said Company under the Provisions of this Act, except only so much and such Parts of such Minerals, Coals, Stone, or Slate as may be necessary to be dug or gotten and used for the Purposes of this Act; but all such Mines, Minerals, Coals, Stone, or Slate shall be deemed to be excepted out of such Purchase, and may be worked by the Owners or Lessees thereof under the said Lands, or any Cuts, Canals, or other Works of the said Company, as if this Act had not been passed, but so as nevertheless not to prejudice or to injure any such Cuts, Canals, or other Works hereby authorized or directed to be made.

Company not  
to claim any  
Mines, &c.

XLVIII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons, in Possession of any Lands, Tenements, and Hereditaments, or any Part thereof, which shall be taken or used for the Purpose of this Act, and who shall have no greater Interest in the Premises than as a Tenant at Will or Lessee for a Year or from Year to Year, shall deliver up the Possession of such Premises to the said Company of Proprietors hereby established, or to such Person or Persons as they shall appoint to take Possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Company, or by the Person or Persons so authorized by them, to such Tenant or Lessee or Person in Possession, or left upon the said Premises, whether such Notice be given with reference to the Time or Times of the Commencement of such Tenants holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Company, or at such other Time after the Expiration of Six Calendar Months as he, she, or they shall

Tenants at  
Will, &c.  
to quit after  
Notice.

shall be required to give up such Possession; and in case any such Tenant or Lessee or Person so in Possession as aforesaid shall refuse to give such Possession as aforesaid, it shall be lawful for the said Company to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Proviso for  
the Interests  
of such  
Tenants.

XLIX. Provided also, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Premises so occupied by him or her to the said Company of Proprietors hereby established, or to the Person or Persons authorized by them to take Possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Company of Proprietors hereby established shall and they are hereby directed to make or tender unto such Tenant or Lessee, before they shall issue their Precept or Precepts to the Sheriff to give Possession of the Lands and Premises in the Occupation of such Tenant or Lessee as herein-before mentioned, Satisfaction or Compensation for the Value of his or her unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in the same Manner as any Satisfaction or Compensation for any Lands, Tenements, or Hereditaments taken or made use of by the said Company is in and by this Act directed to be made and assessed.

Persons  
holding  
under Leases  
to produce  
the same.

L. And be it further enacted, That in all Cases where any Person or Persons shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest in any Lands, Tenements, or Hereditaments, through, in, or upon which the said Cuts, Canals, and other Works hereby authorized to be made are intended to pass or be made, under or by virtue of any Demise, Lease, or other Grant thereof, the said Company hereby established shall and they are hereby authorized to require such Person or Persons to produce and shew the Lease, Demise, or Grant in respect of which such Claim to Satisfaction or Compensation shall be made; and if such Lease, Demise, or Grant shall not be produced and shewn, the Person or Persons claiming under the same shall be considered as holding only from Year to Year.

Mortgages to  
be conveyed  
to the Com-  
pany after  
Tender.

LI. And be it further enacted, That all and every Person and Persons having any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments to be taken or used for the Purposes of this Act, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Company of Proprietors hereby established; or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Company, or  
from



from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then at the End of such Six Calendar Months, on Payment of the Principal Money and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company, or to such Person or Persons as shall be appointed; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due for Principal and Interest upon any such Mortgage or Mortgages shall amount to more than the real Value of the Premises to be taken and made use of for the Purposes of this Act, and which shall be ascertained in manner herein-before directed, then the said Company of Proprietors shall not be liable to pay to the said Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid, or the Residue thereof, after such Allowance and Payment thereout to any Lessee or Tenant as herein-before directed: Provided also, that in case any such Mortgagee or Mortgagees shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage or Mortgages as aforesaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the said Bank shall give a Receipt or Receipts for the said Money in like Manner as is herein-after directed in Cases of other Payments into the said Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided also, that if such Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments than those which shall be so taken by the said Company, such Mortgagee or Mortgagees shall, upon Payment of the Sum so ascertained to be the Value of the said Lands, Tenements, or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, and Hereditaments, to the said Company; and in default of such Conveyance, Assignment, or Transfer, and on Payment of such Money into the Bank of *England* for the Use of such Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above mentioned; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, in the said Lands, Tenements, or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

Directing in what Manner Disputes between the Company and certain Mortgagees shall be settled.

LII. And be it further enacted, That in all Cases where a Part only of any Lands, Tenements, or Hereditaments, subject to any Mortgage or Mortgages, shall be required for the Purposes of this Act, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Lands, Tenements, or Hereditaments to be a sufficient Security for the Money secured thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due or to become due thereon, then and in every such Case the Price or Value of such Part of the said Lands, Tenements, or Hereditaments as shall be so required for the Purposes aforesaid, and the Compensation (if any) for any Damage done, shall be settled and agreed upon by and between such Mortgagee or Mortgagees, and the Person or Persons entitled to the Equity of Redemption of such Lands, Tenements, or Hereditaments, on the one Part, and the said Company of Proprietors hereby established on the other Part; and in case of any Difference or Disagreement between them, then such Price or Value and Compensation shall be ascertained or assessed by the Verdict of a Jury in the same Manner as in other Cases of Difference or Disagreement; and the Amount of such Price or Value and Compensation, being so settled and agreed upon or ascertained and assessed as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim, so far as the same will extend, or in case of his, her, or their neglecting or refusing to release, convey, or assign as herein-before directed, then into the Bank of *England* as by this Act is provided; and such Payment to the Mortgagee or Mortgagees, or into the Bank as last aforesaid, shall be and be accepted and taken in satisfaction of the Claims of such Mortgagee or Mortgagees, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Lands as shall be so taken and used, from all Principal, Interest, and other Money due or secured thereon: Provided always nevertheless, that notwithstanding any thing herein-before contained, such Mortgagee or Mortgagees shall have, retain, and be entitled to such and the same Powers, Remedies, and Means for recovering and compelling Payment of his, her, or their Mortgage Money, or the Residue thereof, as the Case may be, and the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands, Tenements, or Hereditaments not required for the Purposes aforesaid, as he, she, or they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands, Tenements, or Hereditaments originally comprised in such Mortgage or Mortgages.

Application of Compensation when amounting to 200*l.*

LIII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for the Purchase of Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Body Corporate or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to 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 Court of Exchequer, to be placed to his Account there *ex parte* the Company of Proprietors of the *Oxford* Canal Navigation, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court 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, be applied either in the Purchase or Redemption of the Land Tax charged upon, or in or towards the Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or any other Lands, Tenements, or Hereditaments standing settled to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, 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 or capable of taking effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, 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, or in other Government or in Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, 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 such Lands, Tenements, and Hereditaments so to be purchased, conveyed, and settled.

LIV. 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 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, their Guardian or Guardians, Committee or Committees, in case of  
 When less than 200*l.* and amounting to 20*l.*  
 Infancy,

Infancy, Idiocy, or Lunacy, or other Incapacity, to be signified in Writing under their Common Seal or respective Hands (as the Case may be), be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Three or more Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased and settled, such Nomination to be approved of by the said Company of Proprietors hereby established, and such Nomination and Approbation to be signified in Writing under the Hands or Common Seal of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, may be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England*, without obtaining or being required to obtain any Order of the Court of Exchequer touching the Application thereof.

When less than 20*l.*

LV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be paid 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 purchased, taken, or used for any of the Purposes of this Act, for his, her, or their own Use and Benefit; or in case of Infancy or Lunacy or other Incapacity, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

LVI. 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, taken, or used 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 hereby established, or in case such Person or Persons to whom such Sum or Sums of Money shall be 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 be lawful for the said Company 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 Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, [describing them,] subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person 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 same 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

making claim thereunto, and to make such 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 therein 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.

LVII. And be it further enacted, That when 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 Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased or used in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, 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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, 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.

Persons in Possession presumptively entitled.

LVIII. Provided always, and be it further 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, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or 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 be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the Expences as the said Court shall deem reasonable, together with the necessary Costs and Expences of obtaining such Order, to be paid by the said Company hereby established 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.

Court of Exchequer may order Expences of Purchases to be paid by the Company.

LIX. And whereas the said Company hereby established may, under and by virtue of this Act or the Purchases hereby authorized to be made, happen to be seised of more Land than may be necessary to be retained by them for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company and they are hereby required to sell and dispose of any Messuages, Lands, Tenements, or Hereditaments for

Power to sell Lands not wanted for the Purposes of the Act.

[*Local.*]

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the

the Time being belonging to the said Company, and not wanted for the Purposes of this Act, either in Parcels or together, and by public Auction or private Contract, as they shall think proper, to such Person or Persons as shall be willing to purchase the same; and all Conveyances from the said Company of any such Messuages, Lands, Tenements, or Hereditaments, shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary notwithstanding.

First Offer to be made to Owners of adjoining Lands.

LX. Provided always, and be it further enacted, That before the said Company shall sell or dispose of any such Messuages, Lands, Tenements, or Hereditaments as aforesaid, (except such as were purchased before the passing of this Act, not being Part of the said Canal, the Use whereof may be discontinued as a Navigation,) they shall first offer to sell the same to the Person or Persons whose Lands shall immediately adjoin the Messuages, Lands, Tenements, or Hereditaments so proposed to be sold; and such Offer shall be made by public Advertisement, inserted Two successive Weeks in some Newspaper published within the County in which the Messuages, Lands, Tenements, or Hereditaments for the Time being proposed to be sold shall be situate, or in case there shall be no such Paper, then in the *London Gazette*; and such Person or Persons, in case he, she, or they shall be desirous of purchasing the same, shall signify his, her, or their Desire and Intention in that Behalf to the said Company of Proprietors, through their Clerk, by some Writing under his, her, or their Hand or Hands, within Three Calendar Months next after the last of such Advertisements shall have been inserted; and in case no Person entitled to avail himself or herself of such Offer shall, within the aforesaid Period of Three Calendar Months, signify in manner aforesaid his or her Desire and Intention to purchase such Messuages, Lands, Tenements, or Hereditaments, then and in such Case the said Company shall be at liberty to sell and convey the said Messuages, Lands, Tenements, or Hereditaments to any Person or Persons whomsoever, and for such Price as to the said Company shall seem proper; and an Affidavit made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before any Justice of the Peace for the County in which such Messuages, Lands, Tenements, or Hereditaments shall be situate, by some Person or Persons not interested in the same Messuages, Lands, Tenements, or Hereditaments, stating that no Person availed himself in manner aforesaid of the Offer so made by the said Company within the said Space of Three Calendar Months, shall, in all Courts whatever, be sufficient Evidence and Proof that such Offer was not accepted and agreed to, within the Time aforesaid, by any Person entitled to avail himself thereof.

Acceptance of the Offer made by the Company to be a binding Agreement.

LXI. And be it further enacted, That in case any Person or Persons entitled to avail himself of any Offer to be so made by the said Company shall, before the Expiration of Three Calendar Months next after the Insertion of the last of the said Advertisements, signify in manner aforesaid to the said Company his, her, or their Desire and Intention to purchase the Messuages, Lands, Tenements, or Hereditaments for the Time being offered for Sale, the Offer so made and the Intention so signified shall constitute an Agreement between such Person or Persons and the said Company, for the Purchase by him, her, or them of the said Messuages, Lands, Tenements, and Hereditaments, and the Agreement

shall be binding on both Parties both at Law and in Equity ; and in case such Person or Persons and the said Company shall differ or not agree with respect to the Price to be paid for the said Messuages, Lands, Tenements, or Hereditaments, then and in such Case the Price or Prices thereof shall be ascertained by a Jury in the Manner herein-before directed with respect to the disputed Value of Premises to be purchased by the said Company in pursuance of this Act ; and the Expences of hearing and determining such Difference shall be borne and paid in the same Manner as herein-before directed with respect to Purchases made by the said Company, *mutatis mutandis* ; and the Money produced by the Sale or Sales which may be made by the said Company of such Messuages, Lands, Tenements, and Hereditaments as aforesaid, shall be applied to the Purposes of this Act.

LXII. Provided always, and be it further enacted, That as to each respective Portion of the said Canal hereby authorized to be discontinued for the Purpose of Navigation, no such Notice as aforesaid shall be given for the Sale thereof by the said Company hereby established till after the Expiration of Twelve Calendar Months from the Time the same shall be so discontinued, and at any Time within such Twelve Calendar Months it shall be lawful for the Owner or Owners of any Lands adjoining to the same, or any Part thereof, to give Notice in Writing, under his, her, or their Hand or Hands, to the said Company hereby established, of his, her, or their Intention to purchase so much thereof as shall adjoin his, her, or their Lands ; and such Notice shall have the same Effect as if an Offer had been made in manner aforesaid by the said Company to such Owner or Owners to sell the same to him, her, or them, and such Offer had been accepted.

Owners of Land adjoining the Parts to be discontinued as a Navigation, to have the Option of purchasing, though no Offer of Sale made by the Company.

LXIII. And be it further enacted, That if more than One Owner of adjoining Lands shall in any of the aforesaid Cases signify in manner aforesaid their Desire to purchase any such Premises as aforesaid, it shall be lawful for the said Company hereby established to elect to which of such Owners they will sell the same.

In Cases of Disputes as to Pre-emption.

LXIV. Provided also, and be it further enacted, That it shall be lawful for the said Company, on the Sale of any Land or Hereditament under the Authority of this Act, to reserve a Road to and from any other Land or Hereditament belonging to the said Company, or which shall have been sold under the Powers contained in this Act or any of the said Acts hereby repealed, so that the said Company, or the Owner or Owners of such last-mentioned Land or Hereditament, may have a convenient Road thereto.

On Sale of Land, Company may reserve a Road.

LXV. Provided always, and be it further enacted, That upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof, it shall be lawful for the Clerk 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 any Person or Persons for the Purchase Money for such Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof which shall be sold, or for so much thereof as in such Receipt respectively shall be expressed to be

Clerk of Company, upon Payment of Money, to give Receipts.

be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

Empowering  
the Company  
to purchase  
Twenty Acres  
of Land.

LXVI. And whereas it may tend to the public Advantage if the said Company of Proprietors hereby established were empowered to purchase an additional Quantity of Land, not exceeding Twenty Statute Acres, together with any Messuages or other Buildings standing thereon, for the Purpose of erecting and providing any Coal or other Yards, Staiths, Wharfs, Messuages, Warehouses, or other Buildings and Conveniences, for the Purposes of this Act; be it therefore further enacted, That in addition to the Powers of purchasing and taking Lands, Grounds, and Hereditaments herein-before given, it shall be lawful for the said Company, and they are hereby authorized and empowered, to contract with any Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, (who shall be willing to sell the same,) for the Purchase of any Parcel or Parcels of Land, Messuages, Buildings, or Hereditaments, (not exceeding in the whole Twenty Statute Acres,) in such Place or Places as they shall deem eligible or convenient, for the Purpose of making, erecting, forming, and providing any Wharf or Wharfs, and any Coal or other Yards, Staiths, Messuages, Warehouses, or other Buildings and Conveniences, for the Purpose of receiving, lodging, depositing, or keeping any Goods, Merchandize, or other Things carried or conveyed or intended to be carried or conveyed upon the said *Oxford* Canal, or the Cuts or Canals hereby authorized to be made, or any of them, or for making any convenient Roads, Avenues, or Ways leading thereto, or for any other Purposes whatsoever connected with the said Canal, Cuts or Canals, which the said Company shall judge requisite and necessary; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, Trustees and all other Persons whatsoever, to sell and grant or convey to the said Company and their Successors any Parcel or Parcels of Land, Messuages, Buildings, and Hereditaments whatsoever, for the Purposes last aforesaid, or any of them, in the same Manner and with the same Powers and Provisions as herein-before directed and contained concerning Lands, Messuages, Buildings, and Hereditaments to be taken or used for the Purpose of forming, making, and maintaining the said Cuts and Canals hereby authorized to be made, and that without enquiring or ascertaining or being bound to enquire or ascertain whether the Lands, Messuages, Buildings, or Hereditaments so sold, granted, or conveyed to the said Company, for the Purposes last aforesaid, or any of them, will or not, together with other Lands and Hereditaments previously purchased by the said Company for the same Purposes, or any of them, amount to or make up a greater Quantity of Land than Twenty Statute Acres in the whole.

Company  
empowered  
to sell such  
Land, and to  
purchase and  
sell again,  
within the  
Limit pre-  
scribed.

LXVII. And be it further enacted, That it shall be lawful for the said Company hereby established, and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to sell and dispose of such additional Lands, Tenements, and Hereditaments as they are hereby authorized and empowered to purchase, and shall have actually purchased, for the Purposes of this Act, or so much and such Part or Parts of the same Messuages, Lands, Tenements, and Hereditaments as the said Company shall think proper, and either together or in



in Parcels, by public Auction or private Contract, as shall be thought advisable or expedient, to any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, and again from Time to Time to contract for the Purchase of any other Messuages, Lands, Tenements, and Hereditaments more eligible or convenient for the Purposes aforesaid, or any of them, and afterwards to sell and dispose of the same as aforesaid, so that the total Number or Quantity of Acres to be purchased by the said Company of Proprietors, for any of the Purposes herein-before mentioned, shall not exceed at any one Time the Quantity or Number of Acres by this Act specified or allowed for the same respective Purposes.

LXVIII. And whereas the said Company hereby established are by virtue of this Act enabled to purchase Twenty Statute Acres of Land for the Purposes thereof, in addition to the Land hereby authorized to be purchased, used, or taken for the making and completing the said Cuts or Canals, and other Works, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or from any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or instead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Twenty Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Twenty Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same, or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit

Restraining  
the Company  
from pur-  
chasing more  
than Twenty  
Acres of Land  
from incapa-  
citated Per-  
sons.

[Local.]

14 G

Lands

Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, nor for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, or other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or instead of those Twenty Statute Acres, or any Part thereof, so sold or disposed of to the said Company.

Form of  
Conveyance  
from the  
Company.

LXIX. And be it further enacted, That all Conveyances to be made by the said Company hereby established, under or by virtue or in pursuance of the several Powers and Authorities to them hereby given, may be made according to the following Form; *videlicet*,

‘ WE, the Company of Proprietors of the *Oxford* Canal Navigation, in  
‘ consideration of the Sum of \_\_\_\_\_ of lawful Money  
‘ of *Great Britain*, to us paid by *A. B.* of \_\_\_\_\_ do hereby,  
‘ by virtue of the Powers contained in an Act passed in the Tenth  
‘ Year of the Reign of His Majesty King *George* the Fourth, intituled  
‘ [*here set forth the Title of this Act*], grant and release to the said *A. B.*  
‘ all [*describing the Premises to be conveyed*], and all our Right, Title, and  
‘ Interest in and to the same and every Part thereof, to hold to the said  
‘ *A. B.*, his Heirs and Assigns for ever, [*or to such Uses as the Purchaser*  
‘ *may desire.*] In witness whereof we, the said Company of Proprietors of  
‘ the *Oxford* Canal Navigation, have hereunto caused our Common Seal  
‘ to be set and affixed, this \_\_\_\_\_ Day of \_\_\_\_\_ in the  
‘ Year of our Lord \_\_\_\_\_ .’

The Word  
“grant” in  
Conveyances  
from the  
Company  
to amount to  
certain Cove-  
nants.

