

ANNO REGNI
GEORGI III.

REGIS

Magne Britannie, Franciæ, & Hiberniæ,

DECIMO QUARTO.

At the Parliament begun and holden at *Westminster*, the Tenth Day of *May*, *Anno Domini* 1768, in the Eighth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c.

And from thence continued, by several Prorogations, to the Thirteenth Day of *January*, 1774; being the Seventh Session of the Thirteenth Parliament of *Great Britain*.



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MDCCLXXIV.



ANNO DECIMO QUARTO

Georgii III. Regis.

C A P. LIII.

An Act for making a navigable Cut or Canal, from the Port or Harbour of *Bude*, in the Hundred of *Stratton*, in the County of *Cornwall*, to the River *Tamer*, in the Parish of *Calstoke*, in the said County.



P R E A M B L E.

WHEREAS the making a navigable Cut or Canal, from the Port or Harbour of *Bude*, in the Parish of *Marham Church*, in the County of *Cornwall*, to the River *Tamer*, in the Parish of *Calstoke*, in the same County, for the navigating of Boats, and other Vessels, with heavy Burthens, will open a short, easy, and commodious Communication between the said Port of *Bude* and the several Towns of *Stratton*, *Launceston*, *Callington*, and the several Parishes, Hamlets, Districts, or Places through or near which the said Cut or Canal is intended to be made, and the interior Parts of the Counties of *Devon* and *Cornwall*, and will essentially tend to the Improvement of the adjacent Lands, and also be of great

great publick Utility: And whereas the several Persons herein-after named are desirous, at their own Costs and Charges, to begin, carry on, and complete, the navigable Cut of Canal, intended to be made by virtue of this Act: Wherefore, for obtaining and perfecting the good Ends and Purposes aforesaid, may it 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 after the Twenty-fourth Day of June next after the passing of this Act, Sir John Moleworth Baronet, John Arscott, Francis Rodd, John Buller, Arscott Bickford, John Call, Christopher Harris, Philip Vivian, John Elliott, Wrey Jans, Frederick Thomas Wentworth, Corindon Carpenter, and Richard Wymond Esquires; David Horndon, John Kerwell, Humphrey Lawrence, Stanley Lucas, William Webb, Nicholas Webb, John Webb, John Anthony Roe, Henry Hoskin, and Walter Oak, Gentlemen, and the Reverend William Carpenter, Doctor in Divinity, John Kingdon, Samuel Corry, John Redford, Charles Redford, Thomas Derrisley, and John Rice, Clerks, together with such Person or Persons as they the before-named Proprietors, or any other Person or Persons hereafter to be named, by virtue of this Act, or any Five of them, at any General Meeting assembled, shall nominate and appoint, under their Hands and Seals, and their respective Executors, Administrators, and Assigns, are, and shall be united into a Company, for the better carrying on, making, completing, and maintaining, the said intended Cut of Canal, passable for Boats, Barges, Lighters, and other Vessels, according to the Rules, Orders, and Directions, herein-after mentioned and expressed; and shall, for that Purpose be One Body Politick and Corporate, by the Name of The Tamer Canal Navigation, and by that Name shall have perpetual Succession, and a common Seal, and by that Name shall and may sue, and be sued; and also shall and may have Power and Authority to purchase Lands, Tenements, or Hereditaments, for the Use of the said Navigation, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain, or any of them; and any Person or Persons, or Bodies Politick or Corporate, may give, grant, bargain, sell, or convey, to the said Company of Proprietors, any Lands, Tenements,

Names of the
Trustees for
carrying on
the Navigation.

ments, and Inheritments, for the Use and Benefit of the said Navigation, without Licence of Alienation in Shoemain; and the said Company of Proprietors shall be, and are hereby impowered, from and after the said Twentieth Day of June after the passing this Act, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and Assigns, to make and complete a Cut or Canal navigable and passable for Boats, Barges, and other Vessels, from the said Port or Harbour of Bude, in the Parish of Marham Church, in the said County of Cornwall, through the several Parishes of Marham Church, Pounds Tokes, Plyke, Saint Mary Whitestone, Launcells Bridgerule, North Tamerton, Boyton, Werrington, North Pitherwin, Tremain Egleskerry, Saint Thomas, Saint Mary Magdalan, Saint Peterwin, Trevain Laneast, Altonon Lawanick, North Hill Linkinhorn, Stoke Clemmland, and Calstock, in the Counties of Cornwall, and Devon, to the River Tamer, in the Parish of Calstock, in the said County of Cornwall, and therein to make and erect Engines, Docks, Wharfs, Warehouses, and also such Shafts, Wharfs, Warehouses, and other Conveniences, as shall and may be necessary and proper for loading, unloading, and mooring, of Vessels, which shall or may be employed upon the said intended Cut or Canal; and to supply the said Cut or Canal with the same shall be making, and when made, with Water from such Springs, Brooks, Streams, and Watercourses, as shall be found in making the said Cut or Canal, and from such Brooks, Streams, and Watercourses as shall be found within the Distance of Three Miles from any Part of the said Cut or Canal; and also to make such Reservoirs as shall be necessary for the Use of the said Canal, and for the Purposes aforesaid, in, upon, or through the Lands and Grounds of or belonging to the King's Majesty, his Heirs or Successors, or any other Person or Persons, Bodies Politick, Corporate or Collegiate whatsoever, not being at this Time Ground whereon a Dwelling-house or Outhouses stand, or a Garden, Park, Paddock, planted Walk, or Avenue to a House, Laton inclosed or adjoining to a mansion-house, to enter, and to bore, dig, cut, trench, fough, remove, take, carry away, and lay Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other matters and Things, (except as herein-after is excepted), which may be dug or got in the making of the said Cut or Canal, or out of any Lands or Grounds,

Boundes of any Person or Persons adjoining or lying contiguous thereto, and which may be proper, requisite, or convenient, for carrying on, continuing, or repairing, or which may hinder, prevent, or obstruct the making, using, or completing, extending, and maintaining the same; and also for making, using, completing, extending, and maintaining of such Trenches, Passages, Cutters, and Watercourses, as shall be necessary and proper to convey Water to and from the said Cut or Canal, according to the Tenor and Purport of this Act; and also to make, build, erect, and set up, in or upon the said intended Cut or Canal, or upon the Lands adjoining to or near the same respectively, such and so many Bridges, Cunnels, Aqueducts, Sluices, Engines, Weirs, Piers for Water, Water Stanks, Sluices, Engines, Weirs, Piers for Water, Water Houses, Water-houses, Drains, Wharfs, Quays, Houses, Beams, Cranes, Dry Docks, and other Works, Ways, Roads, and Conveniences, as and where they the said Proprietors shall think requisite and convenient, for the Purposes of the said Navigation; and also, from Time to Time, to alter, repair, and amend the same, and to make, widen, or enlarge any Bridges, Ways, Roads, Passages, Cuts, Engines, Cunnels, Aqueducts, Trenches, Sluices, or other Conveniences, as well for the carrying, conveying, loading, and unloading Goods, Commodities, and other Things to or from the said Cut or Canal, as for the carrying and conveying of all manner of Materials necessary for the making, erecting, finishing, altering, repairing, amending, widening, or enlarging, the said Works of or belonging to the said Navigation; and also to place, lay, work, or manufacture, the said Materials on the Grounds near to the Place or Places where the said Works, or any of them, shall or are intended to be made, erected, repaired, or done; and also to make, maintain, repair, and alter any fences or passages over, under, or through the said Cut or Canal, or the Cunnels, Aqueducts, Soughs, Trenches, Passages, Cutters, Watercourses, and Sluices respectively, which shall communicate therewith; and also to make, set up, and appoint, such Towing-paths, Stanks, Roads, and Ways convenient for towing, sailing, or drawing of Boats, Barges, or other Vessels, passing in, through, or upon the said Cut or Canal, as they the said Proprietors shall think convenient; and to construct, erect, and keep in repair, any Piers, Arches, and other Works, in, upon,

upon, and across any Rivers or Brooks, for the making, using, maintaining, and repairing, the said Cut or Canal, and Towing-paths on the Side thereof; and also to construct, erect, make, and do all other Matters and Things which they shall think convenient and necessary for the making, effecting, extending, perfecting, improving, completing, and using the said Navigation, in pursuance and within the true Intent and Meaning of this Act; they the said Proprietors doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making Satisfaction in Manner herein-after mentioned, to the Owners and Proprietors of, or Persons interested in, such Lands, Tenements, Woods, or Hereditaments, Waters, Watercourses, Brooks, or Rivers respectively, as shall be taken and removed, diverted, or prejudiced, for all Damages to be by them sustained, in, or by the Execution of, all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company of Proprietors, and their Servants, Agents, and Workmen, and all other Persons whatsoever, 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 be it further enacted, That nothing in this Act contained shall extend to enable the said Company of Proprietors to erect or build any House, or other Building, (other than such Warehouses and Watch-houses to be built, as herein authorized), for the Use of the said Navigation, or any Mill or Mills, upon the said intended Cut or Canal, hereby authorized to be made, or upon the Lands which shall be set out for the Towing-paths, Wharfs, or Quays, on the Sides thereof, or to convert, employ, or use any Water that shall be brought into, or discharged out of, the said Cut or Canal, Trenches, or Sluices, hereby authorized to be made, to or for the Use of any Mill or Mills hereafter to be erected near the same, or to plant any Trees on such Lands or Grounds, or to make, erect, or build, any Warehouses, Watch-houses, Buildings, Quays, Wharfs, Cranes, or Weigh-beams, within the Distance of a furlong of any capital Spanning-house, or in or upon any Fold, Yard, Garden, Park, Paddock, planted Walk, or Avenue to a House or Lawn inclosed, adjoining to any capital Spanning-house that are used as such at this Time, or to take down or damage any Dwelling-house or Out-house,

Satisfaction to
be made for
Damage.

No Building
except Ware-
houses to be
erected,

without the
Consent of the
Proprietors.

Wharfhouse, without the Consent of the Proprietor or Proprietors thereof, under his, her, or their Hands and Seals respectively; or to cut down any Timber, Wood, Bush-wood, or Underwood, upon any of the Estates or Lands though or into which the navigable Cut or Canal, Trenches, Skives, Roads, Passages, or Conveniences, or any Part thereof respectively, shall be made or carried, except such Timberwood, Bushwood, or Underwood, as shall grow, or be in or upon any of the Lands or Grounds which shall be set out and ascertained, taken, or used, for the making the said navigable Cut or Canal, Towing-paths, Trenches, Skives, Roads, Passages, or Conveniences respectively as aforesaid; and the Proprietors of the respective Lands and Grounds on which such Timberwood, Bushwood, or Underwood shall grow, at the Time of passing this Act, their Heirs and Assigns, shall have it in their Option, to take such Timberwood, Bushwood, or Underwood respectively, when fallen or cut down by the said Company of Proprietors, at such Price or Value as the same respectively shall have been estimated or purchased by the said Company of Proprietors, which Timberwood, Bushwood, or Underwood, so fallen by the said Company of Proprietors, or by their Order, shall and may be carried or conveyed upon any Part of the said Cut or Canal, free from all Tolls and Duties to be raised and levied by virtue of this Act; but in case the same shall not have been estimated at, or purchased by them, upon a Valuation separate or distinct from the Lands or Grounds upon which the same shall respectively grow, then at such Price or Value as shall be agreed on for that Purpose between such Proprietors or Owners of Lands, and the said Company of Proprietors or their Agents; or in case any Difference of setting the Commissioners herein-after mentioned, or any Five or more of them, shall direct and appoint: And if any House or other Building, (except as aforesaid), shall be erected, or any Tree or Trees shall be planted upon any such Lands and Grounds without such Consent as aforesaid, it shall and may be lawful to and for the Person or Persons who was or were Owner or Owners of such Lands or Grounds at the Time of setting out the same, as aforesaid, his, her, or their Heirs or Assigns, to take, pull

How Bush-wood, &c. is to be disposed of.

Former Owners of Lands, may pull down Houses, &c. built without their Consent.

down, and remove such Houses and other Buildings, and to cut and carry away such Trees, without being guilty of a Trespass, or being liable to any Action or Prosecution for so doing.

And be it further enacted, That so much and such Part of the said Cut or Canal as may pass near to the Mansion-house of Whiteford, in the said Parish of Stoke Newington, shall be carried under Ground, and arched or constructed so as to support the Ground lying thereupon, for the Space of Three hundred Feet, in such Part or Parts as the Proprietor of the said Mansion-house shall direct, so as that the Water on the said Cut or Canal may not appear.

And be it further enacted, That it shall and may be lawful to and for the Agents and Servants of the said Company of Proprietors, from Time to Time, and at all Times hereafter, to enter upon the Lands or Grounds of the said several Persons, Bodies Politick, Corporate, or Collegiate, through which the said Cut or Canal, and other Works hereby authorized are intended to be made, in order to survey and take a Level of the same, and to set out and ascertain such Parts thereof as they shall think necessary or proper for the making such Cut or Canal, and other the Matters and Conveniences aforesaid; such Agents and Servants making Satisfaction for the Damage they shall do thereby to the Occupiers of such Lands or Grounds for the Time being, in case the same exceeds the Sum of five Shillings.

Provided always, and be it further enacted, That the Lands or Grounds to be taken or used for such Cut or Canal, and Towing-paths, and the Ditches, Drains, and Fences, to separate such Towing-paths from the adjoining Lands, shall not exceed Sixty-three Feet in Breadth, except for the making of such Dock or Basin, as aforesaid; and in such Places where the said Cut or Canal shall be raised higher, or cut more than Thirty-nine Inches deeper, than the present Surface of the Land, and in such Places where it shall be judged necessary for Boats and other Vessels to turn, lie in, or pass each other, or where any Engine or Crane may be erected, not above Twenty Poles in Breadth, in any of the said respective Places; any Thing herein-contained to the Contrary notwithstanding.

Agents of the Company may enter Lands through which the Canal is to be made, and survey the same.

Land to be used for the Canal not to exceed Sixty-three Feet, &c.

Part of the Canal near the Mansion-house to be carried under Ground.

