

or *The Subdeanry*, and *Saint Bartholomew*, or some or one of them, in the said County of *Sussex*; and also the making, deepening, and maintaining the Channels of *Thorney* and *Hayling*; and the Harbour of *Langstone* navigable in, through, or near the several Parishes of *West Thorney* and *Westbourne*, or one of them, in the County of *Sussex*; and also in, through, and near the several other Parishes of *North Hayling*, *Warblington*, *Havant*, *Bedhampton*, and *Portsea*, or some or one of them, in the County of *Southampton*; and also the making and maintaining another Canal, navigable for Boats, Barges, and other Vessels, from the said Harbour of *Langstone* at or near to a certain Marsh belonging to *James Knight* in the Parish of *Wymering*, in the said County of *Southampton*, to the Harbour of *Portsmouth*, at or near to a certain Meadow belonging to *Richard Pittis* in the Parish of *Wymering*, in the said County of *Southampton*, in, to, or through the several Parishes of *Farlington*, *Wymering*, and *Widley*, or some or one of them, in the said County of *Southampton*; and also the making and maintaining another Canal, navigable for Boats, Barges, and other Vessels, from the said Harbour of *Langstone* at or near to certain Lands lately inclosed, and heretofore called *Milton Common*, in the Parish of *Portsea*, to, at, or near a certain Place called *The Halfway Houses*, in the said Parish of *Portsea*, in the said County of *Southampton*, in, to, or through the said Parish of *Portsea*, in the said County of *Southampton*, would not only open a short, easy, and commodious Inland Communication between the Port of *London* and the Town and Port of *Portsmouth*, and the City of *Chichester*, avoid a long circuitous and dangerous Navigation in the open Sea, and greatly facilitate the Conveyance of Goods, Wares, and Merchandize between the said Ports and the several other Towns, Districts, and Places through or near which the said Canal is intended to be made, at a much cheaper Rate than any other Inland Navigation which can be made; but also tend to promote the Improvement and better Cultivation of the circumjacent Country by the Conveyance of Manure, and would be otherwise of great Public Utility; but as the same cannot be made and executed without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in order for the carrying on, making, completing, maintaining, and improving of the said Canals, Cuts, Deepenings, Channels, and Harbours, for the Passage of Boats, Barges, and other Vessels, according to the Rules, Orders, and Directions herein-after contained, the Most Noble *Barnard Edward Duke of Norfolk*, the Right Honourable *George O'Brien Earl of Egremont*, the Right Honourable *George Viscount Keith*, the Right Honourable *Edward Viscount Exmouth*, the Honourable Sir *Alexander Cochrane G. C. B.*, Sir *James Whalley Smith Gardiner* Baronet, Sir *William Henry Martin* Baronet, Sir *Lucius Curtis* Baronet, Sir *Archibald Collingwood Dickson* Baronet, Dame *Catherine Prevost*, Sir *Home Popham K. C. B.*, Sir *Edward Tucker K. C. B.*, *Robert Shank Atcheson*, *Anthony Singleton Atcheson*, *Solomon Alexander*, *Flowers Beckett*, *William Burridge*, *John Garrett Bussell* Clerk, *William Marchant Bussell* Clerk, *John Billett*, *Thomas Blake Barrow*, *William Burney* Doctor of Laws, *Samuel Boville*, *James Boville*, *William Banks*, *Richard Lovell Brown*, *John Busher*, *Andrew Belcher*, *John Burrell*, *Joseph Boulderson*, Colonel *Butler*, *Thomas Black*, Captain *John Bligh R. N.*, Captain *Charles*

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Palmer, Thomas Paffard, John Plaskett, William Padwick, Moses Piercey, Pratt, Thomas Pratt, Edward Parker, John Payne, William Henry Palmer, John Pratt, Robert Philipson, John Rood, J. C. Rout, Edward Rouse, John Reed, Griffith Richards Clerk, Charles Robinson, William Roberts Clerk, Edward Richardson, Martha Richardson, Miles Rowe, Ruth Stephens, William Stiggant, James Scott Clerk, Tufton Charles Scott Doctor in Divinity, George Stebbings, George Sidney, John Snook, Matthew Snook, Robert Smith, George Sause, William Sparkes senior, William Sheane, John Sullivan, John Henry Stewart, John Venderstigen Stewart, James Smith, John Sandel, G. Seymour, James Smart, William Turner, Joseph Turner, James Tichener, Nathaniel Taylor, Thomas Stevens Tull, George Turner, Joseph Tolfree, Edward Thorp, Richard Talbot, George Torriano, Christian Tawke, Samuel Thackery, William Titchener, James Vosper, Charles Vaughan Clerk, John Williams, William Thomas Williams, John Wesley Williams, William Wilkes, John Weymouth, James Walsh junior, Josiah Wedge, John Woodcock, Henry Welstead, Colonel James Wemyss Royal Marines, Jonathan Wilson an Elder Brother of the Trinity House, Charles Winkworth, Richard Wardroper, James Wolferston, Robert Wells, James Wigney, together with such other Person or Persons, Bodies Politic and Corporate, as they or the major Part of them present at any General or Special Meeting to be holden for the Purposes of this Act, shall nominate and appoint, and their several and respective Successors, Executors, Administrators, and Assigns, or such of them as shall from Time to Time be possessed of any Share or Shares in the Navigation and Undertaking hereby authorized to be made and carried on; and also such other Person or Persons as shall from Time to Time be possessed of any Share or Shares therein, shall be and they are hereby accordingly united into One Body Politic and Corporate by the Name of *The Company of Proprietors of the Portsmouth and Arundel 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 shall also have full Power and Authority to purchase Lands, Tenements, and Hereditaments, to them, their Successors and Assigns, for the Use of the said Undertaking; and also to grant, sell, or dispose of any of the Lands, Tenements, and Hereditaments to be purchased by them, without incurring any of the Penalties or Forfeitures of Mortmain; and that it shall and may be lawful for the said Company of Proprietors; and they are hereby accordingly fully authorized and empowered, from and after the passing of this Act, by themselves or by their Deputies, Agents, Officers, Contractors, Workmen, or Servants, to make and keep navigable and passable for Boats, Barges, and other Vessels, a Canal from the River *Arun* at or near to a certain Public House called *The Ship and Anchor*, in the Parish of *Ford*, in the County of *Sussex*, to the Harbour of *Chichester*, at or near to a certain Place called *The Salterns*, in the Parishes of *Birdham* and *Itchenor*, in the said County of *Sussex*, in, to, or through the several Parishes of *Ford*, *Yapton*, *Barnham*, *Aldingbourne*, *Birsted*, *Oving*, *Merston*, *North Mundham*, *Hunston*, *Donnington*, *Appledram*, *Birdham*, and *Itchenor*, or some or one of them, in the said County of *Sussex*; and also to make and keep navigable and passable for Boats, Barges, and other Vessels, another or Branch Canal from and out of the Main Line of the said Canal, at or near to a certain Place called *Hunston Common*, in the said Parish of *Hunston*, to a certain Place near to *Southgate*, in the Parish of *Saint Bartholomew*, at or near the City of *Chichester*, in the said County of *Sussex*, in, to, or through the

the several Parishes of *Hunston, Donnington, Rumboldswyke, Saint Pancras, Saint Peter the Great or The Subdeanry, and Saint Bartholomew*, or some or one of them, in the said County of *Sussex*; and also to make, deepen, and keep navigable and passable for Boats, Barges, and other Vessels, the Channels of *Thorney and Hayling* and the Harbour of *Langstone*, in, through, or near the several Parishes of *West Thorney and Westbourne*, or one of them, in the said County of *Sussex*; and also in, through, or near the several other Parishes of *North Hayling, Warblington, Havant, Bedhampton, and Portsea*, or some or one of them, in the County of *Southampton*; and also to make and keep navigable and passable for Boats, Barges, and other Vessels, another Canal from the said Harbour of *Langstone*, at or near to a certain Marsh belonging to *James Knight*, in the Parish of *Wymering*, in the said County of *Southampton*, to the Harbour of *Portsmouth*, at or near to a certain Meadow belonging to *Richard Pittis*, in the Parish of *Wymering*, in the said County of *Southampton*, in, to, or through the several Parishes of *Farlington, Wymering, and Widley*, or some or one of them, in the said County of *Southampton*; and also to make and keep navigable and passable for Boats, Barges, and other Vessels, another Canal from the said Harbour of *Langstone*, at or near to certain Lands lately inclosed and heretofore called *Milton Common*, in the Parish of *Portsea*, to, at, or near a certain Place called the *The Halfway Houses* in the said Parish of *Portsea*, in, to, or through the said Parish of *Portsea*, in the said County of *Southampton*; and to supply the said Canals or Cuts whilst the same shall be making, and at all Times for ever after the same shall be made, with Water from all such Springs as shall be found in making the same; and from all Rivers, Springs, Brooks, Streams, and Watercourses whatsoever, which are or shall be found within the Distance of Two thousand Yards from any Part of the said respective Canals; unless such Rivers, Springs, Brooks, Streams, and Watercourses, shall be used for the Purpose of turning any Mill or Mills, or for the Purposes of Irrigation; and to make, sink, or drive such and so many Wells, Tunnels, Levels, Perforations, Feeders, and Aqueducts, and to make, erect, and set up such and so many Weirs, Steam Engines, and other Machines, with proper Shafts and Tunnels thereto, for supplying the said Canals or Cuts with Water, and for conveying Water to and from the same, any or either of them, or from the same, or any of them, to the other or others of them or any Part thereof respectively; or for any other Purpose necessary for the better making and maintaining of such Canals or Cuts and Works, as they the said Company of Proprietors shall from Time to Time think proper and expedient; and for the several Purposes aforesaid, from Time to Time and at all Times after the passing of this Act, to enter into and upon the Lands and Grounds of or belonging to any Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same or any Part thereof, and to set out and ascertain such Part or Parts thereof as they the said Company of Proprietors shall think necessary and proper for the making, completing, maintaining, improving, and using of the said Canals or Cuts, and the other Works and Conveniences hereby authorized to be made; and there to bore, dig, cut, trench, and sough, and also to remove, take, and convey away any Earth, Clay, Chalk, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things whatsoever, which shall or may be dug or got in the making, or which may hinder, prevent, or obstruct the making, carrying on, maintaining, or repairing the said Canals, Cuts, or

[Local.]

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

Manner

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

II. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company of Proprietors, or any other Person or Persons, to make, erect, and set up any Wear, Steam Engine, or other Machine for supplying the said Canal between the said Harbour of *Langstone* and the Harbour of *Portsmouth* with Water from the said Harbour of *Portsmouth*, or to cause or permit any Water from the Harbour of *Portsmouth* to be carried or to run into the Harbour of *Langstone*, contrary to the natural Course of the Tide, from the said Harbour of *Langstone* into the said Harbour of *Portsmouth*; but that the said Company of Proprietors shall make, erect, and set up proper Gates or other sufficient Works in or upon the said Canal, Cut, and Basins, and Banks thereof, to prevent any such Water from the Harbour of *Portsmouth* from flowing through the said Canal or Cuts, or Basins thereof or belonging thereto, contrary to the natural Course of the Tides, in and between the said Harbours of *Langstone* and *Portsmouth*.

Preventing the Obstruction of the natural Flowing of the Tide or Run of Water between Langstone and Portsmouth Harbours.

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

Power to make Inclined Planes.

IV. And whereas Maps or Plans describing the Line of the said Canals and Reservoirs, and the Lands in and through which the same are to be made and carried, together with Books of Reference thereto, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the Office of the Clerks of the Peace for the respective Counties of *Sussex* and *Hants*; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the respective Clerks of the Peace for the said Counties; and to the End that all Persons may at any seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their

Plans and Books of Reference to remain with the Clerks of the Peace.

Misnomers  
not to pre-  
vent the mak-  
ing the Canal.

their Will and Pleasure; paying the Clerk of the Peace the Sum of One Shilling for every such Inspection; and after the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Book of Reference; and that the said Company of Proprietors, in making the said Canals, shall not deviate more than One hundred Yards from the Line or Course thereof described in the said Maps or Plans; nor shall the said Company of Proprietors make any Reservoir in any other Lands or Grounds than such as are described in the said Maps or Plans as intended for that Purpose: Provided always, that no Advantage shall be taken of or against the said Company of Proprietors, or any Interruption be given to the making of the said Canals, on account of any Error or Omission in the said Book of Reference; in case it shall appear to any Three or more of the said Commissioners appointed by this Act, or any Two or more of His Majesty's Justices of the Peace acting in and for the Counties of *Sussex* and *Hants*, or either of them, and be certified in Writing under their Hands respectively, that such Error or Omission proceeded from Mistake.

Breadth of  
Canal.

V. And be it further enacted, That the Lands or Grounds to be taken and used for the said Canals, and the Towing Paths, Banks, and Side Drains thereof; and the Ditches and Fences for separating such Towing Paths, Banks, and Side Drains from the adjoining Lands, shall not exceed Twenty-six Yards in Breadth, measured horizontally, except in such Places where any Basin, Reservoir, Sluice, or Weir shall be made, or where the said Canals shall be raised higher or shall be cut more than Six Feet deeper than the present Surface of the Land; and except in such Places where it shall be judged necessary for Boats, Barges, and other Vessels to turn, lie, or pass each other, in or where any Warehouse, Crane, or Weighing Beam shall be erected, or where any Wharf shall be made for the Landing or Delivery of any Goods, Wares, or Merchandize which shall be carried or conveyed on the said Canals, nor more than Seventy Yards in Breadth, except where the said Canals shall pass through or over any Common or Waste Lands, or where the Owner or Owners of any Lands or Grounds through which the said Canals will pass shall desire to have the same made wider at his, her, or their own Expence, in that Part of his, her, or their Lands or Grounds respectively through which the same will pass.

Houses, &c.  
not to be  
taken with-  
out Consent.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company of Proprietors, or any other Person or Persons, to take, use, injure, or damage any House or Building, or any Ground, which from the First Day of *October* One thousand eight hundred and sixteen was the Site of any House or other Building, or any Park, Avenue, planted Walk, Lawn, or Pleasure Ground, or any Yard, Garden, or Orchard, without the Consent in Writing of the respective Owners and Occupiers thereof, (other than and except such as are specified in the Schedule hereunto annexed).

Where Roads  
are injured,  
others to be  
made.

VII. Provided always, and be it further enacted, That in all Cases where it shall be found necessary in making the said Canal to cut through, or take, or so much to injure any Part of any Carriage or Horse Road or Footway, either public or private; as to render the same impassable or in-  
convenient

convenient for Travellers or Carriages; or the Persons entitled to the Use thereof, the said Company of Proprietors shall at their own Expence, before any such Road or Way shall be cut through, taken, or injured as aforesaid, cause a good and sufficient Carriage or Horse Road or Footway (as the Case may require) to be set out, made, and fenced, if necessary; instead thereof, as convenient for Passengers and Carriages as the Road to be cut through, taken, or injured as aforesaid, or as nearly so as Circumstances will permit, and shall cause the same to be put in good and substantial Order and Condition, such Carriage or Horse Road or Footway, altered and made as aforesaid, to be thereafter repaired and kept in repair by the Person or Persons who were by Law bound to repair the same Carriage or Horse Road or Footway before such Alteration.

VIII. And be it further enacted, That if in making the said Canals any Pieces or Parcels of Ground shall be cut through and divided or separated from the other Parts of the Lands belonging to the same Owner or Owners, so as the same cannot be conveniently occupied by him or them without a Bridge being erected for making a Communication therewith, or so that what shall be left on each or either Side of the said Canals shall be less in Quantity than One Acre, or shall be throughout the whole Length thereof less than Fifty Yards in Breadth, and if the Owner or Owners of any such Pieces or Parcels of Ground shall not have any other Land or Ground adjoining or contiguous to what shall be so left on each or either Side of the said Canals, then and in every such Case, and if the Owner or Owners, or Person or Persons entitled to the Possession or to the Rents and Profits of the same, shall so require, but not otherwise, they the said Company of Proprietors shall also take and purchase the Piece or Parcel or Pieces or Parcels of Ground so to be separated, or the Piece or Pieces of Ground so to be left on each or either Side of the said Canals, being less than One Acre in Quantity, or less than Fifty Yards in Breadth, throughout the whole Length thereof as aforesaid, and shall pay for the same after the same Rate and in the same Manner as they shall pay for the Land or Ground adjoining thereto which shall be taken and used in making the said Canals.

Pieces of Land separated to be purchased if required.

IX. And be it further enacted, That after Lands, Tenements, Grounds, and Hereditaments shall be set out and ascertained as aforesaid for the making the said Canals and Reservoirs respectively, or any Wharfs or other the several Works or Conveniences hereby authorized to be made, it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbards, Guardians, Trustees, and Feoffees in Trust for Charities or other Purposes, Committees, Executors, and Administrators, and all other Trustees whatsoever, not only for and on behalf of themselves and their respective Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their respective Wives and Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert who are or shall be seised, possessed, or interested in their own Right; and also to and for all and every other Person or Persons whomsoever who are or shall be seised, possessed, or interested of or in any Lands, Tenements, Grounds, or Hereditaments which shall be so set out and ascertained as aforesaid, or which are by this Act autho-

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



rized or directed to be taken and purchased by the said Company of Proprietors, or any Part thereof respectively, to treat and agree for the absolute Sale of, and accordingly to sell and convey unto the said Company of Proprietors, all or any Part or Parts of the Lands, Tenements, Grounds, or other Hereditaments, which shall from Time to Time be so set out and ascertained as aforesaid, or which are by this Act directed to be taken and purchased by the Company of Proprietors; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Custom, or Usage to the contrary notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and other Persons so conveying as aforesaid, are hereby indemnified on account or in respect of any such Sale which he, she, or they, or any of them, shall respectively make by virtue or in pursuance of this Act; and all such Contracts, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company.

Lands taken or purchased by the Company how to be conveyed.

X. And be it further enacted, That all Conveyances, Assignments, and Assurances which shall be made of any Lands, Tenements, Grounds, and Hereditaments to the said Company of Proprietors, shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; *videlicet*,

Form of Conveyance.

I of in consideration of the Sum of  
 to me paid (or in consideration of the annual Rent of  
 to me to be from henceforth yielded and paid by Two equal Half-yearly  
 Payments, on the Day of and the Day of  
 in every Year) by the Company of Proprietors of the *Portsmouth* and *Arundel* Navigation, do hereby, in pursuance and by virtue of  
 the Power in that Behalf contained in the Act passed in the Fifty-seventh  
 Year of the Reign of His Majesty King *George* the Third, intituled [*here insert the Title of this Act*], grant and release and assign unto the said  
 Company of Proprietors all [*here insert the proper Description of the Lands or Hereditaments intended to be conveyed*], and all my Estate and  
 Interest therein, to hold unto and to the Use of the said Company of  
 Proprietors, and their Successors for ever, according to the true Intent  
 and Meaning of the said Act: In Witness whereof I have hereunto set  
 my Hand and Seal, the Day of in the Year of  
 our Lord

And that all such Conveniences and Assurances as aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes, and shall operate and be as a Merger of all outstanding Terms of Years, and be a complete Bar of all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever.

Conveyance by Lords of Manors of Lands taken from Commons to be sufficient.