LXX. And be it enacted, That in all Conveyances to be made by the said Company, under the Authority aforesaid, of any Freehold Lands, Tenements, or Hereditaments, the Word “grant” shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or Grantees, or other Purchaser or Purchasers, his, her, or their Heirs, Executors, Administrators, and Assigns, from the said Company of Proprietors, for themselves and their Successors, that they the said Company of Proprietors, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, and that the Purchaser or Purchasers thereof, his, her, or their Heirs and Assigns, shall quietly enjoy the same against the said Company of Proprietors, their Successors and Assigns, and all claiming under them, and be indemnified and saved harmless by the said Company of Proprietors, and their Successors, from all Incumbrances committed by the said Company, and also for further Assurance of such Hereditaments and Premises by the said Company, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances, or any of them; and such Grantee or Grantees, Purchaser or Purchasers, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may in any Action or Actions to be brought assign a Breach or Breaches

Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances; and if the Premises are Leasehold for Years, they shall be assigned by a Form answerable to the above, only substituting Words applicable to the Assignment of a Chattel, and the Word "grant" being held to be a Covenant only commensurate with the Estate of the said Company of Proprietors in the Premises assigned; and all Copyholds shall be surrendered according to the Custom of the Manor.

LXXI. Provided also, and be it further enacted, That if the said Company hereby established shall not, within the Space of Four Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in this Act is mentioned, the Premises which they are by this Act empowered to purchase for the Purpose of making the said Cuts or Canals hereby authorized to be made, then and from thenceforth the Powers for that Purpose which are hereby granted to them shall cease, determine, and be void.

If Land not contracted for within Four Years, Power to cease.

LXXII. Provided also, and be it further enacted, That it shall not be necessary for the said Company to commence and proceed in the making of all the said Cuts or Canals hereby authorized to be made at one and the same Time; but the said Company shall (unless prevented by inevitable Accident) shorten the Line of the said *Oxford* Canal, between the said *Coventry* Canal at *Longford* and the said *Grand Junction* Canal at *Braunston*, at least Nine Miles within Four Years from the Time of the passing of this Act, and shall make the said Cut or Canal in *Braunston* and *Wolfhampcote* aforesaid within Four Years and Nine Months from the same Time; and if all the aforesaid Cuts or Canals shall not have been made and completed (unless prevented as aforesaid) within the Space of Five Years from the Time of the passing of this Act, then, from and after the Expiration of the said Term of Five Years, all the Powers, Authorities, and Privileges given by this Act for making the said Cuts or Canals shall cease and determine, save only and except as to such and so much (if any) of the said Cuts or Canals as shall have been declared and certified to have been completed within the said Term, by the Justices of the Peace of the County or Counties within which such Cuts or Canals so completed shall be, assembled at any Quarter Sessions of the Peace to be holden in and for the said County or Counties respectively, at any Time before the Expiration of the said Term of Five Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of Two or more Witnesses upon Oath, to be produced before them for that Purpose, which Oath such Justices are hereby empowered to administer.

If Canal be not completed in Five Years, Powers to cease.

LXXIII. Provided always, and be it further enacted, That if the said Cuts or Canals to be made under the Authority of this Act, or any of them, or any Part thereof respectively, shall at any Time hereafter be abandoned or given up by the said Company hereby established, or shall not for the Space of Two Years be used and employed as a Canal, then and in such Case the Land or Ground so purchased or taken by the said Company for the Purposes of this Act, or the Part or Parts thereof over which the Cuts or Canals, Cut or Canal, or any Part or Portion thereof, which shall be so abandoned or given up by the said Company shall pass, shall

If Canal abandoned by the Company, Land to vest in the Owners of adjoining Lands.

vest

vest in the Owner or Owners of the Land adjoining that which shall be so abandoned or given up in manner following; (that is to say,) One Half thereof in the Owner or Owners of the Lands on the one Side, and One Half thereof in the Owner or Owners of the Land on the other Side thereof.

Power to get  
Materials in  
case of sud-  
den Damage.

LXXIV. And whereas it may happen, from Floods or from some unexpected Accidents, that the Locks, Weirs, Sluices, Floodgates, Dams, Pens, Tanks, Basins, Banks, Trenches, Embankments, or other Works of the said Canal already made, or the said Cuts or Canals hereby authorized to be made, or some of them, may give way or be damaged or destroyed, or the adjacent Lands flooded, damaged, or endangered; and that it may be necessary that the same should be immediately repaired or rebuilt, to prevent further Damage; be it therefore enacted, That as often as any such Case shall happen it shall be lawful for the said Company hereby established, their Deputies, Agents, Officers, Workmen, and Servants, from Time to Time to enter into any Lands, Grounds, or Hereditaments adjoining or near to the said Canal, Cuts or Canals, or any of them, (not being the Ground whereon any House stands, or not being an Orchard, Park, Paddock, planted Walk, Nursery for Trees, or Avenue to a House,) and to dig for, get, work, take, carry away, and use all such Stones, Clay, Gravel, Soil, and other Materials as may be necessary or proper for the Purposes aforesaid, without any previous Treaty whatsoever with the Owner or Owners, Occupier or Occupiers of or other Persons or Person interested in such Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereto as the Nature of the Case will admit of, and making reasonable Recompence to the Owners and Occupiers of or other Persons interested in such Lands, Grounds, or Hereditaments, within the Space of Ten Days next after the same shall be demanded, for all Damages which 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; which Damages, and the Satisfaction and Recompence to be made in respect thereof, in case the several Parties concerned should not agree about the same, shall be determined and adjusted, or assessed, awarded, and recovered, in the Manner and by the Ways and Means herein-before prescribed with respect to other Damages done in making and maintaining the said Cuts or Canals by this Act authorized to be made and completed.

Company  
empowered  
to redeem  
any Rents  
granted  
under former  
Acts.

LXXV. And whereas under and by virtue of the Powers and Authorities contained in the said recited Acts hereby repealed, or some or one of them, the Company thereby established purchased certain Lands, Tenements, or other Hereditaments, for the Purpose of making the said *Oxford* Canal or the Works belonging thereto, or other Purposes of the said Acts, in consideration of certain perpetual or other Rents or annual Sums of Money to be paid by the said Company: And whereas it may be convenient to the said Company hereby established to purchase such perpetual or other Rents or annual Sums; be it therefore further enacted, That it shall be lawful for the said Company hereby established, and they are hereby authorized and empowered, to purchase such Rents or annual Sums, or any of them, from any Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, who may be entitled to and willing to sell the same; and that it shall be lawful for  
all

all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, Trustees and all other Persons whomsoever, to sell and release to the said Company and their Successors any such perpetual or other Rents or annual Sums, in the same Manner and subject to such and the same Rules, Regulations, and Restrictions as are herein-before directed and contained relative to the Purchase of Lands and Hereditaments to be taken or used for the Purpose of making the said Cuts or Canals hereby authorized to be made.

LXXVI. And be it further enacted, That until such perpetual or other Rents or annual Sums shall be purchased as aforesaid, the same shall continue to be paid by the said Company hereby established, and in case of Nonpayment thereof within Thirty-one Days after the same shall respectively become due and be demanded, shall be recoverable by such Ways and Means as are herein-after mentioned, with regard to the Interest of Money which the said Company are herein-after authorized to borrow. Rents to continue payable till redeemed.

LXXVII. And be it further enacted, That it shall be lawful for the said Company hereby established, and they are hereby authorized and empowered, from Time to Time and at all Times hereafter, to ask, demand, take, receive, and recover, to and for their own Use and Behoof, for the Tonnage of all Coals, Goods, Commodities, Wares, Merchandize, Articles, Matters, and Things which shall be carried or conveyed upon the said *Oxford* Canal already made, or any Part thereof, the Rates, Tolls, and Duties herein-after mentioned ; (that is to say,) Rates of Tonnage on the existing Canal.

For Coals, the Sum of One Penny *per* Ton *per* Mile, (except upon the first Two Miles of the said Canal, from the Junction thereof with the *Coventry* Canal at *Longford*):

And for all other Goods, Commodities, Wares, Merchandize, Matters, and Things whatsoever, the Sum of One Penny Halfpenny *per* Ton *per* Mile.

LXXVIII. And whereas the said Company hereby established will expend a large Sum of Money in making and maintaining the Cuts or Canals and other Works hereby authorized to be made, and such Cuts, Canals, and other Works will considerably shorten the said *Oxford* Canal, and will be of great public Advantage; and it is therefore just and reasonable that the said Company should be authorized to charge the same Amount of Tonnage as if the said Canal had continued of the same Length as heretofore; be it therefore enacted, That the said Company shall be and they are hereby authorized and empowered, from Time to Time and at all Times hereafter, to ask, demand, take, receive, and recover, to and for their own Use and Behoof, for the Tonnage of all Coals, Goods, Commodities, Wares, Merchandize, Articles, Matters, and Things which shall be carried or conveyed upon the several Cuts or Canals hereby authorized to be made, the same Amount of Tolls, Rates, and Duties as they would have been entitled to receive by virtue of this Act, in case such Coals, Goods, Commodities, Wares, Merchandize, Articles, Matters, or Things had been carried or conveyed along the Parts of the existing *Oxford* Canal which shall be cut off or shortened thereby. Rates of Tonnage on the new Cuts.

[*Local.*]

14 H

LXXIX. And

Milestones  
to be erected.

LXXIX. And be it further enacted, That in order the better to ascertain the Amount of Tonnage payable by virtue of this Act, the said Company hereby established shall set up Milestones, with proper Inscriptions, along the Line of the said Canal, commencing from the Northern End thereof; but in calculating the Distances for erecting such Milestones, each of the Cuts or Canals which shall be made by virtue of the Powers herein contained shall be considered as of the same Length as the Part of the existing Canal which shall be cut off or shortened thereby, and the said Milestones shall be placed accordingly; and in charging the Tonnage payable on the said Canal, the Distance between each Two of such Milestones, and also between the *Coventry* Canal and the first of such Milestones, shall be considered as a Mile, and One Eighth Part of such Distances respectively shall be considered as One Eighth Part of a Mile.

Coventry  
Canal Com-  
pany to take  
Tonnage on  
Coals on the  
first Two  
Miles of the  
Oxford Canal  
from its  
Junction  
with the  
Coventry  
Canal.

LXXX. And be it further enacted, That it shall be lawful for the Company of Proprietors of the *Coventry* Canal Navigation, and they are hereby authorized and empowered, from Time to Time and at all Times hereafter, to ask, demand, take, receive, and recover, to and for their own Use and Behoof, for the Tonnage of all Coals which shall be carried or conveyed upon any Part or Parts of the existing *Oxford* Canal, within Two Miles from the Junction thereof with the *Coventry* Canal at *Longford* aforesaid, the Rate, Toll, or Duty of One Penny *per Ton per Mile*; and the same shall and may be collected and levied by them, or such Person or Persons as they shall appoint, and in such Manner, and by such Ways and Means, and with such and the like Remedies and Powers for collecting and levying the same, as the Rates or Duties granted by this Act to the said Company hereby established; and the said Rate, Toll, or Duty shall be considered in all Cases, and to all Intents and Purposes, as Part of the Profits of the *Coventry* Canal, and shall be applied and disposed of to and for the same Uses, Intents, and Purposes as the other Rates and Duties which by the Acts now in force with respect to the said Company of Proprietors of the *Coventry* Canal Navigation the said Company are empowered to collect and levy; and it shall be lawful for the said Company hereby established, and they are hereby authorized and empowered, from Time to Time and at all Times hereafter, to ask, demand, take, receive, and recover, to and for their own Use and Behoof, for all Goods, Wares, and Merchandize (except Coals) which shall be carried or conveyed upon any Part or Parts of the said existing *Oxford* Canal, or any Cut or Canal hereby authorized to be made, and afterwards upon any Part of the said *Coventry* Canal, within Three Miles and a Half from the present Junction of the said Two Canals at *Longford* aforesaid towards *Coventry*, the Rate, Toll, or Duty of One Penny Halfpenny *per Ton per Mile*; which Rate, Toll, or Duty shall be considered in all Cases and to all Intents and Purposes as Part of the Profits of the *Oxford* Canal, and shall be applied and disposed of according to the Directions of this Act.

Particular  
Exemptions.

LXXXI. Provided always, and be it further enacted, That no more shall be paid for Lime and Limestone than One Third Part of the Rates and Duties before mentioned; and that Paving Stones, Gravel, Sand, and all other Materials for making and repairing Roads, Dung, Soil, Marl, and all Sorts of Manure for Land respectively, shall not, nor shall any of them, be charged with or liable to pay any of the Rates or Duties authorized

to be taken by this Act for being carried upon the said Canal, Cuts or Canals, or any Part thereof, but shall be free and exempted from the same, so that the Things hereby exempted from the Payment of such Rates and Duties do not pass through any Lock on the said Canal, Cuts or Canals, but when the Water shall flow over the waste Weir of such Lock; and in no Case shall either of the Gross Tonnages herein-after mentioned be paid in respect of the same; and also that such Person or Persons who shall own or be concerned or employed in carrying Paving Stones, Gravel, Sand, or other Materials for making or repairing Roads, or Dung, Soil, Marl, or other Manure (except Lime and Limestone) for Land, shall have free Liberty to make use of the Towing Paths, Wharfs, or Quays belonging to the said Company hereby established, their Successors and Assigns, such Person or Persons not suffering such Paving Stones, Gravel, Sand, or other Materials for making or repairing Roads, or Dung, Soil, Marl, or other Manure, to lie upon such Wharfs or Quays longer than may be necessary for loading, unloading, and conveying the same from and to the several Places where they are put on board and unloaded, and making good any Damages that may be done to the Sides or Banks of the said Canal, Cuts or Canals, or any Part thereof, by the loading, unloading, or discharging any Boats or other Vessels.

LXXXII. And be it further enacted, That in all Cases where there shall be a Fraction of a Ton, a Proportion of the Rates payable by virtue of this Act shall be demanded and taken for such Fraction according to the Number of Quarters of a Ton contained in such Fraction, and when there shall be a Fraction of a Quarter of a Ton, such Fraction shall be deemed and considered as a whole Quarter of a Ton; and in all Cases where there shall be a Fraction of a Mile, the Tonnage which shall be demanded and taken for such Fraction shall be for so many Eighths of a Mile as shall be contained therein, and if there shall be a Fraction of an Eighth of a Mile, either beyond a Mile, or any Number of Eighths of a Mile, such last-mentioned Fraction shall be deemed and considered as an Eighth of a Mile.

Proviso for fractional Parts of Tons and Miles.

LXXXIII. And be it further enacted, That instead of the Tolls, Rates, and Duties by the said Act of the Thirty-third Year of the Reign of His said late Majesty relative to the said Grand Junction Canal, and the said Act of the Thirty-sixth Year of the Reign of His said late Majesty relative to the said *Warwick* and *Napton* Canal, granted to the said Company of Proprietors of the *Oxford* Canal Navigation, there shall be paid to the said Company hereby established the Gross Tolls, Rates, and Duties herein-after mentioned; that is to say,

Gross Tonnages payable instead of those granted by the Acts of the 33d and 36th G. 3.

For all Coals and Coke which shall pass from the *Oxford* Canal into the Grand Junction Canal, except such as shall have been previously navigated along the *Warwick* and *Napton* Canal, the Sum of Two Shillings and Nine-pence *per* Ton:

For all Goods, Wares, Merchandize, and Things, not being Coals, Coke, Lime, or Limestone, which shall pass from any Navigable Canal, except the *Warwick* and *Napton* Canal, into the *Oxford* Canal, and thence into the Grand Junction Canal, or from the Grand Junction Canal into the *Oxford* Canal, and thence into any other Navigable Canal except the *Warwick* and *Napton* Canal, the Sum of Four Shillings and Four-pence *per* Ton.

For

For all Coals and Coke which shall pass from the *Warwick* and *Napton* Canal into the *Oxford* Canal, the Sum of One Shilling and Sixpence *per Ton* :

For all Bar, Pig, Rod, Hoop, and Sheet Iron, Castings, and other unmanufactured Iron and unmanufactured Steel, and *Warwickshire* Sand or Freestone, which shall pass from the *Warwick* and *Napton* Canal into the *Oxford* Canal, or from the *Oxford* Canal into the *Warwick* and *Napton* Canal, the Sum of One Shilling and Two-pence *per Ton* :

For all Grain which shall pass from the *Warwick* and *Napton* Canal into the *Oxford* Canal, or from the *Oxford* Canal into the *Warwick* and *Napton* Canal, the Sum of One Shilling and Sixpence *per Ton* :

For all Lime and Limestone which shall pass from the *Warwick* and *Napton* Canal into the *Oxford* Canal, the Sum of Four-pence *per Ton* :

For all other Goods, Wares, Merchandize, and Things which shall pass from the *Warwick* and *Napton* Canal into the *Oxford* Canal, or from the *Oxford* Canal into the *Warwick* and *Napton* Canal, the Sum of Three Shillings *per Ton*.

Such Gross Tonnages to be paid instead of the Mile Tonnages on certain Parts of the *Oxford* Canal.

LXXXIV. Provided always, and be it further enacted, That no Coals or Coke, in respect of which either of the before-mentioned Gross Tonnages shall be paid, shall be chargeable with the Mile Tonnage herein-before made payable to the said Company hereby established, for passing along any Part of the said *Oxford* Canal between the End of the Second Mile from the Commencement thereof at *Longford* aforesaid and its Junction with the said *Warwick* and *Napton* Canal, nor shall any Pig, Bar, Rod, Hoop, or Sheet Iron, Castings, or other unmanufactured Iron or unmanufactured Steel, Grain, Lime, Limestone, *Warwickshire* Sand or Freestone, Goods, Wares, Merchandize, or Things in respect of which either of the said Gross Tonnages shall be paid, be chargeable with the said Mile Tonnage for passing along any Part of the said *Oxford* Canal between its Junction with the *Warwick* and *Napton* Canal and its Junction with the *Coventry* Canal, but such Gross Tonnages shall be considered as payable and shall be taken in lieu of and not in addition to the Mile Tonnages which otherwise might be payable to the said Company hereby established in respect of the Coals, Coke, and other Articles, Goods, Wares, Merchandize, and Things aforesaid, for the Distance the same may respectively pass on the said last-mentioned Portion of the said *Oxford* Canal ; but with regard to Coals, Coke, and other Articles, Goods, Wares, Merchandize, and Things aforesaid, which shall be navigated to or from that Part of the said *Oxford* Canal which lies Southward of its Junction with the said *Warwick* and *Napton* Canal, into or from the said *Warwick* and *Napton* Canal, the said Gross Tonnages shall be considered as payable upon entering into or passing from the said *Oxford* Canal, and not in lieu of any of the Mile Tonnages for the said Southward Portion of the said *Oxford* Canal.

Proviso as to Reduction of Tonnage.

LXXXV. Provided always, and be it further enacted, That if at any Time hereafter the Tonnage on Coals, Coke, Pig, Bar, Rod, Hoop, or Sheet Iron, Castings, or other unmanufactured Iron or unmanufactured Steel, Grain, Goods, Wares, and Merchandize, or other Articles, (except Lime and Limestone,) which shall be navigated, carried, or conveyed from the Junction of the *Oxford* Canal with the *Coventry* Canal to the respective Junctions



Junctions of the said *Oxford* Canal with the Grand Junction Canal and the *Warwick* and *Napton* Canal, or from such respective Junctions of the *Oxford* Canal with the Grand Junction Canal and the *Warwick* and *Napton* Canal, shall hereafter by any Means be lowered or reduced below the said Gross Tonnages hereby made payable, the same Gross Tonnages hereby granted to the said Company hereby established shall likewise be lowered and reduced in an equal Degree to all Intents and Purposes whatsoever, for such Time and on such Articles only whereon such lowering or Reduction of Tonnage shall have taken place as aforesaid, any thing contained in this Act, or any other Act, or any Law or Usage, to the contrary notwithstanding.