Bodies Political
 impowered to sell
 Lands,

And be it further enacted, That after any such Parts of the said Lands or Grounds shall be so set out and ascertained for making the said Cut or Canal, and other the Purposes and Conveniences herein-before mentioned, it shall and may be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Testuque Wives, whether Infants, Male unborn, Lunatics, Idiots, Females-covert, or other Person or Persons, and to and for all Females-covert who are or shall be seized, possessed of, or interested in their own Right, and to and for every other Person and Persons whomsoever, who are or shall be seized, possessed of, or interested in any Lands or Grounds which shall be so set out and ascertained as aforesaid, or any Part thereof, to contract for, sell, and convey unto the said Company of Proprietors, or to such Person or Persons as they shall nominate and appoint, for the Use of the said Navigation, all or any Part of such Lands or Grounds which shall from Time to Time be so set out and ascertained as aforesaid, either in Consideration of a Sum of Money to be paid in Gross, or of an annual Rent or Pension; and where, by making of the said Cut or Canal, or the Conveyance of Water thereto, the Property of any Land or Water shall be separated into small Parcels, so as to render the Occupation thereof inconvenient, it shall and may be lawful to and for such Bodies Corporate and Collegiate, and other such Land Owners, under any of the aforesaid Disabilities, by and with the Consent of the Commissioners, to be appointed as herein-after mentioned, or any five or more of them, to be testified by any Writing or Writings, to be by them sealed and delivered in the Presence of, and attested by, Two or more credible Persons, to contract for, sell, and dispose of or to convey in Exchange, in lieu of other Lands, all or any Part of such Lands or Grounds through which the said intended Cut or Canal shall be made, to any Person or Persons whomsoever, for such Price or Prices, in Money or other Equivalent, as to the said Commissioners, or any five or more of them, shall seem reasonable; and that all such Contracts, Agreements, Sales, Conveyances, and Assignances, shall be valid and effectual

and with Consent of Commissioners to exchange Lands.

effectual in the Law to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the Contrary thereof in any-wise notwithstanding; and all Bodies Politick, Corporate, or Collegiate, and all Persons whomsoever so conveying or exchanging, as aforesaid, are hereby indemnified for what he, she, or they, or any of them, shall respectively do by virtue or in pursuance of this Act; and that all such Contracts, Agreements, Sales, Conveyances, and Assurances, (other than those which concern any Purchase or Exchange between any such respective Land Owners), to be made as aforesaid, shall, at the Expence of the said Company of Proprietors, be enrolled with the Clerks of the Peace within the Counties of Cornwall and Devon, in which such Lands shall respectively lie, and true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; for which Enrolment, or Copy thereof, shall be taken the Sum of Sixpence for every Two hundred Acres, and so in proportion for any greater or lesser Number of Acres, and no more.

Provided also, and be it further enacted, That all Contracts, Agreements, Bargains, Sales, and Exchanges of any Lands which are of the Nature of Copyhold, shall be executed and completed by Surrender thereof in the respective Courts of the said Owners whereof such Lands are held, according to the Custom of the said Owners respectively, and shall remain subject to such and the same Fines, Rents, and Services, as are due and payable or of Right accustomed, in such and the same Manner as if this Act had not been made; any Thing herein contained to the Contrary notwithstanding.

And whereas Differences may arise between the said Company of Proprietors and the several Owners of any Persons interested in the Lands, Grounds, Tenements, and Hereditaments, Mills, or Waters, which shall or may be affected or prejudiced by the Execution of the Powers hereby granted relating to the Purchase-money to be paid, or Recompence to be made to them respectively; be it therefore enacted, That all Persons who are, or shall be acting Justices of the Peace for the Counties of Cornwall and Devon, and also who have, or shall have, such an Estate in Lands, Tenements, or Hereditaments, within any of the Hundreds through which the Canal shall pass, as according to the Laws in being, or which may hereafter be made, would qualify such Persons to act as Justices of the Peace.

Contracts
to be enrolled.

True Copies
to be Evidence.

For preserving
of Copyhold
Rights.

Commissioners
to settle
Differences.

Peace, shall be, and they are hereby appointed Commissioners for the settling, determining, and adjusting all Questions, Matters, and Differences, which shall or may arise between the said Company of Proprietors and the several Proprietors of, and Persons interested in, any Lands, Grounds, Tenements, Hereditaments, Mills, or Waters, that shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and they the said Commissioners, or any five or more of them, acting in such Question, Matter, or Difference, as shall arise, are hereby empowered, by Writing, under their Hands and Seals, with the Consent of the Parties concerned, to determine and adjust, from Time to Time, what Sum or Sums of Money shall be paid by the said Company of Proprietors, or any of them, either by an annual Rent or Payment, or by a Sum of Money in gross, to and at the Election of such Bodies Politick, Corporate, or Collegiate, Person or Persons respectively who shall be so intitled or interested as aforesaid, for the absolute Purchase of the Lands or Grounds which shall be set out and ascertained for making the said Cut or Canal, or any Part thereof, and other the Purposes herein-mentioned; and also to determine and adjust the Recompence to be made for any Damages which may or shall be at any Time or Times whatsoever sustained by such Bodies Politick, Corporate, or Collegiate, or any Person or Persons respectively, being Owners of and interested in any Lands, Grounds, Tenements, Mills, Waters, or Hereditaments, for or by reason of the severing or dividing the same, or the making, repairing, or maintaining the said Cut or Canal, Engines, Reservoirs, Trenches, Passages, Cutters, Watercourses, Roads, Ways, or Sluices, or supplying the same, or any of them, with Water, as aforesaid, or by the altering, diverting, taking away, or using any Springs, Streams of Water, or Water-courses flowing to or supplying with Water any Mill or Mills, Engine or Engines, for the working or getting of any Minerals, or by the sowing, leaking, or oozing of the Water over or through the Banks of the said Cut or Canal, Reservoirs, Trenches, or Sluices, or over or through any Passages, Cutters, or Watercourses, which shall be made pursuant to the Powers hereby given for conveying and communicating Water to or from the said Cut or Canal, or by not cleansing the said Watercourses, Trenches, or Passages, or by turning or diverting any Streams

Streams or Brooks into the same, (except as herein-after excepted), or by Reason or Means of the Execution of any of the Powers herein contained by the said Company of Proprietors, or their Agents, Workmen, or Servants, in case such Price or Value, Damages, and Recompence respectively, cannot be settled, adjusted, and agreed for, by and between the said Company of Proprietors, or their Agents, and such Proprietors of, and Persons interested in, the said Lands and Grounds, Tenements, Mills, or Hereditaments, as aforesaid: And if the said Company of Proprietors for or on the Part and Behalf of themselves, or any such Body Politick, Corporate, or Collegiate, or other Person or Persons so interested or intitled as aforesaid, for and on his, her, or their Part, shall refuse to submit any such Matter to the Determination of the said Commissioners, or shall be dissatisfied with any Determination which shall be by them made as aforesaid; and if any such Bodies Politick, Corporate, or Collegiate, Justice or Justices, or other Person or Persons, intitled or interested as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase-money, or annual Rent, or such Recompence as shall be so determined to be paid, or shall, upon Notice in Writing given to the principal Officer or Officers of such Bodies Politick, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers, of such Lands or Grounds for the Space of forty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Company of Proprietors, or by reason of Absence shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement as shall be convenient for promoting the Navigation, or other Works aforesaid, or shall not produce and evince a clear Title to the Premises they are or shall be in Possession of, or to the Interest they claim therein; then, and in every such Case, the said Commissioners, or any five or more of them, shall, and they are hereby empowered and required, from Time to Time, to issue a Warrant or Warrants, under their Hands and Seals, to the Sheriff of the Counties of Cornwall or Devon respectively for the Time being, or in case such Sheriff, or his Under Sheriff, or either of them, shall happen to be One of the

Company of Proprietors of the said Navigation, or enjoy any Office of Trust or Profit under them, or shall be otherwise interested in the Matter in Question, then to the Coroner or Coroners within the said Counties of Cornwall or Devon respectively wherein such Lands shall lie, as aforesaid, not interested as aforesaid, commanding such Sheriff or Coroner to impanel, summon, and return a Jury of Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned for Trials of Issues in his Majesty's Courts at Westminster, to appear before the said Commissioners, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Six nor more than Ten Days after such Warrant shall be served upon the said Sheriff or Coroner; and, in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Sheriff or Coroner shall return other honest and indifferent Men of the Stands-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 said Commissioners, or any Five or more of them, are hereby empowered to summon and call before them all and every such Person and Persons who shall be thought necessary to be examined as Witnesses concerning the Matters in Question; and the said Commissioners, or any Five or more of them, may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matters in Controversy; which Jury, upon their Oaths, (to be administered by the said Commissioners, or any Five or more of them, and those Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any Five or more of them, are hereby empowered to administer), shall enquire of, assess, and ascertain the Sum or Sums of Money or annual Rent to be paid for the Purchase of such Lands, Grounds, Tenements, Mills, or Hereditaments, or the Recompense to be made for the Damages that may or shall be sustained as aforesaid; and in so doing the said Jury shall take into Consideration not only the Damage or Inconvenience, but also the Advantage and Conveniences which shall or may arise by Means of the said Cut or Canal, or any Bridges, Roads,

Jury may be challenged.

or other Communications made necessary by reason of the said Canal, or the Conveyance of Water thereto, and to assess separate Damages for the same; and the said Commissioners, or any five or more of them, shall give Judgment for such Purchase-monies, Rent, or Recompence, so to be assessed by such Juries; which said Verdict, and the Judgement thereupon pronounced by the said Commissioners, or any five or more of them, shall be binding and conclusive to all Intents and Purposes, against the King's Majesty, His Heirs and Successors, and against all Bodies Politick, Corporate, or Collegiate, and all Persons whomsoever.

And be it further enacted, That if any such Sheriff or Coganer, or his or their Deputy or Agent, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit the Sum of five Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be sworn or examined, or to give Evidence; every Person so offending respectively, having no reasonable Excuse, to be allowed by the said Commissioners, or any five or more of them, shall, for every such Offence, forfeit and pay the Sum of five Pounds, for the Benefit of the Party on whose Behalf the said Person was so summoned; to be levied by virtue of any Warrant or Warrants under the Hands and Seals of the said acting Commissioners, or any five or more of them, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus to the Owner thereof, after such Penalty and the Charges of such Distress and Sale shall be deducted: And if any Person or Persons who shall have incurred such Forfeiture or Forfeitures for not appearing, or for refusing to give Evidence, as aforesaid, shall again be summoned and not appear, or appearing shall refuse to give Evidence, the said Commissioners, or any five or more of them, may, and are hereby empowered to grant Warrant or Warrants for apprehending and imprisoning the said Person or Persons in the common Gaol of the County, City, or Place, where he, she, or they, shall be apprehended, there to remain until he, she, or they, shall severally enter into a Bond, with sufficient Security to the Commissioners,

who

Fine of, upon
the Sheriff, or
making De-
fault.

sof. Penalty
on Persons of-
fending a
second Time.

who shall sign the Warrant by virtue whereof he, she, or they, shall be apprehended, in the Penalty of fifty Pounds, to appear and give Evidence relating to the Matter then in Dispute, at such Time and Place as the said Commissioners appointed by this Act, or any five or more of them, shall thereafter appoint.

Expence of the Commissioners and Jury by whom to be borne.

And be it further enacted, That in all Cases where a Verdict or Assessment shall be given or made for more Money, as a Recompence of Satisfaction for any Lands, Grounds, Mills, Waters, or Hereditaments, or for any Damage to be done to any Lands, Grounds, Mills, Waters, Hereditaments, or Property of any Person or Persons inhomsoever, than had been previously offered by or on Behalf of the said Company of Proprietors before the Meeting of the said Commissioners, or than had been determined and assessed by the said Commissioners, or if no such Recompence or Satisfaction had been offered or tendered in respect of Damages by or on the Behalf of the said Company of Proprietors, then all the Expences of calling such Commissioners, summoning such Jury, and taking such Inquest, shall be settled by the said Commissioners, or any five or more of them, and be defrayed by the said Company of Proprietors; but if any Verdict or Assessment shall be given or made for no more, or a less Sum, than had been previously offered by or on Behalf of the said Company of Proprietors, or than had been determined or assessed by the said Commissioners, as aforesaid, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only; then, and in every such Case, the Costs and Expences of calling and meeting of such Commissioners, summoning such Jury, and taking such Inquest, shall be settled in like Manner by the said Commissioners, or any five or more of them, and be borne and paid by the Person or Persons with whom the said Company of Proprietors shall have such Controversy or Dispute.

Notice of Injury to be given before Complaint is made.

And be it further enacted, That the said Commissioners shall not, nor shall any of them be obliged by virtue of this Act to receive or take Notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, by virtue of this Act, unless Application hath been or shall be made in relation thereto, by or on Behalf of such Person or Persons, to the said Company of Proprietors, or to their known Agent or Agents,

or some Collectors of Tolls arising from the said Navigation, within the Space of Six Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

And be it further enacted, That all and every Person and Persons who, in any Examination to be taken by virtue of this Act, shall give false Evidence before the Commissioners, or any five or more of them, or before any Justice of the Peace acting in the Execution of this Act, shall and may be prosecuted for the same, and, upon Conviction thereof, shall be subject to such Punishments and Disqualifications as any Person can or may be subject to for wilful and corrupt Perjury by any of the Laws and Statutes of that Part of Great Britain called England.

And be it further enacted, That upon Payment of such Sum or Sums of Money, or annual Rent, as shall be contracted or agreed for between the Parties, or to be determined and adjusted by the said Commissioners, or any five or more of them, or assessed by such Justices in Banner territories as aforesaid, for the Purchase of any such Lands, Grounds, Tenements, or Hereditaments, as aforesaid, to the Proprietors thereof, or other Persons intituled to receive such Money or Rent respectively, or legal Tender thereof made to such Proprietor or Proprietors, or other Person or Persons, or to the principal Officer or Officers of any Body Politick, Corporate, or Collegiate, at any Time after the same shall have been so agreed for, determined, or assessed, or if he, she, or they cannot be found, or shall refuse to accept such Money or Rent, or in case it does not appear to whom the same ought to be paid, then, upon Payment thereof to such Person or Persons as the said Commissioners, or any five or more of them, shall, by Writing under their Hands, appoint, for the Use of, and to be paid upon Demand, without Fee or Reward, to such Proprietors, or Persons respectively as aforesaid, then, and in such Case, such Lands, Grounds, Tenements, or Hereditaments respectively, and the Fee-simple and Inheritance thereof, shall, from thenceforth, be vested in and become the sole Property of the said Company of Proprietors, to and for the Use of the said Navigation, but to or for no other Use or Purpose whatsoever; and then, but not before, it shall and may be lawful to and for the said Company of Proprietors, their Agents, Servants, and Workmen, immediately to enter upon the same, and to dig, cut, trench,

ough, and remove Earth, Stone, Rubbish, Trees, Roots of Trees, and all other Obstructions for the making, using, maintaining, and repairing, the said Cut or Canal, and Towing-paths on the Sides thereof, in or upon such Lands, Tenements, or Hereditaments, for which such Satisfaction shall be determined or assented as aforesaid, and thereupon to make, erect, or do any Works, Matters, or Things, for the effecting and carrying on the said Navigation, and for the supplying and maintaining the same, as the said Company of Proprietors shall think requisite, and to have, use, and enjoy the Premises to and for their own Use and Benefit, for the Purposes of the said Navigation; and this Act shall be sufficient to indemnify as well the said Commissioners, as the said Company of Proprietors, and their Agents, Servants, and Workmen, for what they or any of them shall do by virtue of the Powers hereby granted.