XI. And be it further enacted, That in all Cases where there shall be Occasion to cut through, take, or use, for the Purposes of this Act, any Part or Parts of any Commons, or Waste Grounds, or other Lands, Tenements, or Hereditaments, which shall be charged with or subject to any Right or Rights of Common or Commons, whether of Pasture, Turbary, Estover, Piscary, or any other Profit, Appendre, or Easement, whether appendant, appurtenant, or in gross, and whether created or then subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance thereof by any Body Politic, Corporate, or Collegiate, or

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

XII. And be it further enacted, That it shall be lawful for the said Company of Proprietors, by Indenture under their Common Seal, to sell, grant, and convey, by way of absolute Sale, all such of the Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be purchased by and conveyed to the same Company, as shall not be wanted for the Purpose of the said Canals and Works, or any Part or Parts thereof, for such Sum or Sums in Money as in such Conveyances shall be expressed, and that all such Grants and Conveyances shall be valid and effectual, any thing to the contrary notwithstanding; and upon Payment of the Money which shall arise by such Sale or Sales of such Messuages, Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof, or of any Land by virtue of this Act, it shall and may be lawful for the Treasurer or Treasurers for the Time being to sign and give Receipts for the Money for

Company empowered to resell Lands not wanted.

for which the same shall be sold, (which Receipts shall be sufficient Discharges to the Purchaser or Purchasers for the Money for which such Premises shall be so sold), or for so much thereof as in such Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not be answerable or accountable for any Losses, Misapplication, or Non-application of such Purchase Money, or any Part thereof; which said Money shall be applied by the said Company of Proprietors for the same or for the like Purposes as the Money hereby authorized to be raised is to be applied: Provided that the said Company, before they shall contract for the absolute Sale and Disposal of any such Messuages, Lands, Tenements, and Hereditaments, shall first offer to resell the same to the Person or Persons from whom the said Company shall have purchased such Premises, his, her, or their Heirs, at a Price to be fixed on by the said Company; but in case of Difference in that respect, then the Price at which the same shall be resold shall be adjusted and settled by a Jury in like Manner as the Price for any Land to be taken in pursuance of this Act is herein directed to be settled in case of Difference or Dispute as to the Value thereof; and in case such Person or Persons, his, her, or their Heirs, to whom such Offer shall be made, shall not then and thereupon agree, or shall refuse to repurchase the same, any Affidavit to be made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Premises shall lie, by some Person or Persons no way interested in the said Premises, stating that such Offer was made by or on behalf of the said Company of Proprietors, and that such Offer was not then and thereupon agreed to or was refused by the Person or Persons to whom the same was so made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

Owners of  
Lands used  
in making a  
new Road to  
have the first  
Offer of the  
old Road.

XIII. Provided always, and be it further enacted, That wherever the Course of any Road or Way shall be altered in pursuance of this Act, and a new Road or Way opened and made in and upon the adjoining Land, the Offer of the Purchase of such old Road or Way shall be first made to the Owner of the Land which shall be cut and used for the Purpose of making such new Road or Way; and in case such Owner shall be desirous of becoming the Purchaser of such old Road or Way, and shall not agree with the said Company of Proprietors or their Committee, or the said Commissioners, for the Price to be paid for the Purchase of the same, then and in such Case the Value thereof shall be settled and ascertained in such and the like Manner as the Price for any Land to be taken in pursuance of this Act is herein directed to be settled and ascertained, and such Owner shall be deemed the Purchaser thereof at the Sum to be ascertained by the Jury; and in case such Owner shall refuse to pay such Money upon Demand made thereof by the Clerk to the said Company, and Tender of the Conveyance of such old Road or Way, the same shall and may be recovered by the said Company by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*; and in case any such Owner shall not agree, or shall refuse to purchase any such old Road or Way, it shall and may be lawful for any Person or Persons not interested in the Premises to make an Affidavit, to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such old Road or Way shall lie,

lie, stating that such Offer has been made by or on behalf of the said Company, and that such Owner has not agreed or hath refused to purchase such old Road, as the Case may be; and such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and not agreed to or refused by such Owner: Provided nevertheless, that if the Lands of Two or more Persons shall be taken for any such new Road or Way as aforesaid, each and every such Owner shall be entitled to the first Offer of so much of the old Road or Way as is lying immediately adjoining to his, her, or their Land respectively, in Manner aforesaid.

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

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

XV. And be it further enacted, That if any Contract, Agreement, Bargain, or Sale of or concerning any Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, shall be made or entered into, of any Lands, Tenements, or Hereditaments which shall be Copyhold or of the Nature of Copyhold, the same shall be executed and completed by Surrender thereof in the Court of the Manor of which the same is or are holden, according to the Custom of such Manor; and such Lands, Tenements, or Hereditaments shall continue subject to the same Fines, Rents, and Services as are due and payable, and of Right accustomed, in the same Manner as if this Act had not been made, unless the Lord or Lords, Lady or Ladies of the Manor for the Time being, shall be willing and desirous to enfranchise the same, in which Case such Lord or Lords, Lady or Ladies, is and are hereby empowered so to do, notwithstanding he, she, or they shall be seised of or entitled to the same Manor or Manors for a less Interest than an Estate of Inheritance in Fee Simple; but inasmuch as the vesting and continuing of such Copyhold Premises in the said Company would prevent such Lord or Lords, Lady or Ladies, from receiving the Benefit of Fines, Heriots, and other Services due upon Death, Descent, or Alienation, in like Manner as he, she, or they would have done in case such Copyhold Premises had continued to be the Property of Individuals, the said Lord or Lords, Lady or Ladies of the said Manor or Manors, in case he, she, or they shall decline to enfranchise the respective Parcels of Copyhold Lands, Tenements, and Hereditaments held of such Manors which shall be so purchased by or vested in the said Company for the Purposes aforesaid, shall be entitled to, and shall be paid by the said Company, a reasonable Recompence and Satisfaction for the Loss that will arise to him, her, or them in respect of such Fines, Heriots, or other Services, the Enjoyment of which will be diminished or lost by the vesting and continuing such Copyhold Premises in a Body Corporate; which Recompence and

For adjusting the Mode of settling Contracts respecting Copyhold Lands.

[*Local.*]

17 S

Satisfaction,

Satisfaction, if not settled by Agreement between the Parties, shall be ascertained and settled by the said Commissioners, or by a Verdict of a Jury, if required, as is directed by this Act.

Lands to be purchased and conveyed to His Majesty for Ordnance Purposes.

XVI. And whereas the said Canals, from the Harbour of *Langstone* to the said Place called *The Halfway Houses*, in the Parish of *Portsea*, and from the said Harbour of *Langstone* to the North Part of the Harbour of *Portsmouth*, in the Parish of *Wymering*, will pass near to some of His Majesty's Fortifications, Lines, and Works erected at or near *Cumberland Fort*, the Towns of *Portsmouth* and *Portsea*, and at *Hilsea*, in the Parish of *Wymering*, for the better Security of His Majesty's Docks, Dock Yards, Arsenals, and Stores at the Port of *Portsmouth*: And whereas Four Pieces or Parcels of Ground will, in making the said Canals, be cut through and divided or separated from the other Parts of the said Lands of the said Owners, and will remain and be on the South Sides of the said Canals, so that the same cannot be conveniently occupied by them without Bridges being erected for making Communications therewith: And whereas the Erection of any Buildings on the Borders of the said Canal, near to the said Fortifications, Lines, or Works, or on the said several Pieces or Parcels of Ground, or the Formation of any Banks at the Sides of the said Canal, or elsewhere, within One thousand two hundred Yards of the said Military Defences, by the Soil excavated therefrom, or by any other Means, would be detrimental and injurious to such Defences; be it therefore further enacted, That the said Company of Proprietors shall, if required by the Master General and the Principal Officers of His Majesty's Board of Ordnance for the Time being, also take and purchase the said several Pieces or Parcels of Ground lying and being on the South Side of the said Canals, so cut through, divided, or separated from the other Parts of the before-mentioned Lands, and shall pay for the same after the same Rate and in the same Manner as they shall pay for the Land or Ground adjoining thereto, which shall be taken and used for making the said Canals; and that it shall be lawful for the said Company of Proprietors, by Indenture under their Common Seal, to sell, grant, and convey, by way of absolute Sale, to and for the Use of His Majesty, His Heirs and Successors, all such of the said Pieces or Parcels of Ground which shall be purchased by and conveyed to the said Company of Proprietors, as shall not be wanted for the Purpose of the said Canals and Works, or any Part or Parts thereof, for such Sum or Sums of Money as in such Conveyances shall be expressed, or to exchange the same, or any Part or Parts thereof, for any Land of His Majesty through which the said Canals shall pass, or which shall be requisite for the Purpose of completing the same; and that all such Grants and Conveyances and Exchanges shall be valid and effectual, any thing to the contrary notwithstanding: Provided always, that nothing herein contained shall extend or be construed to extend so as to enable the said Company of Proprietors, or the Commissioners acting under the Authority of this Act, to erect, make, or set up, or cause to be erected, made, or set up, any Messuages, Tenements, Warehouses, or other Buildings, on any of the Lands or other Hereditaments which shall be purchased by the said Company of Proprietors, or the Commissioners acting under the Authority of this Act, for the making such Canals, or on the said several Pieces or Parcels of Ground so to be purchased, or any Part thereof; save and except at the Basin or Basins at or near the said Place called *The Halfway Houses*, such Buildings only as may be indispensably

Exceptions for Steam

dispensably necessary as an Entrepôt for carrying on the Business of the said Canal or Cut, and any such Steam Engine House and Toll House or Toll Houses as may be necessary for the Supply of the said Canals and Basins, and taking the Tolls and Rates authorized to be taken for the Use thereof, or to form any Embankment or Embankments upon the Sides of such intended Canals, or elsewhere, within One thousand two hundred Yards of the said Military Defences, with the Soil to be excavated therefrom, or with any other Soil or Materials whatsoever above the natural Surface of the Ground in which such intended Canals shall be cut, except where such Surface may in the small Hollows or Valleys be under the Surface of the Water in the said Canals between the said Harbour of *Langstone* and the said Place called *The Halfway Houses*, in the Parish of *Portsea*, and between the same Harbour of *Langstone* and the North Part of the said Harbour of *Portsmouth*, in the Parish of *Wymering*, or to land or load from or into any Barge, Boat, or other Craft navigating the said Canals, (except at or in the Basin or Basins of the same to be made at or near the said Place called *The Halfway Houses*, or from or on the Borders thereof), any Goods, Wares, Merchandize, and other Things, at any Part of the said intended Canals between the said Harbour of *Langstone* and the said Place called *The Halfway Houses*, in the said Parish of *Portsea*, and between the said Harbour of *Langstone* and the North Part of the said Harbour of *Portsmouth*, in the said Parish of *Wymering*.

Engine and  
Toll House.

XVII. And whereas Differences may arise between the said Company of Proprietors and the Owners of or Persons interested in the Lands, Grounds, Tenements, Waters, or Hereditaments which shall or may be taken, used, affected, damaged, or prejudiced, in pursuance or execution of the Powers hereby granted, touching the Purchase Money or Recompence to be paid or made for the same; be it therefore further enacted, That every Person seised or entitled in his own Right, or in Right of his Wife, (but not as Mortgagee), at the Time of his acting, of or to any Freehold or Copyhold Estate or Estates, or both, in the said Counties of *Sussex* and *Hants*, or either of them, of the clear yearly Value of Two hundred Pounds; and also every other Person residing in the said Counties, or either of them, and within Twelve Miles of the Line of the said intended Canals, or either of them, and having a Personal Estate, or a Real and Personal Estate together, of the Value of Five thousand Pounds, shall be and is hereby appointed a Commissioner for settling, determining, and adjusting all Questions, Matters, and Differences which shall or may arise between the said Company of Proprietors and the several Proprietors of and Persons interested in any Lands, Grounds, Tenements, Waters, or other Hereditaments, that shall or may be taken, used, affected, damaged, or prejudiced, in pursuance or execution of any of the Powers hereby granted, and for other the Purposes in this Act mentioned.

Commissioners appointed  
for settling  
Differences.

XVIII. Provided always, and be it further enacted, That no Person shall act as a Commissioner in the Execution of this Act who shall be the Owner or Occupier of any Land intended to be purchased, in order to be cut through or used in making the said Canals and other Works, or who shall not be resident in the County wherein the Matter in question, or some Part thereof, is situated; or who shall hold any Place of Profit under the said Company of Proprietors, nor during the Time of his being a Proprietor in the said intended Navigation and Undertaking, or who shall

Qualification  
of Commis-  
sioners.

shall be in anywise interested or concerned in the Matter in question; or who shall act as a Commissioner in the Execution of this Act (otherwise than in administering an Oath or Affirmation to the Effect following), until he shall have taken and subscribed such Oath or Affirmation before some one or more of the said Commissioners, who is and are hereby authorized and empowered to administer the same; (that is to say),

Oath taken  
by the Com-  
missioners.

‘ I do swear (or, being one of the People called Quakers,  
‘ I do solemnly affirm), That I am truly and *bonâ fide* in the actual  
‘ Possession or Enjoyment of the Rents and Profits of Freehold or Copy-  
‘ hold Lands, Tenements, or Hereditaments, or both, in the Counties of  
‘ *Sussex* and *Hants*, or one of them, of the clear yearly Value of  
‘ above all Reprizes (or possessed of, or entitled to a Per-  
‘ sonal Estate, or a Real and Personal Estate together, to the Amount  
‘ or Value of ); and that I will, without Favour  
‘ or Affection, truly and impartially, according to the best of my Skill  
‘ and Knowledge, execute and perform the Powers and Authorities vested  
‘ in me as a Commissioner, by an Act made in the Fifty-seventh Year  
‘ of the Reign of His Majesty King *George* the Third, intituled [*insert the*  
‘ *Title of this Act*].’

Penalty on  
Person not  
qualified act-  
ing as a Com-  
missioner.

And that no Person shall act as a Commissioner at any Meeting of Commissioners (other than and except the First Meeting to be held by virtue of this Act, and at any Adjournment thereof, to be held within One Month of such First Meeting); unless he shall have taken the said Oath at some other Meeting One Month at least previous to the Time of his claiming to act as such Commissioner; and if any Person, not being qualified as herein-before is mentioned, or hereby made incapable to act as a Commissioner, shall nevertheless act as such in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Offence forfeit the Sum of Fifty Pounds to the said Company of Proprietors, to be recovered with full Costs of Suit by Action at Law in any of His Majesty's Courts of Record at *Westminster*; and every such Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of the Powers given by this Act: Provided always nevertheless, that it shall be lawful for any of the said Commissioners who are or shall be in the Commission of the Peace for the said Counties of *Sussex* and *Hants*, or either of them, to act as Justices of the Peace in or relating to the Execution of this Act, notwithstanding their being Commissioners.

Commission-  
ers may act  
as Justices of  
the Peace in  
Execution of  
this Act.

Meetings of  
Commission-  
ers to be  
public, and  
Notice there-  
of given.

XIX. And be it further enacted, That the said Commissioners shall hold their First Meeting for the Purposes of this Act in the Town of *Havant*, in the County of *Hants*, at such Time as they shall be thereunto required, by Notice to be given in some one Newspaper published or circulated in each of the said Counties of *Sussex* and *Hants* respectively, by Order of the Committee of Management, to be appointed as herein-after mentioned at their First Meeting; and the said Commissioners may afterwards meet from Time to Time by Adjournment or otherwise, as they shall think necessary or proper; but no Meeting whatever (except adjourned Meetings) of the said Commissioners shall at any Time be had (except in such Cases as are herein-after otherwise ordered and provided for), unless Four-  
teen

teen Days previous Notice at least of the Time, Place, and Purpose of such intended Meeting, shall be given and inserted in some Newspaper published or circulated in the County wherein such Meeting is intended to be held; and that every Meeting of the said Commissioners by virtue of this Act shall be public; and that no Act, Order, or Proceeding of the said Commissioners or any of them in or relating to any of the Matters or Things hereby meant to be submitted to their Decision and Determination (except in such Cases as are hereby ordered and provided for), shall be valid, unless the same shall be done or made at a Meeting to be held in pursuance of this Act, and of the Directions herein contained; and that all and singular the Powers and Authorities hereby given to or vested in the said Commissioners shall and may from Time to Time be exercised by the Majority of the Commissioners assembled at such Meetings respectively, the whole Number present at such Meetings respectively not being less than Three; and at every such Meeting One of the Commissioners present shall be appointed President or Chairman, who, in case of an equal Division of Votes, shall have the decisive or casting Vote.

Commissioners Powers not to be executed by less than Three.

XX. And be it further enacted, That upon Requisition to be made by the said Committee of Management to be chosen as herein-after directed, or upon Application by any Three or more Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments to be affected by the said Canals and other Works, or any of the Works hereby authorized to be made or carried on, unto the Clerk to the Company of Proprietors, to appoint a General Meeting of the said Commissioners, the said Clerk shall and is hereby required, within Fourteen Days after such Requisition or Application made to him, to give public Notice in Manner aforesaid of a General Meeting of the said Commissioners, to be held at such Time and Place as shall be specified in such Notice, such Time not being less than Fourteen Days nor more than Twenty-eight Days from the Day on which such Requisition or Application shall be made as aforesaid; and the said Commissioners are hereby authorized and required to assemble at the Time and Place so to be appointed, in order to put this Act, and the Powers and Authorities hereby given to and vested in them, into Execution, notwithstanding any previous Adjournment of the said Commissioners; and in case the Business to be transacted at any Meeting of the said Commissioners, to be held in pursuance of this Act, shall not be concluded or finished on or within the Day mentioned in such Notice, then the Commissioners present at such Meeting shall and may adjourn themselves, and afterwards meet at such Time and Place as they shall think proper and expedient; and if it shall happen that there shall not appear at any Meeting, which shall be appointed to be held by the said Commissioners, a sufficient Number of Commissioners to act at such Meeting, and to adjourn to any other Time, then and in such Case, and from Time to Time, and as often as the same shall happen, the Clerk to the said Commissioners for the Time being shall and may by public Notice, to be given in the Manner aforesaid, appoint the said Commissioners to meet at the Place where a Meeting of the said Commissioners was last appointed to be held, upon the Day Three Weeks next after the Day last appointed for such Meeting: Provided also, that every Meeting of the said Commissioners for the hearing and determining of any Complaint, Controversy, Dispute, or Difference between the said Company of Proprietors and any other Person or Persons, shall be held at some Place within Fifteen Miles of the Place where or respecting which such Complaint, Dispute, or Difference shall

General Meeting of Commissioners how to be called.

Meetings of Commissioners for determining Disputes to be held within Fifteen Miles

[Local.]

arise;



of the Place  
in Dispute.

arise; and that no Business shall commence at any Meeting of the said Commissioners before Eleven of the Clock in the Forenoon, nor after Three of the Clock in the Afternoon.