LXXXVI. And be it further enacted, That the said Gross Tonnages hereby granted shall be payable from and after the Thirty-first Day of *March* in the Year One thousand eight hundred and thirty-two; and in the meantime the Gross Tonnages now payable to the said Company of Proprietors of the *Oxford* Canal, under the said Act of the Thirty-third Year of the Reign of His said late 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*, and the said Act of the Thirty-sixth Year of His said late Majesty, intituled *An Act for authorizing the Company of Proprietors of the Warwick and Braunston Canal Navigation to vary the Course of a certain Part of the said Canal, and for amending and altering the Act made in the Thirty-fourth Year of the Reign of His present Majesty, for making the said Canal*, shall continue payable to the said Company hereby established, and may be recovered under the Powers herein-after contained for the Recovery of the other Tonnages hereby granted.

When Gross Tonnages to commence.

LXXXVII. And be it further enacted, That the Stop Gate placed across the said *Warwick* and *Napton* Canal, and the Dwelling House erected in the Parish of *Napton* in the County of *Warwick*, under the Powers contained in the said Acts of the Thirty-fourth and Thirty-sixth Years of the Reign of His said late Majesty, relative to the said *Warwick* and *Napton* Canal, for the Use of the Collector or Collectors of the Tonnages by the said Act of the Thirty-sixth Year of the Reign of His said late Majesty granted to the Company of Proprietors of the *Oxford* Canal, with the Appurtenances to the said Dwelling House belonging, shall from and after the passing of this Act be vested in the said Company hereby established, their Successors and Assigns, for and during all such Estate and Interest as the said Company established by the said Act of the Ninth Year of the Reign of His said late Majesty now have therein, for the Purpose of enabling the said Company hereby established more conveniently to collect the said Gross Tonnages for Coals, Coke, and other Things passing into or out of the said *Warwick* and *Napton* Canal.

Stop Gate and Toll House vested in Oxford Canal Company.

LXXXVIII. And in order to prevent any Evasion of the Gross Tonnages herein-before granted, be it further enacted, That if any Coals, Coke, or other Goods, Wares, Merchandize, or Things, which shall be navigated upon any Part of the said *Warwick* and *Napton* Canal, the said Grand Junction Canal, or the said *Oxford* Canal, shall be removed or conveyed

To prevent Evasion of Gross Tonnages.

[Local.]

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from

from any or either of the said Canals to any other Place or Places on or near to any or either of the said Canals, or to any other Place or Places between the Lines of the said *Warwick* and *Napton* Canal and the said *Oxford* Canal, and then, or at any Time afterwards, put into any Boat or other Vessel on any other Part of the said Grand Junction Canal, or of the said *Oxford* Canal, or of the said *Warwick* and *Napton* Canal, or if any Coals, Coke, Goods, Wares, Merchandize, or other Things, which shall be navigated on any Part of the said Grand Junction Canal, shall be removed or conveyed from any or either of such Canals across any or either of the said other Canals, in order or with the Intent to avoid the Payment of any or either of the Gross Tonnages hereby made payable, or if any other Act or Thing whatsoever shall be done in order or with Intent to avoid Payment of any of the said Gross Tonnages, every Person so removing or conveying, or putting into any Boat or other Vessel, any such Coals, Coke, Goods, Wares, Merchandize, or other Things as aforesaid, or doing or causing or procuring to be done any other Act or Thing in order or with Intent to avoid Payment of any or either of the said Gross Tonnages, shall forfeit and pay to the said Company of Proprietors hereby established the Sum of Five Pounds for every such Offence, and also the Amount of the Gross Tonnage which would have been payable to them if such Coals, Coke, Goods, Wares, Merchandize, or other Things had been fairly navigated and conveyed into, from, or upon the said *Oxford* Canal according to the true Meaning of this Act.

Former Gross  
Tonnages to  
cease.

LXXXIX. And be it further enacted, That all the Tolls, Rates, and Duties granted to the said Company of Proprietors of the *Oxford* Canal by the said Acts of the Thirty-third, Thirty-fourth, (secondly before mentioned,) and Thirty-sixth Years of the Reign of His said late Majesty, so far as the same are not hereby continued, shall cease, and all Powers and Provisions therein contained, relative to levying and collecting the same, and relative to making up the same to a certain Amount by the Company of Proprietors of the Grand Junction Canal, in case of their falling short of that Amount, shall henceforth be repealed.

Tonnage to  
the Grand  
Union Canal  
Company,  
and Payment  
by that Com-  
pany to the  
*Oxford* Com-  
pany, re-  
duced.

XC. And be it further enacted, That the Tonnage of Two Shillings and Nine-pence *per* Ton for every Ton of Coal and Coke passing from the *Leicestershire* and *Northamptonshire* Union Canal into or upon the Grand Union Canal, and afterwards into or upon the said *Oxford* Canal, granted to the Company of Proprietors of the Grand Union Canal by the said Act of the Fiftieth Year of the Reign of His said late Majesty, and also the like Sum of Two Shillings and Nine-pence *per* Ton by the same Act directed to be paid by the said last-mentioned Company to the Company of Proprietors of the *Oxford* Canal, for every Ton of Coal and Coke so passing, shall henceforth, in each of the said Cases, be reduced to the Sum of One Shilling and Sixpence *per* Ton; but all other the Provisions of the said recited Act of the Fiftieth Year of the Reign of His said late Majesty, relating to or connected with the Tonnage to be so taken, and the Payment thereof, shall continue in force and be applicable to the reduced Tonnage hereby authorized and directed to be taken and paid, and to the said Company hereby established; in the same Manner, to all Intents and Purposes, as if the said reduced Tonnage and the said Company

hereby established had been mentioned in the said Act, instead of the said Tonnage of Two Shillings and Nine-pence *per* Ton, and the Company established by the said Acts, hereby repealed.

XCI. And for the better ascertaining of the Tonnage of all Goods, Matters, or Things to be charged with the Payment of such Rates as aforesaid, and the Contents and Burthen of the Boats, Barges, and other Vessels, be it further enacted, That One hundred and twelve Pounds Weight Avoirdupois shall, for the Purposes of this Act, be deemed, rated, or estimated as and for One Hundred Weight, except with regard to the Tolls, Rates, and Duties made payable to the Company of Proprietors of the *Oxford* Canal by the said Act of the Fiftieth Year of the Reign of His said late Majesty, and hereby reduced, and the said Gross Tonnages hereby granted for Coals and other Merchandize passing into or from the *Warwick* and *Napton* Canal, with regard to which One hundred and twenty Pounds Avoirdupois shall be considered as One Hundred Weight; and in all Cases Twenty Hundred Weight shall, for the Purposes of this Act, be deemed One Ton.

For ascertaining Tonnage.

XCII. Provided always, and be it further enacted, That (except as hereinbefore is provided with regard to the said Gross Tonnages) it shall be lawful for the said Company hereby established, from Time to Time and as often as they shall see fit, to lessen and reduce all or any of the Rates, Tolls, and Duties hereby authorized to be taken for or in respect of any Articles, Matters, or Things which shall be conveyed upon the said Canal already completed as aforesaid, and the Cuts or Canals hereby authorized to be made and maintained, or upon any Part thereof, and afterwards from Time to Time again to raise, advance, and vary the same, or any of them, so as not at any Time to exceed the Amount hereinbefore set forth, and hereby authorized to be taken.

Rates may be altered.

XCIII. Provided always, and be it further enacted, That Tables of the Rates, Tolls, or Duties which shall or may be from Time to Time payable or demandable by virtue of this Act, painted in large Characters on Boards, shall be affixed and continued at the Places where such Rates, Tolls, or Duties shall be payable, received, or taken, and shall be renewed as often as the said Rates, Tolls, or Duties shall be altered, or as the Boards shall be obliterated or destroyed: Provided also, that it shall not be lawful for the said Company hereby established to demand or take, or cause to be demanded or taken, any such Rates, Tolls, or Duties, but for and during such Times as the Boards so painted as aforesaid shall remain so affixed as aforesaid.

Table of Rates to be set up.

XCIV. And be it further enacted, That if any Person shall wilfully or maliciously pull down, destroy, obliterate, or deface, or, without the Consent of the said Company hereby established, or their Agent, first had and obtained, remove or alter any such Board so painted as aforesaid, or any Part thereof, or any Number, Letter, Figure, or Mark thereon; every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty on defacing Tables.

XCV. And be it further enacted, That all Rates, Tolls, and Duties becoming due to and for the Benefit of the said Company hereby established,

Recovery of Rates.

established, under and by virtue of this Act, shall be paid to such Person or Persons, at such Place or Places near to the said Canal already made, or to the Cuts or Canals to be made under the Authority of this Act, or with regard to the said Gross Tonnages hereby made payable for Coals and other Merchandize passing into or out of the *Warwick* and *Napton* Canal, at such Place or Places near to the said *Warwick* and *Napton* Canal, within Six Miles of its Junction with the said *Oxford* Canal, in such Manner and under such Regulations as the said Company shall in that Behalf direct or appoint; and in case of Refusal or Neglect of Payment of such Rates, Tolls, or Duties, or any Part thereof, or any Arrears of such Rates, Tolls, or Duties, on Demand, to the Person or Persons who shall be appointed by the said Company to receive the same, it shall be lawful for the said Company, their Lessees, Assignees, or Mortgagees, 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 Plaintiffs to declare, that under or by virtue of a certain Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled [here set forth the Title of this Act], the said Company, or their Lessees, Assignees, or Mortgagees, as the Case may be, were lawfully possessed of or entitled to such Tolls, Rates, or Duties as in and by the said Action 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 Plaintiffs; or it shall be lawful for the Person or Persons to whom such Rates, Tolls, or Duties, or any Arrears thereof respectively, ought to be or to have been paid, and he and they is and are hereby empowered, to seize and distrain the Goods, Wares, Merchandize, or Commodities for or in respect of which such Tolls, Rates, or Duties ought to be paid, or any Part thereof, and the Boat, Barge, or Vessel laden therewith, and in like Manner to seize and distrain any other Boat or Boats, Barge or Barges, Vessel or Vessels, whether laden or empty, passing along or being upon the said Canal, Cuts or Canals, or any Part thereof, or any other Goods, Wares, Merchandize, or Commodities on the said Canal, Cuts or Canals, or any Part thereof, or upon any Wharf adjoining thereto, or in any Warehouse in any such Wharf, or adjoining the said Canal, Cuts or Canals, or any Part thereof, for any Arrears of Tolls, Rates, or Duties due and payable to the said Company, provided such last-mentioned Boat, Barge, or Vessel, or Boats, Barges, or Vessels, or such last-mentioned Goods, Wares, Merchandize, or Commodities, as the Case may be, shall belong for the Time being to the Person or Persons from whom such Arrears shall be due, and to detain such Boat or Boats, Barge or Barges, Vessel or Vessels, Goods, Wares, Merchandize, or Commodities, until Payment of the Amount of all Rates, Tolls, Duties, and Arrears which at the Time of such Seizure and Distress made shall be due and owing to the said Company from the Owner or Owners of the Boat or Boats, Barge or Barges, Vessel or Vessels, Goods, Wares, Merchandize, or Commodities so seized and distrained as aforesaid, together with reasonable Charges for such Seizure and Distress; and if such Seizure and Distress shall not be redeemed within Five Days after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent, any thing in this Act contained to the contrary thereof notwithstanding.

XCVI. And for the more easy collecting the said Rates, Tolls, and Duties hereby granted and directed to be paid, be it further enacted, That the Master, Owner, or other Person having the Care of any Boat, Barge, or other Vessel passing along the said Canal, Cuts or Canals, already made or to be made, or any Part thereof respectively, or along the said *Warwick* and *Napton* Canal, within Six Miles of its Junction with the *Oxford* Canal, with regard to the Gross Tonnages for Coals and other Merchandize passing into or out of the *Warwick* and *Napton* Canal, shall give a just Account in Writing signed by him to the Collectors of the said Rates, Tolls, or Duties, or other Officers or Persons to be appointed in pursuance of this Act, at the Place or Places where they shall attend for that Purpose, of the several Quantities, Qualities, and Weight of the Goods which shall be in or belonging to such Boat, Barge, or other Vessel, and of the Place from whence brought, and where he intends to land or unload the same, and also the Quantities, Qualities, and Weight of such Goods as shall have been discharged from or taken out of any Boat, Barge, or Vessel after it shall have entered the said Canal or any of the said Cuts or Canals, and before its Arrival at the Place where such Account is to be given; and if the Goods contained in such Boat, Barge, or Vessel shall be liable to the Payment of different Rates, Tolls, or Duties, then such Master, Owner, or Person shall specify the Quantities liable to the Payment of each of the said Rates, Tolls, or Duties; and in case any such Master, Owner, or other Person shall neglect or refuse to give such Account, or to produce his Invoice or Bill of Lading, to such Collector or Collectors, if demanded, or shall give a false Account, or shall deliver any Part of his Loading or Goods at any other Place or Places than what is or are mentioned in such Account, every Person so offending shall forfeit and pay to the said Company hereby established the Sum of Twenty Shillings for every Ton of Goods which shall be in such Boat, Barge, or other Vessel respectively, over and above the respective Rates, Tolls, or Duties payable for the same.

Masters of Boats to give to the Collectors Accounts in Writing of the Goods on board.

XCVII. And be it further enacted, That if any Person or Persons shall fraudulently carry or convey any Article or Thing whatsoever on the said Canal, Cuts or Canals, already made or to be made, or any Part thereof, on Payment of a lower Rate, Toll, or Duty than that to which such Articles or Things are hereby subject or liable, and shall be thereof convicted before any Justice of the Peace for either of the Counties of *Oxford*, *Warwick*, or *Northampton*, or the County of the City of *Coventry*, within their respective Jurisdictions, every such Person so offending shall for every such Offence forfeit and pay to the said Company hereby established any Sum not exceeding Five Pounds, over and above the Rate, Toll, or Duty to which such Articles or Things are liable.

Penalty on Persons evading Payment of the full Rate.

XCVIII. Provided always, and be it further enacted, That if any Dispute shall arise concerning the Amount of any such Rates, Tolls, or Duties due, or the Charges occasioned by any such Distress as aforesaid, it shall be lawful for the Collector or Person so distraining to retain such Distress, or the Money arising from the Sale thereof, as the Case may happen, until the Amount of the Rates, Tolls, or Duties due, and the Charges of seizing, distraining, keeping, or selling such Distress, as the Case may happen, shall be ascertained by some Justice or Justices of the Peace for the County, Town, or Place in which such Distress shall be made, who, upon

For settling Disputes about the Amount of Rates.

[Local.]

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Application

Application made to him or them for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses, and determine the Amount of the Rates, Tolls, or Duties due; and it shall be lawful for such Justice or Justices to assess and award such Costs, to be paid by either of the Parties to the other of them, as he shall think just and reasonable; and in case of Nonpayment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand and Seal of such Justice or Justices.

Penalty on fraudulently unloading Goods to avoid Payment of Rates.

XCIX. And be it further enacted, That if any Person or Persons navigating or having the Care of any Boat or other Vessel upon the said Canal, Cuts or Canals, or any Part thereof, shall, with Intent to avoid the Payment of the Rates, Tolls, or Duties due and payable to the said Company hereby established, unload or take into any Boat, Barge, or other Vessel any Goods, Wares, Merchandize, or Commodities whatsoever liable to pay any of the Rates, Tolls, or Duties due and payable to the said Company by virtue of this Act, at any other Place or Places than at the public or private Wharfs or Quays upon or belonging to the said Canal, Cuts or Canals, without first having obtained a Consent in Writing for that Purpose from the Committee of the said Company, or some or one of the Agents or Collectors of the Tolls of the said Company duly authorized for that Purpose, or if any Person shall do any other Act with Intent to evade the Payment of any such Rates, Tolls, or Duties, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

If any Differences arise concerning Weight, Collectors may weigh or measure Boats.

C. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates, Tolls, and Duties, and the Owner or Owners, or Person having the Charge of any Boat, Barge, or other Vessel, or the Owner of any Goods or other Things, concerning the Weight or Quantity of any such Goods or Things, 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, or gauged, such Boat, Barge, or other Vessel, and all such Goods and other Things as shall be therein respectively contained; and in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Weight or Quantity than what is set forth and contained in the Account given thereof as aforesaid, then the Owner or Person giving in such Account shall pay the Costs and Charges of such weighing, measuring, and gauging; all which Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered and levied by such Ways and Means and in such Manner as the said Rates, Tolls, and Duties are hereby appointed to be recovered and levied; but if such Goods and other Things shall appear to be of the same or less Weight or Quantity than the same shall by such Account appear to be, then the said Company hereby established shall pay the Costs and Charges of such weighing, measuring, or gauging, and shall also pay to such Master, Owner, or other Person, or to the Owner or Owners of such Goods or other Things, such Damages as shall appear to any of the said Justices, on the Oath of any credible Witness (which Oath such Justice is hereby empowered to administer), to have arisen from such

such Detention ; but in case it shall at any Time be made to appear to the said Justice or Justices, upon the like Oath of some credible Witness or Witnesses, that such Detention was without reasonable Ground or Belief, and vexatious on the Part of such Collector, then the said Collector shall himself pay all such Costs, Charges, and Expences as aforesaid, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods and Things, such Damage as shall appear to such Justice or Justices to have arisen from such Detention ; and in default of immediate Payment thereof by the said Company, or by the said Collector, as the Case may be, the same may be recovered from the said Company or from the said Collector, as the Case may be, by Distress and Sale of their or his Goods, by Warrant under the Hand and Seal of such Justice, or otherwise by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, rendering the Overplus (if any), upon Demand, after deducting the Costs of such Distress and Sale, to the said Company or to the said Collector, as the Case may be.

CI. And be it further enacted, That it shall be lawful for the said Company hereby established to let or demise all or any Part or Parts of the Rates, Tolls, and Duties to be payable under or by virtue of this Act, for any Term not exceeding Three Years at any one Time, to any Person or Persons, for the highest Rent that can be had or gotten for the same, either by public Bidding or otherwise, provided that One Calendar Month's previous Notice be given in some of the public Newspapers published or usually circulated in the Counties of *Oxford*, *Northampton*, and *Warwick*, and the County of the City of *Coventry*, of their Intention to let or demise the said Rates, Tolls, and Duties, or such Part or Parts thereof as shall be so let, and so as that the Person or Persons renting the same shall give to the said Company such Security as the Committee of the said Company for the Time being shall deem satisfactory, for the true Performance of his, her, or their Bargain, Contract, or Agreement ; and the Person or Persons so renting the said Rates, Tolls, or Duties shall have full Power and Authority to ask, demand, collect, and receive the same, and shall have the same Powers for recovering the same as are hereby given to the said Company, and shall in every respect be deemed and taken to be a Collector or Collectors appointed by virtue of this Act.

Power to the Company to lease Tolls.

CII. And be it further enacted, That every Toll Collector shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Stop Gate or Toll House, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Three Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be on Duty ; and if any Collector of the same Rates, Tolls, or Duties shall not place such Board as aforesaid, and keep the same there during the Time he shall be such Collector as aforesaid ; or shall demand or take a greater or less Rate, Toll, or Duty from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company hereby established, made in pursuance thereof ; or shall demand or take a Rate, Toll, or Duty from any Person who

For preventing Collectors misbehaving.

who shall be exempt from the Payment thereof, and claim such Exemption; or shall refuse to permit or suffer or shall not permit any Person to read, or shall in anywise hinder any Person from reading, the Inscriptions on the Board to be affixed and placed as aforesaid, or shall refuse to tell his Christian or Surname to any Person who shall demand the same, on having paid the said Rates, Tolls, or Duties, or any of them, or shall in answer to such Demand give a false Name or Names; or, upon the legal Rate, Toll, or Duty being paid or tendered, shall unnecessarily detain, or wilfully obstruct, hinder, or prevent any Boat, Barge, or Vessel from passing along the said Canal, Cuts or Canals; or shall use any scurrilous or abusive Language to any Treasurer, Clerk, Engineer, or other Officer, or to any Passenger; then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

As to the  
Construction  
of Barges.