Verdict to be recorded.

And be it further enacted, That all the Determinations of the said Commissioners, or any five or more of them, which shall be submitted to and acquiesced in by the Parties concerned, and also the said Verdicts and Judgements, being first signed by five or more of the said Commissioners who shall be present at the making of such Determinations, or the taking of such Verdicts, and pronouncing such Judgements respectively, shall be transmitted to and kept by the Clerk of the Peace for the Counties of Cornwall or Devon respectively, where such Cause of Action shall arise, and shall be deemed Records to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, as also the Inrolments of such Contracts, Agreements, Sales, and Conveyances, as are herein-before mentioned, paying for each Inspection the Sum of One Shilling, and to take Copies thereof, without Stamps, paying for every Copy, not exceeding Two hundred Words, the Sum of Sixpence, and so in proportion for any Number of Words: And immediately on such Payments, and Entries of such Verdicts, Sentences, Decrees, Orders, and other Proceedings of the said Courts and Juries, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons for whose Use such Money or Rent shall be paid into and out of the said Lands, Tenements, Hereditaments, and Premises, shall vest in the said Company of Proprietors, and they shall re-

spectively

After Payments, and Entries of Verdicts, &c. all Right to the Lands vested in the Company of Proprietors.

speethely be deemed in Law to be in the actual Seisin, or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same to them by Lease and Release, Bargain and Sale introlled, Feoffment with Liberty of Seisin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use such Payment shall be made, but also shall extend and be deemed and construed to bar the Dowry and Dowers of the Wife and Widives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Remainder, or otherwise, against the Issue or Issues of such Person or Persons, and all and every other Person and Persons whomsoever, having or claiming any Right, Title, Estate, or Interest therein, either in Law or Equity.

And be it further enacted, That all Sums of Money exceeding Twenty Pounds, which are to be paid to any Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feesees in Trust, Executors, Administrators, Trustees, Guardians, Committees, or other Trustees whatsoever, for and on behalf of any Infants, Lunatics, Idiots, Females-covert, or other Detinque Trusts, or to any Person or Persons whose Lands are limited in Trust Settlement, for the Purchase or Exchange of any Lands, Grounds, Tenements, or Hereditaments aforesaid, shall be laid out as soon as conveniently may be by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feesees in Trust, Executors, Administrators, Trustees, Guardians, Committees, or other Trustees, Person or Persons aforesaid, in the Purchase of Lands, Tenements, and Hereditaments in Fee-simple, and conveyed to or to the Use of such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or such other Person or Persons as aforesaid, and for such Estates, and to, for, and subject to such Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Grounds, Tenements, or Hereditaments, for or in respect whereof such Purchase Money or Monies received in Exchange shall be paid as aforesaid were limited, settled, and assured, at the Times such Purchase-monies were so agreed for, ascertained, or assented respectively, as aforesaid, or for such and so many of such Uses as shall

Purchase-money to be paid for Lands belonging to Corporations,

be then existing and capable of taking Effect; such Conveyances and Settlements to be made at the Expence of the said Company of Proprietors; and, in the mean Time, and until such Purchase or Purchases shall be made, the said Monies, as also such other Sum or Sums of Money to be paid for the Purchase of Lands or Hereditaments, which shall not amount to Twenty Pounds as aforesaid, shall be placed out by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons, in some of the publick Funds, or on Government or Real or Personal Securities, in the Names of Two or more Persons to be nominated by the Party or Parties interested therein, and to be approved by the said Commissioners, or any five or more of them; and as well the Interest arising or to be produced from such Fund or Securities, as also the annual Rent of such Lands, Grounds, Mills, Tenements, or other Hereditaments, where a Rent shall be fixed upon as aforesaid, shall be paid to such Person or Persons respectively as would, for the Time being, be entitled to the Rents and Profits of such Lands, Tenements, and Hereditaments, so to be purchased and settled, pursuant to the Tenor and Meaning of this Act; and such annual Rent shall be a Rent-charge upon the Tolls, Rates, and Duties herein-after authorized to be taken by the said Company of Proprietors; and in case the same shall be unpaid by the Space of Twenty-one Days after the same shall become due, it shall and may be lawful to and for the Person or Persons, to whom such Rent shall be due and payable, to levy the same by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, in such Manner, and by such Ways and Means, as other Rent-charges are by Law recoverable.

For settling
the Proportions of
Money, &c.

And be it further enacted, That the said Commissioners, or any five or more of them, may and are hereby empowered to settle what Shares and Proportions of the Purchase-monies or Recompence for Damages, which shall be so agreed for between the said Company of Proprietors, or determined and adjusted by the said Commissioners, or any five or more of them, or assessed by the said Juries in Manner respectively as aforesaid, shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest, in the Premises, for his, her, or their respective Interests therein, except in such Cases where

the same are directed to be laid out and invested in the Purchase of Lands, Tenements, or Hereditaments.

And be it further enacted, That in Default of Payment of such yearly Rents, or such other Sum or Sums of Money, and at such Times, and in such Manner, as shall be assessed and awarded for Damages of any kind by virtue of this Act, it shall and may be lawful for the said Commissioners, or any five or more of them, to appoint One or more Person or Persons, from whom the said Commissioners shall take a proper Security, to collect and receive the Tolls, Rates, and Duties, by this Act imposed, and thereout, in the first Place, to pay all such Damages so to be determined or assessed as aforesaid, with the Costs, if any, occasioned by such Refusal or Default of Payment, and also the Costs and Expences of collecting and receiving the said Tolls, Rates, and Duties; and the Money so to be raised by such Person or Persons; and the Money so declared to be as so much Money received to the Use of such Person or Persons who shall be intitled to the Use of such yearly Rent or Satisfaction for Damages as aforesaid, in Order and Course respectively as they shall be intitled to receive the same; and after such Damages, Costs, and Expences, shall be paid and satisfied, the Power and Authority of such Receivers for the Purposes aforesaid shall cease and determine, or otherwise such Party or Parties so aggrieved shall and may have a Remedy for such yearly Rent, or other Sum or Sums of Money so to be assessed and awarded, which shall not be paid, according to the Judgement of the said Commissioners, or any five or more of them, as aforesaid, or by the said Juries, by Action at Law, in any of His Majesty's Courts of Record, by Action the said Company of Proprietors, to recover the same, with full Costs of Suit, as between Attorney and Client.

And be it further enacted, That in case the Damages and Costs, by this Act provided to be satisfied out of the Tolls, Rates, and Duties arising by the said intended Navigation, shall not be paid and satisfied within the Space of four Calendar Months after the same shall be so determined or assessed, as aforesaid, then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any five or more of them, upon Complaint made to them by or on the Behalf of the Person or Persons so claiming such Damage, to issue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of

In Default of Payment the Tonnage Rates to be liable.

If Costs are not paid, the same to be levied upon the Company of Proprietors.

the said Counties of Cornwall or Devon respectively, wherein the Cause of Action shall arise, authorizing and empowering him to levy and raise the Damages, so to be determined and assessed, by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with such reasonable Charges, as the said Commissioners, or any five or more of them, shall, in such Warrant, direct and appoint.

Persons wilfully destroy-
ing or obstructing the
Navigation,
Engines, &c.

And be it further enacted, That if any Person or Persons shall wilfully, maliciously, and to the Prejudice of the Navigation, break, throw down, damage, or destroy, any Engines, Banks, or other Works, to be erected or made by virtue of this Act, or do any other wilful Hurt or Mischief, to obstruct, hinder, or prevent the carrying on, completing, supporting, and maintaining, the said intended Navigation, such Person or Persons shall be adjudged guilty of Felony; and every such Felon shall be subject 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 and hereby have Power and Authority to transport such Felon to any of His Majesty's Plantations in America for the Term of Seven Years, in like Manner as other Felons are directed to be transported by any of the Laws of the Realm of England, or in Extradition of such Punishment, may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

adjudged
guilty of
Felony.

Mines and
Minerals
reserved to
Lords of
Manors.

Provided also, 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 Ground, or of any Owner or Owners of any Lands or Grounds in, upon, or through which the said Cut or Canal, Towing-paths, Engines, Wharfs, Quays, Trenches, Sluices, Passages, Watercourses, or Conveniences aforesaid, or any of them, shall be made, to the Mines and Minerals lying or being within or under the Lands or Grounds to be set out or made use of for such Cut or Canal, Towing-paths, Wharfs, Quays, Trenches, Sluices, Passages, or Watercourses, or other Conveniences aforesaid, or any of them; but all such Mines and Minerals are hereby reserved to such Lord or Lords of such Manor or Manors, or of such Common or Waste Ground, and to such Owner or Owners of such Lands or Grounds respectively, their Heirs and Assigns; and that

it shall and may be lawful to and 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 (Subject to the Conditions and Restrictions herein contained) to work, get, drain, take, and carry away, to his, her, and their own Use, such Mines and Minerals, not thereby injuring, prejudicing, or obstructing the said Cut or Canal, Engines, Towing-paths, Wharfs, Quays, Trenches, Sluices, Passages, Watercourses, and other the Conveniences aforesaid, or any of them; any Thing herein contained to the Contrary notwithstanding.

Provided, and be it further enacted, That all Minerals which shall be found and dug up in making, carrying on, and completing the said Cut or Canal, or any other Works hereby authorised to be made, carried on, and completed, shall be laid upon the Surface of the Lands adjoining, in some convenient Place near the said Works, at the Expense of the said Company of Proprietors, save and except such Lime and other Stone, and Clay, as shall be used in and about the Works of the said Canal; and it shall and may be lawful to and for the Person or Persons respectively in whose Lands or Grounds the said Minerals shall be found and dug up, or other Person or Persons intitled thereto, to take, carry away, and dispose of the same, (save as aforesaid,) to and for his, her, and their own Use and Benefit; and that it shall and may be lawful to and for the said Owner or Owners of any such Mines or Minerals which shall or may be discovered or cut in any Tunnel or Aqueduct which shall be made by virtue of this Act, to make a Sough or Soughs, Drain or Drains, to drain the remaining Part of such Mines or Minerals, and to discharge the Water arising and flowing from the same into or under Tunnels or Aqueducts, and for any Person or Persons to make a Cut, Canal, Sluice, or other Communication, in and through their own Lands and Grounds, and through the Banks or Towing-paths of the said Cut or Canal of the said Company of Proprietors into the same, navigable and passable for Boats, Barges, and other Vessels, so that the Cut or Canal of the said Company of Proprietors be not injured thereby, for the Purpose of conveying the said Mines, Minerals, Quarries, or any other Commodities, by Land along the said Canal; provided that such Settling Places be made at convenient Distances in such Soughs

Coals, &c.
found in dig-
ing the Canal
may be taken
by the Pro-
prietors of
Land.

or Drains as shall be approved and directed by the said Company of Proprietors, or their principal Engineer for the Time being, and cleaned as often as shall be necessary at the Expence of the Person or Persons making the same, in order to prevent the Mud and Earth from being conveyed into such Tunnel or Aqueduct.

Mines not to be worked to prejudice the Canal;

Provided also, and be it enacted, That if the Owner or Worker, Owners or Workers, of any Mine or Mines shall, in pursuing such Mine or Mines, work near or under the said Cut or Canal, so as in the Opinion of the said Company of Proprietors to endanger or damage the same, or in the Opinion of the said Owner or Worker, Owners or Workers, of the said Mine or Mines, to endanger or damage the further working thereof, then it shall and may be lawful for the said Company of Proprietors to treat and agree with the Owner or Worker, Owners or Workers, for all such Minerals as may be within such Space near or under the said Cut or Canal as shall be thought proper to be left for the Security or Preservation of the said Cut or Canal, Mine or Mines, as aforesaid; and in case the said Company of Proprietors, and such Owner or Worker, Owners or Workers, of such Mine or Mines, shall disagree in the Satisfaction to be made for such Minerals, then it shall and may be lawful to and for the said Commissioners, or any five or more of them, at the Request of the said Company of Proprietors, or of such Owner or Worker, Owners or Workers, of such Mine or Mines, to cause a Jury to be summoned and impanelled in the manner as herein-before directed, who shall, and they are hereby authorised and required, by such Ways and Means as aforesaid, to assess and determine what Satisfaction such Owner or Worker, Owners or Workers, of such Mine or Mines ought to have and receive from the said Company of Proprietors on being restrained from working such Mine or Mines, and upon Payment or Satisfaction made to such Owner or Worker, Owners or Workers, of such Mine or Mines by the said Company of Proprietors, according to the Verdict or Judgement of such Jury, such Owner or Worker, Owners or Workers, of such Mine or Mines shall be and they are hereby perpetually restrained from further working such Mine or Mines within the Limits for which such Satisfaction shall, by the said Jury, be adjudged and declared to extend.

but Satisfaction to be made for certain Quantities left.

And to the End that the said Navigation may be carried on with as little Damage to private Property as possible, be it further enacted, That the said Company of Proprietors shall, and they are hereby required, at their own proper Costs and Charges, to make, or cause to be made, such Arches, Tunnels, Drains, or other Passages, over, under, or into the said Cut or Canal, authorized to be made by this Act, and the said Trenches, Streams, and Watercourses communicating therewith, and Conduits or Sides thereof, of such Depth and Breadth as shall be sufficient at all Times to convey the Water from the Lands adjoining, or lying near to the said Cut or Canal, without obstructing or impeding the same, 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 Cut or Canal, to the Prejudice of any of the Lands or Grounds contiguous thereto, making Satisfaction for the Ground so used for the same; and that all such Arches, Tunnels, Drains, and other Passages, shall, from Time to Time, be supported, maintained, and kept in good and sufficient Repair by the said Company of Proprietors; and if, at any Time or Times after One Calendar Month's Notice shall be given, in Writing, by or on Behalf of any Owner or Occupier, Owners or Occupiers, of the said adjacent Lands, who shall find him, her, or themselves aggrieved by the Obstruction of the said Watercourses, to any One of the Committee herein-after mentioned and expressed of the said Proprietors for the Time being, or to the known Agent or Collector of the Rates and Duties of the said Proprietors for the Time being, the said Arches, Tunnels, Drains, or other Passages, shall not be made, cleaned, repaired, and maintained, according to the true Intent and Meaning of this Act, it shall and may be lawful for any Person, having an Order in Writing for that Purpose from any Five or more of the said Commissioners, from Time to Time, as often as there shall be Occasion, to make, cleanse, and repair such Arches, Tunnels, Drains, or other Passages, and the reasonable Expenses thereof, to be ascertained by the said respective Commissioners, or any Five or more of them, shall be betrayed by the said Company of Proprietors; and in case of Refusal or Neglect to satisfy the same for the Space of One Calendar Month after Demand thereof

Thereof made upon their Agent or Agents, or upon any Collected of the said Rates or Duties upon the said Navigation, such Expenses shall and may be levied and recovered in such Manner, as the Costs and Charges of making and erecting Bridges, and other Works, by the Owners or Occupiers of Lands are by this Act directed and appointed to be levied and recovered.