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

XXI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time assembled at a Meeting to be held in the Manner herein-before directed, and they are hereby fully authorized and empowered by Writing under their Hands (except in such Cases as are herein-after otherwise provided for), with the Consent of the Parties concerned, to determine and adjust what Sum or Sums of Money for the absolute Purchase of any Lands, Tenements, Grounds, or Hereditaments which shall be set out and ascertained, or be intended to be taken or used as aforesaid, for making the said Canals and other Works, or the Towing Paths thereto, or any Part thereof respectively, or for other the Purposes herein mentioned, or which shall be taken by the said Company of Proprietors pursuant to any of the Directions of this Act, ought, in the Opinion of the said Commissioners, to be paid by the said Company of Proprietors unto the Bodies Politic, Corporate, or Collegiate, or other Person or Persons respectively who shall be entitled thereto, and also to determine and adjust what other separate and distinct Sum or Sums of Money ought, in the Opinion of them the said Commissioners, to be paid by the said Company of Proprietors as a Recompence for any Damages which shall or may, at any Time or Times before such Meeting, have been sustained by any Bodies Politic, Corporate, or Collegiate, or other Person or Persons respectively, being Owners of or interested in any Lands, Grounds, Tenements, Waters, or Hereditaments, and for the future, temporary, or perpetual Continuance of any recurring Damages to be by such Bodies and Persons thereafter sustained, which shall before such Meeting have been only in Part obviated, repaired, or remedied by the said Company of Proprietors, and shall have been by them occasioned for or by reason of the severing or dividing the same Lands, Grounds, Tenements, Waters, or Hereditaments, or by reason of the making, repairing, or maintaining of the said Canals and Towing Paths, or any of the Reservoirs, Aqueducts, Feeders, Drains, Back Drains, Trenches, Passages, Gutters, Watercourses, Roads, Ways, Sluices, or other Works hereby authorized to be made and carried on and maintained, or by reason or means of the flowing, leaking, or oozing of the Water over or through the Banks of the said Canals, Reservoirs, Aqueducts, Feeders, Drains, Trenches, Passages, Gutters, and Sluices, or any of them, or of the supplying the same or any of them with Water; or by not cleansing the said Watercourses, Trenches, and Passages, or by turning or diverting any Streams or Brooks into the same or any of them, or by reason or means of the Execution of any of the Powers hereby given to the said Company of Proprietors or their Agents, Workmen, or Servants, in case such Purchase Money, Damages, and Recompence respectively cannot be settled, adjusted, and agreed upon by and between the said Company of Proprietors and the Owners of or Persons entitled in such Lands, Grounds, Tenements, Waters, or Hereditaments as aforesaid.

In case the Parties refuse to submit to the Determination of the

XXII. And be it further enacted, That if the said Company of Proprietors, or their Committee of Management for the Time being, or if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons so interested or entitled as aforesaid, for and on behalf  
of

of himself, herself, or themselves, or for and on behalf of the respective Cestuique Trusts, or of the Person or Persons entitled in Remainder after them as aforesaid, shall refuse to submit such Compensation or Recompence as aforesaid to the Determination of the said Commissioners, or shall be dissatisfied with their Determination respecting the same, and of such Dissatisfaction, shall, within Twenty-one Days next after such Determination, give Notice to the Commissioners making such Determination, or if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons entitled or interested as aforesaid, shall refuse to receive, upon due Tender thereof, such Purchase Money or such Recompence as shall be so adjusted and determined to be paid as aforesaid, or shall for the Space of Twenty-one Days next after Notice in Writing shall be given to the principal Officer or Officers of such Body Politic, Corporate, or Collegiate, or to such Trustee or Trustees, or other Person or Persons respectively, or left at his, her, or their usual or last Place or Places of Abode, or with the Tenant or Tenants, Occupier or Occupiers of such Lands, Grounds, Tenements, or Hereditaments respectively as aforesaid, neglect or refuse to treat, or shall not agree with the said Company of Proprietors concerning the same, or shall by reason of Absence be prevented from treating, or shall by reason of Nonage, or other Impediment not provided for by this Act, be incapable of treating or making such Agreements as shall be expedient for enabling the said Company to proceed in the making and carrying on of the said Canals and other the Works aforesaid; then, and in any or either of the said several Cases, the said Commissioners or any Three of them, although not assembled at any Meeting to be holden in manner herein-before mentioned, upon Application made to them either by the Clerk of the said Company of Proprietors, or by any other Person or Persons interested as aforesaid, are hereby empowered and required from Time to Time to issue a Warrant or Warrants under their Hands and Seals, to the Sheriff of the County wherein such Lands, Grounds, Tenements, or Hereditaments as aforesaid are situated, or in which the Matter or Question in Dispute shall arise; or in case such Sheriff or his Under Sheriff shall happen to be one of the said Company of Proprietors, or enjoy any Office of Trust or Profit under them, or shall be otherwise interested in the Matter in Question, then to any One of the Coroners of the same County, not interested as aforesaid; or if all the Coroners shall be so interested, then to the last Person then in being who filled the Office of Sheriff of the same County, and who shall not be interested as aforesaid, commanding such Sheriff or Coroner or other Person to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly authorized, empowered, and required to impanel, summon, and return, a Jury of Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trial of Issues joined in His Majesty's Courts of Record at *Westminster*, to appear before the said Commissioners or such of them as shall be assembled at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Nine nor more than Twenty-one Days after such Warrant or Warrants shall be served upon the said Sheriff, Coroner, or other Person as aforesaid; and the Clerk of the said Company for the Time being is hereby also required forthwith, by such public Notice as herein-before mentioned, to call a Meeting of the said Commissioners at the same Time and Place mentioned in such Warrant; and in case a sufficient Number of Jurymen shall not appear at the Time and

Commissioners, or are incapable to treat, the Value to be settled by a Jury.

In Default of a sufficient Number of  
Place

Jurymen,  
Standers-by  
to be re-  
turned.

Witnesses  
may be sum-  
moned.

Place appointed as aforesaid, the said Sheriff or Coroner or other Person shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Commissioners or any Three or more of them, although not assembled at such Meeting as aforesaid, are hereby empowered also to summon and call before the Commissioners to be so assembled, or before the said Jury (as the Case may be), all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in Question; and the said Commissioners or any Three of them, although not so assembled, shall and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matter in Controversy, and such Jury upon their Oaths (or being of the Society of Persons called *Quakers*, upon their solemn Affirmations), which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations to such Person or Persons as shall be called upon to give Evidence, any Three such Commissioners are hereby empowered to administer, shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands, Grounds, Tenements, or Hereditaments as aforesaid, and also what other separate and distinct Sum or Sums of Money shall be paid by way of Recompence, whether for the Damages which shall or may before that Time have been so sustained as aforesaid, or for the future, temporary, or perpetual Continuance of any recurring Damages which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been only in part obviated, repaired, or remedied by the said Company of Proprietors, and which can or will be no further obviated, repaired, or remedied by them; and the said Commissioners so to be assembled shall accordingly give Judgment for such Purchase Money or Recompence as shall be assessed by such Jury; which said Verdict, and the Judgment to be thereupon pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever.

Penalty upon  
Sheriffs, &c.  
making De-  
fault.

XXIII. And be it further enacted, That if such Sheriff or his Deputy, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make Default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so to be summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Person so to be summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, examined, or to give Evidence, then and in such Case every such Person so offending shall forfeit and pay for every such Offence, for the Benefit of the said Party, any Sum not exceeding Ten Pounds, to be levied by virtue of any Warrant or Warrants under the Hands and Seals of the said Commissioners, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering to him or them the Overplus of the Money thereby produced, after such Penalty and the Charges of such Distress and Sale shall be deducted.

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

Juries to be under the same Regulations as Juries at Westminster.

Persons giving false Evidence subject to the Penalties of Perjury.

XXV. And be it further enacted, That where the Determination of the Commissioners to be made as aforesaid shall be acquiesced in by both Parties concerned, then and in such Case, if the Determination shall be made for more Money to be paid as a Recompence and Satisfaction for any Lands, Grounds, Hereditaments, or Property, or for any Damage which may be done to any Lands, Grounds, Hereditaments, or Property whatsoever, than shall have been previously offered or tendered by or on Behalf of the said Company of Proprietors, or if no such Recompence or Satisfaction shall have been offered or tendered by them or on their Behalf to the Person or Persons competent to accept and take the same, all the Expences of the calling and meeting of such Commissioners shall be defrayed by the said Company; but if the Determination shall not be made for more Money than shall have been previously offered or tendered by the said Company as aforesaid, the Expences of calling and meeting of such Commissioners, or so much thereof as the said Commissioners shall judge reasonable and proper, shall be defrayed by the Person or Persons with whom the said Company shall have had such Controversy or Dispute; and where either of the said Parties concerned shall refuse to submit any such Matter as aforesaid to the Determination of the said Commissioners, or shall be dissatisfied with their Determination therein, and give Notice of such Dissatisfaction as aforesaid, then and in every such Case, if the Verdict of the Jury shall be given for more Money to be paid as a Recompence or Satisfaction as aforesaid, than shall have been previously offered or tendered by and on the Behalf of the said Company, or determined by the said Commissioners, as the Case shall be, or if no such Recompence or Satisfaction shall have been tendered by them or on their Behalf to the Person or Persons competent to accept and take the same, all the Expences of the calling and meeting of such Commissioners, summoning such Jury, and taking such Inquest, shall be defrayed by the said Company; but if the Verdict of the Jury shall not be given for more Money than shall have been previously offered or tendered by the said Company as aforesaid, or determined by the said Commissioners, as the Case shall be, the Expences of the calling and meeting of such Commissioners, summoning such Jury, and taking such Inquest, or so much thereof as the said Commissioners shall adjudge reasonable and proper, shall be defrayed by the Person or Persons with whom the said Company shall have such Controversy or Dispute; and all such Expences as aforesaid shall be settled by the said Commissioners present at such Meeting respectively; and in all Cases where the whole of such Expences shall not be directed by the said Commissioners

Expences of Commissioners and Jury how to be borne.

missioners to be paid by such Person or Persons as aforesaid, the Remainder shall be paid by the said Company of Proprietors; and the Expences which are herein-before directed to be paid by the Person or Persons with whom the said Company shall have had any Controversy or Dispute, shall and may be deducted out of the Money to be determined or adjudged to be paid to such Person or Persons as aforesaid, as so much Money advanced to and for his, her, or their Use; and the Payment or Tender of the Remainder of the Money so to be determined or adjudged shall be deemed and taken, to all Intents and Purposes whatsoever, to be a good Payment or a Tender in Satisfaction of the whole thereof: Provided always, that in all Cases where, by reason of Absence or otherwise, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Company of Proprietors.

Persons requesting Juries, to enter into Bonds to prosecute.

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

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

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

Notices to be served on the Clerk of the Company, or affixed on the Market Houses of Arundel and Portsmouth.

XXVIII. And be it further enacted, That all Writs, Notices, and other legal Proceedings against the said Company of Proprietors shall and may be served on the Clerk for the Time being to the said Company, and shall be deemed and taken to be good and valid Service on the said Company; or all such Notices, and Notices of such Writs and other legal Proceedings, shall and may be affixed on the Town or Market Houses of *Arundel* and *Portsmouth*, which shall in every such Case be deemed and taken to be good and valid Service of such Notices, Writs, and other legal Proceedings on the said Company.

Satisfaction to be made for Tithes.

XXIX. And be it further enacted, That full Recompence and Satisfaction shall be made by the said Company of Proprietors for all Tithes, both Great and Small, of the Lands which shall or may be taken or made use

of by the said Company of Proprietors for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled or who would have been entitled to such Tithes, in case such Lands had not been so taken or made use of, according to the respective Interests therein; such Tithes to be estimated at the average Value of Four Years, commencing at *Michaëlmas* One thousand eight hundred and twelve; and ending at *Michaëlmas* One thousand eight hundred and sixteen; such Average Value to be ascertained (in case of any Difference concerning the same) in like Manner as the Value of any other Hereditaments is herein-before directed to be ascertained.

XXX. Provided always; and be it enacted, That the said Company of Proprietors shall make Compensation for any Lands, Tenements, or Hereditaments to be purchased under the Powers of this Act, or for the Tithes payable in respect thereof; or for any Damages that may be done thereto by the said Company, in gross Sums of Money, and not by way of annual Rents.

Compensation to be in gross Sums.

XXXI. And be it further enacted, That all Orders and Proceedings of the said Commissioners shall be regularly entered in a Book to be kept for that Purpose by their Clerk or Clerks, which Book shall be provided at the Expence of the said Company of Proprietors, and shall be open at all reasonable Times for the Inspection of any Person or Persons interested in the said Proceedings, without Fee or Reward; and such Entries being signed by such Number of the said Commissioners as are empowered by this Act to make such Orders, or carry on such Proceedings respectively, shall be deemed Originals, and the same or true Copies thereof shall be admitted as Evidence in all Courts whatsoever; and that the said Commissioners shall appoint a fit and proper Person to be the Clerk to the said Commissioners appointed by this Act; and that the said Commissioners shall and may from Time to Time remove any such Clerk; and on such Removal, or in case any such Clerk shall die or quit the said Employment, the said Commissioners shall and may appoint another fit and proper Person to be the Clerk to the said Commissioners, and every such Clerk shall be paid for his Care, Expence, and Trouble in the Execution of this Office, by the said Company of Proprietors.

Proceedings of Commissioners to be entered in a Book.

Clerk to Commissioners how to be appointed.

XXXII. And be it further enacted, That upon Payment of such Sum or Sums of Money so contracted and agreed for between the Parties, or determined or adjusted by the said Commissioners, or assessed by a Jury as aforesaid, for the Purchase of any such Lands, Grounds, Tenements, or Hereditaments as aforesaid, to the Owner or Owners thereof, or other Person or Persons entitled to receive such Money, or upon legal Tender of such Money to such Owner or Owners, or other Person or Persons, or to the principal Officer or Officers of any Body Politic, Corporate, or Collegiate, at any Time after such Money shall have been so agreed for, determined, or assessed; or if such Owners or other Persons cannot be found or ascertained, or shall refuse to accept such Money, or in case it doth not appear to whom the same ought to be paid, then upon Payment of the said Sum or Sums of Money into the Bank of *England* as herein-after directed and required, for the Use of the Person or Persons entitled thereto, but not before, it shall be lawful for the said Company of Proprietors, and their Agents, Servants, and Workmen, immediately to enter into and upon

Power to enter Lands, &c. and proceed with Works, on Payment of Purchase Money, &c.

upon such Land, Grounds, Tenements, and Hereditaments respectively, and to dig, cut, trench, sough, and remove Earth, Stones, Rubbish, Trees, Roots of Trees, and other Obstructions, and do all other Matters and Things necessary and proper for the making, using, maintaining, and repairing of the said Canals and the Towing Paths on the Sides thereof, and other the Works and Conveniences aforesaid, in or upon such Lands, Grounds, Tenements, or Hereditaments respectively, and thereupon to make, erect, carry on, complete, repair, and maintain the said Canals, Towing Paths, and other Works and Conveniences respectively, as they the said Company of Proprietors shall think fit, and to have, use, and enjoy such Lands, Grounds, Tenements, or Hereditaments respectively, to and for their own Use and Benefit, for the Purposes of the said Canals and other Works, save and except as herein-after mentioned.

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

XXXIII. And be it further enacted, That all Determinations of the said Commissioners which shall be submitted to and acquiesced in by the Parties concerned, and also the Verdicts of the Juries, and the Judgments of the said Commissioners thereon as aforesaid, shall with all convenient Speed be transmitted to and shall be kept by the Clerk of the Peace for the County or Counties in which the Lands or Hereditaments are situated, respecting which such Determinations, Verdicts, and Judgments respectively shall be made or given, amongst the Records of the Quarter Sessions of such County, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have free Liberty to inspect the same, paying for each Inspection the Sum of One Shilling and no more; and also to take Copies thereof, paying for each Copy after the Rate of Sixpence for every One hundred Words; and that immediately after the Payment of such Sum or Sums of Money as aforesaid, and after such Determinations, Verdicts, and Judgments of such Commissioners and Juries shall be transmitted to such Clerk of the Peace as aforesaid, the Lands, Tenements, or Hereditaments so purchased, and concerning which such Determinations, Verdicts, and Judgments shall be made and given as aforesaid, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, at Law or in Equity, of the Person or Persons for whose Use such Money shall be paid as aforesaid, in, to, and out of the same, and also the Fee Simple and Inheritance thereof, shall vest in the said Company of Proprietors, and they shall be deemed in Law to be in the actual Possession and Seisin thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate or Interest therein had actually conveyed the same to them by any legal Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to or for whose Use the same shall be made or given, but also shall bar the Dower of the Wife of every such Person respectively, and all Estates Tail, and other Estates and Interest in Possession, Remainder, or otherwise, against the Issue of such Person or Persons, and against all Infants, Females Covert, and all and every other Person and Persons whomsoever, having or claiming any Right, Title, Estate, or Interest therein, either in Law or in Equity.

Commissioners to settle Proportion of

XXXIV. And be it further enacted, That the said Commissioners and the said Jury shall and are hereby respectively empowered to settle what Shares

Shares and Proportions of the Purchase Money or Compensation for Damages which shall be agreed for, determined, and adjusted, or assessed in Manner as aforesaid, shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such, his, her, or their Interest or respective Interests therein.

Purchase Money where there are different Interests.

XXXV. Provided always, and be it further enacted, That in case any Lands, Tenements, or Hereditaments to be taken and used by the said Company of Proprietors for the Purposes or pursuant to the Directions of this Act, shall happen to be in Mortgage to any Person or Persons, then it shall be lawful for the said Company of Proprietors, upon Application being made to them by the Mortgagee or Mortgagees thereof, his, her, or their Executors or Administrators for that Purpose, to pay such Sum or Sums of Money as shall have been so agreed for, adjusted, or assessed as aforesaid, for the Purchase of or for the Damage done to such Lands, Tenements, or Hereditaments in Mortgage, or the Residue of such Sum or Sums after such Allowance and Payment thereof to any Lessee or Tenant as aforesaid, unto such Mortgagee or Mortgagees, his, her, or their Executors or Administrators in part Discharge and Satisfaction of the principal Money due on such Mortgage: Provided always, that upon Receipt of such Sum or Sums, such Mortgagee or Mortgagees, his, her, or their Executors or Administrators respectively, shall acknowledge the Receipt thereof by an Endorsement to be made upon the Back of such Mortgage or Mortgages, and to be signed by such Mortgagee or Mortgagees, his, her, or their Executors or Administrators respectively, in the Presence of One or more credible Witness or Witnesses, in Satisfaction of so much of the principal Money and Interest due upon such Mortgage or Mortgages.

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

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

Mortgages not to be paid off without Notice.