CIII. And be it further enacted, That no Boat, Barge, or other Vessel shall pass a Lock, or be navigated upon any Part of the said Canal, Cuts or Canals, that shall have a Square Head or Stern, or Projection at the Sides or Bottom thereof, or be constructed in any respect so as to injure or tend to injure the Locks, Bridges, Masonry, Banks, Lining, Puddling, or other Works of the said Canal, Cuts or Canals, without the special Permission of the Committee of the said Company, or their Clerk, for that Purpose duly authorized, first obtained, but the same shall and may be stopped and prevented from passing any Lock, or navigating the said Canal, Cuts or Canals, or any Part thereof, by the said Company, their Servants or Agents.

Owners to  
put their  
Names on  
Outsides of  
their Boats,  
&c.

CIV. And be it further enacted, That the Owner or Owners of every Boat, Barge, or other Vessel navigating the said Canal already made, or the Cuts or Canals to be made by virtue of this Act, or any of them, shall cause his, her, or their Name or Names, and Place or Places of Abode, and the Number of his, her, or their Boat, Barge, or other Vessel, to be entered with the Clerk of the said Company hereby established, and shall also cause such Name or Names and Number to be painted in large Capital Letters and Figures Three Inches high at the least, and of a proportionate Breadth, on some conspicuous Part of the Outside of every such Boat, Barge, or other Vessel, so as to be always open to View, and shall permit and suffer every such Boat, Barge, or other Vessel to be gauged, weighed, measured, and indexed at the Expence of such Owner or Owners whenever it shall be required by the said Company, or any Person or Persons by them appointed for that Purpose; and all and every Owner or Owners or other Person having the Care of any Boat, Barge, or other Vessel, or who shall conduct the same along the same Canal, Cuts or Canals, or along any Part thereof respectively, without having such Boat, Barge, or other Vessel previously gauged, weighed, measured, and indexed, or without having such Names and Figures thereon respectively as herein-before directed, or who shall alter, erase, or deface such Names and Figures, or any of them or any Part thereof, or shall fix thereon any false Name or Figure, or shall raise, lower, or displace any Index placed on any such Boat, Barge, or other Vessel, or who shall refuse to permit and suffer such Boat, Barge, or other Vessel to be gauged, weighed, measured, and indexed, shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence; and



and it shall be lawful for the said Company, or any Agent, Lock Keeper, or Servant of the said Company, to prevent any Boat, Barge, or other Vessel that shall not be so marked and indexed as aforesaid from passing any Lock on the said Canal, Cuts or Canals, or any Part thereof.

CV. And be it further enacted, That the Owner or Owners of every Boat, Barge, or other Vessel passing along the said Canal already made, or the said Cuts or Canals to be made by virtue of this Act, or any Part thereof, shall be, and he, she, and they is and are hereby respectively made answerable for any Trespasses, Damages, Spoil, or Mischief that shall be done by his, her, or their Boat, Barge, or other Vessel, or by the Horses, Mules, or Cattle drawing the same respectively, or by any Person belonging to or employed in or about the same respectively, to the said Canal, Cuts or Canals, or to the Reservoirs, Locks, Bridges, Engines, and other Works or Conveniences belonging thereto, either by the loading or unloading of any Boat, Barge, or other Vessel, or by any Means whatsoever, and for any Trespass or Damage which may be done to the Owners or Proprietors of any Building or other Erection, Lands, Tenements, or Hereditaments adjoining or lying near the same Canal, Cuts or Canals, and other Works, or any other Trespass whatsoever; and the said Owner or Owners of such Boat, Barge, or other Vessel shall for every such Damage, upon Conviction of such Person or Persons before some Justice of the Peace acting for the County or Place wherein such Offence was committed, either by the Confession of the Party or Parties offending, or upon the Oath or Oaths of some credible Witness or Witnesses, (which Oath or Oaths such Justice is hereby empowered and required to administer,) pay the Person or Persons injured the Damages to be ascertained by some Justice, provided that such Damages do not exceed the Sum of Twenty Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Forty Shillings, and the same shall be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners of any such Boat, Barge, or Vessel, in like Manner as any other Penalties or Forfeitures are by this Act directed to be levied; or if the Damages shall exceed the Sum of Twenty Pounds, then and in such Case the Owner or Owners of such Boat, Barge, or other Vessel may be sued and prosecuted for the same in any of His Majesty's Courts of Record; and if a Verdict or Judgment shall be given against him, either on Proof made, or by Default, or upon Demurrer, the Plaintiff in such Case shall recover his Damages thereby sustained, with full Costs of Suit; and if the Owner or Owners of any Boat, Barge, or other Vessel passing along any Part of the said Canal, Cuts or Canals, or any Part thereof respectively, shall be compelled to pay any Penalty or to make any Satisfaction for any Damages by reason of any wilful Act, Neglect, or Default of his or their Servant or Servants, or Boatmen, then and in such Case every such Servant or Boatman shall be liable to repay such Penalty or Satisfaction for Damages, with the Costs attending the same, to such Owner or Owners, and in case of Nonpayment thereof on Demand, the same shall be recovered in like Manner as any Penalty can or may by virtue of this Act be recovered.

Owners of Boats to be accountable for Damage done by their Servants.

Owners may recover from their Servants.

CVI. And be it further enacted, That the said Company hereby established shall and may, in such Parts of the said Canal already made  
 [Local.] 14 L and

Proper Places to be made for Boats to

turn and lie  
in.

and the said Cuts and Canals to be made as aforesaid, as shall not be of sufficient Breadth for admitting a Boat, Barge, or Vessel to turn about or lie, or for Two Boats, Barges, or other Vessels to pass each other, open or cut proper Spaces or Places in the Lands adjoining to the same Canal, Cuts or Canals, at convenient Distances from each other, for the turning, lying, and passing of any such Boat, Barge, or Vessel; and the said Boats, Barges, or other Vessels, being haled or navigated upon the said Canal, Cuts or Canals, shall, upon meeting any other Boat, Barge, or Vessel, stop at or go back to and lie in the said Spaces or Places, in such Manner as the General Committee of the said Company shall direct; and the Powers and Provisions herein-before contained with respect to the purchasing and taking of Land for the Purpose of making the said Cuts or Canals hereby authorized to be made, shall be and the same are hereby extended to the purchasing and taking of Land for the Purpose of making such Spaces or Places as aforesaid.

Vessels lying  
so as to ob-  
struct Navi-  
gation to be  
removed.

CVII. And be it further enacted, That if any Boat, Barge, or Vessel shall be placed in any Part of the said Canal already made, or the said Cuts or Canals to be made as aforesaid, so as to obstruct the Navigation thereof, and the Person having the Care of such Boat, Barge, or Vessel shall not immediately, upon Request made for that Purpose, remove the same, he shall for every such Offence forfeit and pay a Sum not exceeding Ten Shillings nor less than Five Shillings for every Hour such Obstruction shall continue; and it shall be lawful for the Agents or Servants of the said Company hereby established to cause any such Boat, Barge, or Vessel to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing such Obstruction in the Navigation, and to seize and detain such Boat, Barge, or Vessel, and the Loading thereof, or any Part of such Loading, until the Charges occasioned by such Unloading and Removal are paid; and if any Boat, Barge, or Vessel shall be sunk in any Part of the said Canal, Cuts or Canals, and the Owner or Owners or Person 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 to cause such Boat, Barge, or Vessel to be weighed or drawn up, and to detain and keep the same till Payment be made of all Expences necessarily occasioned thereby.

Persons over-  
loading or  
obstructing  
Passage of,  
the Canal to  
forfeit Five  
Pounds.

CVIII. And be it further enacted, That if any Person shall float any Timber upon any Part of the said Canal already made, or the said Cuts or Canals to be made as aforesaid, or any Part thereof, or shall suffer the Loading of any Boat, Barge, or Vessel to lie over the Sides thereof, or shall overload any Boat, Barge, or Vessel navigating in or upon any Part of the said Canal, Cuts or Canals, so as by such overloading to obstruct the Passage of any other Boat, Barge, or Vessel, and upon Notice given to the Owner or Person having the Care of such Boat, Barge, or Vessel so obstructing the Passage as aforesaid, such Owner or Person shall not remove the same so as to make a free Passage for other Boats, Barges, or Vessels, every such Owner or Person floating such Timber, or having the Care of such Boat, Barge, or Vessel so obstructing the Passage as aforesaid, shall forfeit and pay for every such Offence the Sum of Five Pounds.

CIX. And

CIX. And be it further enacted, That if any Person shall throw any Ballast, Gravel, Dirt, Stones, Rubbish, dead Animal, or other Nuisance, into the said Canal, Cuts or Canals, or any Part thereof, or shall drown any Animal therein, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty on throwing Ballast, &c. in the Canal or Cuts.

CX. 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, Cuts or Canals, any Dung or other Manure, Dust, Ashes, Rubbish, or other 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 Forty Shillings.

Penalty on throwing Rubbish on Towing Paths.

CXI. And be it further enacted, That no Boat, Barge, or other Vessel having on board any Pole, Shaft, or Instrument used or to be used in propelling or navigating such Boat, Barge, or other Vessel, pointed or shod with Iron, shall pass along any Part of the said Canal, Cuts or Canals; and it shall be lawful for the Agents or Servants of the said Company hereby established to seize such Poles, Shafts, or Instruments, in case they shall be found on board any such Boat, Barge, or other Vessel, or to stop and detain such Boat, Barge, or Vessel until such Poles, Shafts, or Instruments shall be delivered up; and the Master, Owner, or Person having the Care of such Boat, Barge, or other Vessel, shall forfeit a Sum not exceeding Five Pounds for every such Pole, Shaft, or Instrument found on board his Boat, Barge, or other Vessel.

Barges not to carry Poles shod with Iron.

CXII. And be it further enacted, That in case any Person or Persons shall bathe in the said Canal, Cuts or Canals, or any Part thereof, or in any Waterway, Reservoir, Feeder, or Pond, being the Property of the said Company hereby established, without the Permission of the said Company or some Agent of the said Company, it shall be lawful for any Justice of the Peace for the County, Town, or Place in which such Person shall so bathe, and he is hereby required, upon Complaint made to him by One or more credible Witness or Witnesses of any such Offence, to issue a Warrant to apprehend the Party or Parties so accused, or it shall be lawful for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County; and on the Party or Parties accused being brought before some Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear and be produced to give Evidence touching such Offence; and such Party or Parties, being convicted, either by his, her, or their Confession, or upon such Evidence as aforesaid, shall for every such Offence respectively, and if more than One shall severally forfeit and pay any Sum not exceeding Forty Shillings; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty by him, her, or them incurred, such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to be kept to hard Labour

Penalty for bathing in the Canal.

for

for any Time not exceeding One Calendar Month; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Penalty as aforesaid be sooner paid.

Regulations  
for Vessels  
passing the  
Locks.

CXIII. And be it further enacted, That every Boatman or other Person navigating any Boat, Barge, or other Vessel upon the said Canal already made, or the said Cuts or Canals to be made as aforesaid, through any Lock made thereon, shall, in going down the same from a higher to a lower Level, carefully shut the lower Gates of such Lock, and the Paddles, Cloughs, and Sluices thereunto belonging, before he shall draw the Paddles, Cloughs, or Sluices of the upper Gates thereof, and after he shall have brought his Boat or other Vessel into the said Lock, shall shut the upper Gates, and the Paddles, Cloughs, and Sluices thereof, before he shall draw the Paddles, Cloughs, or Sluices of the lower Gates thereof; and in going up the said Canal, Cuts or Canals, from a lower to a higher Level, such Boatman or other Person shall first guide his Boat, Barge, or other Vessel into the said Lock, and carefully shut the lower Gates thereof, and the Paddles, Cloughs, or Sluices thereto belonging, before he shall draw the Paddles, Cloughs, or Sluices of the upper Gates thereof, and as soon as he shall have passed with his Boat, Barge, or Vessel out of the said Lock, such Boatman or other Person shall securely shut the upper Gate thereof, and the Paddles, Cloughs, or Sluices thereto belonging; and at all Times a Vessel going up the said Canal, Cuts or Canals, if within Sight of any Boat, Barge, or Vessel coming down, and at a Distance not exceeding Three hundred Yards below a Lock, shall, if such Lock be empty, pass through the same before the Vessel coming down, and then the Vessel next above such Lock shall come down, but in case such Lock shall be full, then the Vessel coming down shall pass through the same before the Vessel going up, and then the Vessel below such Lock shall go up; and if there shall be more Vessels than One below and above any Lock at the same Time within the Distance aforesaid, which Distance shall be distinguished by a Post or Mark to be set up or made for that Purpose, such Vessels shall go up and come down at such Lock by Turns as aforesaid, until all the said Vessels going up or coming down shall have passed, by which Means One Lock full of Water may serve Two Vessels; and if any Person shall act contrary to the Rules herein-before laid down, and shall be convicted thereof before any Justice of the Peace for the County in which the Offence shall be committed, upon the Oath of any credible Witness, every such Person so offending, as also the Master or other Person having the Command of such Boat, Barge, or Vessel, shall forfeit the Sum of Forty Shillings.

Persons in-  
juring Lock  
Gates, &c.

CXIV. And be it further enacted, That if any Person or Persons whomsoever shall wantonly or unnecessarily open or cause to be opened any Lock, Paddle, Valve, Sluice, or Clough belonging to the said Canal already made, or to the said Cuts or Canals to be made as aforesaid, or any Part thereof, or shall suffer any Boat, Barge, or other Vessel to strike or run against any of the Bridges or Locks thereof, or shall flush or draw off the Water from any Part of the said Canal, Cuts or Canals, or any Reservoir, Watercourse, Trench, or Feeder belonging thereto, or otherwise mis-spend or waste such Water; every Person so offending in any of the said

said Particulars, and being thereof convicted as last mentioned, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, at the Discretion of the Justice by whom such Person shall be convicted.

CXV. And be it further enacted, That if any Person navigating or working or being on board any Boat, Barge, or other Vessel upon the said Canal already made, or the said Cuts or Canals to be made as aforesaid, (not being qualified to kill Game,) shall carry on board and use any Fishing Net, Gun, Engine, or other Instrument for taking or destroying Fish or Game, every such Person, being thereof lawfully convicted on the Oath of any credible Witness, before any Justice of the Peace for the County in which the Offence shall be committed, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in case any Master or other Person having the Command or Care of any Boat, Barge, or other Vessel shall suffer or permit any Person (not being qualified as aforesaid) to have, carry on board, or make use of any Fishing Net, Gun, Engine, or other Instrument for taking or destroying Fish or Game, and shall be thereof convicted as aforesaid before any Justice of the Peace for the County of *Oxford*, *Warwick*, or *Northampton*, or the County of the City of *Coventry*, within their respective Jurisdictions, he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty on Persons on board not qualified, having Nets, &c.

CXVI. And be it further enacted, That if any Person shall wilfully, maliciously, and to the Prejudice of the said Navigation, break, throw down, damage, or destroy any Bridge, Bank, Lock, or other Works already made by virtue of the said recited Acts hereby repealed, or to be erected or made by virtue of this Act, or do any other wilful Hurt or Mischief to, or obstruct, hinder, or prevent the carrying on, completing, supporting, and maintaining of the said Canal already made, or the said Cuts or Canals to be made as aforesaid, every Person so offending, and being thereof lawfully convicted, shall be adjudged guilty of Felony, and every such Person shall be subject and liable to the like Pains and Penalties as in Cases of Felony, and the Court by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to transport such Person for the Space of Seven Years, in like Manner as Felons are directed to be transported by the Laws and Statutes of this Realm, or in mitigation of such Punishment may, if they think fit, award such Sentence as the Law directs in Cases of Simple Larceny; or otherwise every Person so offending, and being thereof lawfully convicted on the Oath of some credible Witness, before One of His Majesty's Justices of the Peace for the County, Town, or Place wherein such Offence shall be committed, shall forfeit any Sum not less than double the Value of the Damage proved upon Oath to be done, at the Discretion of such Justice.

To prevent destroying the Works.

CXVII. And be it further enacted, That all Persons shall have free Liberty to use, with Horses, Cattle, and Carriages, the Roads, Ways, and Passages, (except the Towing Paths) to or from the said Canal already made, and the said Cuts or Canals to be made as aforesaid, for the Purpose of conveying any Timber, Goods, Wares, Merchandize, or other Things to or from the same and every Part thereof, and also to navigate

Passage on the Canal to be free on Payment of Rates.

[*Local.*]

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and

and use the same Canal, Cuts or Canals, with Boats, Barges, or other Vessels properly constructed, and to employ the Wharfs and Quays for loading and unloading such Goods and other Things, upon Payment only of such Rates and Tolls as shall be demanded by the said Company hereby established, not exceeding the respective Sums herein mentioned; and subject to the Rules and Regulations which shall be from Time to Time made by the said Company by virtue of the Powers herein granted; provided the said Boats, Barges, or other Vessels shall not, without the Licence and Consent of the said Company or their General Committee, pass along the said Canal, Cuts or Canals, at any other Times than between the Hours of Five in the Morning and Seven in the Evening during the Months of *September, October, November, December, January, February, March, and April*, and between the Hours of Four in the Morning and Nine in the Evening during the Months of *May, June, July, and August*.

Vessels passing Locks with less than Fifteen Tons to be charged Fifteen Tons.

CXVIII. Provided also, and be it further enacted, That if any Boat, Barge, or other Vessel passing without any Lading, or with a less Lading or Burthen than Fifteen Tons, contained in such Boat, Barge, or Vessel, shall, in passing along the said Canal already made, or the said Cuts or Canals to be made as aforesaid, or any of them, pass through any Lock or Locks at any Time or Times when there shall be Water sufficient to enable such Boat, Barge, or other Vessel to pass such Lock or Locks with a Lading or Burthen of Fifteen Tons, every such Boat, Barge, or other Vessel shall pay to the said Company hereby established a Tonnage Rate for Fifteen Tons of Lading, calculated for the whole Length of the Voyage after the highest Rate of Tonnage which shall be payable for any Articles, Matters, or Things which shall be carried or conveyed along the said Canal, Cuts or Canals, in the same Manner as if such Boat, Barge, or other Vessel had actually on board Fifteen Tons of Lading of such Articles, Matters, or Things as shall or may be chargeable with such highest Rate of Tonnage, unless such Boat, Barge, or other Vessel shall be returning after having passed on the said Navigation with more than Fifteen Tons, or unless there shall be waste Water running over the regulating or waste Weir of every Lock through which such Boat shall pass; but if at any Time there shall not be sufficient Water in any such Lock or Locks to enable such Boat, Barge, or other Vessel to pass through the same with Fifteen Tons Weight of Lading, then and in every such Case it shall be lawful for all Boats, Barges, or other Vessels to pass such Lock or Locks with any less Weight of Lading than Fifteen Tons; and the Owner or other Person having the Care or Command of such Boat, Barge, or other Vessel shall not be compellable to pay for any greater Weight of Lading than shall at such Time be actually on board the same Boat, Barge, or other Vessel, provided that such Lading shall not be less than the Water will enable such Boat, Barge, or other Vessel to carry.

Passage Boats not to be navigated on the Canal but on Terms agreed upon with the Company.

CXIX. Provided always, and be it further enacted, That no Passage Boats or Vessels which may be intended or used for the Purpose of carrying Passengers, and Parcels not exceeding One Hundred Weight, for Hire or Reward, shall be permitted to pass or be navigated upon the said Canal already made, or the said Cuts or Canals to be made as aforesaid, or any Part thereof, but upon such Terms as may be fixed or agreed

agreed upon between the Company hereby established and the Person or Persons who may be desirous to navigate or make use of such Passage Boats or Vessels as aforesaid.