^aWhere Cattle are deprived of Watering-places others to be provided.

And be it further enacted, That where, by means of making the said navigable Cut or Canal, any Cattle which used to depasture in the adjacent Lands or Grounds shall be deprived of their usual Watering-places, then, and in such Cases, the said Company of Proprietors shall, and their own proper Costs and Charges, set out and provide proper and convenient Places in the Lands adjoining to the said navigable Cut or Canal for Cattle to water at and drink out of in every such Ground, in lieu and instead of the Watering-place or Places where they were heretofore accustomed to drink and water at, as aforesaid, and to supply the said Watering-places with Water from and out of the said Cut or Canal, if necessary.

^bTowing-paths to be fenced off from the adjoining Lands.

And be it further enacted, That the said Company of Proprietors shall, at their own proper Costs and Charges, divide and separate, and keep constantly divided and separated, the Towing-paths and Banks on each Side of the said Cut or Canal, and navigable Trenches or Passages, in such Manner as shall be found necessary by the said Commissioners, or any five or more of them, in case there shall be any Dispute about the same, from the Lands and Grounds adjoining to such Banks and Towing-paths, with a Post and Rail, Hedge, Ditch, Trench, or other Fence, sufficient to keep Sheep and other Cattle from the said Banks and Towing-paths, to be set and made on the Lands or Grounds which shall be purchased by, conveyed to, or vested in them, as aforesaid, and shall at their own Costs and Charges, from Time to Time, maintain and support the same; and also shall and will, at their own Costs and Charges, make, erect, and set up, and, from Time to Time, maintain and support in good Repair, such and so many convenient Gates, Bridges, and Stiles, in and over all the Hedges and Fences to be by them so made on the Sides of such Towing-paths and Banks as aforesaid; and also Bridges, Arches, or Passages over, under, or through the said Cut or Canal, and the said Trenches, Streams, and Watercourses, at such Places,

Places, and of such Dimensions, and in such Spanner as the said Commissioners, or any five or more of them, shall from Time to Time judge necessary and appoint, (in case there shall be any Dispute about the same), for the Use of the Owners and Occupiers of the Lands and Grounds, or Hereditaments adjoining to such Cut or Canal, Trenches, Streams, Watercourses, and Cowing-paths, and of all Persons who now or hereafter may have a Right to any Way over or through the Lands or Grounds which shall be used in making the said Canal, Trenches, Streams, Watercourses, or Cowing-paths, or any of them respectively; and the said Company of Proprietors shall not make the said Cut or Canal, or any Trench or Watercourse, or any Part thereof, in or across any common Highway, publick High-way, or Foot-way, until such Time as they shall, at their own proper Charges, have made and perfected such Bridge or Bridges over, or convenient Passages through, or Arch or Arches under the said Places where the said Cut, Canal, Trench, or Watercourse respectively shall be intended to be made for such Road, Way, or Path, and of such Dimensions, and in such Spanner, as the said Commissioners, or any five or more of them, shall adjudge proper; and all such Gates, Stiles, Fences, Bridges, Arches, and other Conveniencies, to be made by the said Company of Proprietors for the Purposes aforesaid, either with or without the Direction of the said Commissioners, shall, from Time to Time, be supported, maintained, and kept in sufficient Repair by the said Company of Proprietors.

And be it further enacted, That in case the said Company of Proprietors, or their Agents, shall fail or neglect to make, erect, and set up such Fence on the Sides of the said Cowing-paths or Banks, and also such Gates, Bridges, Arches, in and over the said Fences, or such Bridges, Arches, or Passages over, under, or through the said Cut or Canal, and the said Trenches, Streams, and Watercourses, as aforesaid, or to make such Watering-places for Cattle, as herein-before directed for the Use and Convenience of such Persons as herein-before mentioned, and of such Dimensions, and in such Spanner, as the said Commissioners, or any five or more of them, shall from Time to Time direct or appoint, (in case there shall be any Dispute about the same), or to maintain or support

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such

In case of Failure, Commissioners and the Company to pay the Charges.

such Bridges, Arches, and Watering-places when erected, set up, or made, for the Space of Twenty Days next after the Times to be appointed for those Purposes by the said Commissioners, or any five or more of them; then, and in every such Case, it shall and may be lawful to and for every or any of the said Owners or Occupiers of the said adjacent Lands or Grounds, and every other Person or Persons who shall find themselves or himself aggrieved by any such Failure or Neglect, to make, erect, and set up such Fences, Gates, Stiles, Bridges, Arches, Passages, and Watering-places, and other Conveniencies as aforesaid, as the said Commissioners, or any five or more of them, shall have before-directed or appointed to be made, erected, and set up, by the said Company of Proprietors, as aforesaid, and to maintain, repair, and support the said Fences, Gates, Bridges, Stiles, Arches, Passages, Watering-places, and other Conveniencies, from Time to Time, as Occasion shall require; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Commissioners, or any five or more of them, shall be repaid to the Person or Persons who shall have so made, erected, or repaired the said Fences, Gates, Stiles, Bridges, Arches, Passages, Watering-places, or other Conveniencies, by the said Company of Proprietors, within the Space of Twenty Days next after the same shall have been so settled and allowed, and an Account and Demand shall have been delivered and made thereof; and in Default of Payment of the said Costs and Charges within the Time aforesaid, the said Commissioners, or any five or more of them, shall, and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, to and for the Use of such Person and Persons who shall have so laid out and expended the same as aforesaid, tendering to the said Company of Proprietors, or to such of their Agents, the Overplus, (if any such there be), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Commissioners, or any five or more of them, or otherwise every or any of the said Owners or Occupiers of Lands, or other Person or Persons aforesaid who shall have made, erected, set up, or repaired any such Fences, Gates, Stiles, Bridges, Arches, Watering-places, or other Conveniencies by virtue of

the Powers hereby given, shall and may have such and the like Remedy against the said Company of Proprietors, for the Recovery of such Costs and Charges, by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is in and by this Act mentioned and directed.

And be it further enacted, That if the Owners or Occupiers of any Lands through which the said intended Cut or Canal shall be made, or any other Person or Persons having a Right to a Way or Passage over such Lands, do or shall, at any Time or Times hereafter, find, upon Experience, that the several Gates, Stiles, Bridges, Arches, Passages, Watering-places, and other Conveniencies, which shall have been made by the said Company of Proprietors, either with or without the Direction of the said Commissioners, or any five or more of them, in, upon, over, under, or through the said Cut or Canal, or the Towing-paths thereof, are insufficient either in Number or Situation for the commodious Use or Occupation of their respective Lands and Grounds on both Sides, or on either Side of the said Canal; then, and so often, or in any such Case, it shall and may be lawful to and for every or any of such Owners or Occupiers of the said Lands for the Time being, or such other Person or Persons as aforesaid, with the Consent and Approbation of the said Committee for the Time being, upon Request made to them for that Purpose, or in case of their Refusal for the Space of Thirty Days after such Request, then with the Consent and Approbation of the said Commissioners, or any five or more of them, to make, fix, and erect, at their own Costs and Charges, One or more Gate or Gates, Stiles, Bridges, Arches, Passages, Watering-places, or other Conveniencies, on, in, over, or near the said Cut or Canal, or Towing-paths thereof, in such Places as shall be found and adjudged most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of the said Lands, and to repair and support the same respectively at their own like Costs and Charges, as Occasion shall require, so as the Navigation of, in, or upon the said Cut or Canal be not prevented or obstructed thereby for any longer Space of Time, or any other Manner, than the same will necessarily be by any of the other Gates, Stiles, or Bridges, to be made or erected in or

Owners of
Lands im-
powered to
make Bridges

over the same Cut or Canal by the said Company of Proprietors aforesaid, and so as no Damage or Injury be thereby done to any of the Works of the said Navigation.

Lords of Manors and Land-owners may erect Ware-houses on their own Lands:

Provided also, and be it further enacted, That nothing in this Act shall extend to restrain or hinder the Lord or Lords of any Manor or Manors, or the Owner or Owners of any Lands or Grounds through which the said intended Cut or Canal shall be made under or by virtue of this Act, from making, erecting, or using any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Ware-houses, in or upon their respective own proper Lands, Grounds, or Waters, adjoining or near to the said Cut or Canal hereby authorized to be made, or from landing or any Goods or Merchandise, or other Things thereupon, or upon the Banks lying between the same and the said intended Cut or Canal, or from making and using proper and convenient Places for Boats or other Vessels to tie in, turn, or pass each other, so that the making, erecting, or using thereof respectively, shall not obstruct or prejudice the Navigation of the said Cut or Canal, or the Towing-paths on the Sides thereof; and all Rates, Dues, and Duties, that shall be paid for the Use and Benefit of the said Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses respectively, shall be, and the same are hereby vested in such Lord or Lords of such Manor or Manors, or the Owner or Owners of such Lands, or Grounds, or Waters, who shall make and erect such Wharfs, Quays, Landing-places, Weigh-beams, or Warehouses, upon their own respective Lands, Grounds, or Waters respectively, his, her, or their Heirs and Assigns, so that the Rates, Tolls, or Duties, herein-after granted to the said Company of Proprietors for Tonage and Wharfage, shall not be thereby reduced or altered.

But if not done in a limited Time, the Proprietors may build them.

Provided also, and be it further enacted, That if any such Lord or Lords, Owner or Owners, shall not, within the Space of Twelve Calendar Months after Notice given in Writing, by or on the Behalf of the said Company of Proprietors, that any Part or Parts of such Lands, Grounds, or Waters, is or are intended to be used by them for the Purpose of erecting Warehouses and Buildings for the Use of the said Navigation, make, erect, maintain, and keep in substantial Repair, in the Opinion of the said Commissioners, or any five or more of them, proper and sufficient Warehouses and Buildings

on the respective Part and Parts of the Lands, Grounds, and Waters, comprised and described in such Notice; then, and in every such Case, the said Company of Proprietors shall have full and absolute Power and Authority, without any Hindrance or Restraint whatsoever, to make use of such Lands, Grounds, or Waters, (except such as are herein particularly specified and excepted,) for all or any of the Purposes aforesaid, first making Satisfaction for the same in such Manner as is directed with respect to other Lands or Grounds which shall be taken or used for the Purposes aforesaid.

And be it further enacted, That nothing shall be demanded or taken for Wharfage by any Lord or Lords, Landowner or Land-owners, who shall at any Time hereafter make, erect, or build any Wharfs or Quays on any Part of the said intended Cut or Canal by virtue of this Act, in respect of any Goods or Merchandise, Matters or Things, which shall be loaded into or discharged from any Boat or other Vessel, and which shall not lie upon such Wharfs or Quays for any longer Time than Twenty-four Hours; and that no more than the Sum of Two-pence per Ton shall be demanded or taken for the Wharfage of Coals, Stone, Sand, or Brick, nor more than Three-pence per Week per Ton for the Wharfage of any other Goods or Merchandise, where the same shall be respectively placed upon such Wharfs or Quays, and shall not remain or continue thereupon for a longer Space of Time than Six Days; and that it shall and may be lawful for the said Company of Proprietors to make, erect, and repair, and use any Crane or Cranes, Weighing Machine, or Weighing Machines, and Weights, upon every such Wharf or Quay, for the more convenient loading, unloading, and weighing of any such Goods and Merchandise, Matters and Things, in case the Proprietors of such Wharfs or Quays shall refuse to make and erect the same within Three Calendar Months after they shall have received Notice in Writing for that Purpose from the said Company of Proprietors.

Provided always, and be it further enacted and declared, That the Lord and Lords, or Owner or Owners, of all and every Canal and Canals through which the said intended Cut or Canal shall be made, shall have and be intitled to the sole, several, and exclusive Right of Fishery of and in so much of the said Canal, Cuts, Trenches, and Sluices, as shall be made over or through the Common

Right of Fishery in the Canal granted to Lords of Manors and Land-owners.

or waste Lands within his, her, or their Manor or Manors respectively; and that the Owner or Owners of all other Lands or Grounds through which the said Cut or Canal shall be made shall also have and be intitled to the like sole, several, and exclusive Right of Fishery of and in so much of the said Cut or Canal, Trenches, and Sluices, as shall be made in, over, or through his, her, or their Lands or Grounds respectively, so as in the Act and Exercise of the said Right of Fishing, the said navigable Cut or Canal, Trenches, and Sluices, and the Towing-paths, Banks, or other Works and Conveniences hereby authorized to be made, shall not be prejudiced or obstructed, or any Water drained or exhausted from or out of the said Cut or Canal, Trenches or Sluices; and so as the said Company of Proprietors, or their Agents, Servants Workmen, or any of them, shall not be liable to any Penalty, Action, or Prosecution, for or by reason of the taking or destroying any Fish in the said Cut or Canal, Trenches or Sluices, which shall be taken, killed, or destroyed, through or by means of the letting off the Water out of the said Cut or Canal, Trenches or Sluices, for or upon account of any Repairs or Works to be done in or about the same; any Thing herein contained to the Contrary notwithstanding.

Land-owners
impowered to
use Pleasure-
boats.

Provided also, and be it further enacted and declared, That it shall and may be lawful to and for the Owners and Occupiers of any Lands adjoining to the said Canal to use any Pleasure Boat and Boats upon the said Canal without any Interruption from the said Company of Proprietors, and without paying any Rate or Duty for the same, so as the same be not made use of for carrying any Goods, Wares, or Merchandise, and so as the same shall and do not obstruct or prejudice the Navigation of the said intended Cut or Canal, or the Towing-paths on the Sides thereof.

Proprietors
may raise Mo-
ney among
themselves for
making the
Canal.