XXXVII. And be it further enacted, That in Default or Refusal of Payment by the said Company of Proprietors of such Sum or Sums of Money, and at such Times and in such Manner as shall be agreed upon, awarded, or assessed as herein-before is mentioned, as a Recompence for any Damages to be done in Exercise of the Powers hereby given, it shall be lawful for the said Commissioners, and they are hereby authorized and required by Writing under their Hands, to appoint One or more Person or Persons, from whom the said Commissioners so assembled shall take a proper Security to collect and receive the Tolls, Rates, and Duties by this Act imposed, or any of them, and thereout in the first Place to pay all such Damages so to be agreed upon, awarded, or assessed as aforesaid, and the Costs (if any) occasioned by such Default or Refusal of Payment

Monies to be paid for Damages of any Kind how to be recovered.



thereof, together with legal Interest for the same, to be computed from the Time such Damages shall be agreed upon, awarded, or assessed, and also the Costs and Expences of collecting and receiving the said Tolls, Rates, or Duties; and the Person or Persons so to be appointed shall be deemed a Collector or Collectors of the said Tolls, Rates, and Duties, and shall have such and the same Powers for collecting the same as if he or they had been appointed for that Purpose by the said Company of Proprietors; and the Money so to be collected and received by such Person or Persons shall be and is hereby declared to be as so much Money received to and for the Use of the Person or Persons who shall be entitled to receive such Satisfaction for Damages as aforesaid, in Order and Course respectively as such Agreement, Award, or Assessment shall be in Priority of Time; and after such Damages, Interests, and Costs shall be paid and satisfied, the Power and Authority of such Collector or Collectors for the Purposes aforesaid shall cease and determine; or otherwise it shall be lawful for the said Commissioners, in case such Damages, Interests, and Costs shall not be satisfied and paid within the Space of Four Calendar Months after such Damages shall be so agreed upon, awarded, or assessed as aforesaid, on Complaint to them by or on the Behalf of the Person or Persons sustaining such Damages, to issue their Warrant under their Hands and Seals to the Sheriff of the County wherein such Damages shall be occasioned, authorizing and requiring him to levy and raise such Damages, Interests, and Costs as aforesaid, by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with such reasonable Charges as the said Commissioners shall in such Warrant direct and appoint; or otherwise the Party or Parties so aggrieved shall and may recover such Sum and Sums of Money so to be agreed upon, awarded, or assessed, and which shall not be paid as aforesaid, together with Interest and Costs for the same, by Action at Law in any of His Majesty's Courts of Record at *Westminster*, against the said Company of Proprietors, with full Costs of Suit.

In case Tolls let, the Lessees in certain Cases to pay the Sums to Persons entitled to Compensation.

XXXVIII. Provided nevertheless, and be it further enacted, That in case the Tolls, Rates, or Duties hereby granted shall be let to any Person or Persons at the Time such Money shall be in Arrear and unpaid, then the said Commissioners shall have no Power or Authority to appoint any Person or Persons to collect and receive the said Tolls, Rates, or Duties as before mentioned, but shall and may order and direct the Lessee or Lessees of the said Tolls, Rates, or Duties, to pay to the Person or Persons entitled to Satisfaction for Damages as aforesaid the Rent or Sum which would have been due and payable to the said Company, until the Money due to such Person or Persons, together with lawful Interest for the same, shall be paid off and discharged; and the Receipt of such Person or Persons shall be a sufficient Discharge to such Lessee or Lessees for the Money thereby expressed to be paid, which shall be deemed and taken to be Money paid for or on account of the said Company.

Application of Compensation if amounting to 200<sup>l</sup>.

XXXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds,

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

XL. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Committee of the said Company of Proprietors, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Monies,

When less than 200*l.* and more than 20*l.*

Monies, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 20*l*.

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

In case of not making out Titles, &c.

XLII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Company of Proprietors; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of as aforesaid.

In case of disputed Titles.

XLIII. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be

be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession and Receipt of the Rents, or in the actual Occupation as Owner of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

Court of  
Chancery to  
direct Pay-  
ment of  
Expences.

XLV. And be it further enacted, That the said Company of Proprietors shall, when required so to do by the Owners or Occupiers of the Lands through and over which the same shall extend and pass, by Writing under their, his, or her Hands or Hand respectively, to be delivered to or left at the last usual Place of Abode of the Clerk of the said Company of Proprietors, at their own proper Costs and Charges, divide and separate, and keep constantly divided and separated, the Towing Paths on the Sides of the said Canals, and the several Trenches, Feeders, and Aqueducts to be made by virtue of this Act, or such and so many or such Part or Parts of such Trenches, Feeders, and Aqueducts to be made by virtue of this Act, or such and so many or such Part or Parts of such Trenches, Feeders, and Aqueducts respectively (in case of any Dispute about the same), as shall, by Two Justices of the County in which such Lands or Grounds are situated, be thought necessary to be divided and separated from the Lands or Grounds adjoining to such Towing Paths, Trenches, Feeders, and Aqueducts respectively, with good and sufficient Posts, Rails, Hedges, Ditches, or other Fences, to be set or made on the Lands or Grounds which shall be purchased by or conveyed to or vested in the said Company of Proprietors as aforesaid, and shall from Time to Time repair, maintain, and support the said Towing Paths, Posts, Rails, Hedges, Ditches, and Fences so to be made or set up as aforesaid; and the said Company of Proprietors shall also, at their own Costs and Charges, make, erect, and

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

[Local.]

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

set up, and from Time to Time maintain, support, and keep in good Repair, such and so many convenient Gates and Stiles, upon and across the said Towing Paths, and in and through the Hedges and Fences to be by them so made on the Sides of such Towing Paths as aforesaid, and also such good and sufficient Fences around the Shafts or Pits that shall be made in any Tunnel or Tunnels of the said Canals, and also such and so many convenient Bridges, Arches, Culverts, Passages, and Roads over, under, or by the Side of the said Canals, and the Feeders, Trenches, Levels, and Watercourses communicating therewith respectively, at such Places, and of such Dimensions, and in such Manner, as the said Justices shall from Time to Time judge necessary and appoint (in case there shall be any Dispute about the same), for the Use of the Owners and Occupiers of the Lands, Grounds, or Hereditaments adjoining to such Canals, Trenches, Feeders, Watercourses, and Towing Paths respectively, and of all Persons who now have or may hereafter have a Right of Way over or through the Lands or Grounds which shall be used for making the said Canals, Trenches, Feeders, Watercourses, and Towing Paths, or any of them respectively; and that the said Company of Proprietors shall not make or carry the said Canals, or any Feeder, Trench, or Watercourse in or across any Highway, Public or Bridle Way, or Footpath, until such Time as they shall at their own proper Charges have made and perfected such Bridge or Bridges, Arch or Arches, or other convenient Passages over or under the Places where the said Canals, Feeders, Trenches, or Watercourses respectively shall be intended to be made or carried, and of such Dimensions and in such Manner as the said Justices shall adjudge proper in case of any Dispute about the same; and in case it shall be found necessary for the Purposes of the said Navigation to alter or widen any Arch or Arches already existing, the same shall be done at the Expence of the said Company of Proprietors; but such Arch and Arches shall always afterwards be repaired and supported at the joint and equal Expence of the said Company of Proprietors, and of the Person or Persons who would have been liable to repair the same, if the same had not been so altered or widened.

In case of  
Failure to  
fence off  
Towing  
Paths and  
make Bridges,  
Owners of  
Lands ad-  
joining may  
do the same  
at the Com-  
pany's Ex-  
pence.

XLVI. And be it further enacted, That in case the said Company of Proprietors or their Agents, having been required so to do in Manner aforesaid, shall refuse or neglect to make, erect, and set up such good and sufficient Posts, Rails, Hedges, Ditches, or other Fences for the Purpose of separating the said Towing Paths, Trenches, Feeders, and Aqueducts from the Lands or Grounds adjoining as aforesaid, or to make, erect, and set up such Gates and Stiles upon and across the said Towing Paths, and in and through the Hedges and Fences to be made on the Sides thereof, and of the Arches, Culverts, Passages, and Roads over, under, or by the Side of the said Canals, Feeders, Trenches, and Watercourses respectively as aforesaid, for the Use and Convenience of such Persons as are herein-before mentioned, and of such Dimensions and in such Manner as the said Justices shall from Time to Time direct and appoint (in case there shall be any Dispute about the same), or to repair, maintain, and support such Posts, Rails, Hedges, Ditches, and Fences, Gates, Stiles, Bridges, Arches, Culverts, Passages, and Roads, or any of them, after the same shall be made, erected, and set up as aforesaid, for the Space of Three Calendar Months next after the Times to be appointed for those Purposes respectively by the said Justices; then and in every such Case it shall

shall be lawful for every or any of the Owners or Occupiers of the adjacent Lands or Grounds, and every other Person and Persons who shall find himself, herself, or themselves aggrieved by any such Refusal or Neglect, to make, erect, and set up such Posts, Rails, Hedges, Ditches, and Fences, Gates, Stiles, Bridges, Arches, Culverts, Passages, and Roads, as are herein-before directed or appointed to be made, erected, and set up by the said Company of Proprietors as aforesaid, or to repair, maintain, and support such Posts, Rails, Hedges, Ditches, and Fences, Gates, Stiles, Bridges, Arches, Culverts, Passages, and Roads, or any of them, from Time to Time as Occasion shall require, so that in making, maintaining, or repairing the same respectively, the said Canals or the Banks thereof, or any Feeders or Aqueducts belonging thereto, shall not be stopped or injured for any longer Space of Time or in any other Manner than shall be necessary for the doing thereof; and all the reasonable Costs and Charges thereof (to be settled and allowed by the said Justices) shall be repaid to the Person or Persons who shall have expended, incurred, or sustained the same, by the said Company of Proprietors, within the Space of Twenty-one Days next after the same shall have been so settled and allowed, and an Account and Demand thereof shall have been delivered and made to and from the Clerk to the said Company for the Time being; and in Default of Payment of the said Costs and Charges within the Time aforesaid, it shall be lawful for the said Justices, and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of the Goods and Chattels of the said Company of Proprietors which shall be found in or upon the said Canals, or the Wharfs, Quays, or Warehouses belonging to the said Company; to and for the Use of the Person and Persons who shall have incurred or sustained such Costs and Charges, rendering to the said Company of Proprietors, or to some or one of their Agents or Collectors, the Overplus (if any), after deducting the reasonable Charges and Expences of making such Distress and Sale, to be settled also by the said Justices; or otherwise the Person or Persons who shall have expended, incurred, or sustained such Costs and Charges, shall and may sue for and recover the same against the said Company of Proprietors, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Wistminster*.

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

Canals to be divided from the Lands.

**XLVIII.** And be it further enacted, That the said Company of Proprietors shall also at their own Costs and Charges make, maintain, and support such proper and convenient Watering Places for Cattle, wherever, by means of the said Canals or other Works hereby authorized to be made, Cattle shall have been deprived of their ancient or former Watering Places, and shall at all Times supply the same with Water, in such Manner as the said Justices shall from Time to Time (in case of any Dispute about the same) order and direct; and that the said Company of

The Company to make proper Watering Places for Cattle, &c.

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

Owners and  
Occupiers  
may erect  
Bridges, &c.

**XLIX.** And be it further enacted, That it shall and may be lawful to and for the Owners or Occupiers of any Lands or Grounds through which the said Canals, or any Trenches, Feeders, and Aqueducts shall be made as aforesaid, or any other Person or Persons having a Right of Way or Passage over such Lands or Grounds (with the Consent and Approbation of the Committee of Management of the said Company for the Time being), upon Request made to them for that Purpose (or in case of their Refusal to consent thereto for the Space of Twenty-one Days after such Request, then with the Consent and Approbation of the said Justices), to make, fix, and erect at their own proper Costs and Charges such Gates, Stiles, Bridges, Arches, Culverts, and Passages, Watering Places, Hatches, Water Carriages, and Back Drains, or other Conveniences, upon, in, over, or near the said Canals, Trenches, Feeders, Aqueducts, and Towing Paths respectively, in such Places and in such Manner as the said Owners and Occupiers shall judge most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of the said respective Lands or Grounds, over and besides any such Gates, Stiles, Bridges, Arches, and Passages, Watering Places, Hatches, Water Carriages, Back Drains, or other Conveniences, as shall have been made or erected by the said Company, and to repair and support the same respectively at their own

own like Costs and Charges, as Occasion shall require, so that the Navigation or the Passage of or upon the said Canals, Trenches, Feeders, Aqueducts, or Towing Paths respectively, be not thereby prevented or obstructed for any longer Space of Time than as aforesaid, or in any other Manner than shall be absolutely necessary; and so that no Damage or Injury, otherwise than by such Obstructions as aforesaid, be thereby done to any of the Works belonging to the said Company of Proprietors.

L. And be it further enacted, That before any Clay, Gravel, Sand, Rubbish, or other Materials (except Soil to be dug up or gotten in the cutting or making of the said Canals, Reservoirs, and other Works, and which shall not be used or intended to be used in or about the same) shall be laid upon any Land adjoining or near thereto, all the Soil of such adjoining Land, to the Depth of Nine Inches at least, shall be taken off and removed, and the same, together with the Soil which shall in like Manner be taken off and removed from the Land to be used for the said Canals, Reservoirs, and other Works, shall be laid in Heaps, distinct and apart from such Clay, Gravel, Rubbish, and other Materials, upon some convenient Part or Parts of such adjoining Land; and that the said Clay, Gravel, Sand, Rubbish, and other Materials (except as aforesaid), shall, as soon as may be, in a proper and husbandlike Manner, be spread abroad and levelled upon such Part of such adjoining Land from whence the Soil shall have been so previously taken off and removed as aforesaid, and that then the whole of such Soil as aforesaid shall in like Manner be carried and spread upon and over the Surface of the said levelled Clay, Gravel, Rubbish, and Materials, so and in such Manner as to render such Land as fit and proper, as may be for the Purpose of Vegetation, Culture, and Husbandry; and that such levelling of the said Clay, Gravel, Sand, Rubbish, and Materials, and that such carrying and spreading of the said Soil thereon as aforesaid, shall be fully and effectually done and completed in each and every Close or separate Piece of Ground in or through which the said Canals or Works shall be made, within Three Calendar Months next after the same shall be cut and made through such Close or separate Piece of Ground; and that if the said Company of Proprietors, or their Agents or Servants, shall refuse or neglect, within the respective Times as aforesaid, to remove and place in Heaps such Soil as aforesaid, or any Part thereof, or to spread abroad and level such Clay, Gravel, Sand, Rubbish, and Materials as aforesaid, or to carry and spread the said Soil thereon in the Manner herein-before specified, then and in every such Case it shall be lawful for the Owner or Owners, Occupier or Occupiers for the Time being of the Close, Land, or Ground wherein or whereon the Subject Matter of such Refusal or Neglect shall be or arise, or he, she, and they respectively is and are hereby fully empowered to cause the Clay, Gravel, Sand, Rubbish, Materials, and Soil respectively, where such Refusal or Neglect shall be made or arise, to be respectively removed, turned over, levelled, separated, and spread so and in such Manner as to effect the bringing the Soil to the Surface, and thereby rendering it Land fit and proper for the Purposes aforesaid; and all the reasonable Costs, Charges, and Expences attending the same, to be settled and allowed by the said Justices, shall be paid to the Person or Persons who shall have expended, incurred, or sustained the same, by the said Company of Proprietors, within the Space of Twenty-one Days next after the same shall have been

The Com-  
pany to  
spread Clay,  
&c. on ad-  
joining  
Lands, and  
to cover same  
with Soil, &c.



so settled and allowed, and an Account and Demand thereof shall have been delivered and made to and from the Clerk to the said Company for the Time being; and in Default of Payment of such Costs, Charges, and Expences within the Time aforesaid, the same shall and may be levied and recovered in such and the same Manner as the Costs and Charges of erecting Bridges and other Works by the Owners and Occupiers of Lands, upon the Refusal or Neglect of the said Company to make and erect the same, are herein-before directed or appointed to be levied or recovered.

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

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

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

LII. And be it further enacted, That the said Company of Proprietors shall also, at their own proper Costs and Charges, make or cause to be made such Arches, Tunnels, Culverts, Drains, or other Passages, over, under, by the Side of, or into the said Canals, and the Trenches, Streams, and Watercourses communicating therewith, and the Towing Paths on the Sides thereof, of such Depth, Breadth, and Dimensions as shall be sufficient at all Times to convey the Waters from the Lands adjoining or laying near the said Canals, without obstructing or impeding the same; and shall likewise 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 Canals to the Prejudice of any of the Lands or Grounds contiguous thereto; and that all such Arches, Tunnels, Culverts, Drains, Back Drains, and other Passages, shall from Time to Time be supported, cleansed, scoured, and kept in good and sufficient Repair by the said Company of Proprietors; and if at any Time or Times after One Calendar Month's Notice shall have been given in Writing by and on Behalf of the Owner or Occupier, Owners or Occupiers of the adjacent Lands or Grounds who shall find himself, herself, or themselves aggrieved by the Obstruction of any such Watercourses, to the Clerk to the said Company of Proprietors for the Time being, the said Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, shall not be made, cleansed, or repaired and maintained according to the true Intent and Meaning of this Act, then and in such Case, and when and so often as the same shall so happen, it shall and may be lawful to and for such Owner or Occupier, Owners or Occupiers, having an Order in Writing for that Purpose from the said Justices, from Time to Time, to make, cleanse, scour, and repair such Arches, Tunnels, Culverts, Drains, Back Drains, and other Passages, in such Manner as shall be found expedient, and the reasonable Costs and Charges thereof (to be ascertained by the said Justices) shall be defrayed by the said Company of Proprietors, and in case of Refusal or Neglect to defray the same for the Space of Twenty-one Days after Demand thereof made upon their Clerk for the Time being, such Costs and Charges shall and may be levied and recovered in such and the same Manner as the Costs and Charges of making and erecting Bridges and other Works by the Owners and Occupiers of Lands, upon the Refusal or Neglect of the said Company of Proprietors to make and erect the same, are herein-before appointed and directed

directed to be levied and recovered: Provided always, that such Owner or Occupier, Owners or Occupiers of the Lands adjoining or contiguous to the said Canals, shall, at the Time of giving such Notice to the Clerk to the said Company as aforesaid, have his, her, or their own Ditches, Drains, and Watercourses leading to or from the said Canals, or to or from the Trenches, Drains, and Watercourses belonging to the said Company, sufficiently cleansed and opened to convey the Water to and from the same; and provided also, that nothing herein contained shall extend to enforce the admitting of any Water arising from any Floods or Land Floods into the said Canals, or either of them, which may injure the said Navigation.

LIII. And be it further enacted, That if at any Time hereafter the Ditches, Drains, or Watercourses belonging to the Owner or Occupier of any Lands adjoining or contiguous to the said Canals, shall not be sufficiently open for the free Passage of the Water from the Drains, Tunnels, Culverts, and Watercourses belonging to the said Company of Proprietors, and the same shall not be remedied within One Calendar Month after Notice in Writing for that Purpose shall be given to such Owner or Occupier, or left at his or her usual Place of Abode by the Clerk to the said Company of Proprietors, it shall be lawful for the said Company of Proprietors, having an Order in Writing for that Purpose from the said Commissioners, from Time to Time, as often as there shall be Occasion, to order, cause and procure such Ditches, Drains, and Watercourses as aforesaid, to be opened and cleansed in such Manner as may be necessary or expedient, and the reasonable Expences thereof (to be ascertained and allowed by the said Justices) shall be repaid to the said Company of Proprietors by such Owner or Occupier as aforesaid; and in case of Refusal to pay the same for the Space of Twenty-one Days after Demand thereof, the same shall and may be recovered in such Manner as any Penalties are by this Act directed to be recovered.

The Company may cleanse adjoining Ditches and Drains at the Expence of the Owners if neglected by them.