CXX. And be it further enacted, That if at any Time hereafter the Ditches or Drains belonging to any Owner or Occupier of Lands adjoining or lying contiguous to the said Canal, Cuts, Canals, or other Works, or any of them, or which any such Owner or Occupier shall be liable to cleanse or keep open, shall, by reason of their not being sufficiently cleansed or opened, hinder or obstruct the free Passage of the Water from the Drains, Culverts, and Passages belonging to the said Navigation, and if the same shall not be perfectly cleansed and opened within Twenty-one Days after Notice in Writing shall have been given thereof to or left at the Place of Abode of such Owner or Occupier, by the Clerk or any Agent of the said Company hereby established, it shall then be lawful for the said Company, (an Order in Writing for the said Purpose having been first obtained from any Two or more Justices of the Peace for the County in which the same Ditches or Drains shall be,) from Time to Time, as often as there shall be Occasion, to open and cleanse or cause to be opened and cleansed the said Ditches or Drains, and the reasonable Expences thereof, when ascertained and allowed by the said Justices, or any Two of them, shall be repaid to the said Company by such Owner or Occupier as aforesaid; and in case of Refusal to satisfy the same for the Space of Three Calendar Months after Demand shall have been made thereof, such Charges and Expences shall and may be recovered and levied in such Manner as Forfeitures and Penalties are herein-after directed to be recovered.

Ditches for carrying off Water from the Drains of the Navigation to be kept open.

CXXI. And be it further enacted, That the said Company hereby established shall and they are hereby required, at their own proper Costs and Charges, to make or cause to be made Arches, Tunnels, Culverts, Drains, or other Passages, over, under, by the Side of, or into the said Cuts or Canals hereby authorized to be made, and the Towing Paths on the Sides thereof, of such Breadth, Depth, and Dimensions as shall be sufficient at all Times to convey the Water clear from the Lands adjoining or lying near to the said Cuts or Canals, without obstructing or impeding the same more than formerly, and likewise to make or cause to be made 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 Cuts or Canals hereby directed to be made, to the Prejudice of any of the Lands or Grounds contiguous thereto; and also to make in proper Situations watering Places for Cattle, where by means of the said Cuts or Canals the Cattle of any Person or Persons occupying Lands adjacent to the said Cuts or Canals shall be deprived of their ancient watering Places, and to supply the same at all Times with Water; and all such Arches, Tunnels, Culverts, 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; and if at any Time after Twenty Days Notice in Writing shall, by or on behalf of any Owner or Occupier of Lands adjoining or lying near to the said Cuts or Canals, or either of them, be given to the said Company, that the said Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, or any of them, is or are not made, cleansed, maintained,

Drains to be made to convey Water from adjoining Lands.

tained, and repaired according to the true Intent and Meaning of this Act, it shall be lawful for any Person or Persons to apply for and obtain an Order in Writing from any Two or more Justices of the Peace for the County within which such Lands shall lie, from Time to Time as often as there shall be Occasion ; and the said Justices are hereby authorized and required, at their Discretion, to grant such Order as aforesaid, enabling such Person or Persons to cleanse and repair such Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages accordingly ; and the reasonable Expences thereof (to be ascertained by the said Justices) shall be defrayed by the said Company of Proprietors ; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Ten Days after Demand thereof made upon the said Company, such Expences shall and may be recovered and levied in such Manner as any other Money is by this Act directed to be recovered from the said Company : Provided always, that such Owner or Occupier of the said contiguous or adjoining Lands shall at the Time of making such Complaint have his or her respective Ditches, Drains, and Passages for Water, and Watercourses, leading to or from the Drains, Culverts, and Passages of the said Canal, Cuts or Canals, and each and every of them, sufficiently cleansed and opened to convey Water into and along the same ; and provided also, that nothing in this Act contained shall extend to enforce the admitting of any Water arising from Floods into the said Canal, Cuts or Canals, which may injure the Navigation thereof.

Company to  
fence off  
Towing Paths  
from the ad-  
joining  
Grounds.

CXXII. And be it further enacted, That the said Company hereby established shall at their own Costs divide and separate, and keep constantly divided and separated, the Towing Path or Paths, on the Side or Sides of the said Cuts or Canals hereby authorized to be made, or such Part or Parts thereof respectively as shall be declared necessary by any Two or more Justices of the Peace of the County in which the same shall be, from the adjoining Lands or Grounds, by Posts or Rails, Hedges, Ditches, Trenches, Banks, or other Fences, sufficient to keep off Sheep and other Cattle, to be set out and made on the Lands or Grounds which shall be purchased by, conveyed to, or vested in the said Company as aforesaid, and the said Company shall at their own proper Costs and Charges from Time to Time maintain and support the said Towing Paths, and the said Posts, Rails, Hedges, Ditches, Trenches, Banks, and other Fences to be set up and made as aforesaid ; and also shall at their like Costs and Charges make, erect, and set up, and from Time to Time maintain and support, such and so many convenient Bridges across the said Cuts or Canals, with proper Approaches to such Bridges respectively, and also Gates and Stiles in and through all the Hedges and Fences to be by them so made on the Side of such Towing Paths as aforesaid, in such Manner as any Two or more Justices of the Peace of the County in which the same shall be situate shall from Time to Time judge necessary and appoint, for the Use of the Owners and Occupiers of the Lands and Grounds or Hereditaments adjoining to the said Cuts or Canals.

Company  
neglecting  
to fence off  
Towing  
Paths, &c.  
Owners of  
adjoining

CXXIII. And be it further enacted, That in case the said Company of Proprietors hereby established, or their Agents, shall refuse or neglect to divide and separate, and to keep divided and separated, the said Towing Paths in manner herein-before directed, or to make, erect, and set up such Gates, Bridges, and Stiles in, over, and through the Fences on the Sides  
of



of the said Towing Paths, or such Bridges, Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, for the Use and Convenience of the respective Owners or Occupiers of the Lands or Hereditaments adjoining or near to the said Cuts or Canals, or to maintain and support such Gates, Stiles, and Bridges when erected, set up, and made, of such Dimensions and in such Manner as aforesaid, for the Space of Twenty Days next after the Times to be appointed by the said Justices as aforesaid, and after Notice shall have been given, by or on behalf of the Owner or Owners of any such Lands or other Hereditaments who shall find themselves aggrieved by any such Refusal or Neglect, to the said Company, then and in every such Case it shall be lawful for every or any of the Owners or Occupiers of the said adjacent Lands, Grounds, or Hereditaments, who shall find himself, herself, or themselves aggrieved as aforesaid, to make, erect, and set up all such Gates, Stiles, Bridges, and other Conveniences as shall be necessary, and shall have been before directed or appointed by the said Justices to be made, erected, and set up by the said Company as aforesaid, and to maintain, repair, and support the same from Time to Time as Occasion shall require, so that in making and maintaining such Works the said Navigation, or the Banks thereof, 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 Justices) shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, Grounds, or other Hereditaments who shall have so erected and made, repaired or maintained such Works as aforesaid by the said Company; and in case the same shall not be paid to the said Owners or Occupiers by the said Company within Ten Days after Demand, then the same shall and may be recovered from the said Company in the same Manner as Compensations for Damages are hereby authorized to be recovered from them.

Lands may do so at the Company's Expence.

CXXIV. Provided always, and be it further enacted, That if any Owners or Occupiers of any Lands or other Hereditaments by or through which the said Cuts or Canals hereby authorized to be made shall be made, shall at any Time or Times hereafter choose to erect other Gates, Stiles, Bridges, Passages, Tunnels, Drains, Back Drains, Trenches, or other Passages, watering Places, and other Conveniences respectively, than such as the said Justices shall have so directed or appointed to be made by the said Company hereby established, then and so often and in any such Case it shall be lawful for all or any of such Owners or Occupiers, with the Approbation and Consent of the Committee of Management of the said Company, to make, fix, and erect, at their own proper Costs and Charges, such Gate or Gates, Stiles, Bridges, Passages, Tunnels, watering Places, or other Conveniences, of the same or the like Construction as others made by the said Company, in, over, or near to the said Cuts or Canals, or the Towing Paths thereof, in such Places as the said Owners and Occupiers shall judge most necessary and convenient, for the better Use, Cultivation, Improvement, or Occupation of such Lands and other Hereditaments, and to repair and support the same, at their own like Costs and Charges, as Occasion shall require, so as that the Navigation of, in, or upon the said Canal, Cuts or Canals, be not prevented or obstructed thereby for any longer Space of Time or in any other Manner

Owners of Land may erect Gates, Bridges, &c.

[Local.]

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than

than the same would necessarily have been if such Gates, Stiles, Bridges, Passages, Tunnels, watering Places, or other Conveniences had been made or erected by the said Company as aforesaid.

Lords of  
Manors and  
Owners may  
make Wharfs  
on their own  
Lands.

CXXV. And be it further enacted, That it shall be lawful for the Lord or Lords, Lady or Ladies of any Manor or Manors, and the Owner or Owners of any Lands or Grounds near to or through or by which the said Canal, Cuts and Canals, made and to be made as aforesaid, or any Part thereof, shall pass, to erect and use any Wharfs, Landing Places, Cranes, Weighing Beams, or Warehouses; in or upon his, her, or their respective Wastes, Lands, or Grounds adjoining or near to the said Canal, Cuts or Canals, or any Part thereof, and to land any Goods or other Things upon such Wharfs or Landing Places, or upon the Banks lying between the same and the said Canal, Cuts or Canals, or any Part thereof, and also to make and use proper and convenient Places for Waggons, Carts, and other Carriages to lie and turn in and pass each other; but so nevertheless that no such Wharf, Landing Place, Crane, Weighbeam, or Warehouse, Lying or Turning Place, shall be made, erected, or set up on the Towing Path Side of the said Canal and Collateral Cuts, without the special Licence and Consent of the said Company; and all Rates or Tolls which shall be paid for the Use of such Wharfs, Landing Places, Cranes, Weighbeams, and Warehouses respectively shall be and the same are hereby accordingly vested in the Lord or Lords, Lady or Ladies of such Manors, or the Owner or Owners of such Lands or Grounds, who shall make and erect the same as aforesaid, and his, her, or their Representatives: Provided always, that the upright Wall of every Wharf to be made upon the Line of the said Canal, Cuts or Canals, shall be set at the least Eight Feet back from the Line of the said Canal, Cuts or Canals, so that a Boat whilst lying thereat shall be clear of the Passage of other Boats; and not in anywise narrow, impede, or obstruct the Navigation of the said Canal, Cuts or Canals, or any Part thereof.

In case of  
Refusal, the  
Company  
may make  
them.

CXXVI. And be it further enacted, That if such Lord or Lords, Lady or Ladies; Owner or Owners, shall not within the Space of Three Calendar Months next after Notice given in Writing to him, her, or them, or left at his, her, or their last or usual Place or Places of Abode, by or on behalf of the said Company hereby established, signifying that any Part of such Wastes, Lands, or Grounds is necessary or proper to be used by them for the Purpose of erecting and making Wharfs, Landing Places, Warehouses, and Buildings for the Use of the said Canal, Cuts or Canals, or for making or laying out necessary and convenient Roads for the Conveyance of Goods to and from the said Canal, Cuts or Canals, make, erect, and lay out, and from Time to Time maintain and keep in good and substantial Repair, such proper and sufficient Wharfs or Landing Places, Warehouses, Buildings, and Roads, for the Use of the said Canal and Cuts or Canals, as any Two or more Justices of the Peace for the County in which such Works shall be required shall think necessary on the respective Part or Parts of the said Wastes, Lands, and Grounds described in such Notice, then and in every or any such Case or Cases the said Company shall have full Power and Authority, without any Hindrance or Restraint whatsoever, to make use of such Wastes, Lands, or Grounds, not being the Ground whereon any House or other Building stands, or Garden, Orchard,  
Yard,

Yard, Park, planted Walk, or an Avenue to a House, (except as hereinbefore is mentioned or referred to,) for erecting and building proper and sufficient Wharfs, Landing Places, Warehouses, and Buildings, and making and laying out necessary and convenient Roads to and from the said Canal, Cuts or Canals, agreeably to such Notice to be delivered as aforesaid.

CXXVII. And be it further enacted, That the said Company hereby established shall make Satisfaction for the Lands or Grounds taken and used by them for the Purpose of making any such Wharfs, Landing Places, Warehouses, Buildings, and Roads as aforesaid, in such Manner as is herein 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.

Compensation to be made for Lands taken for Wharfs, &c.

CXXVIII. And be it further enacted, That if any Wharfinger or other Servant of the said Company hereby established shall give any undue Preference or shew any Partiality in loading or unloading any Goods or other Things at any of the Wharfs, Warehouses, Weighbeams, Cranes, or other Machines belonging to the said Company, any Person so offending shall forfeit and pay any Sum not exceeding Five Pounds to the Informer.

Wharfingers not to give Preference.

CXXIX. And be it further enacted, That it shall not be deemed an undue Preference in any Lock Keeper to permit any Boat, Barge, or Vessel of the Description usually called Fly Boats, carrying light Goods, Merchandize, or other Articles, to pass any Lock or Locks before a Boat or Vessel laden with Coals, Timber, Stones, Lead, or other heavy Articles.

Preference may be given to Fly Boats at Locks.

CXXX. And be it further enacted, That no more than the Sum of Two-pence *per* Ton shall be demanded or taken by the said Company hereby established, or by the Owner or Owners, Occupier or Occupiers of any Wharf, Quay, or Warehouse erected or used or to be erected or used for the Purpose of depositing Goods carried on the said Canal, Cuts or Canals, for the Wharfage of Coals, Culm, Lime, Limestone, Clay, Iron, Ironstone, Lead Ore or any other Ores, Timber, Stone, Bricks, Tiles, Slates, Gravel, or other Things, nor more than Two-pence for the warehousing of any Package not exceeding Fifty-six Pounds Weight, nor more than Four-pence for the warehousing of any Package above Three hundred Pounds Weight, and not exceeding Six hundred Pounds Weight, and not more than Sixpence *per* Ton for the warehousing any Package exceeding One thousand Pounds Weight, which shall be respectively placed and remain upon or in any such Wharf, Quay, or Warehouse as aforesaid, and shall not continue thereupon or therein for a longer Space of Time than Twenty-four Hours: Provided always, that in case any of the said Articles shall be left and remain in and upon any such Wharf, Quay, or Warehouse, over and above the Time hereby limited for the same respectively, then the Owner or Owners of such Articles shall pay to the Owner or Owners, Occupier or Occupiers of such Wharf, Quay, or Warehouse, the further Sum of One Penny Half-penny *per* Ton for Wharfage, and Two-pence *per* Ton for warehousing,

Rates of Wharfage.

for

for the next Seven Days, and the like Sum of One Penny Halfpenny or Two-pence, as the Case may be, *per* Ton, for every further Seven Days while such Articles shall remain upon or in such Wharf, Quay, or Warehouse after the Expiration of the said first-mentioned Seven Days.

As to Goods  
remaining  
on Wharfs.

CXXXI. And be it further enacted, That if any Goods, Wares, or Merchandize, or any other Thing whatsoever, (except Coals or Coke,) landed or laid on any such Quay, Wharf, or Landing Place, or in any Warehouse hereby vested in or which shall hereafter belong to the said Company hereby established, shall be left remaining there longer than Three Calendar Months without the Licence of the Committee of Management of the said Company, or the Agent or Collector of the said Company at the Wharf, Quay, or Landing Place where the same have been or shall be so landed or laid, first had and obtained for that Purpose, then and in such Case the Sum of Four-pence *per* Ton, for Wharfage or warehousing, shall be paid by the Owner or Owners thereof to the said Company for each Day that the same shall be left remaining there after the Expiration of the said Period of Three Calendar Months, or of the Period for which Leave shall have been given for the same to remain there, and the like Sum of Four-pence *per* Day for any Goods, Wares, or Merchandize (except as aforesaid) not amounting to a Ton Weight in the whole; and if the Sums hereby made payable for Wharfage or warehousing shall not be paid for any Goods, Wares, or Merchandize within the Space of Four Calendar Months next after the same shall have been demanded by Notice in Writing of the Owner or Owners thereof, or the Person or Persons by whom the same was or were landed or laid on the Wharf or Quay or in the Warehouse, then and in such Case it shall be lawful for the said Company, or the Owner or Owners of the Wharf, Quay, or Warehouse upon or in which such Goods, Wares, or Merchandize shall have been so landed or laid, at any Time after the Expiration of the said Period of Four Calendar Months from the Time when such Notice shall have been given, to cause the same to be sold by public Auction, and to deduct from the Proceeds of the Sale the Sum due for Wharfage or warehousing up to the Time of such Sale, and all Expences of the Sale and incident thereto, rendering the Overplus (if any) to the Owner or Owners of such Goods, Wares, or Merchandize.

Erecting  
Cranes.

CXXXII. Provided always, and be it further enacted, That it shall be lawful for the said Company hereby established to erect or repair any Cranes or Weighing Machines upon any Wharf or Quay adjoining the said Canal, when and so often as such Erection or Repair shall be required, for the more convenient loading and unloading and weighing of any Goods, Wares, Merchandize, or Commodities, in case the Owner or Owners, Occupier or Occupiers of such Wharf or Quay shall refuse or neglect to erect or repair the same, as the Case may be, for the Space of Six Calendar Months after he, she, or they shall have received Notice in Writing for that Purpose from the said Company; and the Expences incurred by the said Company in the Erection or Repairs of any Crane or Weighing Machine, after any such Refusal or Neglect, shall be repaid to the said Company by the Owner or Owners of the Wharf or Quay;

Quay; and it shall be lawful for the said Company to use any Crane or Weighing Machine erected or to be erected on any Wharf or Quay adjoining to the said Canal.

CXXXIII. And be it further enacted, That the said Canal, Cuts, Canals, and Works made and to be made as aforesaid, or any of them, or any Part thereof respectively, shall not be subject to the Controul, Direction, Survey, or Order of any Commissioners of Sewers, or to any Law or Statute relating to Sewers; any Law or Statute to the contrary notwithstanding.

Canal not to be under the Jurisdiction of the Commissioners of Sewers.

CXXXIV. Provided always, and be it further enacted, That nothing herein contained shall extend to defeat, prejudice, or affect the Right of any Lord or Lords of any Manor or Manors, Common or Waste Grounds, or of any Owner or Owners of any Lands or Grounds, in, upon, or through which the said Canal or other Works so already made as aforesaid, or any Part thereof, shall have been made, or in, upon, or through which the said Cuts, Canals, or other Works hereby authorized, or any of them, shall be made, to the Mines, Minerals, Coal, or Quarries lying or being within or under the Lands or Grounds made or to be made use of for such Canal, Cuts, Canals, or other Works, or any of them, but all such Mines, Minerals, Coal, and Quarries are hereby reserved to such Lord or Lords of such Manor or Manors, or of such Common or Waste Grounds, or to such Owner or Owners of such Lands or Grounds respectively, their Heirs or Assigns; and it shall be lawful for the Lord or Lords of such Manor or Manors, Common or Waste Grounds, or such Owner or Owners of such Lands or Grounds respectively, to work all such Mines, Coal, and Quarries, and to take and carry away all such Coals, Ironstone, and Minerals as shall be gotten therein to his and their own Use, as fully and effectually as if this Act had not been passed; provided, that in working such Mines, Coal, and Quarries no Injury be done to the said Canal, Cuts, or Canals, or to any of the Works belonging or to belong thereto; any thing herein contained to the contrary notwithstanding.

Preserving the Rights of Lords of Manors and others.