And to the End that the said Company of Proprietors may be enabled to carry on so useful an Undertaking, be it enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise and contribute amongst themselves, and in such Proportions as to them shall seem meet and convenient, a competent Sum of Money for making and completing the said navigable Cut or Canal, Engines, Roads, and other Works and Conveniences

Conveniencies, provided that the said Sum does not exceed the Sum of forty thousand Pounds in the Whole, (except as herein-after mentioned,) and that the same be divided into such Number of Shares as herein-after directed, each Share not exceeding One hundred Pounds; and that no Person subscribing thereto, or becoming a Proprietor in such Navigation, do become a Proprietor of less than One Share, or more than Twenty Shares, either in his or her own Name, or in the Name of Names of any other Person or Persons in Trust for him or her, (except the same shall come to him or her by Descent, Bequest, Marriage, or Act of Law), upon Pain of forfeiting to the said Company of Proprietors all such Shares exceeding Twenty Shares as aforesaid, (except as herein-after mentioned); and the Money to be raised is hereby directed and appointed to be laid out and applied, in the first Place, for and towards the Payment, Discharge, and Satisfaction of the Costs, Charges, and Expences, in applying for, obtaining, and passing this present Act of Parliament, and all other necessary Expences preparatory and relating thereto, and all the Residue and Remainder of such Money for and towards making, completing, and maintaining the said navigable Cut or Canal, and other the Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever.

And be it further enacted, That the said Sum of forty thousand Pounds, or such Part thereof as shall be raised by the several Persons herein-before named, and by such other Person or Persons, Bodies Politick or Corporate, who shall or may become a Subscriber or Subscribers to the said Navigation, shall be divided into four hundred equal Parts or Shares, at a Price not exceeding One hundred Pounds per Share, and that the said four hundred Shares shall be and are hereby vested in the several Persons herein-before described, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum they and each of them shall severally subscribe and pay thereunto; and all and every the said Shares shall be deemed to be personal Estate, and transmissible as such, and not of the Nature of real Property; and all Bodies Politick and Corporate, and every Person and Persons, their several and respective Successors, Executors, Administrators,

The Money to be raised to be divided into to Shares.

nistrators, and Assigns, who shall severally subscribe and pay in the Sum of One hundred Pounds, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said intended Navigation, shall be intitled to and receive, after the said Navigation shall be completed, the entire and neat Distribution of One four hundredth Part of the Profits and Advantages that shall and may arise and accrue by virtue of the Sum and Sums of Money so to be raised, recovered, and received, by the Authority of this Act, and so in Proportion for any greater Number of Shares, not exceeding Twenty Shares, as aforesaid, (except as herein mentioned), and every Body Corporate or Politick, Person or Persons, having such Property of One four hundredth Part or Share in the said Undertaking, and so in Proportion, as aforesaid, shall bear and pay a proportionable Sum of Money towards carrying on the said Undertaking, in Manner herein-after enacted, directed, and appointed.

Proprietors to receive 5 l. per Cent. Interest till the Canal is finished.

And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby required, out of the Money to be raised, as aforesaid, during the Time the said Canal, and all Things necessary for making and maintaining the same shall be carrying on, and until the same shall be completed and finished, to pay unto every Body Politick or Corporate, Person or Persons, their several and respective Successors, Executors, Administrators, or Assigns, who shall severally subscribe and pay the Sum of One hundred Pounds, or such Sum or Sums of Money, as shall from Time to Time, be demanded as Part thereof, towards carrying on and completing the said Navigation, Intended for the same after the Rate of Five Pounds for every One hundred Pounds for a Year, from the Time that each of such Sum or Sums to be respectively advanced shall amount to Twenty Pounds per Centum, and in like Manner Interest shall be paid after every other Twenty Pounds per Centum shall be advanced, and in like according to the true Intent and Meaning hereof.

Subscribers to have a Vote for every Share,

And to the End that all Matters and Things concerning or relating to the carrying on and completing the said Navigation may be managed and conducted in the most beneficial Manner, be it further enacted, That all and every Body or Bodies Politick or Corporate, or other Person or Persons, who shall by virtue of this present Act, have

subscribed

subscribed or undertaken for One Share of the said Navigation, and their respective Successors, Executors, Administrators, or Assigns, shall be deemed a Proprietor for so much, and shall have a Vote in every Publick Meeting or Assembly, to be held as hereafter appointed, for carrying on the said Undertaking, which Vote may be given by him, her, or them, or by his, her, or their Proxy, duly constituted under his, her, or their Hand and Seal, (such Proxy or Proxies, being Proprietors in the said Navigation), and such Vote or Votes by Proxy, shall be good and sufficient to all Intents and Purposes as if such Principal or Principals had voted in Person; and any Body or Bodies Corporate or Politick, Person or Persons, who shall have One or more such Share or Shares, shall have Liberty, by him, her, or themselves, or by his, her, or their Proxy or Proxies, constituted as aforesaid, to give One Vote for each such Share; and whatever Question, Election of Officers, or other Matters or Things, shall be proposed, discussed, or be considered in any publick Assembly, to be held by virtue of this Act, shall be finally determined by the Majority of Votes and Proxies then present, computing One Vote for every Share.

And be it further enacted, That in case the said Sum of Forty thousand Pounds herein before authorized to be raised, shall be found insufficient for the making, completing, and maintaining, the said navigable Cut or Canal, and other the Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then, and in such Case, it shall and may be lawful to and for the said Company of Proprietors to raise and contribute amongst themselves, in Manner and Form aforesaid, and in such Shares and Proportions as to them shall seem meet, or by the Admission of new Subscribers, and further, or other Sum of Money for completing the Sum of Twenty thousand Pounds; and every Subscriber towards raising such further or other Sum, shall have a like Vote by himself or herself, or his or her Proxy, in respect of every such Rate in the said additional Sum so to be raised, and shall also be liable to such forfeitures, and stand interested in all the Profits and Powers of the said Navigation, proportionably to the Sum he, she, or they, may subscribe thereunto, as generally and extensively to all Intents and Purposes, as if such further or other Sum hereby allowed to be subscribed for, and raised, had

Proprietors
may raise an
additional
Sum if neces-
sary;

by Admission
of new Sub-
scribers,

originally been Part of the said forty thousand Pounds, any Thing herein contained to the Contrary thereof in any-wise notwithstanding; or it shall and may be lawful for the said Company of Proprietors, or the Committee for the Time being, to be appointed by virtue of this Act, or any five or more of such Committee, at any of their Meetings assembled, to borrow and take up, at legal or less Interest, or by granting Annuities for One or more Life or Lives, all or any Part of the said Sum, or forty thousand Pounds and Twenty thousand Pounds, or the Credit of the said Navigation and Undertaking, as to them shall seem meet and convenient; and they are hereby fully authorized and impowered to grant or assign over the said Navigation, Undertaking, and Premises, and the Tolls, Rates, and Duties arising, or to arise by virtue of this Act, or any Part thereof, (the Costs and Charges of granting or assigning the same to be paid out of such Tolls, Rates, and Duties), as a Security for any such Sum or Sums of Money to be borrowed, with Interest, or for which such Annuities shall be granted, to such Person or Persons, or his, her, or their Trustees, who shall advance the same, under the Common Seal of the said Company, under the Words of Assignment; videlicet:

or borrowing
Money upon
the Tolls.

Form of Assignment.

BY virtue of an Act, made in the Fourteenth Year of the Reign of His Majesty King George the Third, for making a navigable Cut or Canal from the Port or Harbour of Bude, in the Hundred of Stratton, in the County of Cornwall, to the River Tamer, in the Parish of Calstock, in the said County, We the Company of Proprietors of the said Navigation, incorporated by and under the said Act, in Consideration of the Sum of
 of lawful British Money to us in Hand paid by A. B. of
 &c. do assign unto the said A. B. his (or her) Executors, Administrators, and Assigns, all and singular the Tolls, Rates, and Duties, arising by virtue of the said Act, and also the said Navigation, Undertaking, and Premises, and all the Estate, Right, Title, and Interest of us the said Company of Proprietors, 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
 together with the Interest for the same, after the Rate of
 per Centum per Annum, shall be paid; or
 (otherwise

Proprietors, or any of them, and shall, from Time to Time, be fully paid and discharged, or provided for, before the yearly or other Interest or Dividends due to the said Proprietors, or any of them, shall be paid, made, or divided.

And, to the End that all Matters and Things to be done and carried on by virtue and Authority of this Act may be the more regularly and methodically carried into Execution, be it enacted, That the first General Assembly or Meeting of the Proprietors for putting this Act into Execution shall be held at Lancelton, upon the Twenty-fourth Day of June, One thousand seven hundred and seventy-four, and the like General Assembly or Meeting shall be held Twice in every Year for the future, upon the fourth Day of January, and the Twenty-fourth Day of June, in every Year, except when the said Days shall happen to be on a Sunday, and then to be on the Day following, at the Hour of Eleven of the Clock in the Forenoon, at such Place within the said Counties of Cornwall and Devon as the said Proprietors, at each next preceding Meeting, shall appoint; at which said first Meeting, as also at every subsequent Meeting, to be held upon the Twenty-fourth Day of June yearly, the Proprietors assembled, together with such Persons as shall be then present, shall choose Thirteen Persons, who, for the Time being, are each Proprietors of One or more Shares in the said Navigation; which Persons so chosen shall be a Committee to manage the Affairs of the said Company of Proprietors for the Year then next following, or until another Committee shall be appointed; and if at any Time it shall appear to any Five or more of such Committee, or Twenty or more of the Proprietors at large, that, for the more effectual putting this Act in Execution, a Special Meeting of the Proprietors is necessary to be held, it shall be lawful for such Twenty or more of them to cause Notice to be given thereof, by their Clerk, in such One or more News-paper or News-papers as shall be most commonly circulated throughout the Counties of Cornwall and Devon, or in such Manner as the said Proprietors shall at any General Meeting direct or appoint, declaring in such Notices the Place where, and Time when, such Meeting is to be held, the same not being less than Fourteen Days after such Notice given, and likewise specifying in every such Notice the Reason for, and Intention of, such Meeting;

General Assembly for choosing a Committee.

Meeting; and the Proprietors are hereby authorised to meet pursuant to such Notices, and proceed to the Execution of the Powers by this Act given them, with respect to the Matters so specified only; and all such Acts of the said Proprietors, or the major Part of them, assembled at such Meetings, shall be as valid to all Intents and Purposes, as if the same were done at Meetings held in Spain.

Committee to be under the Controul of General Assemblies.

Provided always, That such Committee shall, from Time to Time, make Reports of their Proceedings to the said General Assemblies, and be subject to the Examination and Controul of the said General Assemblies, or other Meetings of the said Proprietors, as aforesaid, 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 Assembly or other Meeting, such Orders and Directions not being contrary to any express Directions or Provisions in this Act contained.

Books to be kept.

And be it further enacted, That the Book and Books in which all the Accounts relating to the said Undertaking and Navigation shall be stated and settled, and all other Matters relating therunto, shall be deposited, and locked up in a Chest or Box, Chests or Boxes, to be kept at such Place or Places as the said Company of Proprietors shall from Time to Time direct, and the Key or Keys thereof the Committee for the Time being shall have in their Custody or Power; and every Proprietor or Proprietors, upon every reasonable Request, shall have free Access to the same, for his, her, or their Inspection.

General Assemblies to consist of a certain Number of Shares.

Provided always, That if at any such General or Special Assembly there shall not be Persons who have One hundred and fifty such Shares, as aforesaid, either as Principals or Proxies, no Choice of a Committee shall be made at that Time; but in such Case, there shall be a new Assembly of the Proprietors of the said Navigation at the same Place, upon that Day fortnight following; and such Choice shall be then made of Persons to be of the Committee as ought to have been made on the Day herein-before appointed, notwithstanding there shall be a sufficient Number of Votes present; and the Persons then chosen to be of the said Committee, shall have the same

Power

Power as they would have had, and continue in such Offices until such Time as they would have done, had they been chosen on the Day herein-before appointed:

And that in case of Failure at such first Meeting of Persons having One hundred and fifty such Shares as Principals or Proprietors, the whole Number of Principals who shall not be present at such Second Meeting, by him, her, or themselves, or his, her, or their Proprietors, shall forfeit, to the said Company of Proprietors, for every such Share which he, she, or they, shall then have in the said Navigation and Undertaking, the Sum of One Shilling for each Share in the said Undertaking; to be stopped out of the next Payment of Interest or Dividend of the Profits of the said Undertaking, as the Case may happen.

And be it further enacted, That the Company of Proprietors, at every such General Assembly, shall have Power to call for, audit, and settle all Accounts of Monies, laid out and disbursed on account of the said Navigation, with the Receiver or Receivers, and other Officer and Officers, to be by them appointed, or any other Person or Persons whomsoever, employed or concerned for or under them, in and about the said Navigation, and for that or any other Purpose, shall have Power to adjourn themselves over, from Time to Time, and from Place to Place, as shall be thought convenient by such General Assembly; and every General Assembly, or Committee, met together by the Authority of this Act, shall have Power, from Time to Time, to make such Call or Calls of Money from the Proprietors of the said Navigation, to defray the Expences of, or to carry on the same, as they, from Time to Time, shall find wanting and necessary for those Purposes, so that no Call do exceed the Sum of Ten Pounds for every One hundred Pounds, and so as no Call to that Amount be made but at the Distance of Three Months at the least from each other; which Money so called for shall be paid to such Person or Persons, and in such Manner, as the said General Assembly shall, from Time to Time, appoint and direct, for the Use of the said Undertaking; and such Committee shall, until the next annual or other General Assembly, to be holden in Manner as aforesaid, meet at such Times and Places, and, from Time to Time, adjourn themselves to such other Time and Place,

Proprietors
not meeting
shall forfeit
for each
Share 1 s.