LIV. And whereas it may happen from sudden Floods, or from some unexpected Accidents, that the said Canals, or the Locks, Weirs, Flood Gates, Dams, Banks, Trenches, Aqueducts, or other Works belonging to the said Company of Proprietors, may be damaged or destroyed, and the adjacent Lands may thereby likewise be endangered and damaged; and that it may be necessary the same should be immediately repaired or rebuilt to prevent further Damage; be it therefore enacted, That when and so often as any such Floods or Accidents shall happen, it shall be lawful for the said Company of Proprietors, or their or any of their Servants, Agents, or Workmen, from Time to Time, without any previous Application to the said Justices, and without any Delay or Interruption from any Person or Persons whomsoever, to enter into any Lands, Grounds, or Hereditaments adjoining to the said Canals, Trenches, Aqueducts, or other Works; or any of them, (not being the Ground whereon any House stands, or a Park, Garden, or Ground planted as a Nursery for Trees, or an Avenue to an House), and to dig for, get, work, take, carry away, and use all such Stones, Gravel, and other Materials, as may be necessary or proper for the Purposes aforesaid, without any previous Treaty whatsoever with the Owner or Owners, or Occupier or Occupiers of, or other Person or Persons interested in such Lands, Grounds, or Hereditaments, or any of them;

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

doing

doing thereby as little Damage as the Nature of the Works will admit of, and making Recompence to the Person or Persons sustaining such Damage within the Space of Thirty Days next after the same shall be demanded, for all Damages which shall or may be done by means of the digging for, getting, working, taking, carrying away, and using such Stones, Gravel and Materials, or any of them; all which Damages, and the Satisfaction and Recompence to be made for the same, shall be adjusted, assessed, ascertained, settled, and determined by the Ways and Means and in the Manner herein-before prescribed with respect to any other Damages to be done in the Course of making and completing the said Canals and other Works.

Compensation in case of Floods.

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

Fresh Water to be supplied the Canals between the River Arun and Chichester Harbour.

LVI. Provided also, and be it enacted, That in order to preserve the Water of the said intended Canals and Cuts between the River *Arun* and *Chichester* Harbour from any Mixture of Salt Water, the same shall not be supplied with any Water out of the said Harbour of *Chichester*; and in case the same is supplied from the River *Arun*, then it shall be supplied at such Times of the Ebb Tide as shall be not less than Two Hours after High Water, and from thence until not exceeding One Hour after Flood; and that in order to prevent the Water of the said intended Canals and Cuts from becoming putrid and stagnant, and thereby noxious to the Health and offensive to the Persons inhabiting the Vicinity thereof, the said Company of Proprietors, or their Committee of Management, shall from Time to Time cause the said Canals or Cuts to be furnished with a Supply of such Water as aforesaid, fully sufficient to keep the Water of the said Canals and Cuts pure and free from noxious and offensive Qualities; the Extent and Sufficiency of such Supply, in the Event of any Dispute, to be determined by the said Commissioners appointed under or by virtue of this present Act.

The Company empowered to raise 126,000l. among themselves.

LVII. And to the End that the said Company of Proprietors may be enabled to carry on the said Undertaking, be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise and contribute among themselves, in such Proportions as to them shall seem meet and convenient, such Sum or Sums of Money as they shall think necessary for the making, carrying on, and completing of the said Canals, Reservoirs, Aqueducts, Quays, Wharfs, and other Works and Conveniences hereby authorized to be made, not exceeding in the whole the Sum of One hundred and twenty-six thousand Pounds (except as herein-before is mentioned), and that the same shall be divided into such Number of Parts or Shares as herein-after directed; and that no Person subscribing to or becoming a Proprietor in the said Undertaking shall become a Proprietor of less than One Share; and that the Money so to be raised as aforesaid, or a sufficient Part thereof, shall be laid out and applied

Application thereof.

plied in the first Place in Payment, Satisfaction, and Discharge of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and the making the proper Surveys, Plans, and Estimates, and the doing and providing of all the Matters and Things preparatory and previous thereto; and that all the Residue of such Money shall be applied or disposed of for or towards the making, carrying on, completing, and maintaining of the said Canals and other Works respectively, and for other the Purposes of this Act.

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

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

Shares to be Personal Estate.

LIX. And for the better securing to the several Subscribers towards the said Navigation and Undertaking their respective Shares therein, be it further enacted, That the said Company of Proprietors, or their Committee of Management, shall, as soon as the same can or may be done, cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Navigation and Undertaking, and the Number of Shares to which they shall respectively be entitled, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a Register Book to be kept by the Clerk to the said Company of Proprietors, and after such Entry to cause the Common Seal of the said Company of Proprietors to be affixed thereto, which said Book shall from Time to Time be altered and corrected, and new Books from Time to Time shall be sealed with the said Common Seal, as the Change of Proprietors and Transfer of Shares shall render necessary.

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

[Local.]

18 A

or

or expedient; and the said Clerk shall also cause as many Tickets or Instruments to be prepared as there shall be Shares in the said Navigation and Undertaking, bearing respectively the same Numbers as in the said Books, and the Common Seal of the said Company of Proprietors to be affixed to each such Ticket or Instrument; and thereupon to cause to be delivered to every Subscriber towards the Navigation and Undertaking, upon Demand, a Ticket or Tickets specifying the Share or Shares to which he or she is entitled in the said Undertaking; and every such Subscriber shall pay to the Clerk to the said Company Two Shillings and Sixpence and no more for every such Ticket or Instrument, and every such Ticket or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his or her Executors, Administrators, and Assigns, to the Share therein specified, but the Want of any such Ticket or Instrument shall not hinder or prevent the Owner of any Share from selling or disposing thereof, or from receiving annually his Share of the Profits of the said Navigation and Undertaking in respect thereof.

If the Sum of 126,000l. is not sufficient, the Company may raise more among themselves, not exceeding 10,000l.

LX. And be it further enacted, That if the said Sum of One hundred and twenty-six thousand Pounds, herein-before authorized to be raised, shall be found insufficient for the making, completing, and maintaining of the said Canal and other Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the said Company of Proprietors, after an Order or Resolution for that Purpose shall be made at a Special Meeting of the Proprietors, to be called by the Committee of Management of the said Company of Proprietors, and of which Meeting Fourteen Days previous Notice shall have been given in some Newspaper or Newspapers published and usually circulated in the said Counties of *Suffex* and *Hants*, to raise, in such Shares and Proportions, and in Manner and Form as herein-before directed, any further or other Sum or Sums of Money for perfecting or completing the said Navigation and other Works, not exceeding Ten thousand Pounds; and towards raising such further or other Sum or Sums, any Member or Members of the said Company of Proprietors shall and may in the first Place, at his, her, or their Discretion, subscribe and become a Proprietor or Proprietors of any of such additional Shares; and in case such further Sum or any Part thereof shall not be raised and contributed among the original Members of the said Company of Proprietors, in the Space of Three Months after such Order or Resolution made, as aforesaid, the said additional Sum of Ten thousand Pounds, or any Part thereof, shall and may be raised by the Admission of new Subscribers; and every such new Subscriber (if any) shall become a Proprietor in the said Navigation and Undertaking hereby authorized to be made, and shall be entitled to exercise and enjoy the same Powers, Privileges, and Advantages, and shall be also liable to the same Restrictions, Penalties, and Forfeitures, as if such further or other Sum hereby allowed to be subscribed for and raised had constituted Part of the original Sum hereby authorized to be raised.

Or they may raise the said 10,000l. by Mortgage.

LXI. Provided always, and be it further enacted, That if the said Company of Proprietors shall be desirous of raising by Mortgage of the said Navigation and Undertaking the said additional Sum of Ten thousand Pounds or any Part thereof, or in case the said Company of Proprietors shall, for the more speedy Completion of the said Canals or Cuts, be desirous

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sirous of borrowing any further Sum of Money not exceeding the Sum of Forty thousand Pounds, in lieu of raising the same, or the Whole or any Part thereof, by Calls under the Provisions of this Act, and shall make an Order or Orders, or enter into a Resolution or Resolutions to that Effect at any Special Meeting or Meetings of the said Company of Proprietors to be called for that Purpose by their Committee of Management for the Time being, and of which Meeting Fourteen Days previous Notice shall be given in the Manner aforesaid, stating in every such Notice the Purpose thereof, then and in such Case it shall and may be lawful for the said Company of Proprietors, pursuant to such Order or Resolution, to borrow and take up at Interest such Sums, or any Part or Parts thereof, upon the Credit of the said Navigation and Undertaking, as to them shall seem meet and convenient; and the said Company of Proprietors are hereby accordingly fully authorized and empowered to grant, assign, and make over by way of Mortgage to any Person or Persons lending any such Money, or by way of collateral Security to any Person or Persons who shall borrow either of such Sums of Money, or any Part or Parts of either of such Sums of Money for the Use of the said Company, the several Tolls, Rates, and Duties granted to them by this Act, or any Part thereof; the Costs and Charges of which Assignment shall be paid out of the Tolls, Rates, and Duties, as a Security for the Sum or Sums of Money so to be borrowed, together with Interest for the same, unto the Person or Persons who shall lend and advance any such Sum or Sums of Money, or who shall have borrowed any such Sum or Sums of Money for the Use of the said Company, or unto his, her, or their Trustee or Trustees; all which Assignments or Mortgages shall be made by Deed in Writing under the Common Seal of the said Company, in the Form or to the Effect following; (that is to say),

‘ BY virtue of an Act made in the Fifty-seventh Year of the Reign of His Majesty King George the Third, intituled [*insert the Title of this Act*] we, the Company of Proprietors of the said Navigation, incorporated by virtue of the said Act, in consideration of the Sum of \_\_\_\_\_ of lawful Money of *Great Britain* to us paid by \_\_\_\_\_, of \_\_\_\_\_ do hereby bargain, sell, and assign unto the said \_\_\_\_\_, his Executors, Administrators, and Assigns, the said Navigation and Undertaking, and all and singular the Tolls, Rates, and Duties granted or arising and payable to us by virtue of the said Act, and all the Estate, Right, Title, and Interest of us the said Company of Proprietors, of, into, or out of the same respectively, to hold unto the said \_\_\_\_\_, his Executors, Administrators, and Assigns, until the said Sum of \_\_\_\_\_, together with Interest for the same, after the Rate of \_\_\_\_\_ *per Centum per Annum*, shall be fully paid and satisfied to him or them. Given under our Common Seal, this \_\_\_\_\_ Day of \_\_\_\_\_;

Form of Mortgage.

or in any other Form, or to any other Effect, which may appear to be better adapted to the Circumstances under which any such Sum of Money shall be borrowed, or collateral Security given: And that all Persons to whom such Assignments or Mortgages shall be made, shall be equally entitled one with the other to the said Tolls, Rates, Duties, and Premises thereby assigned, according and in proportion to the Sums by them respectively lent and advanced on the Credit thereof as aforesaid, without any Preference by reason of the Priority of Date of any such Assignment or

or Mortgage; or upon any other Account whatsoever; and that the Money so to be borrowed as aforesaid shall be applied and disposed of for the carrying on, completing, and maintaining of the said Navigation, and other Works hereby authorized to be made, and for carrying the several Powers and Authorities hereby given into Execution.

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

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

Mortgage may be transferred.

Form of Transfer.

I in consideration of the Sum of \_\_\_\_\_ to me paid by \_\_\_\_\_, of \_\_\_\_\_, do hereby transfer the within Mortgage (or a certain Mortgage made to me by the Company of Proprietors of the *Portsmouth* and *Arundel* Navigation, bearing Date the \_\_\_\_\_ Day of \_\_\_\_\_), and the Principal Sum of \_\_\_\_\_ thereby secured, and the Interest now due and hereafter to grow due for the same, and all my Right and Property therein, unto the said \_\_\_\_\_, his Executors, Administrators, and Assigns. In Witness whereof I have hereunto set my Hand and Seal this \_\_\_\_\_ Day of \_\_\_\_\_.

Memorials of the Transfer to be entered.

And that every such Transfer shall, within Thirty Days after the Date thereof, be produced to the Clerk to the said Company of Proprietors, who shall thereupon cause an Entry or Memorial thereof to the same Purpose and Effect as herein-before directed with respect to the original Assignment or Mortgage to be made or entered in the Book to be kept for entering the Memorials of such original Assignments or Mortgages; and that after such Entry shall be made, but not before, such Transfer shall entitle the Assignee or Assignees therein named, and his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage.

Proprietors to have a Vote for every Share.

LXIII. And be it further enacted, That every Body Politic and Corporate, and all and every other Person and Persons who shall by virtue of this Act have subscribed for, or shall become entitled to, and be in the actual Possession of One or more Share or Shares in the said Navigation, shall be deemed a Proprietor for every such Share, and shall have a Vote in respect of every such Share at all Meetings of the said Company of Proprietors, to be held in pursuance of this Act for carrying on the said Navigation and Undertaking, or relating thereto; and such Vote or Votes shall and may in all Cases be given by such Body Politic or Corporate, and other Person and Persons, or by their, his, or her Proxy duly constituted under the Seal of such Body Politic or Corporate, or the Hand or Hands

of such other Person or Persons, or in case of the Infancy of any such other Person or Persons, then under the Hand or Hands of his, her, or their Guardian or Guardians, such Proxy being a Proprietor of one or more Share or Shares in the said Navigation; and that every such Vote by Proxy shall be as good and valid to all Intents and Purposes as if the Principal or Principals had voted in Person, or being an Infant or Infants had been of full Age; and the Appointment of every such Proxy shall and may be made in the Form or to the Effect following; (that is to say),

<p>I                  in the <i>Portsmouth</i> and <i>Arundel</i> Navigation), do hereby nominate, constitute, and appoint                  in my (or his or her) Name, and in my (or his or her) Absence, to vote and give my (or his or her) Assent or Dissent to any Business, Matter, or Thing relating to the said Navigation, which shall be mentioned or proposed at any Meeting of the Proprietors of the said Navigation, or any Adjournment thereof, in such Manner as he the said                  shall think proper, according to his Opinion and Judgment, for the Benefit of the said Navigation, or any Thing appertaining thereto, until I (or we) or the said                  pointment, by Notice in Writing to the Clerk to the said Company of Proprietors. In Witness whereof I (or we) have hereunto set my Hand (or our Hands) the                  Day of</p>	<p>Proprietor (or we                  a Proprietor of                  Share or Shares                  to be my (or his or her) Proxy,                  Absence, to vote                  Business, Matter,                  said Navigation, or                  said                  Judgment,                  thereto,                  shall revoke this Ap-                  said Company of                  said                  Hand</p>	<p>Guardians of                  Share or Shares                  to be my (or his or her) Proxy,                  Absence, to vote                  Business, Matter,                  said Navigation, or                  said                  Judgment,                  thereto,                  shall revoke this Ap-                  said Company of                  said                  Hand</p>	<p>Form of Ap-                  pointment of                  Proxy.</p>
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And that every Question, Matter, and Thing whatsoever, which shall be proposed, discussed, or considered at any Meeting of Proprietors to be held by virtue or in pursuance of this Act, shall be finally determined by the Majority of Votes and Proxies then present, computing One Vote to every Share in the said Navigation as aforesaid; and that at every such Meeting one of the Proprietors present shall be appointed President or Chairman, who shall not only have such Vote or Votes as a Proprietor or Proxy for any other Person or Persons as aforesaid, but shall also, in case of an equal Division, have the decisive or casting Vote; and if at any Time Two or more Persons shall be proposed as President or Chairman, and shall have an equal Number of Votes, then the Persons so proposed shall draw Lots for the said Office.

At Meetings  
 all Questions  
 to be deter-  
 mined by the  
 Majority.  
 Chairman  
 shall have  
 the casting  
 Vote.

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

No Proprie-  
 tor to vote  
 till Call paid.

LXV. And be it further enacted, That all Proxies shall be produced to the Clerk to the said Company of Proprietors, and entered in a Book or List to be kept by him for that Purpose, before any Vote shall be given in respect of such Proxies; which Book shall be sufficient Authority for any Person deputed by such Proxies to give his Vote

Proxies to be  
 entered in a  
 Book.



without Production of the Proxy at the Time of his voting, until such Proxy is revoked.

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

General Meeting of Proprietors, when and where to be held.

The General Meeting of Proprietors to elect Members of the Committee to manage the Affairs of the Company.

In case a sufficient Number of Persons for the Election of Committee shall not attend, the Meeting to be adjourned.

LXVI. And be it further enacted, That for the better carrying the Purposes of this Act into Execution, all the Affairs and Business of the said Company of Proprietors (except with respect to such Matters as are by this Act expressly directed to be done at a Meeting or Meetings of the Proprietors at large) shall be transacted and managed by a Committee of Fifteen Persons, to be from Time to Time appointed and elected, and qualified in the Manner herein-after mentioned; which said Committee of Fifteen Persons shall be called *The Committee of Management of the Portsmouth and Arundel Navigation*; and that in all Cases where the Committee of Management is mentioned in this Act it shall be deemed and construed to mean the said Committee of Management of *The Portsmouth and Arundel Navigation*, except where otherwise expressed; and that Sir *Lucius Curtis* Baronet, Rear Admiral *Peter Halkett*, *William Turner*, *Trevor Hull Lethem*, *Moses Greetham*, *John Williams*, *William Cutfield*, *John Snook*, *Thomas Edgecombe*, and *Robert Park*, Esquires, together with Five other Persons to be elected in the Manner herein-after mentioned, shall be the First Committee of Management, and shall continue in Office for Three Years from the passing of this Act, and until others shall be chosen in their Stead; and that for the Purpose of electing the Five additional Members of such Committee there shall be a General Meeting of the Proprietors at the Town Hall, in the Town of *Portsmouth*, in the County of *Hants*, or some other convenient Place in the said Town hereafter to be fixed, and of which Ten Days Notice at least shall be given, in Manner that other public Notices of Meetings are by this Act directed to be given, within Six Weeks after the passing of this Act, at Eleven of the Clock in the Forenoon; and a like General Meeting of the Proprietors shall be held once in every future Year, on the Third *Tuesday* in the Month of *May*, at Eleven of the Clock in the Forenoon, at the Town Hall, in the Town of *Portsmouth* aforesaid, or at such other Place in the said Town as shall have been fixed upon for that Purpose at the preceding General Meeting; and that at such First General Meeting, and also at every subsequent General Meeting to be held on the said Third *Tuesday* in the Month of *May* yearly, after the Expiration of Three Years from the passing of this Act, the said Proprietors, or such of them as shall be present, together with such Proxies as shall be present, shall elect and make Choice of Fifteen Persons, who shall be respectively Proprietors of Five or more Shares in the said Navigation and Undertaking, to be Members of the said Committee to manage the Affairs and Business of the said Company in Manner herein-after directed, for the Space of One Year then next ensuing, and until other Persons qualified in like Manner shall be elected in their Stead, pursuant to the Directions of this Act: Provided always, that nothing herein contained shall extend to prevent any Person from being re-elected a Member of the said Committee: Provided also, that if, at the Time of any such Election of Committee Men, there shall not be present, in Person or by Proxy, Fifteen Persons at the least who shall be respectively possessed of Five Shares at the least in the said Navigation, then and in such Case no Election of Committee Men shall take place at such Meeting, but such Meeting shall be adjourned to that Day Three Weeks, to be then holden at the same Place, and so from Time to Time, until there shall be such Persons present at such General Meeting, having such

Number of Shares as aforesaid; and of every such adjourned Meeting Ten Days Notice at the least shall be given in one or more Newspapers circulated in the said Counties of *Sussex* and *Hants* respectively.