CXXXV. And be it further enacted, That for the better discovering of Persons who shall or may get or open, dig, sink, or carry on any Work for the discovering or getting of any Mines, Minerals, or Coal, contrary to the Directions of this Act, it shall and may be lawful for the said Company hereby established, their Agents and Servants, from Time to Time and at all Times hereafter, to enter upon any Lands or Grounds through or near which the said Canal already made, or the said Cuts or Canals to be made as aforesaid, or any Part thereof respectively, shall be or pass, wherein any Mines, Coal Pits, or Delphs shall or may be dug or opened, or Works for discovering the same shall be, and likewise to enter into such Mines, Coal Pits, or Delphs, and there to view, search, measure, latch, and use all other Means they shall think necessary for discovering the Distance of the said Canal, Cuts or Canals, from the working Part of such Mines, Coal Pits, or Delphs; and for those Purposes to make use of the Ropes, Windlasses, and other Machinery belonging to the Owners or Workers of such Mines, Coal Pits, or Delphs, for the Purpose of descending into and ascending from such Mines, Coal Pits, or Delphs, and examining the State thereof; and in case it shall appear that any such Mines, Coal Pits, or Delphs have been worked or got, or

Method of discovering when Mines worked contrary to the Act.

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any Works have been carried on for the discovering or getting of such Mines or Coals, contrary to the Directions of this Act, the Owners or Occupiers of such Mines, Coal Pits, or Delphs shall, upon Notice to that Effect being given to him or them, or to any of the Agents or Workmen employed in such Mine or Mines, Pit or Pits, Delph or Delphs, immediately desist from working and prosecuting the same in the Course or Direction objected to in such Notice; and it shall and may be lawful for the said Company, and to and for their Agents, Servants, and Workmen, at the Expence, Costs, and Charges of the Owner or Owners of such Mines, Pits, or Delphs respectively, to enter into and upon all such Mines, Pits, Delphs, and Works, and from Time to Time to use all necessary and reasonable Ways and Means for repairing, supporting, sustaining, securing, and making safe the said Canal, Cuts or Canals, such Expences, Costs, and Charges to be recovered by the said Company, by Action of Debt or on the Case, in any of His Majesty's Courts of Record; and such Costs and Charges shall be paid into the Hands of the Treasurer or One of the Treasurers to the said Company, to be applied for the Purposes of this Act: Provided also, that if after such Notice having been given as aforesaid the Owners or Occupiers of any such Mines, Pits, or Delphs shall continue to work and prosecute the same in the Course or Direction objected to, he and they shall be liable to make good, not only to the said Company any Damage which may be occasioned to the said Canal, Cuts or Canals, by the sinking of the Bed or Bottom thereof, or otherwise, in consequence of such improper working and Prosecution of the said Mines, Pits, or Delphs, but also to any other Person or Persons any Injury to be occasioned to him, her, or them, or to his, her, or their Lands, Tenements, or Hereditaments, Goods or Chattels, by the breaking down of the Banks of the said Canal, Cuts or Canals, and the overflowing of the Water therein, in consequence of such improper working; and the Compensation for all such Damages or Injury as aforesaid shall or may be recovered from such Owners or Occupiers, by Action of Debt or on the Case, in any of His Majesty's aforesaid Courts of Record.

Power to raise Money by Mortgage for making the new Cuts and other Works.

CXXXVI. And whereas the probable Expence of making the Cuts or Canals and other the Works hereby authorized to be made will, according to an Estimate thereof, amount to the Sum of One hundred and thirty-one thousand eight hundred and seventy-seven Pounds; be it therefore further enacted, That it shall be lawful for the said Company hereby established, for the Purpose of enabling them to make and complete the said Cuts or Canals and other Works hereby authorized to be made, from Time to Time to borrow and take up at Interest, of and from any of the Members of the said Company who shall be willing to advance the same, or of and from any other Person or Persons, all or any Part of the said Sum of One hundred and thirty-one thousand eight hundred and seventy-seven Pounds, and to secure the Repayment of the Whole or of any Part of the Money so borrowed, together with Interest for the same at any Rate not exceeding the Rate of Five Pounds *per Centum per Annum*, to the Person or Persons who shall advance any such Sum or Sums, his, her, or their Trustee or Trustees, Executors, Administrators, or Assigns, by Mortgage or Assignment of the said Canal, Cuts and Canals, made and to be made as aforesaid, and the Rates, Tolls, and Duties to arise therefrom, and by this Act granted.

CXXXVII. And

CXXXVII. And be it further enacted, That in case the said Company hereby established shall at any Time be able to borrow or take up Money at a lower Rate of Interest than shall happen to be payable upon any Mortgage or Mortgages which may have been granted by the said Company, and may be then subsisting, it shall be lawful for them to borrow and take up at such lower Rate of Interest any Sum or Sums of Money not exceeding the Amount which will be requisite to pay off and discharge the Mortgage or Mortgages bearing the higher Rate of Interest, and to secure the same in the Manner aforesaid, and by and with the Money so to be borrowed or taken up at such lower Rate of Interest to pay off and discharge the Money previously borrowed at a higher Rate of Interest.

Power to borrow Money at a lower Rate, to pay off Mortgages made at a higher Rate of Interest.

CXXXVIII. And be it further enacted, That every Mortgage or Security which shall be made or given by the said Company hereby established, for securing the Payment of the Money so to be borrowed as aforesaid, shall be made under the Common Seal of the said Company, and may be made in the Form following, or in any other Form to the like Effect; that is to say,

Form of Mortgage.

‘ BY virtue of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act [here set forth the Title of this Act]*, we, the Company of Proprietors of the *Oxford Canal Navigation*, by virtue of the Powers contained in the said Act, and in consideration of the Sum of \_\_\_\_\_ to us lent and advanced by *A. B.* of \_\_\_\_\_ do grant and assign unto the said *A. B.*, his [*or her*] Executors, Administrators, and Assigns, the said Navigation, and all and singular the Rates, Tolls, and Duties arising and payable to us by virtue of the said Act, and all our Right, Title, and Interest of, in, and to the same; to hold unto the said *A. B.*, his [*or her*] Executors, Administrators, and Assigns, until the said Sum of \_\_\_\_\_ with Interest for the same after the Rate of \_\_\_\_\_ *per Centum per Annum*, shall be fully paid and satisfied. Given under our Common Seal, this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_.

And all Persons to whom such Mortgages shall be made, and to whom Mortgages have been made under the said Acts hereby repealed, or any of them, shall be equally entitled one with the other to their Proportion of the said Rates, Tolls, and Premises, according to the respective Sums secured by or due upon such Mortgages, without any Preference by reason of the Priority of Date of any such Mortgage, or on any other Account whatsoever; and a Memorial of every such Mortgage to be made as aforesaid, containing the Date thereof, and the Name or Names with the proper Addition or Additions of the Person or Persons to whom the same shall have been made, and the Sum borrowed, together with the Rate of Interest to be paid thereon, shall be entered in a Book to be kept by the Clerk to the said Company, for which he shall be paid Two Shillings and Sixpence and no more; and the Person or Persons to whom any Mortgage shall have been made under the Authority of the said Acts hereby repealed, or any of them, or of this Act, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his, her, or their Right or Interest therein to any Person or Persons whomsoever, by Writing under his, her, or their Hand and Seal or Hands and Seals, in the Form or to the Effect following; (that is to say,)

‘ I

Form of  
Transfer of  
Mortgages.

‘ I of in  
‘ consideration of the Sum of paid by  
‘ of  
‘ do hereby transfer to the said  
‘ his Executors, Administrators, and Assigns, a certain Mortgage made  
‘ by the Company of Proprietors of the *Oxford* Canal Navigation to  
‘ bearing Date the Day of  
‘ for securing the Sum of and all Interest now due and  
‘ to become due thereon, and all my Right and Property therein. Dated  
‘ this Day of .’

Memorial of  
Transfers to  
be kept by  
the Clerk.

or may use any other legal or valid Form of Transfer for the Purpose aforesaid; and every such Transfer shall, within Twenty-eight Days after the Date thereof, be produced to the Clerk to the said Company, who shall cause a Memorial to be made thereof in a Book to be kept as aforesaid, for which such Clerk shall be paid Two Shillings and Sixpence and no more; and every such Entry made of such Transfer shall from thenceforth entitle such Assignee or Assignees, his or their Executors, Administrators, Assigns, or Successors, to the full Benefit of the original Mortgage, and it shall not from thenceforth be in the Power of any Person or Persons who shall have made any such Transfer to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof: Provided always, that no Person to whom any such Mortgage shall be made or transferred as aforesaid shall be capable of acting or voting by virtue thereof, either as a Principal or Proxy, at any General Assembly of the said Company.

Interest of  
Money bor-  
rowed to be  
paid in pre-  
ference to  
Dividends.

CXXXIX. And be it further enacted, That the Interest of the Money raised and now due under the Authority of the said Acts hereby repealed, or any of them, and to be raised by virtue of this Act, on Mortgage as aforesaid, shall be paid half-yearly to the several Persons entitled thereto, in preference to any Dividends payable by virtue of this Act to the several Proprietors of Shares in the Capital or Joint Stock of the said Company hereby established, and shall from Time to Time be fully paid and discharged or provided for before the yearly or other Dividends to the said Proprietors, or any of them, shall be paid, made, or provided; and in case the said Interest, or any Part thereof, shall be behind and unpaid by the Space of Twenty-one Days next after the same shall become due and payable as aforesaid, and the same shall not be paid within Seven Days next after Demand thereof shall have been made from the said Company, or left at the Office of the said Company, then it shall be lawful for any Two or more Justices of the Peace acting in and for any of the said Counties of *Oxford*, *Warwick*, or *Northampton*, or the County of the City of *Coventry*, and they are hereby required, on Request to them made by or on behalf of any Creditor whose Interest shall be so in arrear, by an Order under their Hands, to appoint some Person or Persons to receive the Whole or such Part or Parts of the said Rates as shall be requisite to pay the Interest so due and unpaid as aforesaid; and the Money to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of the Person or Persons to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the said Rates, shall be fully satisfied and paid; and after such Interest and Costs shall be paid and satisfied,



the Power and Authority of such Receiver and Receivers for the Purpose aforesaid shall cease and determine; and the Balance, if any, of the Monies received by him or them shall be paid to the said Company, or as they shall direct; or the Interest so due and unpaid as aforesaid shall or may be sued for and recovered, with Costs, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

CXL. And be it further enacted, That in case the said Company hereby established shall receive the Whole or any Part of the said Sum of One hundred and thirty-one thousand eight hundred and seventy-seven Pounds, and shall afterwards be required or be desirous to pay off and shall pay off all or any Part of the Principal Sum or Sums secured by such Mortgages, or any of them, then and in every such Case it shall and may be lawful for the said Company, and they are hereby authorized and empowered, again to raise, in lieu of the Principal Money or Principal Monies so paid or to be paid off by them, so much and such Sum or Sums of Money as they shall from Time to Time have paid off, or be required or be desirous to pay off, to the Holders of the said Mortgages or any of them, or any Part or Parts thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event have due upon Mortgage more than the said Sum of One hundred and thirty-one thousand eight hundred and seventy-seven Pounds in the whole at any one Time, over and above the Sum now due on Mortgage of the said Canal.

If any Mortgage is paid off, Power to raise the Amount by fresh Mortgages.

CXLI. And be it further enacted, That the Capital of the said Company hereby established shall be considered as consisting of the Sum of One hundred and seventy-eight thousand six hundred and forty-eight Pounds, and as divided into One thousand seven hundred and eighty-six Shares of One hundred Pounds each, and Forty-eight One Hundredths of a Share; and the said Shares and Parts of a Share are hereby respectively vested in the several Persons, and Bodies Politic, Corporate, and Collegiate, who, at the Time of the passing of this Act, were Proprietors of Shares and Portions of Shares in the Joint Stock or Fund of the Company established by the said recited Acts hereby repealed, according to their respective Interests therein at the Time of the passing of this Act, and shall be and are hereby vested in them respectively for the Benefit of the same Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, and upon the same Trusts, for the same Intents and Purposes, and with, under, and subject to the same Powers and Provisions respectively, as the Shares and Portions of Shares so held by them respectively in the Capital of the said last-mentioned Company; and all Bodies Politic, Corporate, and Collegiate, and all other Persons, who shall be in the Possession of or entitled to One or more Share or Shares or any Portion of a Share in the Capital of the said Company hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be entitled to, and shall, subject to such Reservation as herein-after mentioned, receive, at such Times as the General Committee of the said Company shall direct or appoint, the entire and net Distribution of a proportionable Part of the net Profits and Advantages that shall or may arise or accrue by the Rates, Tolls, and Duties, and other Sum and Sums of Money, to be raised, recovered, or received by the said Company by the Authority of this or any other Act, according to the Number of Shares so by them respectively

Capital of the Company, and Number of Shares.

[*Local.*]

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tively possessed, and so in proportion for more or less than a Share; and every Body Politic, Corporate, or Collegiate, Person or Persons, having or possessing such Share or Shares, or any Portion of a Share, shall be liable to pay and bear, in like Manner, according to his, her, or their Interest in the said Capital, a proportionate Sum towards maintaining the said Canal and Works already made, or so much thereof as is hereby authorized or directed to be maintained, and making and maintaining the said new Cuts or Canals and other Works hereby authorized to be made and maintained.

Declaration  
of Dividends.

CXLII. And be it further enacted, That the General Committee, when and so often as a sufficient Sum for the Purpose shall, in their Opinion, have been raised by the net Profits and Gains of the Company, shall declare a Dividend out of such Profits upon the Capital of the Company, and shall cause such Dividend to be paid to the several Proprietors at such Time and Place as the said Committee shall think proper: Provided always, that the said Committee shall not at any Time be bound to declare such a Dividend as will exhaust the whole of the Profits for the Time being made by the Company, but may, in declaring any Dividend, retain such a Sum of Money as they may think proper, in order to provide for any casual or extraordinary Expences to which the Company may be liable.

Shares to be  
Personal  
Estate.

CXLIII. And be it further enacted, That the Shares and Portions of Shares in the Capital of the said Company hereby established shall be deemed Personal Estate, and be transmissible as such, and not of the Nature of Real Property.

Votes at  
General  
Meetings  
may be given  
in Person or  
by Proxy.

CXLIV. And be it further enacted, That all Bodies Politic, Corporate, or Collegiate, and other Persons, who shall be for the Time being in the actual Possession of One or more Share or Shares in the Capital of the said Company hereby established, shall be deemed Proprietors of such Shares respectively; and every Proprietor of One or more Share or Shares shall have One Vote in respect of each such Share up to Twenty in the stated and special General Meetings of the Company to be held as herein-after appointed, but no Proprietor shall be entitled to more than Twenty Votes, whatever may be the Number of his or her Shares; and Votes may be given at the said General Meetings by the Proprietors either in Person or by Proxy duly constituted by some Writing under the Hand or Hands of the Person or Persons appointing the same, or if appointed by a Corporation, under their Common Seal, every such Proxy being a Proprietor of a Share or Shares in the said Capital; and every such Vote by Proxy shall be as good and valid, to all Intents and Purposes, as if the Proprietor constituting the same had voted in Person; and all Appointments of Proxies for the Purpose of voting at any General Meeting to be held under the said Acts hereby repealed shall, until the same shall respectively be revoked, remain in force for the Purpose of enabling the Proxies to vote at the General Meetings to be held under this Act, as fully and effectually as if the Proprietors appointing the same respectively had appointed the same under the Powers of this Act; provided nevertheless, that no Person shall act as Proxy for more than Five absent Proprietors; and every Election of Committees and Officers, and every Question, Matter, and Thing whatsoever which shall



General Meetings when and where to be held.

CXLVIII. And be it further enacted, That the First General Meeting of the said Company hereby established shall be held at the Office of the said *Oxford* Canal in the City of *Oxford* on the First *Wednesday* after the Expiration of Fourteen Days from the Time of the passing of this Act, between the Hours of Twelve and Two, of which Meeting the Committee of the said Company shall give Seven Days Notice at the least by public Advertisement in some Newspaper published within the County of *Oxford*; and half-yearly General Meetings of the said Company shall be held at the said City of *Oxford*, or at such other Place within Six Miles of some Part of the said Canal already made, or the Cuts or Canals to be made as aforesaid, as the General Committee of the said Company shall from Time to Time direct, on the *Wednesday* next before the First Day of *May* and the *Wednesday* next before the First Day of *November* in every Year, at or before the Hour of Twelve of the Clock at Noon; and any other General Meetings may be held at such Times and Places as shall be appointed at any General Meeting; but of all General Meetings not held on one of the aforesaid Days (except Meetings by Adjournment) Seven Days Notice shall be given by public Advertisement as herein-before mentioned; and the like Notice shall from Time to Time be given, whenever any Meeting herein-before directed to be held on one of the before-mentioned Days is intended to be held at any other Place than the City of *Oxford*, of the Place at which it will be held; and all the aforesaid Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient.

General Committee may alter the Time and Place of holding any General Meeting.

CXLIX. Provided always, and be it further enacted, That it shall be lawful for the General Committee appointed or to be appointed under and by virtue of this Act, in case they shall deem it expedient so to do, to alter the Day and Place which may have been appointed at any General Meeting of the said Company for their next General Meeting, and to appoint such other Day and Place for holding such next General Meeting as the said Committee shall judge most proper and convenient, on causing Notice to be inserted in some Newspaper or Newspapers usually circulated in the respective Counties of *Oxford*, *Northampton*, and *Warwick*, and the County of the City of *Coventry*, Fourteen Days at the least previously as well to the original Time appointed as also to the altered Time so appointed for the holding of such General Meeting, specifying in such Notice the Day and Place of holding the same.

Chairman of General Meetings to be appointed.

CL. And be it further enacted, That the said Company hereby established at each of their General Meetings shall and may appoint some Proprietor present to be Chairman, and such Chairman shall, in addition to his Vote or Votes as a Proprietor or Proxy, have, in case of an Equality of Votes, the decisive or casting Vote.

General Committees to be appointed.

CLI. And be it further enacted, That the said Company hereby established shall at their First General Meeting, and thereafter, at their General Meetings, when necessary, or when they shall think proper, choose and elect Twenty-one Persons, each of them being a Proprietor at the Time of such Election of Five Shares at least in the Capital of the Company, as a General Committee to manage the Affairs of the said Company as herein directed, Five of whom shall at all Meetings of the said Committee be a Quorum.

CLII. And

CLII. And be it further enacted, That every Person who shall hold any Place of Profit under or any Contract with the said Company hereby established, or be in any Manner interested or concerned directly or indirectly in any such Contract, (otherwise than as a Proprietor of a Share or Shares in the Capital of the said Company,) or in supplying any Articles or Materials for the Use of the said Company, unless gratuitously, shall cease to be a Member of the said Committee of Management during the Time that he shall hold the same or be so interested or concerned; and in case any Person holding any Place of Profit under or any Contract with the said Company, or being in any Manner interested or concerned as aforesaid, shall vote or attempt to vote at any such Meeting of the said Committee of Management, then and in every such Case every Person so offending shall forfeit and pay for every such Offence the Sum of Fifty Pounds, together with full Costs of Suit, to any Person who shall sue for the same, to be recovered, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and one Moiety of such Penalty when recovered shall be paid to the Person or Persons who shall sue for the same, and the other Moiety shall be paid to the said Company, to be applied to the Purposes of this Act.

Persons holding any Place of Profit or Contract not to vote in Committee.