Power of Ge-
neral Assem-
blies and
Committees.

as they shall think fit, and shall have Power and Authority to direct and manage all and every the Affairs of the said Company of Proprietors, as well in buying and purchasing Lands, Liberties, and Materials, for the Use of the said Navigation, as in employing, ordering, and directing the Work and Workmen, in placing and displacing under Officers, Clerks, Servants, and Agents, and in making all Contracts and Bargains concerning the said Undertaking, so that no such Purchase, Bargain, or other Matter, be done or transacted without the Concurrence of a major Part of the said Commissioners as shall be then and there assembled; and every Owner or Owners of One or more Part or Parts, Share or Shares, in the said Undertaking, shall pay his, her, or their Shares or Proportions of the Monies to be called for, as aforesaid, at such Time and Place as shall be appointed, of which One Month's Notice at least shall be given, by publishing the same in some Weekly News-paper, most commonly circulated, in the Counties of Cornwall and Devon, or in such Manner as the said Proprietors shall at any General Assembly direct and appoint; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share of the said Money, to be called for, as aforesaid, at the Time and Place appointed by the said General Assembly or Committee, he, she, or they, so neglecting or refusing, shall forfeit the Sum of five Pounds for every One hundred Pounds of his, her, or their respective Share and Shares, Parts and Interests in the said Navigation, Undertaking, and Premises; and in case such Person or Persons shall neglect to pay his, her, or their rateable or proportionable Part or Share of the said Money so to be called for, as aforesaid, for the Space of Six Calendar Months after the Time appointed for Payment thereof, as aforesaid, then he, she, or they, so neglecting, shall forfeit his, her, or their respective Share and Shares, Parts and Interests, in the said Navigation, Undertaking, and Premises, and all the Profit and Benefit thereof; all which Forfeitures shall go to the rest of the Company of Proprietors of the said Navigation, in Trust for, and for the Benefit of themselves, and of all other the said Proprietors, in Proportion to their respective Interests.

Subscribers to
have Notice
before they
forfeit their
Shares.

Provided always, That no Advantage shall be taken of any Forfeiture of any Share or Shares of the said Undertaking till after personal Notice to the Donor or Donors, or Notice in Writing left at his, her, or their usual or last Place of Abode, nor unless the same shall be declared to be forfeited at some General Assembly of the said Company of Proprietors, which shall be held after the End of Two Months next after such Forfeitures shall happen to be made; and every such Forfeiture shall be an Indemnification to and for every Proprietor or Proprietors so forfeiting against all Action and Actions, Suits, or Prosecutions whatsoever, to be commenced or prosecuted for any Breach of Contract, or other Agreement between such Proprietor or Proprietors so forfeiting and the Rest of the Proprietors, with regard to carrying on the said intended Navigation.

General Assemblies may
make Bye-laws.

And be it further enacted, That the said Company of Proprietors for the Time being shall always have Power and Authority at any General Assembly, met as aforesaid, to remove or displace any Person or Persons chosen to be of the Committee aforesaid, or any other Officer or Officers under them, and to revoke, alter, amend, or change any of the Rules and Directions herein-before prescribed and laid down, with regard to their Proceedings amongst themselves, as to the major Part of them shall seem meet, (the Method of calling General or Special Assemblies, and their Time and Place of meeting and voting, and appointing Committees only excepted), and shall have Power to make such new Rules, Bye-laws, and Orders, for the good Government of the said Company, for the good and orderly using of the said Navigation, and all such Warehouses, Wharfs, Passages, Engines, Tunnels, and all other Things that shall be made for the same; and also of and concerning all such Vessels, Goods, and Commodities as shall be navigated and conveyed thereon; and also for the well governing of the Bargemen, Watermen, and Boatmen, and others who shall carry any Goods, Wares, and Merchandise upon any Part of the said Canal, and, from Time to Time, to alter and repeal the said Bye-laws, Orders, and Regulations, 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 Assembly shall seem meet, not exceeding the Sum of five Pounds for any One Offence; such

such Fines or Forfeitures to be levied and recovered by such Ways and Means as are herein-after mentioned; which said Rules, Bye-laws, and Orders, being put into Writing, under the common Seal of the said Company of Proprietors, shall be binding to and be observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same.

And be it further enacted, That if any Dweller or Owners of any Share or Shares in the said Undertaking shall die before such Call or Calls shall be made for the full Sum to be advanced on each Share which he, she, or they shall have been possessed of, or intitled to, without having made Provision by Will, or otherwise, how such Share or Shares shall be disposed of, and the Money paid in upon Calls for the future; then, and in such Case, the Executors or Administrators of any Dweller so dying, and the Trustee or Trustees, Guardian or Guardians, of any Infant, or other Person or Persons whomsoever, intitled to the Estate and Effects of such Dweller deceased shall be indemnified against all such Infant or Infants, or other Persons whomsoever, for paying any Sum of Money when called for as aforesaid, to complete every such Subscription; and if such Dweller deceased shall not have left Assets sufficient, or in case the Executor or Administrator, Trustee or Guardian, shall refuse or neglect to answer such Calls and Payments, the said Company of Proprietors shall be, and are hereby impowered, authorized, and required, to admit any other Person or Persons to be Proprietor or Proprietors of the Share and Shares of such Dweller deceased, on Condition that he, she, or they, so admitted, do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Dweller, or the Trustee or Trustees, Guardian or Guardians of any Infant or Infants, or others intitled to his or her Effects, the full Sum and Sums of Money which shall have been by such Dweller in his or her Life, by virtue of any Call or Calls, or otherwise, advanced upon such Share or Shares; and in Default of such Calls being answered, and made good in Manner aforesaid, it shall and may be lawful to and for the said Company of Proprietors to sell and dispose of the Share or Shares of such deceased Dweller, and pay and apply the Money arising by such Sale, (after deducting the reasonable Charges occasioned by such Sale),

When Subscribers die before their Shares are completed, Executors, &c. may complete the Payment;

and in case of Refusal or Want of Assets, Proprietors may appoint others on Payment of the Money which has been advanced.

to or for the Benefit of the Representative of such deceased Owner.

And be it further enacted, That it shall and may be lawful to and for the several Proprietors of such ^{How Shares may be disposed of.} Ravigation to sell and dispose of any Share or Shares he, she, or they, shall or may be intitled to therein, subject to the Rules and Conditions herein mentioned; and any Purchaser or Purchasers shall, for his, her, or their Security, as well as that of such Proprietor or Proprietors, have a Duplicate or Duplicates of the Deed of Assignment or Conveyance made unto him, her, or them, and executed by such Person or Persons from whom he, she, or they, shall purchase the same, and also by the Purchaser or Purchasers, One Part whereof, duly executed by the Seller and Purchaser, shall be delivered to the said Committee, or to their Clerk for the Time being, to be filed and kept for the Use of the said Company, and an Entry thereof shall be made in a Book or Books, to be kept by the said Clerk for that Purpose, for which no more than One Shilling shall be paid; and the said Clerk is hereby required to make such Entry accordingly; and until such Duplicate of such Deed shall be so delivered unto the said Committee or Clerk, as aforesaid, and filed and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Ravigation for his said Share paid unto him, her, or them, or any Note as Proprietor or Proprietors.

And be it further enacted, That after any Call of such Money shall be made by the Authority of this Act, no Person or Persons shall sell or transfer any Share which he, she, or they, shall then have in the said Undertaking, until the Monies called for upon their respective Share or Shares so to be sold shall be paid, upon the Penalty of forfeiting his, her, or their respective Shares of the said Undertaking to the said Company, in Trust, for the Benefit of all the other Proprietors, unless the Person or Persons who shall be the Tender or Tenders, shall, at the Time of such Transfer, pay the Money called for, upon each Share so transferred, to the Treasurer of the said Company; such forfeiture notwithstanding to be notified and declared at a General Assembly in Manner above directed.

And be it further enacted, That the said Shares shall and may be sold, assigned, and transferred in the following Form; (to wit),

I 4 I

I A. B.

No Shares to be sold after Calls made, until such Call is answered.

Form of the Sale and Transfer

I A. B. of, &c. in consideration of paid
to me by C. D. of, &c. do hereby bargain, sell, assign,
and transfer, to the said C. D. his (or her) Executors, Ad-
ministrators, and Assigns, Share or Shares,
(as the Case is), in the Tamer Canal Naviga-
tion, to hold to the said C. D. his (or her) Executors, Ad-
ministrators, and Assigns, subject to the same Rules and
Orders, and on the same Conditions, that I held the same
immediately before the Execution hereof; and I the said C. D.
do hereby agree to accept the said Share (or
Shares) in the said Canal Navigation, subject to the same
Rules, Orders, and Conditions. Witness our Hands and
Seals, the Day of
the Year of our Lord in

Clerks to be
appointed:

And be it further enacted, That it shall and may be law-
ful to and for the said Company of Proprietors, at any
General Meeting assembled, and they are hereby autho-
rised and required, from Time to Time, to nominate and
appoint, by Writing, under their Hands, a Person or
Persons to be their Clerk or Clerks, who shall, in a pro-
per Book or Books, to be provided for that Purpose, enter
and keep a true and perfect Account of the Names and
Places of Abode of the several Proprietors of the said intend-
ed Navigation, and of the several Persons who shall, from
Time to Time, become Owners and Proprietors, or in-
titled to any Share or Shares of and in the said Naviga-
tion and Undertaking, and of all other the Acts, Proceed-
ings, and Transactions of the said Company of Pro-
prietors, by virtue of and under the Authorities of this
Act; and that each of the said Proprietors, Land-owners,
and other Persons interested or concerned in, or affected by,
the said Navigation, shall and may, at all convenient
Times, have Recourse to, and peruse and inspect the same,
and also the Book or Books to be kept by the Clerk or
Clerks of the said Company, gratis, and may demand and
have Copies thereof, or any Part thereof, paying Sirpence
for every Two hundred Words so to be copied; and if the
said Clerk or Clerks shall refuse to permit any such Per-
son or Persons so interested, as aforesaid, to inspect or
peruse such Book or Books, or refuse to make any such
Copy or Copies at the Rate aforesaid, he shall, for every
such Offence, forfeit and pay the Sum of five Pounds
for the Benefit of the Person or Persons so refused to
peruse

peruse such Book or Books, or by whom such Clerk or Clerks shall refuse or neglect to make such Copy or Copies, within a reasonable Time, to be allowed and approved by the said Commissioners, or any five or more of them: And in case any such Clerk or Clerks shall die, be removed, or quit the Service of the said Company of Proprietors, it shall and may be lawful to and for the Committee of such Proprietors for the Time being, or a Majority of them, to appoint some other fit Person or Persons to be Clerk or Clerks in Place of him or them so dying, removed, or quitting the said Service, until the next General Meeting of the said Proprietors, when a new Clerk or Clerks shall be appointed in the Room of him or them so dying, removed, or quitting the said Service, as aforesaid.

And upon the Death or Removal of any Clerk, another to be appointed.

Proceedings to be entered in a Book.

And be it further enacted, That all the Orders and Proceedings of the said Commissioners shall be regularly entered in a Book or Books, to be open at all reasonable Times to the Inspection of any Person interested in the said Proceedings, and desirous of seeing and examining the same, without Fee or Reward; and such Entries, being signed by such Number of the said Commissioners respectively as are empowered by this Act to make such Orders, or carry on such Proceedings, shall be deemed Originals, and the same, or true Copies thereof, shall be admitted as Evidence in all Courts whatsoever; and the said Commissioners, or any five or more of them, may, and are hereby required, at their first Meeting, to appoint, out of five Persons to be nominated by the said Company of Proprietors, such One of the said five Persons as the said Commissioners shall think proper to be their Clerk, and, from Time to Time, may remove any such Person; and on such Removal, or in case such Clerk shall die, or quit the said Employment, the said Company of Proprietors, or the Committee for the Time being, shall, within the Space of fourteen Days after Notice in Writing for that Purpose to be given by the said Commissioners, or any five or more of them, nominate five other Persons, and give Notice thereof unto the said Commissioners, from whom such Notice in Writing was received, and they the said Commissioners, or any five or more of them, authorized by this Act, shall and may appoint such One of the said five last-named Persons as they shall think proper to be their Clerk, and, in like

like Banner, a Clerk to the said Commissioners shall be from Time to Time nominated and appointed, toies quotes, as often as Devation shall require; and such Clerk shall be paid for his Care, Expences, and Trouble in the Execution of his Office, by the said Company of Proprietors; and such Clerk or Clerks who shall be removed, or die, or quit the Service, as aforesaid, his or their respective Executors or Administrators, shall, within Thirty Days after Notice in Writing to him or them respectively given by the said Commissioners, or any five or more of them, at a Meeting to be held pursuant to this Act, produce and deliver up to such Commissioners all Books, Accounts, and Papers, or Writings whatsoever, relating to the Execution of their Office, which shall be in their Custody or Power; and every such Person so neglecting or refusing to produce and deliver up such Books, Accounts, Papers, or Writings, after such Notice as aforesaid, shall, for every Neglect or Refusal respectively forfeit the Sum of One hundred Pounds to the said Company of Proprietors.

Rates of Ton-
age.

And be it further enacted by the Authority aforesaid, That, in consideration of the great Charges and Expences the said Company of Proprietors will be at in making and maintaining the said Cut or Canal, and all the other Works hereby authorized to be made and erected, it shall and may be lawful to and for the said Company of Proprietors, from Time to Time, and at all Times hereafter, to ask, demand, take, and recover, to and for their own proper Use and behoof, for Tonnage and Wharfage, for all Coals, Timber, Stone, Brick, Sand, Lime, Manure, and other Goods, Wares, and Merchandise, and Commodities whatsoever, which shall be navigated, carried, or conveyed, upon or through the said Cut or Canal, such Rates and Duties as the said Company of Proprietors shall think fit, not exceeding for every Ton of Slate, Stone, Sand, Culm, Coal, Timber, or any kind of Manure or fuel, Two Shillings, for Canal Duty; nor for every Ton of any kind of Goods, Wares, or Merchandise, more than Three Shillings, and so in Proportion for a greater or less Quantity than a Ton: Which said Rates and Duties shall be paid to such Person or Persons, at such Place or Places near to the said Cut or Canal, in such Banner, and under such Regulations as the said Company of Proprietors shall direct or appoint; and

and in case of Denial or Neglect of Payment of any such Rate and Duty, or any Part thereof, on Demand, to such Person or Persons as aforesaid, the said Company of Proprietors may sue for the same, by Action of Debt, or upon the Case, in any Court of Record at Westminster; or the Person or Persons to whom the said Tolls ought to have been paid may, and he and they is and are hereby empowered to seize and detain any Boat or Kessel, or Goods, for or in respect whereof any such Rates or Duties ought to be paid, or any Part of such Goods, and detain the same, until Payment thereof, together with the reasonable Charges for such Seizure and Detainer; and if such Boat, Kessel, or Goods, shall not be redeemed within five Days after the taking thereof, the same may be appraised and sold as the Law directs in Cases of a Distress for Rent.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any General Meeting to be held for that Purpose, (of which Two Months Notice shall be given in the Manner herein-after mentioned,) to lessen or reduce all or any of the said Rates, Tolls, and Duties, hereby granted, as they shall think proper; provided the Proprietors do not, by Means of such lowering, receive less than Six Pounds per Centum per Annum for the Interest of their respective Shares, and may afterwards, from Time to Time, at any General Meeting, (of which such Notice shall be given, as aforesaid, advance all or any of the said Rates, Tolls, or Duties, so lessened, to any Sum or Sums of Money, not exceeding the respective Rates, Tolls, and Duties herein-before mentioned.