LXVII. And be it further enacted, That in case any Person or Persons elected by the said Company as a Member or Members of the Committee of the said Company shall die or refuse to act in the Execution of this Act, or shall cease to be entitled to Five Shares at the least in the said Undertaking, or shall hold or be in Partnership with any Person who shall hold any Place, Office, Employment, or Contract under the said Company, then and in every such Case it shall and may be lawful to and for the Committee to elect out of the said Company of Proprietors some Person or Persons qualified as aforesaid to be a Member or Members of the Committee of the said Company in the Room or Stead of the Member or Members of the Committee so dying or refusing to act, or ceasing to be qualified, or holding or being in Partnership with any Person who shall hold any Place, Office, Employment, or Contract under the said Company; and every such Election of a Member of the said Committee shall be submitted by the said Committee to the said Company of Proprietors at their then next General or Special Assembly, when the Election of such Person or Persons shall either be confirmed, or such other Person or Persons qualified as aforesaid shall be elected a Member or Members of such Committee as the said Company of Proprietors at such General or Special Assembly shall think proper; and every Person or Persons so elected shall have the like Powers and Authorities, and be subject to the like Rules, Regulations, and Restrictions, as the Person or Persons in whose Room or Stead he or they shall be so elected, and shall continue in Office as a Member or Members of the Committee for such Time, and no longer, as the Person or Persons in whose Room or Stead he or they shall be so elected would have continued in Office.

No Persons holding a Place of Profit, &c. to be on the Committee.

LXVIII. And be it further enacted, That a General Meeting of every such Committee of Management shall be held for putting this Act into Execution on the Second *Tuesday* next after the Day of their Election, and a like General Meeting of the Committee of Management shall afterwards be held Three Times in every Year in the Months of *August*, *November*, and *February* respectively, at Eleven of the Clock in the Forenoon, at such Place and on such Days as the said Committee of Management shall at their preceding General Meeting appoint; of all which General Meetings public Notice shall be given in some Newspaper or Newspapers published or usually circulated in the said Counties of *Sussex* and *Hants* respectively, Seven Days at the least before the Time appointed for every such Meeting; and it shall be lawful for the said Committee of Management, at any General Meeting to be held in pursuance of this Act, to adjourn themselves from Time to Time, and from Place to Place, as they shall think proper and expedient.

Meetings of Committee of Management.

LXIX. And be it further enacted, That the said Committee of Management shall at their First General and every other Meeting to be held in pursuance of this Act, elect a Chairman out of the Members of such Committee then present to preside at such Meeting, and that any Five or more Members of the said Committee of Management, but not less, shall be a sufficient Number to constitute a Meeting for the Purpose of

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

Questions to be decided by a Majority.

Chairman or his Deputy to have the casting Vote.

If sufficient Members do not attend, those present or the Clerk may adjourn.

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

Appointing a Treasurer.

Same Person not to act as Clerk and Treasurer.

of doing all Acts, Matters, and Things, and exercising all the Powers and Authorities hereby directed to be done by and vested in such Committee; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee at their Meetings to be held in Manner aforesaid, shall be decided and determined by the Majority of Members then present, but no Member shall have more than One Vote at any such Meeting, save and except that, in case of an equal Division, the Chairman shall, besides his own Vote, always have the casting Vote; and if at any Meeting Two or more Persons shall be proposed to fill the Office of Chairman, and shall have an equal Number of Votes, then the Persons so proposed shall draw Lots for the same: Provided always, that if, on the Day appointed for any such Meeting of the Committee of Management as aforesaid, there shall not attend so many Members of such Committee as are hereby required to constitute a Meeting for exercising the Powers hereby vested in such Committee, then and in such Case, and when and so often as the same shall happen, the Meeting shall be adjourned to that Day Week by the Member or Members then present, or if no Member, by the Clerk to the said Company of Proprietors, or such other Person as shall attend in his Place.

LXX. Provided always, and be it further enacted, That in case no Time shall be appointed by the said Committee at any General Meeting for holding the then next General Meeting, in such Case the Clerk to the said Company shall and may appoint the Time and Place for holding the next General Meeting of the said Committee some Time in the Months of *August, November, and February* respectively, as the Case shall require; and also that the said Clerk, at the Requisition in Writing of any Five or more of the said Committee, shall at any Time or Times convene a Meeting of the said Committee of Management for any special Purpose, to be held at such Time and Place or Times and Places as shall be mentioned in such Requisition, provided that the like Notice shall be given of such Meeting in any such Case as is by this Act required to be given of the holding of General Meetings.

LXXI. And be it further enacted, That the said Company of Proprietors shall at their first Assembly elect and choose, and under their Common Seal appoint, a Treasurer or Treasurers to the said Company; and in case, by reason of any Negligence, Misconduct, or Inability in any Clerk or Treasurer or Treasurers to execute such Office or Offices, it shall be requisite to displace or remove him or them, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors, at any General or Special Assembly to be held as herein directed, to remove any such Clerk or Treasurer; and in case any such Treasurer shall die, be removed from, or quit the Service of the said Company of Proprietors, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors, at any such General or Special Assembly, to appoint any other fit Person or Persons to execute such Office or Offices in the Place of the Person or Persons who shall so die, be removed from, or quit the Service of the said Proprietors.

LXXII. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the

the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company of Proprietors; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

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

Security to  
be taken  
from the  
Treasurer.

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

Committee  
of Manage-  
ment may  
appoint  
Clerks, &c.

taking Secu-  
rity from  
those who  
have Custody  
of Monies.

Proprietors, by the Treasurer or Treasurers, Collectors, and other Officers so to be appointed as aforesaid, or by any other Person or Persons to be employed on behalf of the said Company, in or about the said intended Navigation and Undertaking: Provided always, that it shall be lawful for the said Committee to call for, audit, and settle such Accounts, or any of them, oftener than once a Year, if they shall deem it expedient so to do: Provided also, that in case of the Death, Removal, or Resignation of the Clerk to the said Company, the said Committee of Management shall, and they are hereby required, within One Month after such Death, Removal, or Resignation, to elect another Person in his Room.

Officers to  
account.

LXXV. And be it further enacted, That every such Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, and every other Officer and Person so to be appointed as aforesaid, shall under their Hands, at such Time and Times, and in such Manner as the said Company of Proprietors, or their Committee of Management shall direct, deliver to the said Company of Proprietors, or to the said Committee, or to such Person or Persons as they shall respectively appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by such Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer or Officers, and Person or Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Company of Proprietors, or to the said Committee of Management, or to such Person or Persons as they respectively shall appoint; and if any such Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer, or Person, shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Company of Proprietors, or to the said Committee, or to such Person or Persons as they shall respectively appoint, within Twenty-one Days after being thereunto required by the said Company of Proprietors, or by the said Committee, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Company of Proprietors, or the said Committee, or as they respectively shall direct or appoint, then and in any of the Cases aforesaid the said Company of Proprietors may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Treasurer, Engineer, Superintendent, Surveyor, Collector, Clerk, Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Company of Proprietors, or by the said Committee, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any one or more of the Justices of the Peace for the County, City, or Place wherein the said Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons, so neglecting or refusing, shall be or re-

side, such Justice or Justices may, and he and they is and are hereby authorized and required, by a Warrant or Warrants under his and their Hand and Seal or Hands and Seals, to cause the Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons, so neglecting or refusing, to be brought before him or them; and upon his or their appearing, or having been summoned, and not appearing, without giving some reasonable Excuse for such Non-appearance, to the Satisfaction of such Justice or Justices, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby empowered to administer), it shall appear to such Justice or Justices that any of the Monies which should have been collected and raised by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons, such Justice or Justices may and is and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his or their Hand or Seal or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer or Officers, Person or Persons respectively, can be found sufficient to answer and satisfy the said Money and the Charges of making and levying the same; or if such Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Company of Proprietors, or to the said Committee, or as they respectively shall appoint, then and in any of the Cases aforesaid such Justice or Justices shall commit every such Offender to the Common Gaol for such County, City, or Place, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or till he shall compound with the said Company of Proprietors, or with the said Committee, and shall have paid such Composition in such Manner as they respectively shall appoint, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company of Proprietors, or to the said Committee: Provided always, that no Treasurer, Engineer, Superintendent, Surveyor, Clerk, Collector, Officer, or Person so committed for want of sufficient Distress, shall be confined or detained in Prison by virtue of this Act for any longer Space than Three Calendar Months.

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

LXXVII. Provided always, and be it further enacted, That it shall and may be lawful for the said Clerk to the said Company of Proprietors, Clerk may appoint a Deputy.  
with Deputy.

with the Consent of the said Committee of Management; to be given at any General Meeting of such Committee, by any Writing under his Hand, to appoint one or more Deputy or Deputies; and all Acts required to be done by the said Clerk, and all Notices and Processes which by this Act may be served upon the said Clerk, shall be equally good, valid, binding, and effectual, if done by or served upon such Deputy or Deputies.

Committee of Management may make Calls for Money, and may contract for and purchase Lands, and treat and agree concerning Damages, &c.

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

Two-thirds of the Money to be applied in making the Cut from the

LXXIX. Provided always, and be it further enacted, That in order to insure the Completion of so much of the said intended Canals and Cuts as are intended to be situate between the River *Arun* and the Harbour of *Chichester*, with as much Expedition as possible, the said Company of Proprietors

prietors or their Committee of Management shall and they are hereby required to lay out and expend at least Two equal Third Parts of all the Monies which shall from Time to Time be raised by Calls, or borrowed under the Provisions, and for the Purposes of this Act, if so much be necessary, in making and executing so much of the said Canals and Cuts as are situated between the River *Arun* and the Harbour of *Chichester*, until the said Part of the said Canal shall be fully completed.

River Arun  
to Chichester  
Harbour.

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

For compelling  
Payment  
of Subscrip-  
tions.

LXXXI. And be it further enacted, That it shall be lawful for the Committee of Management, at any such General Meeting as aforesaid, to nominate and appoint out of their own Body One or more Sub-committee or Sub-committees (every such Sub-committee to consist of Five or more Persons), who shall have full Power and Authority to enter into and make any such Contracts or Agreements on behalf of the said Company of Proprietors as aforesaid, and to hire and employ any Agents, Workmen, and Servants in and about the said Undertaking, and to do, execute, and perform all other Matters and Things whatsoever, in and about the said Navigation and Undertaking, which the said Committee of Management are themselves herein-before authorized to do, or such of them as the said Committee of Management shall think proper to intrust to the Care and Management of any such Sub-committee or Sub-committees (save and except nevertheless the appointing of Clerks, Collectors, Engineers, Surveyors, and other principal Officers, and the making Calls for Money upon the Proprietors of the said Navigation and Undertaking, all which shall be done by the said Committee of Management only, as herein-before directed); and it shall also be lawful for the said Committee of Management, by an Order or Resolution for that Purpose at any General Meeting, to break up and dissolve any such Sub-committee or Sub-committees, or to remove or displace any Member or Members thereof, and appoint some other or others in his or their Place or Stead, when and so often as such Committee of Management shall think proper and expedient; and such Sub-committee shall have full Power and Authority to meet from Time to Time, and adjourn from Place to Place, as they shall think proper, and as Occasion shall require, for effectuating the Purposes as aforesaid; and all Powers and Authorities hereby vested, or which shall by the said Com-

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



mittee of Management be vested in any such Sub-committee, within the Intent and Meaning of this Act, shall and may be exercised by the major Part of the Members present at their respective Meetings (the whole Number of Members present not being less than Three); and at all Meetings of such Sub-committees respectively, one of the Members present shall be appointed President or Chairman; and all Questions shall be decided by the Majority of Votes, and the President or Chairman shall, besides his own Vote, have the casting Vote, in case of an equal Division, but no other Member shall have more than One Vote.

Committee of Management and Sub-committees to keep Accounts of Monies received and paid, &c.

Expences of Committee of Management and Sub-committees to be defrayed by the Company, and Treasurer to be drawn on for the same.

LXXXII. And be it further enacted, That the said Committee of Management, and also every such Sub-committee as aforesaid, shall enter or cause to be entered into Books, to be provided for that Purpose at the Expence of the said Company of Proprietors, a full and true Account of all Monies disbursed and Payments made by such Committee and Sub-committees respectively, and by all and every Person and Persons employed by or under them, and of all Monies which shall be paid to or received by them respectively; for or on account of the said Company of Proprietors; and also a full and true Account, and proper Notes and Minutes, of every Contract, Bargain, and Agreement which shall be entered into by them respectively for or on behalf of the said Company of Proprietors, and of all and singular their respective Orders, Transactions, and Proceedings whatsoever in and about the Affairs and Business of the said Company; and all reasonable Expences to be incurred at or by the respective Meetings of the said Committee of Management, and of such Sub-committees respectively as aforesaid, shall be paid and defrayed out of the Cash or Stock of the said Company of Proprietors; and such Committee of Management and Sub-committees respectively shall and may, from Time to Time, draw for the Amount of such Expences respectively upon the Treasurer or Treasurers to the said Company; but no other Money shall be issued or paid by the said Treasurer or Treasurers, for or on account of the said Company of Proprietors, without an Order being made for that Purpose by the Committee of Management at some such Meeting as aforesaid, nor without a Draft or Order signed by Five or more of the Members of the said Committee of Management; and every such Book, and all such other Books, Papers, and Writings, belonging to the said Company of Proprietors, shall at all reasonable Times be opened to the Inspection of all the said Proprietors, who may take Copies thereof or Extracts therefrom without Fee or Reward.

Sub-committee to make Report of their Proceedings.

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

Company of Proprietors may make Bye-laws.

LXXXIV. And be it further enacted, That the said Company of Proprietors shall also have full Power and Authority from Time to Time, at any General Meeting of the said Company of Proprietors to be held in Manner herein-after mentioned, to make such Rules, Orders, and Bye-

laws as to them shall seem meet and proper for the good Government of the said Company of Proprietors, and for regulating the Proceedings of the said Committee of Management and Sub-committees respectively, and for the regulating of all Officers, Workmen, and Servants, to be employed in or about the Affairs or Businesses of the said Company of Proprietors, and for the well and orderly using of the said intended Navigation, and the Tunnels, Locks, Sluices, Weirs, Hatches, Aqueducts, Railways, Rollers, Feeders, Wells, Trenches, Levels, Reservoirs, Stanks, Dams, Wharfs, Cranes, Warehouses, Towing Paths, Ways, Roads, Gates, Bridges, Culverts, Engines, and other Works thereto belonging, and for regulating the Commencement, Continuance, Suspension, Cessation, Turn, and Order of the passing and repassing and navigating of all Vessels, Boats, and Barges, Persons, Horses, and Carriages; and the Structure, Dimensions, Forms, and Manner of Building of all such Vessels, Boats, Barges, and Carriages, as shall from Time to Time be used upon the said Canals, Navigation, Railways, Towing Paths, Road-ways, or Wharfs, and of the Oars, Poles, Wheels, and other Implements to be used above or with the same respectively; and the conveying of all Goods, Wares, and Merchandize, which shall be navigated or conveyed thereon, and for the orderly Behaviour of all Bargemen, Watermen, Boatmen, and others who shall be employed in carrying or conveying any such Goods, Wares, or Merchandize, and for the Superintendance and Management of the said Navigation in all other Respects whatsoever; and from Time to Time to alter and repeal such Rules, Orders, and Bye-laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye-laws, or any of them, not exceeding the Sum of Five Pounds for any One Offence, as to the said Company of Proprietors shall seem meet and expedient; and all Rules, Orders, and Bye-laws so to be made as aforesaid, being reduced into Writing, and the Common Seal of the said Company of Proprietors thereto affixed, shall be binding upon and be observed by all Persons using or in anywise concerned in the said Navigation and Works, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act upon the same; provided that such Rules, Orders, and Bye-laws be not repugnant to the Laws of that Part of the United Kingdom called *England*, or any of the express Directions or Provisions of this Act; and provided, that Copies of such Rules, Orders, and Bye-laws, or such of them as shall concern or relate to the using of the said intended Navigation and Works, and the Tunnels, Locks, Reservoirs and Aqueducts, Roads and Ways, belonging thereto, or to the Conduct and Behaviour of Bargemen, Boatmen, Watermen, and others conveying Goods thereon, or to the Conduct and Behaviour of any Officers, Servants, or other Persons employed in or about the said Navigation and Works, or of the Persons resorting to or making use thereof, shall be written or printed in large Characters, and be affixed and continued in some conspicuous Place or Places upon or near adjoining all the Wharfs on the said Navigation, and renewed as often as the same shall be obliterated or defaced.

LXXXV. Provided always, and be it further enacted, That in all Cases of Prosecution for Offences against the said Bye-laws, the Production of a printed Paper, purporting to be the Bye-laws of the Company, and authenticated by the engraved or printed Impression or Copy of Impression of such

Authenti-  
cated Bye-  
laws.

such

such Bye-laws, having the Common Seal of the Company affixed thereto, shall be sufficient Evidence of the Existence of such Bye-laws, and it shall be sufficient to prove that a printed Paper, in Characters sufficiently plain, purporting to be a Copy of such Bye-laws, hath been affixed and published in Manner aforesaid, and, in case of its being afterwards displaced or damaged, hath been replaced with another such Paper as soon as conveniently might, in some conspicuous Place upon or near adjoining the Place where the Offence was committed; unless Proof shall be adduced by the Defendant that such printed Paper is not a Copy of such Bye-laws, or hath not been duly kept up and generally continued in such Wharf in Manner aforesaid.

Committee of Management may call Special Meetings of the Proprietors at large.

LXXXVI. And be it further enacted, That if it shall at any Time appear to the Committee of Management, or to Ten or more Proprietors of Five Shares at the least, to be necessary or expedient to call a Special Meeting of the Proprietors at large for the more effectually putting this Act in Execution, or in order to take their Opinion respecting any Matters or Things to be done in or about the said Navigation, or respecting any Matter or Things in which the Interest of the said Navigation and Undertaking, the Extent of its Trade, or the Interests of the Proprietors, is in any respect implicated or concerned, it shall be lawful for the said Committee of Management, pursuant to an Order or Resolution for that Purpose, to be made at any Meeting of the same Committee, or for the Clerk of the said Company of Proprietors, upon the Requisition of any Ten or more of the Proprietors of Five Shares or more in the said Undertaking, to call a Special Meeting of the Proprietors at large by public Advertisement in some Newspaper or Newspapers published or usually circulated in the said Counties of *Sussex* and *Hants* respectively, and also in some *London* Newspaper or Newspapers, specifying in such Advertisement the Cause of calling such Special Meeting, and the Time and Place when and where the same shall be held, the Time not being less than Fourteen Days after such Notice shall be given; and the Company of Proprietors are hereby authorized and required to meet according to such Notice, and to take into Consideration the Matters to be submitted to them by the said Committee of Management, or expressed in such Requisition and specified in such Notice; and the Decision and Determination of the Proprietors present at such Meeting, or the major Part of them, according to the Number of Votes they shall have a Right to give, either as Principals or Proxies, respecting such Matters only, shall be binding and conclusive upon the rest of the Proprietors to all Intents and Purposes, and shall be observed and acted upon accordingly.