CLIII. And be it further enacted, That the said Company hereby established shall have Power and Authority from Time to Time, at any General Meeting, to make such Rules, Bye Laws, and Orders as to them shall seem right and proper, for the good Government of the said Company, their Agents and Servants, and for making, maintaining, using, and managing the said Canal already made, and the said Cuts and Canals to be made as aforesaid, and all Works belonging or to belong thereto, in all respects whatever; and from Time to Time to alter and repeal the said Bye Laws, Orders, and Regulations, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the major Part of such General Meetings shall seem meet, not exceeding the Sum of Five Pounds for any such Offence, such Fines and Forfeitures to be levied and recovered by such Ways and Means as herein-after mentioned; which said Bye Laws, being reduced into Writing under the Common Seal of the said Company, and printed and painted and published on Boards, shall be hung up and affixed and continued upon the Front of the several Toll Houses erected and to be erected on the Line of the said Canal, Cuts and Canals, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated, defaced, or destroyed; and such Rules, Orders, and Bye Laws shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided they be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any Directions in this Act contained; and all such Rules, Bye Laws, and Orders shall be subject to Appeal in manner herein-after mentioned.

General Meetings may make Bye Laws, &c.

CLIV. Provided always, and be it further enacted, That in the meantime, from and after the passing of this Act until such Rules, Orders, and

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Present Bye Laws to remain in force. Bye

till new ones  
made.

Bye Laws shall be made as aforesaid, all Rules, Orders, and Bye Laws made under the Authority and according to the Directions of the said recited Acts hereby repealed, or any of them, or with reference to the said *Oxford* Canal, or the Locks, Aqueducts, or other Works belonging thereto respectively, and which were in force immediately before the passing of this Act, shall continue and be in full Force and Effect with regard to the same Canal in such and the like Manner as if this Act had not passed.

General  
Meetings  
may audit  
Accounts.

CLV. And be it further enacted, That every such General Meeting as aforesaid shall have Power to call for, audit, and settle all Accounts for Money received, laid out, and disbursed on account of the said Undertaking by the Treasurers, Receivers, or Collectors of the Rates, and other Officers by them appointed, or by any other Person or Persons employed by or concerned for or under them in and about the said Canal, Cuts or Canals, and the Works belonging or to belong thereto.

General  
Meetings to  
consist of  
Proprietors  
entitled to  
500 Shares.

CLVI. Provided always, and be it further enacted, That if at any General Meeting there shall not be Persons present, in Person or by Proxy, who shall be possessed of or entitled to at least Five hundred Shares in the Capital of the said Company hereby established, within Two Hours from the Time appointed for such Meeting, no Choice of a Committee shall be made, nor shall any Business be done or transacted at that Time, but in such Case there shall be another Meeting of the said Company, at the same Place, at the Expiration of Fourteen Days, and if a sufficient Number of Proprietors shall not then attend, the said General Meeting shall stand adjourned to that Day in the Month next following, and so from Time to Time, as often as the same shall occur, until at any such Meeting there shall be a sufficient Number of Proprietors present as aforesaid, when the Meeting shall proceed to Business, and not before; and any Committee before appointed shall continue to act, and have the same Powers as they had and were possessed of, until a new Committee shall be appointed as aforesaid; and in case of Failure of assembling a sufficient Number of Proprietors at such First General Meeting as aforesaid, every Proprietor who shall not attend such Second Meeting shall forfeit to the said Company, for every Share which he, she, or they shall possess in the Capital of the said Company, the Sum of Ten Shillings, unless such Proprietor shall have a sufficient Excuse for his or her Non-attendance as aforesaid, to be judged of by the Chairman of such Meeting, such Sum of Ten Shillings to be deducted out of his or her next succeeding Payment of Dividends; and in case no Dividends shall be payable to such Person or Persons making Default as aforesaid within Six Calendar Months next after the making of such Default, then the Payment of the said Forfeiture of Ten Shillings may be recovered and enforced by the Ways and Means herein-after appointed for the Recovery of any other of the Penalties or Forfeitures imposed by this Act.

General  
Meeting may  
be called by  
the Com-  
mittee, or by  
Proprietors  
holding 100  
Shares.

CLVII. And be it further enacted, That the General Committee of the said Company may at any Time call a Special General Meeting of the Proprietors by Advertisements to be inserted at least Fourteen Days before the Day appointed for holding such Meeting in any Newspaper or Newspapers usually circulated in the Counties of *Oxford*, *Northampton*,  
and

and *Warwick*, and the County of the City of *Coventry*, specifying the Day and Place on and at which such Meeting is to be held, and the Objects for which it is called; and any Five or more Proprietors, holding in the aggregate One hundred Shares or upwards in the Capital of the said Company, may at any Time, by Writing under their Hands left at the Office of the said Company, or given to any Member of the Committee of the said Company, or left at their last or usual Place of Abode, require the said Committee to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Committee to call such Meeting for the Space of Twenty-one Days after such Notice given as aforesaid, the same may be called by such Proprietors, by giving Ten Days Notice thereof in some Newspaper or Newspapers usually circulated in the said Counties of *Oxford*, *Northampton*, and *Warwick*, and the County of the City of *Coventry* respectively, specifying in such Notice the Day and Place of Meeting, and the Objects for which it is called; and the said Company are hereby authorized to meet in pursuance of such Notice; and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company, with respect to the Matters specified in such Notice, as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

CLVIII. And be it further enacted, That no Business shall be transacted at any Special General Meeting, other than the Business for which it shall have been called, and no other Business shall be transacted at an adjourned Special or General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

Business at  
Special and  
adjourned  
General  
Meetings.

CLIX. And be it further enacted, That it shall be lawful for the said Company hereby established, at any General Meeting or at any Adjournment thereof, to nominate and appoint a Treasurer or Treasurers and also a Clerk to the said Company, and such other Officers as they shall think proper, with such Salaries or Salary or Remuneration as shall to the said Company seem proper; and the said Company shall take sufficient Security from every Treasurer, Receiver, Collector, and other Officer having the Care or Custody of any Money to be raised or received by virtue of this Act, for the due Execution of their respective Offices, as the said Company shall think proper; and the said Company are hereby authorized from Time to Time, at any General Meeting or any Adjournment thereof, to remove any such Treasurer or Treasurers, Clerk, Receiver, Collector, or other Officer, or any of them, and to elect others or another in their or his Stead or Room; and such Clerk shall attend the General Meetings of the said Company and the Meetings of the said Committee.

General  
Meetings to  
appoint  
Officers.

Security.

CLX. Provided always, and be it further enacted, That it shall not be lawful for the said Company hereby established to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or any Clerk of or other Person in the Service or Employ of any such Clerk or of the Partner of such Clerk, to be the Treasurer or One of the Treasurers for the Purposes of this Act,

Same Person  
not to be  
Clerk and  
Treasurer.

Act, or to appoint the Person who may be appointed Treasurer or One of the Treasurers, or the Partner of any such Treasurer, or any Clerk of or other Person in the Service or Employ of any such Treasurer or of the Partner of any such Treasurer, to be the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer or One of the Treasurers for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, shall act as a Treasurer or One of the Treasurers, or as Deputy of any such Treasurer, or in any Manner officiate for any such Treasurer, or being the Partner of any such Treasurer, or the Clerk of or other Person in the Service or Employ of any such Treasurer or of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer or One of the Treasurers, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers to  
account.

CLXI. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the General Committee of the said Company hereby established, or any Person on their Behalf, make out and deliver to the said Committee, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under his or her Hand of all Monies which shall have been by him or her had, collected, or received for or on behalf of the said Company, and how, and to whom, and for what Purpose the same and every Part thereof hath or have been disposed of, together with his or her Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to such Person or Persons as the said Committee shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Committee, or such Person or Persons as they shall appoint, within Seven Days after being thereunto required by the said Committee or such other Person or Persons as last mentioned, all Books, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Company, or any Person on their Behalf, to any Justice of the Peace for the County within which such Officer or Person shall be or reside, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing or not being to be found to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Committee might have done; and if upon the Confession of the Officer  
or



or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, on Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if such Officer or Person appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and is hereby authorized and required, by Warrant under his Hand, to commit such Officer or Person to the Common Gaol or House of Correction of such County, there to remain, without Bail or Mainprize, until he or she shall have delivered up the Vouchers and Receipts relating to such Accounts, and shall have paid all the Money which shall be in the Hands of or owing from him or her, and the reasonable Charge of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Company for such Money and Charges, and paid the Composition Money to the said Company, (and which Composition the Committee of the said Company are hereby empowered to make,) and shall have delivered up all such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Company: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

CLXII. And be it further enacted, That the said General Committee shall meet at such Times and in such Places, and from Time to Time adjourn themselves to such other Time and Place, as they shall think fit; and at all Meetings of the said Committee One of the Members present shall be appointed Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered at such Meetings, shall be finally determined by the Majority of Votes then present, the whole Number present not being in any Case less than Five; and such Committee shall have full Power and Authority to direct and manage all and every the Affairs of the said Company hereby established, as well in contracting for and purchasing Lands, Messuages, Tenements, or other Hereditaments and Materials for the Use of the said Undertaking, as in employing, ordering, and directing the Works and Workmen, and in placing and displacing Officers, Clerks, Servants, Agents, and Workmen, (except the Treasurer or Treasurers and Clerk herein-before directed to be appointed by a General Meeting of the said Company,) and in making all Contracts and Bargains touching the said Undertaking; and no Member of the said Committee (although he may be a Proprietor of many Shares in the said Undertaking) shall have more than One Vote in any Committee, except the Chairman of such Meeting, who, in case of an equal Division, shall always have a Second or casting Vote, although he may have given One

Powers and  
Duties of  
Committee.

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Vote

Vote before ; and no Person holding any Place, Office, or Employment, or being concerned or interested in any Contract or Contracts, under the said Company, shall be capable of being chosen to serve on any such Committee during the Time of his Continuance in such Place, Office, or Employment ; and the said Committee shall, by themselves, or their Clerk or Clerks, Agent or Agents, keep a full and true Account of all Monies disbursed and Payments made by the said Committee, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive, on behalf of the said Company, from any Collector or Collectors of the said Rates, or other Officer or Officers, or from any other Person or Persons whomsoever employed by or on behalf of, or having any Concerns, Dealings, or Transactions with, the said Company, and shall regularly, by themselves, or their Clerk or Clerks, Agent or Agents, write, insert, and enter, in a Book or Books to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies, as the Case shall require, of every such Contract, Bargain, Receipt, and Disbursement, which Book or Books shall be deposited with and kept locked up under the Care and Direction of the said Committee : Provided always, that the said Committee shall at all Times, upon the Requisition in that Behalf of any Five or more of the Proprietors holding in their own Right in the aggregate not less than Fifty Shares in the Capital or Joint Stock of the said Company, direct any of such Proprietors making such Requisition to have free Access to such Book or Books, at seasonable and convenient Hours, for his or their Inspection, without paying any thing for the same.

Committees to be under Controul of the General Meetings.

CLXIII. And be it further enacted, That such Committee shall keep a regular Minute or Entry of their Proceedings, and from Time to Time make Reports to and be subject to the Controul of the General Meetings of the said Proprietors, and shall pay due Obedience to all such Orders and Directions in and about the Premises as shall from Time to Time be made by the said Proprietors at any such General Meeting, such Orders and Directions not being contrary to any express Directions or Provisions in this Act contained.

How long to remain in Office.

CLXIV. And be it further enacted, That each Member of the General Committee shall remain in Office till Death or Resignation, or until he shall be removed by a General Meeting.

General Committee may appoint Sub-Committees.

CLXV. And be it further enacted, That it shall be lawful for the said Committee to nominate and appoint out of their own Body a Sub-Committee or Sub-Committees, (every such Sub-Committee to consist of Three or more Members of the General Committee,) who shall have full Power and Authority to enter into and make any such Contracts or Agreements as aforesaid on behalf of the said Company hereby established, and to hire and employ any Agents, Workmen, or Servants in or about the said Undertaking, and to do, execute, and perform all other Matters and Things whatsoever in or about the said Undertaking, which the said Committee are themselves herein-before authorized to do, or such of them as the said Committee shall think proper to entrust to the Care and Management of any such Sub-Committee ; and it shall be lawful for the said Committee, by an Order or Resolution for that Purpose, to

break up and dissolve any such Sub-Committee, or to remove and displace any Member thereof, and to appoint some other in his Place and Stead, when and so often as such Committee 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 for which they shall have been so appointed ; and all Powers and Authorities hereby vested or which shall by the said Committee 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 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, although he may have given One Vote before.

CLXVI. And be it further enacted, That in case any Treasurer or Clerk of the said Company hereby established shall die, or be removed from or quit the Service of the said Company, it shall be lawful for the said Company at any General Meeting, or for the Committee of the said Company, to appoint any other fit and proper Person or Persons to execute such Office or Offices, in the Place of the Person or Persons who shall so die, or be removed from or quit the Service of the said Company ; and in case any such new Appointment shall be made by the said Committee, the same shall only continue until the next General Meeting of the said Proprietors, when the Appointment of such Person or Persons to such respective Office or Offices shall either be confirmed, or such other fit Person or Persons appointed to succeed to such Office or Offices as the Proprietors at such General Meeting shall think proper.

Committee  
or General  
Meeting  
may appoint  
temporary  
Treasurer or  
Clerk.

CLXVII. And be it further enacted, That the Orders and Proceedings of every General Meeting of the said Company, and of every Meeting of the General Committee, shall be entered in a Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of each respective Meeting ; and such Orders and Proceedings, when so entered and signed, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

Minutes of  
Orders and  
Proceedings  
to be kept,  
and to be  
Evidence.

CLXVIII. Provided always, and be it further enacted, That the Notices hereby directed to be given of any General Meeting of Proprietors shall, in Cases not otherwise provided for, be signed by the Chairman of the Committee of the said Company hereby established, or by the Clerk of the said Company, and shall be given by Advertisement to be inserted in some Newspaper usually printed or circulated in the County of *Oxford*.

Notices of  
General  
Meetings.

CLXIX. And whereas by the Marriage or Death of Proprietors of Shares in the Capital of the said Company, it may be difficult to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid or may belong ; be it therefore enacted, That before any Person or Persons who shall claim any Part of the Profits of the said Company

Regulations  
as to Acqui-  
sition of  
Shares on  
Deaths and  
Marriages of  
Proprietors.

Company of Proprietors hereby established, in Right of Marriage, shall be entitled to receive the same, or to vote in respect of any Share or Shares, an Affidavit, or, in case of a Person being of the Society called *Quakers*, a solemn Affirmation, in Writing, containing a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, shall be made and sworn to, or solemnly affirmed, by some credible Person, before a Master or a Master Extraordinary in Chancery, or some Justice of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers or Sales of Shares; and before any Person or Persons who shall claim any Part of the Profits of the said Undertaking, by virtue of any Bequest or Will, or of any Administration, shall be entitled to receive the same, or to vote in respect of any Share or Shares, the Probate of the said Will, or the Letters of Administration, shall be produced and shewn to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator, or a Copy of such Letters of Administration, in case of Intestacy, shall be made and sworn or solemnly affirmed to by the Executor or Executors or Administrator or Administrators, before a Master or a Master Extraordinary in Chancery, or any of His Majesty's Justices of the Peace, and shall also be transmitted to the said Clerk; and in case of a Will, the said Affidavit or Affirmation shall state in what Court, when, and by whom the same was proved, and the said Clerk shall file all such Affidavits or Affirmations, and enter the same as herein-before mentioned; and in all Cases other than herein-before mentioned, when the Right and Property of any Share or Shares in the Capital of the said Company shall pass from the Proprietor or Proprietors thereof to any other Person or Persons, by any other legal Means than by a Transfer thereof as herein directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn or solemnly affirmed to by some credible Person or Persons, before a Master or a Master Extraordinary in Chancery, or any of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors of the said Undertaking.

Trustees of  
Shares to  
have Power  
of giving  
Receipts,  
&c.

CLXX. And be it further enacted, That in all Cases where any Share or Shares in the Capital of the Company shall be held by any Person or Persons in Trust for any other Person or Persons, or for himself, herself, or themselves jointly with any other Person or Persons, the Receipt of such Trustee or Trustees, his, her, or their Executors, Administrators, or Assigns, shall, notwithstanding any equitable Claim or Demand whatsoever of any Person or Persons beneficially entitled to such Share or Shares, or to any Interest therein, be a good and sufficient Discharge for the Money which may become payable under the Provisions of this Act for or in respect of such Share or Shares, and shall discharge the Company from all Obligation of seeing to its Application, or being answerable for its Misapplication; and the Trustee or Trustees, his, her, or their Heirs, Executors, and Administrators, shall be liable to all Claims and Demands whatsoever in respect of such Share or Shares; and such Trustee or

or Trustees shall, for the Purpose of attending and voting at the General Meetings, and for all other the Purposes of this Act, be considered as the Proprietor or Proprietors of such Share or Shares, for his or their own absolute Benefit.

CLXXI. And be it further enacted, That in all Cases where Money shall be payable under the Provisions of this Act to any Proprietor who shall be a Minor, the Receipt of the Father, or of the Guardians or any one of the Guardians for the Time being, of such Minor, shall be a sufficient Discharge to the said Company and their Treasurer for the same. Receipts of the Guardians of Minors to be sufficient Discharges.

CLXXII. And be it further enacted, That it shall be lawful for the several Proprietors for the Time being of Shares in the Capital of the said Company to sell and dispose of the same respectively, subject to the Rules and Conditions herein mentioned and provided; and every such Transfer shall be in the following Form, or in some Form to the like Effect: Shares may be sold.

‘ I *A. B.* of \_\_\_\_\_ in consideration of \_\_\_\_\_ Form of Transfer.  
 ‘ paid to me by *C. D.* of \_\_\_\_\_ do hereby bargain, sell, assign,  
 ‘ and transfer to the said *C. D.* \_\_\_\_\_ Share [or Shares] in the  
 ‘ *Oxford Canal Navigation*, to hold the same unto the said *C. D.*, his [or  
 ‘ her] Executors, Administrators, and Assigns. As witness my Hand and  
 ‘ Seal the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our  
 ‘ Lord \_\_\_\_\_’

And on every such Transfer the Deed by which the same shall be effected shall, after the Execution thereof by the Party making the Transfer, be produced to the Clerk to the said Company, who shall enter, in a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer, and indorse a Memorandum of such Entry on the Deed of Transfer, for which Memorial and Indorsement there shall be paid to the Clerk the Sum of Two Shillings and Sixpence for each Share transferred, and no more; and the said Clerk is hereby required to make such Entry and Indorsement accordingly; and until such Memorial shall have been made and entered as above directed, the Party to whom the Transfer shall be made shall not be entitled to receive any Dividend in respect of the Share or Shares so transferred, or to vote in respect thereof at any General Meeting.

CLXXIII. And whereas it is expedient that a Fund should be raised from Time to Time as a Resource and Provision for defraying any extraordinary Expences for Repairs or Improvements of the said Canal, Cuts, Canals, and other Works, without rendering any sudden Reduction of the Dividends, or the Public Trade of the Country being impeded by Delay in effecting such Repairs and Improvements, from the said Company being in want of sufficient Funds for the Purpose; be it therefore further enacted, That if the said Company hereby established, or their General Committee for the Time being, shall deem it expedient, after the Debt charged upon the said Canal shall be discharged, to invest any of the Monies to be received by the said Company in the Public Funds or in Exchequer Bills for the Purposes aforesaid, then and in every such Case it shall be lawful for any General Meeting of the said Company to authorize and empower their General Committee for the Time being to invest any Part of such Monies in the Public Funds or in Exchequer Bills, in Power to create a reserved Fund for Repairs.

[Local.]

the Names of Trustees to be nominated from Time to Time by the said General Committee, so as that the Money so to be laid out and invested do not in any one Year exceed a Sum equal to One Tenth Part of the total Amount of Dividends made to the Proprietors in the Year precedent thereto; and the Interest and Dividends of the said Public Securities, and of any further Securities to be purchased as herein-after mentioned, may from Time to Time, at the Discretion of the said General Committee, be either invested in the Purchase of other like Public Securities, in the Name or Names of the same or any other Trustee or Trustees, so as to form an accumulating Fund, or applied in increasing the Dividends made to the Proprietors; and the Securities so purchased shall be held as a reserved Fund for the Purposes aforesaid, so long and to such an Extent as the said General Committee shall think it necessary or proper to keep a reserved Fund for those Purposes, and subject thereto shall be held in Trust for the said Company, and to be divided amongst the Proprietors at such Time or Times as the said General Committee shall think proper; provided always, that such Fund shall not at any Time exceed the Amount of Thirty thousand Pounds.