And for the more easy collecting the said Rates and Duties hereby laid and directed to be paid, be it further enacted, That the Master, Owner, or Manager, of every Boat, Keel, or other Kessel, navigating upon the said intended Cut or Canal, or on any Part thereof, shall give a just Account, in Writing, signed by him, to the Collectors of the Tonnage or Duties, at the Place or Places to where they shall attend for that Purpose, of what Quantities of Goods shall be in or belonging to each Boat or Kessel, from whence brought, and where the same is or are intended to be landed; and if the Goods contained in such Boat shall be liable to the Payment of different Tolls, then such Master, Owner, or Person, shall specify the Quantities liable to the Payment of each Toll; and in case he shall neglect or refuse to give such Account, or shall give a false Account, or

Commissioners may differ and raise the Tolls.

Masters of Boats to give an Account in Writing of Goods, &c. on Board.

Penalty on giving a false Account.

shall deliver any Part of his Loading of Goods at any other Place than what is or are mentioned in the Account, with Intent to defraud the said Company of Proprietors of the Rates or Duties hereby imposed and made payable, or any Part thereof, he shall forfeit and pay to the said Company of Proprietors the Sum of Twenty Shillings for every Ton of Goods which shall be in such Boat or Vessel respectively, of which such Account shall be refused to be given, or of which such false Account shall be given, or which shall be fraudulently delivered out as aforesaid, as the Case shall happen to be, over and above the respective Rates and Duties directed to be paid for the same by virtue hereof; and in case of Neglect, Refusal, or Denial of Payment on Demand of such Forfeiture or Forfeitures before mentioned, or any Part thereof, to the said Company of Proprietors, or their Agent or Agents authorized to receive the same, that then, and in such Case, the same shall be levied and recovered in such Manner, and by such Methods, as the said Colls, Rates, and Duties hereby granted to the said Company of Proprietors, are herein-before directed and appointed to be recovered and levied.

^f For ascertaining the Tonnage of Timber, &c.

And for the better ascertaining the Tonnage of Timber, and other Goods, to be charged with the Payment of such Rates, Colls, and Duties, as aforesaid, it is hereby enacted and declared, That Forty Feet of Round or Fifty Feet of Square Oak, Ash, or Elm Timber, or Fifty Feet of Fir or Deal Baulk, Poplar, and other Timber Wood, shall be deemed, rated, and estimated as and for One Ton Weight; and that Twenty hundred Aboard-Weight of unwrought Stone, Lime-stone, Brick, and Coals, within the Intent and Meaning of this present Act.

^g If any Difference be about Weights, Vessels to be detained and Goods weighed.

And be it further enacted, That if any Difference shall arise between any Collector of the said Rates and Duties and the Master or Person having Charge of any Boat or Vessel, or the Owner of any Goods, Wares, or Merchandise, concerning the Tonnage of such Boat or Vessel, or the Weight or Quantity of Goods, Wares, or Merchandise therein, it shall be lawful for any such Collector to seize and detain any such Boat or Vessel, and to weigh, measure, or gauge, or cause to be weighed, measured, or gauged, such Boat or Vessel, Goods,

Wares,

Wares, and Merchandise, and in case the same shall upon such weighing, measuring, or gauging, appear to be of greater Weight or Quantity than such Master, Dweller, or Person, having the Care of the said Boat or Vessel, affirmed the same to be, then the Master, Dweller, or Person, so affirming, shall pay the Costs and Charges of such weighing, measuring, and gauging; all which said Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be levied and recovered as the said Rates and Duties are hereby appointed to be levied and recovered; but if such Boat or Vessel, Goods, Wares, and Merchandise, shall appear to be of the same or less Tonnage, Weight, or Quantity, than the Master, Dweller, or Person declaring the same to be, then the said Collector shall pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master or Person, or to the Dweller or Owners of such Goods, Wares, and Merchandise, such Damages as shall appear to the said Commissioners, or any five or more of them, on the Oath of One or more credible Witnesses or Witnesses, to have arisen from such Detention, and in Default of immediate Payment thereof by the Collector, the same shall be recovered by the said Company of Proprietors of the said Navigation, by Action of Debt, in any of His Majesty's Courts of Record at Westminster.

And be it further enacted, That if any Goods whatsoever which shall be so navigated, carried, or conveyed, shall remain upon any Wharf or Wharfs belonging to the said Company of Proprietors above the Space of Twenty-four Hours, and not exceeding Six Days, the said Company of Proprietors shall be intitled to, and receive from, the Dweller or Owners of such Goods the Sum of Two-pence per Ton for Wharfage, and so in Proportion for a less Quantity than a Ton; and in case any Goods shall remain upon such Wharf or Wharfs for a longer Space of Time than Six Days, then the said Company of Proprietors shall be intitled to and receive such Allowance, (over and above the Tonnage Rates herein-before limited), as shall be agreed upon between the said Company of Proprietors, or their Agent or Agents, and the Dweller or Owners of such Goods; or in case of Difference concerning the same, as shall be ascertain-

Further Allowance to be made for Goods lying on the Wharfs after a limited Time.

Tolls to be free
from Taxes.

And be it further enacted and declared, That the said Rates, Tolls, and Duties, shall, at all Times hereafter, be exempted from the Payment of any Taxes, Rates, Assessments, or Impositions whatsoever, other than such Rates, Taxes, and Assessments, as the Land which shall be used for the Purpose of the said Navigation, or the Docks, pier thereof, in respect of the same, would have been subject to, if this Act had not been made; any Law or Statute to the Contrary notwithstanding.

Navigation to
be free on
Payment of
Rates.

And be it further enacted, That all Persons whatsoever shall have free Liberty, with Horses, Cattle, and Carriages, to use the private Roads and Ways, (except the Towing-paths), and with Boats and other Vessels, to use the navigable Cuts, Canals, or Sluices, to be made by virtue of this Act, for the Purpose of conveying Coals, Timber, Stone, Brick, Sand, Lime, Manure, and all other Goods, Wares, Merchandise, and Commodities whatsoever, to or from the said Cut or Canal, Trenches, and Passages; and also to navigate upon the same, with any Boats or other Vessels, not exceeding nine Feet and a Half in Breadth, and to use the said Wharfs or Quays for loading and unloading Coals, Timber, Stone, Brick, Sand, Lime, Manure, and other Goods, and the said Towing-paths for halving and drawing such Boats or Vessels, upon Payment of such Rates and Duties, as shall be demanded by the said Company of Proprietors, not exceeding the Rates hereinbefore mentioned, and subject always to the Rules, Byelaws, and Regulations, which shall be, from Time to Time, made by the said Company of Proprietors, by virtue of the Powers hereinbefore granted.

The Company
of Proprietors
refrained
from leasing
the Canal or
Tolls, or from
being con-
cerned in any
Vessels carry-
ing Goods for
Hire, under
Penalty of 50*l*.

And for the better Regulation of the said intended Canal, and to prevent a Monopoly of the Carriage of Goods, Wares, and Merchandise upon the same, be it enacted, That it shall not be lawful for the said Company of Proprietors, at any Time or Times hereafter, to denude, grant, or lease the said intended Canal, or any Part thereof, or any Wharfs, Warehouses, or Machines belonging thereto, or which may be made and erected for the Convenience thereof, or any of the Tolls, Rates, or Dues by this Act imposed, unto any Person or Persons whom-

soever.

soever; nor shall the said Company of Proprietors, in their Corporate Capacity, and with the Joint Stock of the Company, or any Part thereof, keep any Boat, Barge, or other Vessel, or have any Part, Share, or Interest, in any Boat, Barge, or other Vessel, which shall be used or employed in the Carriage of Goods, Wares, or Merchandise for Hire, upon the said Canal; or in case the said Company of Proprietors shall demise, grant, or lease the said intended Canal, or any Part thereof, or any Wharfs, Warehouses, or Machines belonging thereto, or any of the Tolls, Rates, or Duties, by this Act imposed, unto any Person or Persons whomsoever, or shall have or keep any Boat, Barge, or Vessel, or any Part, Share, or Interest, in any Boat, Barge, or other Vessels, which shall be used or employed in the Carriage of Goods, Wares, or Merchandise for Hire upon the said Canal, they shall forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform and sue for the same; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster.

No Preference to be given to any Vessel, on Penalty of 50*l*.

And be it further enacted, That if any Engine-keeper, Wharfinger, or other Servant belonging to the said Company of Proprietors, shall give any Preference, or Partiality to any Boat, Barge, or other Vessel, in loading or unloading by any Engine or Engines upon the said Canal, or in loading or unloading any Goods, Wares, or Merchandise at any of the Wharfs, Warehouses, Weigh-beams, Cranes, or other Machines, belonging to the said Company of Proprietors, and shall be thereof convicted, before any One or more of His Majesty's Justices of the Peace for the Counties of Cornwall or Devon respectively, wherein the Offence shall be committed, as the Case shall happen, every Person so offending shall forfeit and pay the Sum of fifty Pounds to the Informer,

Masters to put their Names on the Out-sides of their Boats.

And, for the better regulating of Masters of Boats, Barge-men, and others, employed by them, or under them respectively, and for the more easy Detection of any Thing by them or any of them respectively done, contrary to the Directions of this Act, be it further enacted, That every Master, Wharfinger, or Persons having the Rule or Command of any Boat, or other Vessel, passing upon the said

intended Cut or Canal, shall cause the Name and Place of Abode of such Owner or Owners, and the Number of his, her, or their Boat or Boats, to be entered with the Clerk of the said Company of Proprietors for the Time being; and shall also cause such Name and Number of the Boat or Vessel of such Owner or Owners to be painted, in large White Capital Letters on a Black Ground Three Inches high, and of a proportionable Breadth, on each Outside of the Head or Stern of every such Boat or other Vessel, higher than the same shall sink into the Water when full laden; and also shall cause such Boat or other Vessel to be marked on both Sides thereof with large Figures, denoting, or ascertaining the Number of Tons of Goods contained therein, for every Inch of Water such Boat or Vessel shall draw; and also shall permit and suffer every such Boat or other Vessel to be measured, at the Expence of the said Proprietors of the said Navigation, whenever it shall be required by them, or any Person or Persons appointed for that Purpose; provided that no such Vessel shall be measured more than Twice in any One Year: And every Master, or other Person, having the Rule or Command of any Boat or other Vessel, who shall refuse or neglect to put thereon the Owner's Name and Place of Abode, and such other Marks and Numbers as are herein-before directed, or shall alter, deface, erase, or destroy any Letter or Figure, describing such Name, Place of Abode, and such other Marks and Numbers as are herein-before directed, or shall refuse to permit his, her, or their Boat, or other Vessel, to be measured, as aforesaid, or shall load or unload any Boat or Vessel upon the said Canal, without a Stage being laid from the Tunnel of such Boat or Vessel to the Bank of the said Canal, in order to prevent any Dirt or Rubbish falling therein, he or they shall, for every such Offence respectively, forfeit and pay to the said Company of Proprietors the Sum of Forty Shillings.

And be it further enacted, That the Master or Owner of any Boat, or other Vessel, navigating upon the said Navigation, shall be, and is hereby made answerable for any Damage, Spoil, or Wreck, that shall be done by his Boat, or other Vessel, or any of the Boatmen, Watermen, or others, belonging to, or employed in or about the same respectively, unto any of the Bridges, Weirs,

Boats to be
measured.

40 s. Penalty
on Masters,
&c. offending.

Masters or
Owners of
Boats to be
answerable for
Damages.

Works, Dams, Engines, or other Works, in, or upon, or near the said intended Cut or Canal, Trenches, Sluices, and Passages, or by loading or unloading any Boat, or other Vessel, and for any Trespass or Damage that shall or may be done to the Owners or Occupiers of any Buildings, Erections, Lands, or Tenements, adjoining or lying near to the same, or any of them, other than is authorized by this Act; and the said Owner or Owner of such Boat, or other Vessel, shall and may be sued and prosecuted for the same, in any Court of Record at Westminster, and if found Guilty, or a Verdict pass against him, or Judgement be given against him upon Demurrer, or by Default, the Plaintiff, in any such Case, shall recover his Damages thereby sustained, with full Costs of Suit, as between Attorney and Client.

And be it further enacted, That the said Company of Proprietors shall and may, and they are hereby required, in such Parts of the said navigable Cut or Canal, Trenches or Sluices, as shall not be of a sufficient Breadth for admitting a Boat or Vessel to turn about and lie, or two Boats or other Vessels to pass each other, to open and cut proper Places or Spaces in the Lands adjoining the said navigable Cut or Canal, Trenches or Sluices, at convenient Distances from each other, for the turning, lying, and passing of any such Boat or Vessel; and that the said Boats or other Vessels, sailing or being baled or navigated upon the said navigable Cut or Canal, Trenches or Sluices, shall, upon meeting any other Boat or Vessel, stop at or go back to and lie in the said Spaces or Places, in such Manner as the said Committee, or any five or more of them, under their Hands and Seals, shall direct and appoint.

And be it further enacted, That if any Swivel-bridge or Draw-bridge or Bridges shall be laid over or across the said Cut or Canal, every Boatman, Person or Persons, opening any such Draw-bridge or Swivel-bridge, shall, and he and they is and are hereby required and directed, to soon as any Vessel shall have passed any such Bridge, to shut and fasten the same, and every Person neglecting to do shall forfeit and pay for every such Offence the Sum of five Pounds; and in case any such Bridge shall be left open longer than necessary for the Passage of any Vessel as aforesaid, through the Neglect or Carelessness of any Person belonging to any such Vessel, then the Owner or

Swivel and Draw-bridges to be shut and fastened after Vessels shall have passed through them under the Penalty of 5*l*.

Owner

Owner of such Vessel shall forfeit and pay, for every such Offence, the like Sum of five Pounds, on due Proof being made before any such Justice or Justices of such Neglect as aforesaid: And if any Person or Persons shall wilfully open any such Draw-bridge or Swivel-bridge, when no Vessel is to pass through the same, so as to interrupt a free Passage for Travellers or Carriages, such Person or Persons shall, on being convicted thereof in the Shanner aforesaid, forfeit and pay any Sum not exceeding Five Pounds, at the Discretion of the said Justice or Justices; which said Forfeiture or Forfeitures shall be levied and recovered in the Shanner as any other Penalty or Forfeiture is by this Act directed to be levied and recovered; and the Money arising by such Forfeiture or Forfeitures shall be applied in the Shanner following; (that is to say), One Society thereof shall be paid to the Informer, and the other Society thereof to the Poor of the Township or Parish where such Offence shall be committed; any Thing herein contained to the Contrary thereof notwithstanding.