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

LXXXVII. And be it further enacted, That every Proprietor of any Share or Shares in the said Navigation shall from Time to Time pay his or her Proportion of the Money so to be called for, as herein-before is mentioned, into the Hands of the Treasurer or Treasurers to the said Company, at such Time and Place as shall be appointed for that Purpose by the Committee of Management making such Call, and of which Notice shall be given as herein-before is directed; and that if any Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid, at the Time and Place which shall be appointed for that Purpose in Manner aforesaid, it shall be lawful for the said Company of Proprietors, in case they shall so think fit, to sue

for

for and recover the same, together with the Penalty herein-after mentioned, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case; and the Person or Persons so neglecting or refusing to pay such his, her, or their proportionable Part of such Money in Manner aforesaid, shall forfeit to the said Company of Proprietors, if such Payment shall not be made within Thirty Days next after the Time appointed for Payment of the same, the Sum of Five Shillings *per* Share; and if such Payment shall not be made within Sixty Days next after the Time appointed for the Payment of the same, the Sum of Ten Shillings *per* Share, for and in respect of every Share of such Person or Persons, in respect whereof such Person or Persons shall so neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid, for the Space of Three Calendar Months after the Time to be appointed for Payment thereof as aforesaid, together with the said Penalty of Ten Shillings *per* Share as aforesaid; and if the same shall not have been sued for by the said Company of Proprietors as aforesaid, or if sued for, shall not have been recovered by them, then and in such Case the Person or Persons so neglecting or refusing shall, if the said Committee of Management shall so determine, but not otherwise, absolutely forfeit all his, her, or their Share, Part, or Interest, in the said Undertaking, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them, on account thereof, to and for the Use and Benefit of the other Proprietors of the said Navigation; and all Shares which shall or may be so forfeited shall be sold by the said Committee of Management by Public Action, for the most Money that can be gotten for the same; and the said Penalty of Five Shillings *per* Share, or Ten Shillings *per* Share, as the Case may be, and the Produce of the Shares so to be forfeited and sold, shall be and the same respectively is and are hereby directed to be paid to the said Treasurer or Treasurers, and applied in making, furnishing, completing, and maintaining the said Navigation and Works: Provided always, and if there shall be no Bidder for such Share or Shares at such Auction for the Sale thereof, the same Share and Shares shall or may be sunk and merged in the rest of the Shares in the said Navigation, if the said Committee of Management shall think fit; and in that Case the Name or Names of such Proprietor or Proprietors, and the Number or Numbers of such Share or Shares, shall be expunged and struck out of the Books of the said Company; and the said Committee of Management shall and may in such Case borrow and raise any Sum of Money not exceeding the Amount of Fifty Pounds a Share on the Number of Shares so forfeited and merged, and to secure the same with Interest in like Manner as the said Company are enabled by this Act to borrow and secure any Sum or Sums of Money for the Purposes herein mentioned: Provided always nevertheless, that no such Forfeiture of any Share or Shares in the said Navigation and Undertaking as aforesaid shall take place until after personal Notice shall be given by the Treasurer or Treasurers or Clerk of the said Company of Proprietors to the Owner or Owners thereof, or until Notice in Writing shall be left at his, her, or their usual or last Place or Places of Abode, or published Three several Times in the *London Gazette*, and also in some Newspaper or Newspapers published and circulated in the said Counties of *Sussex* and *Hants* respectively, nor unless the same shall be declared to be forfeited at some General Meeting of the Committee of Management: Provided also, that every such Forfeiture, after the same shall be taken Advantage of by the rest of the said Company

Persons making Default to forfeit Five Shillings per Share, if Payments not made within Thirty Days, and Ten Shillings per Share, if within Sixty Days; and if Calls not answered in Three Months, Shares to be forfeited.

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

Forfeiture of Shares to be an Indemnity

[Local.]

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of

to Persons  
forfeiting.

of Proprietors as aforesaid, shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors so forfeiting against all Actions, Suits, and Prosecutions, for any Breach of Contract or Agreement between such Proprietor or Proprietors so forfeiting, and the rest of the said Company, with regard to the future carrying on and Management of the said intended Navigation and Undertaking.

In case of  
Deaths of  
Subscribers  
before their  
Subscriptions  
are complet-  
ed, Executors  
to complete  
the same.

In case of  
want of As-  
sets, the  
Company to  
admit other  
Persons to  
such Shares  
on paying  
the same.

LXXXVIII. And be it further enacted, That if the Proprietor of any Share or Shares in the said Navigation shall die before Payment shall have been made by him or her of the full Sum to be called for and advanced as aforesaid, in respect of each Share which he or she shall have been possessed of or entitled to, the Executor or Administrator of such deceased Proprietor, being possessed of sufficient Assets, shall pay the Call or Calls then due, and the future Calls to be made in respect of such Share or Shares; and if such deceased Proprietor shall not have left Assets sufficient, the said Company of Proprietors shall and they are hereby authorized and required (unless such Executor or Administrator shall duly pay such Call and Calls) to admit any other Person or Persons to be a Proprietor or Proprietors of the Share or Shares of such deceased Proprietor, on Condition that such Person or Persons so to be admitted do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Proprietor, or the Trustee or Trustees, Guardian or Guardians of any Infants or others entitled to his or her Effects, the full Sum or Sums of Money which shall have been paid by such deceased Proprietor in his or her Lifetime, in consequence of any Call or Calls or otherwise upon or in respect of such Share or Shares, or so much Money as the same can be sold for.

Treasurers  
may allow  
Interest to  
Proprietors  
for Payments  
in Advance.

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

The Clerk  
to enter Cer-  
tificates of  
Marriages in  
a Book to be  
kept for that  
Purpose.

XC. And whereas much Inconvenience may arise by the frequent Transfer of the Right and Title to the Shares of and in the said Undertaking by the Marriage and Death of Proprietors, and it may be difficult in such Cases to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid, and do belong; be it therefore further enacted; That before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking in Right of Marriage shall be entitled to receive the same, an Affidavit containing the Copy of the Register of such Marriage shall be made and sworn to by some credible Person before One of the Judges at *Westminster*, or Master Extraordinary  
in

in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking; and that before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator shall be made and sworn to by the Executor or Executors of such Will before One of the Judges of His Majesty's Courts of Record at *Westminster*, or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall also be transmitted to the said Clerk, who shall file and enter the same in the Manner herein-before mentioned; and that in all Cases other than as herein-before mentioned, where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Proprietor thereof to any Person or Persons by any other legal Means than by a Transfer or Conveyance thereof as herein directed, an Affidavit shall be made and sworn to by Two credible Persons before One of the Judges of His Majesty's Courts of Record at *Westminster*, or a Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, and such Affidavit shall be transmitted to the Clerk of the said Company of Proprietors hereby incorporated, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book, or List of Proprietors in the said Undertaking.

XCI. And be it enacted, That the Bodies Politic and Corporate, and all and every Person and Persons, whose Name shall at any Time hereafter stand in the said Register Book or List of Proprietors of the said Company, either as a Proprietor or Proprietors of One or more Share or Shares in the said Navigation, whether as original Subscribers, or as Successors, Executors, Administrators, or Assigns of original Subscribers, shall be deemed and taken to be Proprietors of the several Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of all and every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which Proprietors of Shares in the said Navigation are made subject and liable by this Act; and that all Notices by this Act required to be given previous to the Forfeitures of Shares to the Proprietors thereof shall, if given to the Persons appearing by the Register Book of the said Company to be such Proprietor or Proprietors, or their Representatives, be in all respects good, sufficient, and conclusive, and all Payments of Interest and Dividends due and to grow due on any such Shares, shall be made to such Persons as by the said Book of the said Company shall so appear to be Proprietors thereof; and that no Assignment, Transfer, or Bargain and Sale of any Share or Shares, or other Instrument giving Title to any such Share or Shares, which shall not have been brought to the said Clerk to be enrolled or registered as directed by this Act, shall be given or admitted as Evidence, either to defeat any Action or Suit brought or to be brought by the said Company of Proprietors to recover the said Calls, or to entitle any

The Persons whose Names appear in the Register Books to be deemed the Proprietors of the Shares in their Names, and answerable for Calls, &c. until Transfer made and enrolled.

any Person or Persons to recover any Share or Shares forfeited to the Company of Proprietors, to make the said Company of Proprietors liable to the Payment of Interest or Dividends to any other Person or Persons than such as appear upon the said Book to be Proprietors of the said Shares; but that in all such Cases, unless where it shall be expressly proved that the said Book is defective, by reason of some Neglect or Default of the said Clerk, the said Book shall be considered as sufficient and conclusive Evidence of the Proprietorship of the said Shares.

Shares may be sold, and how.

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

Form of Conveyance of Shares on a Sale.

I in consideration of paid to me by of do hereby bargain, sell, assign, and transfer to the said Executors, Administrators, and Assigns, Share or Shares in the being No. of the Shares in the said Navigation, to hold to the said Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions that I held the same immediately before the Execution hereof; and I the said do hereby agree to accept of the said Share (or Shares) subject to the same Rules, Orders, Restrictions, and Conditions. Witness our Hands and Seals, the Day of

Memorial of all such Sales and Conveyances to be registered.

And on every such Sale, the Deed of Conveyance being executed by all Parties shall be kept by the Clerk to the said Company of Proprietors, who shall enter in the Book or Books to be kept for that Purpose a Memorial of such Sale and Conveyance for the Use of the said Company of Proprietors, and certify the Entry of such Memorial by an Endorsement on a Copy of such Conveyance, which shall be delivered to the said Purchaser, for the Preparation of which Deed and the Copy thereof, and for which Entry and Certificate no more than Five Shillings per Share shall be paid, exclusive of the Stamp Duty; and until such Memorial shall have been entered as before directed, the Purchaser or Purchasers shall not have any Part or Share of the Profits of the said Navigation, or any Dividend paid to him, her, or them, for or in respect of such Share or Shares so to be purchased, nor be entitled to any Vote in respect thereof, as a Proprietor or Proprietors of the said Navigation; and every such Copy, after such Memorial shall be so endorsed thereon, shall be admitted and received as Evidence in all Cases in which such original Deed or Conveyance could or might be received as Evidence.

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

Xciii. Provided always, and be it further enacted, That after any such Call for Money shall be made by the Committee of Management as aforesaid, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall then possess in the said Navigation, until the Money so to be called for in respect of his, her, or their Share or Shares

intended to be sold shall be paid; and every Person making Default herein shall forfeit his or her Share or Shares in the said Navigation to and for the Benefit of the rest of the said Proprietors, unless he or she shall, at the Time of such Sale or Transfer, and immediately after the Execution of the same, pay to the Treasurer or Treasurers of the said Company of Proprietors the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture, nevertheless, to be first notified and declared in the Manner herein-before directed with respect to the Forfeiture of Shares for not answering the Call to be made thereon as aforesaid.

XCV. And be it further enacted, That in consideration of the Charges and Expences which the said Company of Proprietors will be at in making and maintaining the said Canals and other Works hereby authorized to be made, erected, and maintained as aforesaid, and also in excavating the Mud at the Wadeways or Causeways of *Langstone* and *Thorney*, and in maintaining Channels of Communication through the same, as well as in fixing Beacons through the whole Line of the Channels of *Chichester* and *Langstone* Harbours, which are intended to be used as the Tract through which the Barges or Vessels are to pass, and in providing and maintaining One or more Steam Boat or Steam Boats for towing the said Barges and Vessels through the said Harbours and Channels, it shall and may be lawful to and for the said Company of Proprietors from Time to Time, and at all Times for ever hereafter, to ask, demand, take, and receive to and for their own Use and Benefit, for the Tonnage of all Goods, Wares, Merchandize, and Commodities whatsoever, which shall be carried or conveyed upon the said Canals or Navigation, or any Part thereof respectively, or through the Harbours of *Chichester* and *Langstone*, or Channels of *Langstone*, *Emsworth*, or *Thorney*, or any or either of them, of and from the Owner or Owners of such Goods, Wares, Merchandize, and Commodities, or of or from the Owner or Owners, or Person or Persons having the Care, Custody, or Charge of or navigating the said Boats, Barges, or Vessels conveying the same, at the Option of the said Company of Proprietors, the respective Rates, Tolls, and Duties herein-after mentioned; (that is to say),

The Com-  
pany empow-  
ered to make  
Rates and  
Tolls.

For all Dung and Ashes, and for all Chalk, Marl, Lime, and Limestone intended to be used for Manure, and for all other Articles intended to be used for Manure, the Sum of Two-pence *per* Ton for every Mile of the said Canals or Cuts, Harbours or Channels, and so in proportion for any greater or less Quantity than a Ton, or a greater or less Distance than a Mile on any Part of the said intended Canals or Cuts, Harbours or Channels:

For all Chalk, Marl, Lime, and Limestone (except such as shall be intended to be used for Manure), and for all Goods, Wares, Merchandize, and Commodities whatsoever, in respect of which no Toll, Rate, or Duty is herein-before made payable, the Sum of Four-pence *per* Ton for every Mile of the said Canals or Cuts, Harbours or Channels, and so in proportion for any greater or less Quantity than a Ton, or a greater or less Distance than a Mile, on any Part of the said Canals or Cuts, Harbours or Channels

And for every empty or light Boat, Barge, or Vessel, of any Sort or Description whatsoever, passing through any Lock upon the said Canals or Cuts, or any Part thereof, the Sum of One Shilling for every such Lock:

[Local.]

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For



For every Passenger or other Person who shall be carried upon the said Canals or Cuts, Harbours or Channels, or either of them, in any Boat, Barge, or Vessel, not being a Person then employed in navigating the same, for every Mile which any Passenger shall be carried upon the said Canals or Cuts, Harbours or Channels, or any Part thereof, the Sum of Two-pence, and so in proportion for any greater or less Distance than a Mile:

For every separate Package, Parcel, or other Article not exceeding Two hundred Weight each, and belonging and consigned to different or distinct Persons, the Sum of One Penny for every Mile of the said Canals or Cuts, Harbours or Channels, and so in proportion for any less Distance than a Mile which any such Package, Parcel, or other Article, may be carried upon any Part of the said Canals or Cuts, Harbours or Channels:

Provided always, that nothing in this Act contained shall be construed to authorize the said Company of Proprietors at any Time to ask, demand, take, or receive any Rates, Tolls, or Duties whatsoever for the Tonnage of any Goods, Wares, Merchandize, or Commodities which shall be carried or conveyed upon or within the Harbours of *Chichester* and *Langstone*, and Channels of *Thorney*, *Emsworth*, and *Langstone*, or either of them, unless the same shall be carried or conveyed from or to any or either of the said Canals or Cuts, or through the Excavations hereby authorized to be made through the said Wadeways or Causeways of *Langstone* and *Thorney*, or either of them, or unless the Boat or Vessel in which the same shall be carried and conveyed shall be towed through the said Harbours or Channels, or either of them, by any Steam Boat belonging to the said Company.

Passage-boats  
to be licensed.

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

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

XCVI. Provided nevertheless, and be it enacted, That in all Cases where any Boat, Barge, or other Vessel shall be navigated or pass by any Post or Mark or Place, where such Post or Mark had stood or been fixed on the Sides of the said Canals, describing and regulating the Length of One Quarter of a Mile (and which Posts or Marks the said Company of Proprietors are hereby required to cause to be affixed or set up in Manner herein-after mentioned), the said Rates, Tolls, and Duties shall be paid for a full Quarter of a Mile, although such Boat, Barge, or other Vessel, shall not have actually passed a full Quarter of a Mile; and that in all Cases where the Weight of the Lading contained in any Boat, Barge, or other Vessel, shall not make up an even Quarter of a Ton, yet the said Rates, Tolls, or Duties, which would be payable for a full Quarter of a Ton, shall be paid to the said Company of Proprietors for any less Quantity.

Rates, Tolls,  
and Duties,  
how to be  
recovered.

XCVII. And be it further enacted, That the Rates, Tolls, and Duties hereby authorized to be demanded and taken by the said Company of Proprietors, shall be paid to such Person or Persons, at such Place or Places

Places upon or near to the said Canals, and in such Manner and under such Regulations, as the Committee of Management shall in that Behalf direct or appoint; and in case of Neglect or Refusal to pay any such Rates, Tolls, or Duties, or any Part thereof, unto the Person or Persons who shall be appointed to receive the same as aforesaid, it shall be lawful for the said Company of Proprietors to sue for the same, by Action of Debt or upon the Case, in any of His Majesty's Courts of Record at *Westminster*; and in every such Action it shall be sufficient for the Plaintiff to declare, that under and by virtue of a certain Act of Parliament, passed in the Fifty-seventh Year of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*], the said Company, or their Assignees or Mortgagees, were lawfully possessed of or entitled to such Tolls or Duties as in and by the said Action are sought to be recovered, and to allege when, where, how, and wherefore such Tolls, Rates, or Duties accrued and became payable to the said Plaintiff; or it shall be lawful for the Person or Persons to whom such Rates, Tolls, or Duties ought to have been paid, and he and they is and are hereby authorized and empowered to seize and distrain the Goods, Wares, Merchandize, or Commodities, for or in respect of which such Rates, Tolls, or Duties ought to have been paid as aforesaid, or any Part thereof, and the Boat, Barge, or other Vessel laden therewith, or any other Boat, Barge, or other Vessel, Goods or Commodities, belonging to the Owner of such Boat, Barge, or other Vessel, and lying or being upon the said Canals hereby authorized to be made, or upon any Wharf or in any Warehouse adjoining thereto, and to detain the same respectively until full Payment shall be made of such Rates, Tolls, or Duties, and of all Arrears of the same, which may be then due from the Owner of such Boat, Barge, or Vessel, to the said Company of Proprietors, together with the reasonable Costs and Charges of such Seizure and Distress; and in case such Distress shall not be redeemed within Six Days after the taking thereof, the same shall and may be appraised and sold as the Law directs in Cases of Distress for Rent.

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

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

XCIX. And be it further enacted, That it shall and may be lawful from and after the Term of Three Years from the passing of this Act, for the said Committee of Management, or any Five or more of them, by any Instrument in Writing under their Hands and Seals, to let or demise the said Rates, Tolls, and Duties arising from or to be payable under or by virtue of this Act, for any Term not exceeding Three Years at any one Time, to any Person or Persons, for the highest Rent that can be had or got for the same, either by public Bidding or otherwise, provided that Two Calendar Months previous Notice be given in some of the public Newspapers circulated in the Counties of *Sussex* and *Hants*, of the Intention

Committee of  
Management  
empowered  
to demise the  
Tolls.

of

of the said Committee of Management to lease or demise the said Rates, Tolls, and Duties, and so as that the Person or Persons renting the same shall give satisfactory Security to the said Committee of Management, by Articles in Writing, for the well and true Performance of his, her, or their Bargain, Contract, or Agreement with them; and the Person or Persons so renting the said Duties shall have full Power and Authority to ask, demand, collect, and receive the same, and shall in every respect be deemed and taken to be a Collector or Collectors appointed by the said Committee of Management.

Amount of the clear Profits of the intended Navigation how to be ascertained.

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

Navigation to be free on paying the Tolls.

Cl. And be it further enacted, That all and every Person or Persons shall have free Liberty to use with Horses, Cattle and Carriages the private Ways and Roads belonging to the said Company of Proprietors (except the Towing-paths), for the conveying any Goods, Wares, Merchandize, or other Things, to and from the said intended Canals, and the Wharfs, Quays and Landing-places belonging thereto; and also with Boats, Barges, and other Vessels to navigate, pass upon, and use the said Canal for the Purpose of conveying any Goods, Wares, Merchandize or Commodities whatsoever thereon respectively; and also to use the said Wharfs, Quays, and Landing-places for the loading and unloading of any Goods or other Things, and the said Towing-paths for the hauling and drawing of such Boats, Barges, and other Vessels, upon Payment of such Rates, Tolls, and Duties for the same respectively, as shall be demanded by the said Company of Proprietors, not exceeding the several Rates, Tolls, and Duties herein-before mentioned, and subject always to the Rules, Orders, Bye-laws, and Regulations which shall from Time to Time be made by the Committee of Management by virtue of the Power herein-before given in that Behalf.