Company  
may contract  
for making  
and maintain-  
ing Works.

CLXXIV. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized to contract and agree with any Person or Persons for making the said Cuts, Canals, and Works hereby authorized to be made, or any Part or Parts thereof, or for repairing, maintaining, and supporting the said Canal already made, and the said Cuts, Canals, and other Works hereby authorized to be made, or any Part or Parts thereof, or any Works hereby authorized to be maintained and supported by the said Company, in such Manner and upon such Terms as the General Committee of the said Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid, made by the said General Committee or by their Authority, shall be binding upon the said Company, and all other the Parties thereto, and their respective Successors, Heirs, Executors, and Administrators; and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the said Company, or either of the Parties failing in the Execution thereof.

Collectors  
and others to  
deliver up  
Possession of  
Houses, &c.  
when dis-  
charged.

CLXXV. And be it further enacted, That if any Toll Collector, Wharfinger, Lock Keeper, Workman, or Labourer of the said Company, occupying any House, Offices, Buildings, or Land belonging to the said Company, without paying Rent for the same, shall be discharged from his Office, and shall not deliver up the Possession of such House, Offices, Buildings, or Land, with the Appurtenances, together with the Books, Papers, and other Matters and Things belonging to the said Company in his Custody, Power, or Possession, within Fourteen Days next after Notice of such Discharge shall be given to him, or left at such House, Offices, or Buildings; or if the Wife or Family of any such Toll Collector, Wharfinger, Lock Keeper, Workman, or Labourer, who shall happen to die whilst in the Service of the said Company, shall refuse to deliver up the Possession of such House, Offices, Buildings, or Land, with the Appurtenances as aforesaid, together with the Books, Papers, and other Matters and Things belonging to the said Company in his, her, or their Custody, Power, or Possession, within Fourteen Days after another Person shall have been appointed in the Place and Stead of the Person so  
dying;

dying ; then and in either of the said Cases it shall be lawful for any Justice of the Peace, and he is hereby required, by Warrant under his Hand and Seal, to order the Constable or other Peace Officer, or such other Person as shall be specially named by him, with such Assistance as shall be necessary, to enter such House, Offices, Buildings, or Land, in the Day-time, and to remove the Persons who shall be found therein, together with their Goods and Chattels, out of such House, Offices, Buildings, or Land, and to take possession of all the Books, Papers, Matters, and Things belonging to the said Company which shall be found therein, and to deliver Possession of such House, Offices, Buildings, or Land, together with the Books, Papers, Matters and Things found therein, belonging to the said Company, to the new appointed Toll Collector, Wharfinger, Lock Keeper, Workman, or Labourer, or to such other Person or Persons as shall be appointed by or on behalf of the said Company to receive the same.

CLXXVI. And be it further enacted, That the Lord and Lords or Owner and Owners of all and every Manor and Manors through which the said Canal already made, and the said Cuts or Canals hereby authorized to be made, shall pass, shall have and be entitled to the sole, several, and exclusive Right of Fishery of and in so much of the said Canal, Cuts, and Canals as shall pass over, upon, or through the Common or Waste Lands within his, her, or their Manor or Manors respectively, and also in, over, through, or upon any other Lands or Grounds lying within such Manor or Manors, where such Lord or Lords, 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 the Owner or Owners of all other Lands or Grounds through which the said Canal, Cuts or Canals, shall pass, shall also have and be entitled to the like sole, several, and exclusive Right of Fishery of and in so much of the said Canal, Cuts or Canals, as shall pass in, over, through, or upon his, her, or their Lands or Grounds respectively, so as in the Use and Exercise of the said Right of Fishery no Prejudice be done to the said Canal, Cuts or Canals, that the Navigation thereof be not interrupted, nor any Water drained or exhausted from or out of the said Canal, Cuts or Canals, and so that the said Company of Proprietors hereby established, 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 Fish in the said Canal, Cuts or Canals, which shall be taken, killed, or destroyed through or by means of the letting off the Water out of the said Canal, Cuts or Canals, or by using the same for or upon account of any Repairs or Works in or about the same, or for any Purpose authorized by this Act.

Right of Fishery in the Canal reserved to the Lords of Manors, &c. through which the same passes.

CLXXVII. And be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands or Grounds lying adjoining or near to the said Canal already made, or the Cuts or Canals to be made as aforesaid, or any other Person whomsoever, to cut or make, either upon their own Lands or upon the Lands of other Persons, with the Consent of such other Persons, any Branch or Branches from their respective Lands or Grounds to communicate with such Canal, Cuts or Canals, and to make, at their own Expence, such Openings in the Sides of such Canal, Cuts or Canals,

Branch Cuts may be made by Owners of adjoining Lands.

Canals, as may be necessary and convenient for effecting such Communication, so that such Cut or Cuts be made without diverting any Streams of Water used for supplying the said Canal, Cuts or Canals, or which are or shall be necessary for the working of any Furnaces, Forges, Mills, or Works, and so as no Impediment, Injury, Loss of Water, or Damage be occasioned thereby to such Canal, Cuts or Canals, and so as the Person or Persons making every such Cut or Cuts, if thereunto required by the said Company, make, erect, and maintain a sufficient and effectual Stop Gate or sufficient and effectual Stop Gates on every such Cut or Cuts, to the Satisfaction of the Engineer of the said Company, and keep the same at all Times in good Repair and Condition, in order to prevent the Water being drained or wasted out of such Canal, Cuts or Canals, or any Part thereof, by means of such Cut or Cuts; and the said Company shall not receive any Tonnage for the passing of any Goods or other Things along such Branch or Branches, in case the same shall be made by any such Owner or Occupier, or Person or Persons as aforesaid.

Recovery and  
Application  
of Penalties.

CLXXVIII. And be it further enacted, That all Penalties and Forfeitures for the Offences in this Act mentioned, or imposed by any Rule, Order, or Bye Law made in pursuance hereof, in relation to which the Manner of convicting the Offenders is not particularly directed, shall be adjudged by and recovered before any Justice or Justices of the Peace for the County or Place in which such Offence may occur, in a summary Way; and such Justice and Justices is and are hereby authorized and empowered to convict the Offender or Offenders, upon Information on the Oath or Affirmation of any credible Person, or on the Confession of the Party offending (which Oath or Affirmation such Justice and Justices is and are hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice or Justices, rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and all such Penalties and Forfeitures, when recovered, where the Application is not otherwise directed by this Act, shall be paid to the Treasurer or One of the Treasurers of the said Company hereby established, for the Use and Benefit of the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, One Half to the Informer and One Half to the Overseers of the Poor of the Parish or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish or Place; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, to order the Offender or Offenders so convicted to be detained and kept in safe Custody until a Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before such Justice or Justices, or before some other Justice or Justices of the Peace for such County or Place, on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Seven Days from the taking of any such Security), and which Security the said Justice or  
Justices



Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, (in either of which last-mentioned Cases such Justice or Justices shall not be required to issue such Warrant of Distress,) it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by any such Justice as aforesaid, shall be sooner paid and satisfied, or unless such Offender or Offenders shall be otherwise discharged by due Course of Law.

CLXXIX. Provided nevertheless, and be it further enacted, That it shall be lawful for the General Committee of the said Company hereby established, from Time to Time, if they shall think fit, to pay and apply any Part of the Penalties, Forfeitures, and Fines by this Act granted to the said Company, to and for the Use of the Informer or Informers, or other Person or Persons aiding or assisting in the Apprehension of the Offender or Offenders, or any of them.

General Committee may pay Part of the Penalties to Informers.

CLXXX. And be it further enacted, That where any Distress shall be made for any 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 Proceeding 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 Damage in an Action upon the Case.

Provision in case of Irregularity of Distress.

CLXXXI. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors, Surveyors, and other Persons under this Act; be it further enacted, That it shall and may be lawful to and for the said Collectors and Surveyors and other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and convey him, her, or them before some Justice or Justices of the Peace for the County in which such Offence may be committed, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby respectively empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

For securing transient Offenders.

Form of  
Conviction.

CLXXXII. And for the more easy Conviction of Offenders, be it further enacted, That when and so often as any Person shall be convicted before any Justice of the Peace of any Offence against this Act, or against any Bye Law made under any of the Acts hereby repealed, or any Rule, Bye Law, or Order to be made by any General Meeting of the said Company hereby established, under the Authority for that Purpose herein-before given, the Conviction may be drawn up according to the following Form, or any other Form to the same Effect, as the Case shall happen; *videlicet*,

‘ to wit. } **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 County, the Offence, and the  
‘ Time and Place when and where committed, as the Case may be,] contrary  
‘ to an Act passed in the Tenth Year of the Reign of King George the  
‘ Fourth, intituled [here set forth the Title of this Act, or in the Case of  
‘ an Offence against any Order, Rule, or Bye Law, state the Rule, Order,  
‘ or Bye Law, and whether made under the Authority of this Act or any of  
‘ the Acts thereby repealed, with the Title of the Act or Acts.] Given  
‘ under my Hand and Seal the Day and Year first above written.

Penalty on  
Witnesses  
refusing to  
attend or  
give Evi-  
dence.

CLXXXIII. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace, touching any Matter of Fact contained in any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his or her Costs and Charges, without a reasonable Excuse for such Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or, being a Quaker, on solemn Affirmation,) and to give Evidence before such Justice of the Peace, then and in any such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered in like Manner as any Penalty imposed by this Act may be recovered.

Company’s  
Servants not  
incompetent  
Witnesses.

CLXXXIV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the Rates or Duties which the said Company hereby established shall be entitled to receive by virtue of this Act, or respecting any Matter or Thing relating to the said Navigation, no Person acting by or under the Authority of or in the Service of the said Company shall for that Reason alone be in any Manner disqualified or incapacitated from giving Evidence in, upon, and respecting such Dispute, Suit, or Litigation.

Appeal.

CLXXXV. And be it further enacted, That if any Person or Persons, or any Body or Bodies Politic, Corporate, or Collegiate, shall think 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 hereby established, or if the said Company, or any such Body or Bodies, Person or Persons, shall think himself, herself, or themselves aggrieved by any Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act  
2 mentioned

mentioned or contained, such respective Parties may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held in and for the County wherein such Cause of Appeal shall happen or arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Nature thereof, to the Body or Bodies, Person or Persons, against whom such Complaint shall be intended to be made, or to the said Company, as the Case may be, and forthwith after such Notice entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, or in case the said Company shall be the Appellants, Two sufficient Sureties entering into Recognizance for them, conditioned to try such Appeal and to abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or if they think proper may adjourn the Hearing thereof to the next following General or Quarter Sessions of the Peace to be held for such County; and the said Justices may, if they see Cause, 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, or Determination, and may also order and award such further Satisfaction and Costs to be made or paid to the Party injured as they shall adjudge reasonable; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

CLXXXVI. And be it further enacted, That no Action, Suit, or Information, or other Proceeding, shall be brought, commenced, or prosecuted against any Person or Persons for any thing done or to be done in pursuance of this Act, or in the Execution of the Powers or Authorities of, or any of the Orders made, given, or directed in, by, or under this Act, unless Ten Days previous Notice shall be given in Writing by the Person or Persons intending to commence and prosecute such Action, Suit, or Information, to the Defendant or Defendants, nor unless such Action, 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, within Three Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid and brought in the County where the Matter in dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action, Suit, or Information shall have been brought or commenced after the Time limited for bringing the same, or in any County or Place other than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action, Suit, or Information after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise  
Judgment

Limitation  
of Actions.

Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Case by Law.

Clerk or Solicitor of the Company may grant Releases to Witnesses.

CLXXXVII. And be it further enacted, That in all Actions or Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, for any Claim or Compensation against or for or on behalf of the said Company hereby established, and also in all Prosecutions commenced and instituted by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for the Clerk, Attorney, or Solicitor for the Time being of the said Company, not being personally interested other than as a Proprietor of Shares in the said Undertaking (in case he shall so be), in his own Name, for and on the Behalf of the said Company, to make, sign, seal, execute, and deliver all and every such general or other Release or Releases as may be or be deemed to be necessary for the Purpose of exonerating, releasing, and discharging all and every or any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding as aforesaid, from all or any Claims or Demands which may be necessary to be released by the said Company to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding, which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing respectively shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Seal of the said Company.

In case of Nonpayment of Compensation for Damages, the same may be levied by Distress, &c.

CLXXXVIII. And be it further enacted, That when and as often as any Sum of Money shall be directed or ordered to be paid by any Justice of the Peace, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Company hereby established, or any Person acting by or under their Authority, and such Sum of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the said Company in pursuance of the Directions or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer or One of their Treasurers for the Time being, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any such Damage, Spoil, or Injury as aforesaid; and in case  
any

any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company or such Treasurer as aforesaid: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or been put unto by virtue of any such Warrant as aforesaid.

CLXXXIX. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty for any Offence in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying any Penalties or Forfeitures.

Damages and Charges may be settled by Justices.

CXC. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeitures incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing were exhibited.

Justices may proceed by Summons in Recovery of Penalties.

CXCI. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Party to serve any Summons or Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Company hereby established, Service thereof respectively upon the Clerk of the said Company, or leaving the same at the Office of the said Company, or in case the said Clerk or the said Office shall not be found or known, then Service thereof on or leaving the same at the last or usual Place of Abode of any Agent or Officer employed by the said Company, shall be deemed good and sufficient Service of the same respectively on the said Company.

Service of Notice on the Company.

CXCII. And be it further enacted, That in all Cases where it may be necessary or requisite for the said Company hereby established to give any Notice to any Body Politic, Corporate, or Collegiate, or to any Person whomsoever, under the Provisions or Directions contained in this Act, such Notice may be given in Writing, signed by the Clerk, Attorney, or Solicitor for the Time being of the said Company, without being required to be under the Common Seal of the said Company.

Notices by the Company.

[Local.]

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CXCIII. And

Expences of  
the Act.

CXCIII. And be it further enacted, That the Costs and Charges of obtaining and passing this Act, and of making the Surveys, Plans, and Estimates, and all other Costs, Charges, and Expences relating to or concerning the same, or in any way incident thereto, shall be borne, paid, and defrayed by the said Company hereby established, out of the Money already received under the said Acts hereby repealed, or out of the first Money to be received or raised by virtue of this Act, in preference to any other Payments whatsoever.

Public Act.

CXCIV. 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.

The SCHEDULE referred to in the Act.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>Parish of Sow in the County of the City of Coventry.</i>			
The Mayor, Bailiffs, and Commonalty of the City of Coventry, as Trustees of Sir Thomas White's Charity	William Whiting	John Walker - - {	Cottage called Blackhall, and Garden.
William Earl of Craven, a Minor, Louisa Countess of Craven, his Guardian	- - -	James Eades - - -	Garden or Slip of Land.
<i>Parish of Shilton in the County of Warwick.</i>			
Churchwardens and Overseers of the Poor of the Parish of Ansty - - }	- - -	{ Joseph Sansome, Simon Hancocks, and John Masters - - }	Garden.
Ditto - - -	- - -	{ John Curtis and Henry Ison - - - }	Ditto.
Ditto - - -	- - -	{ Aaron Dalton and Thomas Cooper - }	Gardens.
<i>Parish of Ansty in the County of the City of Coventry.</i>			
Dean and Windsor Canons of {	Henry Cadwalader Adams, Esq. - - }	John Reynolds - {	Limekiln in the Field called Noon Hill.
Ditto - - -	Ditto - - -	{ John Dalton, Samuel Arden, and Richard Tidman - - }	Garden.
Ditto - - -	Ditto - - -	{ William Sansome and David Row - - }	Ditto.
Ditto - - -	Ditto - - -	- William Porter - - -	Ditto.
Ditto - - -	Ditto - - -	- John Roberts - - -	Ditto.
Ditto - - -	Ditto - - -	- Joseph Astell - - -	Ditto.
Ditto - - -	Ditto - - -	{ William Astell and Robert Dalton - }	Ditto.
The Company of Proprietors of the Oxford Canal	- - -	John Beck - - -	Ditto.
Dean and Windsor Canons of {	Henry Cadwalader Adams }	John Belcher - - -	Ditto.





OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
John Ward, Esquire, and Theodosia de Malsburgh, his Wife	- - -	Sarah Norman - -	Garden in Grass Field.
Thomas Walker, Esquire - Ditto - -	- - -	Thomas Walker, Esquire Ditto - -	Small Plantation. Ditto.
Reverend John Thomas } Parker - - -	- - -	Reverend John Thomas } Parker - - -	Garden and Hovel.
Ditto - - -	- - -	John Perkins - -	Barn, Hovel, and Yard.
Theodosia Beauchamp } O'Meara, Wife of Barry } O'Meara, Esquire, com- } monly called Lady Leigh }	- - -	Theodosia Beauchamp } O'Meara, Wife of Barry } O'Meara, Esquire, } commonly called Lady } Leigh - - -	Plantation.

*Hamlet of Brownsover in the Parish of Clifton-upon-Dunsmore in the County of Warwick.*

John Ward, Esquire, and Theodosia de Malsburgh, his Wife	- - -	Robert Watson - -	Garden.
Ditto - - -	- - -	Ditto - - -	Mill, Mill Yard, House, and Outbuildings.

*Parish of Clifton-upon-Dunsmore in the County of Warwick.*

Thomas Townsend - -	- - -	Thomas Townsend and John Townsend - -	Rick Yard.
Ditto - - -	- - -	Ditto - - -	Yard andhovels.

*Parish of Hill Morton in the County of Warwick.*

Barbara Baroness Grey de Ruthyn; Lord Arden, her Trustee	- - -	George Hull - -	House and Stables.
James Crofts and William Crofts - - -	William Sutton -	Stephen Barratt - -	House, Stables, and Yard.
Ditto - - -	Ditto - - -	Thomas Cleaver - -	House.
Ditto - - -	Ditto - - -	Stephen Barratt - -	Garden, at the Part pro- posed to be widened.
Ditto - - -	- - -	William Sutton - -	Warehouse and Stabling.
The Company of Proprie- tors of the Oxford Canal }	- - -	- - -	Feeder from Steam En- gine.
Ditto - - -	- - -	- - -	Hillmorton Wharf, Yard, Warehouses, and Offices.
Ditto - - -	- - -	William West - -	Royal Oak Public House, Stables, and Out- buildings.
Ditto - - -	- - -	William Baker - -	Garden.
Ditto - - -	- - -	- - -	Feeder to the Canal.
Mrs. Mary Holland and William Holland, or James Pettifer - - }	- - -	James Pettifer - -	The Boat Inn, Stables, and Outbuildings.
Ditto - - -	- - -	Ditto - - -	Garden.
Ditto - - -	- - -	Ditto - - -	Orchard.

OWNERS.	LESSEES.	OCCUPIERS.	DESCRIPTION OF PROPERTY.
<i>Parish of Willoughby in the County of Warwick.</i>			
The President and Fellows of Magdalen College, Oxford	Reverend Doctor Nathaniel Bridges	William Ellard	Rick Yard.
Ditto	Ditto	Ditto	House, Barn, Yard, and Outbuildings.
Ditto	Ditto	Ditto	Ozier Bed.
Ditto	Ditto	William Crupper	Hovel in Grass Field.
<i>Parish of Braunston in the County of Northampton.</i>			
Richard Lakin	- - -	Richard Lakin	Buildings in the Grass Field where Canal is proposed to be widened.

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