Vessels obstructing the Navigation to be removed.

And be it further enacted, That if any Boat or Vessel shall be wilfully placed in any Part of the said Cut or Canal, Trench, Sluice, or Passage aforesaid, so as to obstruct the Navigation, and the Person having the Care of such Boat or Vessel shall not immediately remove the same upon Request made for that purpose, he shall, for every such Offence forfeit a Sum not exceeding Ten Shillings, nor less than Five Shillings, and shall, moreover, forfeit a Sum not exceeding four Shillings, nor less than Two Shillings, for every Hour such Obstruction shall continue after such Request for Removal shall be made as aforesaid; and it shall be lawful for the Agents or Servants of the said Company of Proprietors, or any of them, to cause any such Boat or Vessel to be unladen, if necessary, and to be removed in such Shanner as shall be necessary for preventing such Obstructions in the Navigation, and to seize and detain such Boat or Vessel, and the Loading thereof, or any Part of such Loading, until the Penalty and Penalties, and Charge of such Removal, be paid: And if any Boat or Vessel shall be sunk in the said Cut or Canal, or any Sluice, Tunnel, or Trench aforesaid, and the Owner or Person having the Use or Care of such Boat or Vessel shall not forthwith weigh or draw up the same, it shall and may be lawful for the Agents or Ser-

Vessels sunk to be weighed up.

vants

wants of the said Company of Proprietors, or any of them, to cause such Boat or Vessel to be weighed or drawn up, and to detain and keep the same, until Payment be made of all the Expences necessarily occasioned relating thereto.

Persons float-
ing Timber
or over load-
ing Vessels to
forfeit 5*l*.

And be it further enacted, That if any Person or Persons shall float any Timber upon the said Cut or Canal, or load any Boat or Vessel with Timber, so that the same shall lie over the Sides of any such Boat or Vessel so laden, or shall overload any Boat or other Vessel navigating in or upon the said Cut or Canal, Trenches, Sluices, or Passages, so as to obstruct the Passage of any other Boat or Vessel, or shall not, immediately upon Notice given to the Owner or Person having the Care of such Boat or Vessel to obstructing the Passage as aforesaid, bate such Boat or other Vessel back into such Place or Places, as shall be proper or made for Boats or other Vessels to pass each other, every such Owner or Person floating such Timber, or having the Care of such Boat or Vessel, shall forfeit and pay, for every such Offence, the Sum of five Pounds; and if any Person or Persons shall wilfully throw any Ballast, Gravel, Stones, Rubbish, or other Matter or Thing, into any Part of the said Cut or Canal, or any Trenches or Watercourses to be made or maintained by virtue of this Act, every such Person shall, for every such Offence, forfeit the Sum of five Pounds.

or throwing
Ballast into
the Canal for-
feit 5*l*.

Canals not to
be under the
Commission-
ers of Sewers.

Provided always, and be it further enacted, That the said Cut or Canal, or any Works whatsoever to be made by virtue of the Powers of this Act, shall not be subject to the Control, Direction, Survey, or Order of any Commission of Sewers, or to any Law or Statute relating to Sewers; any Thing herein contained, or any former Law or Statute, to the Contrary notwithstanding.

Penalty of 5*l*.
on Persons not
qualified using
Instruments
for destroying
Fish, &c. on
the Canal.

And be it further enacted, That if any Person or Persons navigating or working, or being on Board, any Boat or other Vessel within the said intended Navigation, not being qualified by the several Laws and Statutes relating to Game, shall carry with him or them, or have on Board any Boat or other Vessel, any Fishing-net, Gun, Engine, or other Instrument for taking or destroying, and with an Intent to take or destroy, Fish or Game, such Person or Persons being thereof lawfully convicted by his own Confession, or on the Oath of One or more credible Witnesses or Witnesses, before One or more of His Majesty's

Judices of the Peace for the Counties of Cornwall or Devon, or the Place where the Offence shall be committed respectively, shall, for every such Offence, forfeit and pay the Sum of five Pounds; and in case any Officer or other Person having the Command of any Boat or other Vessel shall knowingly suffer or permit any Person or Persons, not being duly qualified as aforesaid, to have, carry on Board, or make use of any fishing-net, Gun, Engine, or other Instruments for taking or destroying Fish or Game, and being thereof convicted as aforesaid before One or more Justice or Justices of the Peace for the said Counties or Cornwall or Devon, or Place where the Offence shall be committed, shall, for every such Offence, forfeit and pay the Sum of five Pounds.

And be it further enacted and declared, That the first Meeting of the Commissioners hereby appointed, or any Five or more of them, shall be held at some convenient House in Lancaster, on the Twenty-fifth Day of June next, between the Hours of Ten and Two of the Clock in the same Day; and they shall afterwards hold Two General Meetings on the Fourth Day of January and the Twenty-fifth Day of June yearly, at Eleven of the Clock in the forenoon of the same Days at Lancaster, or such other Place or Places as the Commissioners for the Time being, or any Five or more of them, shall appoint, (except when the said Days shall happen to be on a Sunday, and then on the Day following); and that no Person shall act as a Commissioner in the Execution of this Act during the Time that he shall be intitled to any Shares or Interest in the said Habitation; and if any Person so incapacitated, or not being qualified as aforesaid, shall presume to act as a Commissioner, every such Person shall, for each Offence, forfeit the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same; to be recovered, with full Costs of Suit, by Action at Law, in any of His Majesty's Courts of Record at Westminster, in which Action no Essoin, Privilege, Protection, or Wager of Law, or more than One Imparance, shall be allowed; and such Person acting as a Commissioner, so sued or prosecuted in respect of his Default, shall be liable to be sued or prosecuted in respect of his Default as herein-before is directed, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Plaintiff

or Prosecutor than that such Person did act as a Commissioner in the Execution of this Act; any Thing herein contained to the Contrary notwithstanding.

Provided also, and be it further enacted, That no Meeting whatsoever of the said Commissioners shall at any Time or Times be had for putting in Execution any Powers or Authorities vested in them by virtue of this Act, or any Order, Direction, or Appointment, of the said Commissioners, or any of them, concerning any of the Matters and Things herein contained, shall be binding and effectual, unless previous Notice of every such intended Meeting shall be first given and inserted in such Weekly News-papers as are most commonly circulated in the said Counties of Cornwall and Devon, at least fourteen Days before such intended Meeting of the said Commissioners for any of the Purposes herein contained, (every such Notice to specify the Time and Place of such Meeting or Meetings respectively, and the several Matters and Things then and there proposed to be done); and that every Meeting of the said Commissioners by virtue of this Act shall be publick, any Thing herein contained to the Contrary notwithstanding.

No Meeting of Commissioners without certain Notice.

Provided likewise, That no Person shall act as a Commissioner in any Case, except in administering the following Oath, until he shall have taken and subscribed the Oath following before some One or more of the said Commissioners, who are hereby authorized and empowered to administer the same to any other of the Commissioners, to wit;

All Meetings of Commissioners to be publick.

Commissioners to be sworn.

I A. B. do swear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the best of my Skill and Judgement, execute and perform the Powers and Authorities vested in me by virtue of an Act, made in the Fourteenth Year of the Reign of His Majesty King George the Third, "for making a Navigable Cut or Canal from the Port or Harbour of Bude, in the Hundred of Stratton, in the County of Cornwall, to the River Tamer, in the Parish of Gassoke, in the said County."

Their Oath

Provided always, and be it further enacted, That such of the said Commissioners, who is, are, or shall be in the Commission of the Peace for the said Counties of Cornwall and Devon respectively, shall and may, and he and they is and are hereby respectively empowered to act as a Justice or Justices of the Peace in the Execution of this Act, notwithstanding

Commissioners may act as Justices.

ended Navigation in Ten Years, or discontinue the same for Five Years, Owners may have their Lands again if they chuse to purchase them.

by virtue of this Act for the Space of Ten Years, without making the intended Navigation through the same respectively, or if the said Navigation shall be made and completed, and afterwards discontinued or disused for the Space of five Years; then, and in either of the said Cases, from and immediately after the Expiration of the said Ten Years without making, or five Years after disusing the said Navigation, as aforesaid, the said Company of Proprietors shall convey all their Right, Property, and Interest in and to such Lands or Grounds respectively unto the several and respective Persons, or Bodies Politick, Corporate, or Collegiate, or their Heirs, Successors, or Assigns, who were the Owners or Proprietors thereof, immediately before the said Company of Proprietors became seized of the same, in case they, or any of them, shall think fit to become Purchasers thereof, and to pay such valuable Considerations for such Lands or Ground to the said Company of Proprietors, as the said Commissioners, or any five or more of them, shall adjudge reasonable; and in case any Difference shall happen in ascertaining thereof by the said Commissioners, then as any Jury, to be impanelled in the Manner herein-before directed, shall ascertain or award to be paid for the same, so that such Consideration, to be ascertained by such Commissioners, or to be awarded by such Jury, so to be impanelled as aforesaid, do not exceed the Sum or Sums of Money first paid by the said Company of Proprietors for the Purchase of such Lands or Grounds: And in case the said Company of Proprietors, upon the Payment or Tender of such valuable Considerations as aforesaid for such Lands or Grounds, shall refuse or neglect to convey the same as aforesaid; then, and in such Case such Lands or Grounds, upon Tender of such valuable Considerations as aforesaid to the said Company of Proprietors, shall revert to and be thenceforth vested in the said several and respective Persons, Bodies Politick, Corporate, or Collegiate, their Heirs, Successors, or Assigns; and in case an annual Rent shall have been paid for the said Lands or Grounds, to be taken in Manner as aforesaid for the Use of the said Navigation, then such Rent shall cease and determine, and such Sum or Sums of Money shall be paid for the Damage done to the said Lands or Grounds by the said Company of Proprietors to the Person or Persons, Bodies, Politick, Corporate, or Collegiate, or their

their Heirs, Successors, or Assigns, to whom such Lands or Grounds shall be reconveyed, or revert as aforesaid, as the said Commissioners or Jury shall ascertain or award; such Sum or Sums of Money, in Default of Payment at the Time to be fixed by such Commissioners or Jury respectively, to be levied and recovered in such Manner as any other Damages are to be levied and recovered by virtue of this Act.

And be it further enacted, That all Fines and Forfeitures inflicted by this Act, or which shall be inflicted by any Rule, Order, or Bye-law, to be made in pursuance hereof, of which, when produced, the Justices herein-after mentioned are hereby required to take Notice, (the Levying and Recovery of which are not herein particularly directed), shall be levied by Warrant under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace for the Counties of Cornwall and Devon respectively, as the Offence may happen to be committed within their respective Jurisdictions; which said Justice or Justices is and are hereby authorized to hear and examine Witnesses upon Oath or Affirmation, and determine the same; and all such respective Fines, Forfeitures, and Penalties, by this Act imposed and inflicted, or authorized to be imposed and inflicted, (the Application whereof is not herein-before directed), shall be paid into the Hands of the Treasurer or Receiver of the Monies to be raised by virtue of this Act, and shall be applied and disposed of for the Use of the said Navigation, and to or for no other Use, Intent, or Purpose whatsoever.

And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words; videlicet:

BE it remembered, That on the Day of Form of Conviction.
in the Year of our Lord A. B. is
convicted before me C. D. One of His Majesty's Justices
of the Peace for

(as the Case may happen, Specifying the Offence and Time and Place when and where the same was committed). Given under
my Hand and Seal, the Day and Year aforesaid.

And

Recovery of
Fines and
Forfeitures.

Application
of Money.

ANNO REGNI DECIMO QUINTO Cap. 53.

And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or want of Form in the Summons, Consignment, Notice, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity, which shall be afterwards committed by the Party or Parties making the same; 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.

Provided also, That any Person or Persons thinking himself, herself, or themselves aggrieved, by any Order or Judgement made or given in pursuance of any Rule, Bye-law, or Order, of the said Company of Proprietors, or by the Order or Determination of any Justice or Justices of the Peace, may, within Six Calendar Months after such Order shall have been made or given, complain to the Justices of the Peace, at the General or Quarter Sessions to be held in and for the Counties of Cornwall and Devon respectively, where the Cause of Appeal shall arise, and not elsewhere, who shall, in a summary Way, either hear or determine the said Complaint at such Quarter Sessions of the Peace for the said County or Place, or, if they think proper, may adjourn the hearing thereof to the next General Quarter Sessions of the Peace, to be held for the said Counties or Place, and, if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye-law, Order, or Determination, and may also order such further Satisfaction to be made to the Party injured, as they shall judge reasonable.

And be it further enacted, That in all Cases where any Power and Powers is or are hereby vested in any Committee by the said Company of Proprietors to be appointed, or in the Commissioners, or any Act or Acts directed to be done by them respectively, at any Meeting

Distress not
unlawful for
want of Form,
nor Parties
deemed Tres-
passers.

Persons ag-
grieved may
appeal to the
Quarter Ses-
sions.

Majesty of
Commission-
ers or Com-
mittee to be as
binding as the
Act of the
Parliament.

for putting in Execution any of the Powers given by this Act, the Opinion, Determination, or Judgement of the Major Part of the Number of such respective Meetings, shall be taken and considered as the Act and Judgement of the whole Body so assembled; any Thing herein contained to the Contrary notwithstanding.

Limitation of
Actions.

And be it further enacted, That if any Action, Suit, or Information, shall be brought or commenced against any Person or Persons for any Thing done, or to be done, in pursuance of this Act, or the Execution of the Powers and Authorities of the Orders and Directions hereinbefore given and granted, every such Suit or Information shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, *vizt.* within Three Calendar Months next after the doing, committing such Damages shall cease, and not afterwards, and shall be laid and brought in the said Counties of Cornwall and Devon, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, shall not plead the General Issue, and give this Act, and *se* Special Matter, in Evidence, at any Trial to be had hereupon, and that the same was done in pursuance of the Authority of this Act; and if it shall appear to have been so done, or if any Action, Suit, or Information, shall be brought after the Time so limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then, and in such Case, the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, or their Action or Actions, Suit, or Information, the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer, or otherwise, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have full Costs of Suit, and shall have such Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit, in other Cases by Law.

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And

ANNO REGNI DECIMO QUARTO, &c. Cap. 53.

And be it further enacted, That this Act shall be allowed, in all Courts whatsoever, as a Public Act: and all Judges, Justices, and other Persons are hereby required to take Notice of it as such, without specially pleading the same.

F I N I S.

RECORDS OFFICE

N.C.O.

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