

## CHAPTER IV.

AN ACTE for the mending of the Ryv of Exeter.

Injuries to the  
Port and River  
of Exeter, by  
Weirs and other  
Obstructions;

The Mayor and  
Corporation of  
Exeter authorized  
to remove Nuisances  
in the said River;  
and to purchase  
Grounds for the  
Purposes of this  
Act; paying  
the Owners and  
Tenants.

(1)  
IN moste humble wise shewen unto your Highnes, your true and faithfull subjecte the Maire Bayliffe and Comonalitie of your Cittie of Exeter; That where of olde Antiquyte aswell the Cittizens & dwellers within your said Cittie, as all other bothe Denizens and Straungers applyinge and comynge from any part of beyonde the See or of this Realme to your Porte of Exeter, have had course and recourse with their Shippes Boates and Vesselles goodes and marchaundises in the ryver of Exe to & from the highe Sea unto your saide Cittie, to the great comoditie comen Welthe and pfit of your saide Cittie and all the Countrey there aboute, as by diuise recordes and writinge remayninge aswell in your saide Cittie, as also at Westm playnlye doeth appere; Whiche comoditie of longe tyme hath bene soe destroyed and letted by weyres and dravinge of sandes and gravell by course of the water into the saide river, and other lett and noysaunce, that at this daye and of longe tyme paste Shippes Boat and Vessells have not had ne yet can have their course to and from your saide Cittie, as of olde tyme they have had, by reason whereof your saide Suppliaunt of longe tyme have bene and yet be compelled and enforced to carie their goodes and marchaundises from the Shippes Boat and Vessells to your saide Cittie by lande, to their yerelie charge of fower hundred mark sterlinge and above, beside great hurt and losses taken in their saide goodes and marchaundises by the cariers of the same, w<sup>ch</sup> hath not only bene and yet daylie is to the great hurte decaye and ymperissinge of the marchaunt of your saide Cittie, but also of the countrey ther aboute, by reason of the overflowinge and drownynge of the medowes pastures and groundes lienge by the saide river, with the highe springe of the Sea and the floodes of the freshe water comynge to the saide river; and by reason of w<sup>ch</sup> charges susteyned in caryinge their goodes and marchaundises by lande unto the saide Cittie as is aforesaide, the marchaunt and owners of the saide wares and marchaundises are driven to sell the same muche more derer then they woulde doe if the saide marchaundises myght be conveyed and brought unto the saide Cittie by water, to the great hurte and prejudice of all your Graces subjectes in the saide parties: For reformation whereof it may please your Highnes of your most noble and haboundante Grace with thassent of your Lordes spual and temporall and the Comons in this present parliament assembled and by auctoritie of the same, to enacte ordeyne and establishe, that it maie and shalbe lafull, at all tymes after the feaste of Ester now next comynge, to your saide Suppliaunt Maire Bayliffe and Comonalitie of your saide Cittie of Exeter and their successors, to plucke downe digge moyne breke banke and caste upp all and all manner of weyres rocke sandes gravell and other lett & noysaunces whatsoever they be in the saide river, and also in other places and grounde convenient and necessarie for the same whose soever they be, lyinge betwene your saide Cittie and the highe Sea; and further to doe and make all other thinge requisite and necessarie, wherby the saide shippes boat and Vessells may have their sure course and recourse in the saide river to & from your saide Cittie, and [their] to charge and discharge the saide goodes and marchaundises, without lett or disturbaunce of anye pson or psons; gevinge and payinge therfore unto the Lorde or Lordes owners and owner of the soyle where suche digginge and mynyng shalbe, in recompence and satisfaction of and for the lande and grounde so to be digged and myned, after the rate of twentie yeres purchase, or els asmuche for the same as shalbe adjudged ordeyned and determyned by the Kyng Justice of Assise in the Countie of Devon for the tyme beinge, the eleccon and libtie of w<sup>ch</sup> recompence and satisfaction so to be had to be at the choyse of the Lordes and Owners of the saide Lordes and Tenntes, without any lett denyer vexacon or trouble of the saide Lorde Lordes and Owners or any other pson or psons by suyte in the lawe or otherwise, upon payne of forfeitor of twentie poundes of leffull money of England for evye tyme that they or anye of them doe attempt the contrarie thereof, whereof the one halfe shalbe to our saide Sovereigne Lorde and thother halfe to him or them that will sue therfore, by acccon of dett bill playnt or informacon in any the Kinge Courte, wherein the partie defendante shall not wage his lawe nor in the saide acccon acccons or suyte any essoyn lycence nor pteccion shalbe allowed: and also gevinge and payinge to the tenntes fermers and occupiers of suche lande or grounde, for suche hurte and losses as they or any of them shall susteyne and have by the same, asmuche as shalbe assessed adjudged and determyned by the saide Justice of Assises in the saide Countie of Devon for the tyme beinge, or by suche psons as by them shalbe assigned and deputed for the same: the saide recompence and satisfaction aswell concerninge the Lordes and Owners of the saide lande and grounde, as to the tenntes fermers and occupiers of the same, to be payde by the Mayre Bayliffe and Comonalitie of the saide Cittie for the tyme beinge and their successors within the space of six weeke next after the ratinge assessinge and determyninge of the same; unlesse that the Mayer Bailiffes and Comonalitie of the said Cittie and their successors can otherwise compounde or agree with the Lordes owners tenntes fermers and occupiers of suche lande and ground or with any of them. And in case it happen the Mayer Bayliffe and Comonalitie of the saide Cittie to make defaulte of paymente of the saide recompence and satisfaction, and resiste to paye the same as is before rehersed, that then the Lorde Lordes Owner Owners tenntes fermers or occupiers of suche lande or grounde that is greved therwith and to whom the satisfaction and recompence ought to be payde, shall and maye lawfully comence afferme or take his or their acccon of dett by course of the comon lawe ageyne the Mayer Bayliffes and Comynalitie of the said Cittie for the tyme beinge and their successors, for the recoverie of the same, in anye Courte within this Realme, at the will and pleasure of the partie greved; and like pcesse theruppon to be hadd as in acccons of dett at the comon lawe grounded upon contracte or specialties hath used to be had; in w<sup>ch</sup> acccons of dett sute or not to be had, noe wager of lawe essoyn lycence nor pteccion shalbe allowed.

<sup>1</sup> To the Kyng or Sovereigne Lord; O.

<sup>2</sup> ther O.