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

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

CIII. And be it further enacted, That if any Difference shall arise between any Collector of the said Tolls, Rates, or Duties, and the Master or Person having Charge of any Boat, Barge, or other Vessel, or the Owner of any Goods, Wares, Merchandize, or other Commodities on board thereof, concerning the Weight or Quantity of any such Goods, Wares, Merchandize, or Commodities, it shall be lawful for any such Collector to stop and detain any such Boat, Barge, or other Vessel, and to weigh, measure, gauge, or cause to be weighed, measured, and gauged, all such Goods, Wares, Merchandize, and Commodities as shall be therein contained; and in case the same shall, upon such Weighing, Measuring, and Gauging, appear to be of greater Weight or Quantity than such Master, Owner, or other Person having the Care of such Boat, Barge, or other Vessel, affirmed or stated the same to be, then the said Master, Owner, or other Person having the Care of such Boat, Barge, or other Vessel, shall pay the Costs and Charges of such Weighing, Measuring, and Gauging; and such Costs and Charges, in case of Refusal of Payment thereof upon Demand, shall and may be levied and recovered in the same Manner as the said Tolls, Rates, or Duties are hereby appointed to be levied and recovered; but if such Goods, Wares, Merchandize, and Commodities shall appear to be of the same Weight and Quantity, or of less Weight and Quantity than the said Master, Owner, or other Person declared the same to be, then the said Company of Proprietors shall pay the Costs and Charges of such Weighing, Measuring, or Gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, and Commodities, such Damages as shall appear to Two or

In case of any Dispute or Difference about the Weight of Goods, Collectors may weigh.

more of His Majesty's Justices of the Peace acting in and for the Countie of *Sussex* and *Hants*, or either of them, on Oath of One or more credible Witness or Witnesses, to have arisen from such Detention; but in case i shall at any Time be made to appear to the said Justices respectively, upon the Complaint of the said Company of Proprietors, or any of their Officers, and upon the like Oath of One or more credible Witness or Witnesses, that such Stoppage and Detention, and Weighing, Measuring, and Gauging, was without reasonable Ground of Belief, or vexatious on the Part of such Collector, then the said Collector himself shall himself pay the Costs and Charges of such Weighing, Measuring, or Gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, and Commodities, such Damages as shall appear to the aforesaid Justices, on the Oath of One or more credible Witness or Witnesses, to have arisen from such Detention; and in default of immediate Payment thereof by the said Company of Proprietors, or by such Collector, as the Case may be, the same shall be recovered from the said Company of Proprietors, or the said Collector, as the Case may be, by Distress and Sale of their or his Goods and Chattels, by Warrant under the Hands and Seals of the said Commissioners or Justices respectively, or otherwise by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Lords of  
Manors and  
others may  
erect Wharfs  
on their  
Lands :

CIV. And be it further enacted, That at any Time or Times after the said Company of Proprietors shall have selected, taken, or marked out such Pieces of Land for public Wharfs, Quays, and Landing-places along the Lines of the said Canals, which they the said Company, at the Time of first marking and setting out the Ground for the Lines of the said Canals, shall deem it expedient to take or mark out for those Purposes, it shall be lawful for the Lord or Lords, Owner or Owners of any Manor, Lands, or Grounds through which the said intended Canals shall be made, to make, erect, and set up, either for his, her, or their own private Use, or for the Use of the Public, any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses in or upon his, her, or their respective Waste Lands or Grounds adjoining or near to the said Canals, except on the Lines of the said Canals or Cuts between *Langstone* Harbour and *Portsmouth* Harbour, and between *Langstone* Harbour and the said Place called *The Half-way Houses* in the said Island of *Portsea*, and to make and lay out proper Ways and Roads to the same across any Lands belonging to the said Company of Proprietors, and to land any Goods or other Things upon such Wharfs, Quays, or Landing-places, or upon the Banks lying between the same and the said Canals; and also to make and use proper and convenient Places for Boats, Barges, and other Vessels to lie and turn in, and pass each other, so that the making or using thereof respectively do not obstruct or prejudice the Navigation of the said Canals, or the Passage on the Towing-paths on the Sides thereof; and that all Rates or Tolls which shall be demanded and paid for the Use of such of the said Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses respectively, as shall be erected by such Lord or Lords, Owner or Owners, for the Use of the Public, shall be, and the same are hereby accordingly vested in the Lord or Lords, Owner or Owners of such Manors, Lands, or Grounds, who shall make and erect such Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses as aforesaid, and his, her, or their respective Heirs and Assigns.

**CV.** And be it further enacted, That if any such Lord or Lords, Owner or Owners, shall not, within the Space of Three Calendar Months next after Notice or Warning in Writing shall be given to him, her, or them, or left at his, her, or their usual Place or Places of Abode, under the Hand of the said Clerk, on Behalf of the said Company of Proprietors, stating that any Part or Parts of his, her, or their Waste Lands or Grounds is or are necessary or proper for erecting and making any public Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses, or for making and laying out of any Road or Roads for the Conveyance of Goods to and from the said Canals, give Notice in Writing to the said Clerk of his, her, or their Intention to erect and make, and shall not forthwith proceed to erect and make, and within Six Calendar Months from the Date of such last-mentioned Notice make, erect, and lay out, and afterwards from Time to Time maintain and keep in good and substantial Repair, such proper and sufficient Wharfs, Quays, Landing-places, Cranes, Weigh-beams, Warehouses, and Roads for the Use of the Public, as the Commissioners appointed by this Act shall judge necessary, on the respective Part or Parts of the Waste Lands or Grounds to be described in such Notice; then and in such Case the said Company of Proprietors shall have full Power and Authority, without any Hinderance or Restraint whatsoever, to take and make use of such Part or Parts of such Waste Lands or Grounds, for erecting and building proper and sufficient Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses, and for making and laying out necessary and convenient Roads to and from the said Canals, agreeably to such Notice so given by the said Clerk as aforesaid; they the said Company of Proprietors first making Satisfaction for the same in such Manner as is herein-before directed with respect to any Lands or Grounds which shall be taken or used by the Company for the Purposes of this Act.

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

**CVI.** Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, or any Person or Persons, to make use of any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses which shall be made, erected, and set up by the Lord or Lords, Owner or Owners of any Manor, Lands, or Grounds adjoining or near to the said Canals, for his, her, or their own private Use only, or to erect or set up any Cranes or Weighing Machines in or upon any such private Wharfs, Quays, or Landing-places, without the Consent in Writing of such Lord or Lords, Owner or Owners: Provided also, that no Sum exceeding Three-pence *per* Ton shall be demanded and taken by the said Company of Proprietors, or by any such Lord or Lords, Owner or Owners, who shall make, erect, or build any such Wharfs, Quays, or Landing-places, and make or lay out any such Roads for the Use of the Public as aforesaid, for the Wharfage of any Coals, Culm, Limestone, Clay, Iron, Ironstone, Lead Ore, or any other Ores, Timber, Stone, Bricks, Tiles, Slates, Gravel, Hay, Straw, Corn in the Straw, or Manure whatsoever, which shall be placed upon any of the Wharfs or Quays upon or adjoining to any Part of the said Canals, and continue thereupon for any Time not exceeding Twenty-eight Days; and that no Sum exceeding Two-pence *per* Ton for the Wharfage of any other Goods, Wares, Merchandize, or Commodities whatsoever, which shall be placed upon any such Wharfs or Quays, or continue thereon for any Time not exceeding Ten Days; but if any of

Regulations respecting Wharfs.

the

the Articles before specified, or any other Goods, Wares, Merchandize, or Commodities shall be left and remain upon such Wharfs or Quays for any Time over and above the Time limited for the same respectively, then the Owner or Owners thereof shall pay to the said Company, or other the Proprietors of such Wharfs, Quays, or Landing-places respectively, any further Sum not exceeding One Penny *per* Ton for every Day which the same shall remain upon such Wharfs or Quays after the Expiration of the Times before limited for the same respectively: Provided always, and it is hereby declared, that the taking or receiving of any such Wharfage, Toll, or Duty, by any Owner or Owners, Lessee or Lessees, Occupier or Occupiers, or other Person or Persons having the Care and Management of any such Wharf, Quay, or Landing-place, shall be deemed a sufficient Appropriation of such Wharf, Quay, or Landing-place, to and for the Use of the Public, within the true Intent and Meaning of this Act; and the same shall from thenceforth be deemed and taken to be, and shall continue to be a Public Wharf, Quay or Landing-place accordingly: Provided also, that nothing herein contained shall prevent the several and respective Proprietors, Builders, or Lessees of any Warehouses, Cranes, Stables, Sheds, Docks, and other Conveniences, from receiving and having, for the Use of the same respectively, such Rent, Hire, or Recompence for the Use thereof, as they may reasonably deserve to have.

Mode of  
rating Lands  
and Build-  
ings of Com-  
pany.

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

Structure of  
Vessels.

CVIII. And be it further enacted, That no Person or Persons shall use or navigate on the said Canals any Boat, Barge, or other Vessel, but such as shall be built and constructed agreeably to the Plan or Model to be determined on and settled by the said Committee of Management, and so that the same be built and constructed as in no respect to injure or damage,

damage, or tend to injure or damage, the Lining, Pudding, or other Works of the said Canals.

CIX. And whereas the Navigation of the said Channels and Harbours would be much facilitated by the Use of Boats or Vessels impelled by Steam Engines, as well for the Conveyance of Passengers and Goods as for the Purpose of tracking and haling other Boats along and through the same, but it is at the same Time expedient to prevent the Use of high-pressure Engines in such Boats or Vessels; be it enacted, That it shall not be lawful for any Person or Persons to use or employ upon the said Channels or Harbours, in any Boat or Vessel, any Steam Engine in which the Steam is blown out into the Atmosphere, instead of being condensed by cold Water, or in which the Steam used to work the Engine is of a Strength equal to Double the Pressure of the Atmosphere.

To prevent the Use of high-pressure Engines in Boats impelled by Steam in the Channels and Harbours.

CX. And for the better regulating of the Masters or Owners of Boats, and the Bargemen and others employed by or under them respectively, and for the more easy detecting of any thing to be done by them contrary to the Directions of this Act, be it further enacted, That every Owner, Master, or Person, having the Charge or Command of any Boat, Barge, or other Vessel (not being a Pleasure Boat), navigating and passing upon the said Canals, shall cause his or her Name and Place of Abode, and the Name or Number of his or her Boat, Barge, or other Vessel, to be entered with the Clerk to the said Company of Proprietors; and shall also cause the Name of such Owner or Owners, and the Name or Number of such Boat, Barge, or other Vessel, to be painted on a Black Ground, in large White Capital Letters and Figures, Four Inches high at least, and of a proportionable Breadth, on the Outside of the Stern of every such Boat, Barge, or other Vessel, so high that no Part of such Letters or Figures shall be under Water when such Boat, Barge, or other Vessel shall be fully laden; and that every Owner, Master, or Person, having the Charge or Command of any such Boat, Barge, or other Vessel, shall from Time to Time, when thereto required, permit and suffer the same to be gauged and measured by such Person or Persons as shall be appointed for that Purpose by the said Company of Proprietors, or their Committee of Management; and shall also, at his, her, and their own Costs and Charges, fix or cause to be fixed, on each Side of every such Boat, Barge, or other Vessel, Two Indexes of Copper, Lead, or other Metal of such graduated Figures, denoting the Weight or Tonnage, at such Distances, and under such Regulations as the said Company of Proprietors, or their Committee of Management, shall from Time to Time direct and appoint, so that the true Weight of the Lading of every such Boat, Barge, or other Vessel, may at all Times clearly appear; and that every Owner, Master, or other Person having the Charge or Command of any Boat, Barge, or other Vessel, who shall navigate such Boat, Barge, or other Vessel upon the said Canals, or either of them, without having such Names, Marks, and Figures thereon as herein-before directed, or who shall refuse or neglect to put and renew the same as often as may be thought necessary by the said Committee of Management, or shall alter, erase, deface, or destroy the same or any Part thereof, or shall put any false Names, Marks, or Figures on such Boat, Barge, or other Vessel, or who shall refuse to permit such Boat, Barge, or other Vessel to be gauged and measured as aforesaid, or who shall give a false Account of the Lading on board

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

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

Graduated Figures to be painted on the Vessels denoting their Weight.

[Local.]

18 H

any



any such Boat, Barge, or other Vessel, to the said Collectors, or who shall cause or permit such Boat, Barge, or other Vessel to be at any Time loaded or unloaded without a Stage being laid from the Side of such Boat, Barge, or other Vessel to the Bank of the Canal, in order to prevent any Dirt or Rubbish falling into the same, shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds.

Owners of Boats answerable for Damage done by their Boats, Horses, or Servants.

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

Owners of Boats may recover from their Servants what shall be paid for Damages done by them.

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

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

Regulations for Boats passing the Locks.

CXIII. And be it further enacted, That no Boatman or other Person navigating or having the Care of any Boat, Barge, or other Vessel which shall pass through any Lock to be made upon the said Canals, shall suffer the Water to remain in such Lock longer than is necessary for his Boat, Barge, or other Vessel to pass through the same; and that every such Boatman or other Person as aforesaid, on going down the said Canals from

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

CXIV. And be it further enacted, That if any Lock-keeper, Wharfinger, or other Servant belonging to the said Company of Proprietors, shall give an undue Preference, or show any Partiality to any Boat, Barge, or other Vessel, in passing through any Lock or Locks upon the said Canals, or in loading or unloading any Goods, Wares, Merchandize, or Commodities at any of the Wharfs, Warehouses, Weigh-beams, Cranes, and other Machines belonging to the said Company of Proprietors, he shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

To prevent Lock-keepers giving any Preference to Boats.

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

Two Boats may pass Locks together in certain Cases.

CXVI. And be it further enacted, That if any Boat, Barge, or other Vessel shall be placed in any Part of the said Canals, or of the Trenches, Sluices, or Passages belonging thereto, so as to obstruct the Navigation or Passage thereon, and the Person having the Care of such Boat, Barge, or Vessel, shall not immediately remove the same, or alter the Position thereof, upon Request made for that Purpose, he shall for every such Offence forfeit and pay a Sum not exceeding Twenty Shillings, and shall

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

shall moreover forfeit and pay a Sum not exceeding Five Shillings for every Hour during which such Obstruction shall continue after such Request for Removal thereof shall be made as aforesaid; and that it shall be lawful for any of the Collectors, Agents, or Servants of the said Company of Proprietors, to cause any such Boat, Barge, or other Vessel to be unladen, if necessary, and to be removed in such Manner as shall be requisite for preventing any further Obstruction therefrom, and to seize and detain such Boat, Barge, or other Vessel, and the Lading thereof, or any Part of such Lading, until the said Penalty or Penalties, and the Charges of such Unloading and Removal, shall be paid; and that if any Boat, Barge, or other Vessel shall be sunk in any Part of the said Canals, and the Owner or Owners, or Persons having the Care of such Boat, Barge, or other Vessel, shall not without Loss of Time weigh or draw up the same, it shall be lawful for the Agent or Servants of the said Company of Proprietors, or any of them, to cause such Boat, Barge, or other Vessel to be weighed and drawn up, and detain and keep the same until Payment shall be made of all Expences thereby necessarily incurred or occasioned.

Penalty on  
Persons tak-  
ing or unload-  
ing Goods,  
except at a  
private or  
public Wharf.

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

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

CXVIII. And be it further enacted, That if any Swivel-bridge or Draw-bridge shall be laid for the Use of any public Highway, or for the Accommodation of any Owner or Occupier of Lands parted by the said Canals, over or across the said Canals, or any Trenches or Passages for Water; to be made by virtue of this Act, all and every Person and Persons opening any such Draw-bridge or Swivel-bridge for the Passage of any Boat or other Vessel shall from Time to Time, as soon as such Boat or other Vessel shall have passed such Bridge, shut and fasten the same; and that every Person neglecting so to do shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and in case any such Bridge shall be left open longer than necessary for the Passage of any Boat or other Vessel as aforesaid, through the Neglect or Carelessness of any Person belonging to any such Boat or Vessel, then the Master or Owner of any such Boat or Vessel shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and if any Person or Persons shall wilfully open any such Draw-bridge or Swivel-bridge, when no Vessel is to pass through the same, so as to interrupt a free Passage for Travellers, Cattle, or Carriages, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; all which said Penalties

Penalties or Forfeitures shall go and be applied, one Moiety to the Informer and the other Moiety to the Poor of the Parish where the Offence shall be committed.

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

Penalty on Persons floating Timber on Canals, or otherwise obstructing the Navigation;

and on Persons throwing Ballast, &c. into Canals.

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

CXX. And be it further enacted, That if any Person or Persons shall wilfully, maliciously, and to the Prejudice of the said Navigation, break, throw down, or destroy any Bridge or Bridges, Bank or Banks, Lock or Locks, Erections or Buildings, or other Works to be erected and made by virtue of this Act, every Person so offending, being lawfully convicted, shall be transported as Felons are directed to be transported by the Laws and Statutes of this Realm, for a Term not exceeding Fourteen Years; or otherwise the Court before whom such Person shall be convicted, may in Mitigation of such Punishment (if they shall think fit), award any such other Punishment as the Law directs in Cases of Petit Larceny.

Penalty on Persons wilfully destroying the Banks, &c.

CXXI. And be it further enacted, That if any Person or Persons shall throw, cast, or lay, on any Part of any Bank or Towing-path belonging to the said Canals, any Dung or other Manure, Dust, Ashes, Rubbish, or other Matter otherwise than on the Wharfs and other Places to be made and provided for the loading and unloading of Goods, Wares, and Merchandize, every such Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied in such Manner as other Penalties under this Act are directed to be recovered and applied.

Penalty for leaving Rubbish on the Towing-paths.

CXXII. And be it further enacted, That if any Person or Persons navigating or working or being on board any Boat, Barge, or other Vessel upon the said Canals, shall carry with him or them, or have on

Penalty on Bargesmen carrying Guns or

Nets to take  
or destroy  
Fish or Game.

board any Boat, Barge, or other Vessel, any Fishing Net, Gun, Engine, or other Instrument for taking or destroying Fish or Game (not being qualified by Law so to do), such Person or Persons shall for every such Offence, being convicted thereof before any One Justice of the Peace, on the Confession of the Party offending, or on the Oath of One or more credible Witness or Witnesses, forfeit and pay any Sum not exceeding Five Pounds; and in case any Master or other Person having the Rule or Command of any Boat, Barge, or other Vessel, shall knowingly suffer or permit any Person or Persons (not being duly authorized so to do) to have, carry on board, or make use of any Fishing Net, Gun, Engine, or other Instrument for taking or destroying any Fish or Game, every such Master or Person shall for every such Offence, being in Manner aforesaid convicted thereof, forfeit and pay any Sum not exceeding Five Pounds.

Penalty for  
having on  
board Shafts  
pointed with  
Iron.

CXXIII. And be it further enacted, That no Boat, Barge, or other Vessel, having on board any Pole, Shaft, or Instrument, used or to be used in punting or navigating such Boat, Barge, or other Vessel, pointed or spiked with Iron or otherwise, of less Area at each End thereof than Ten square Inches, shall pass along any Part of the said Canals; and it shall be lawful for the Agents or Servants of the said Company of Proprietors to seize such Poles, Shafts, or Instruments, in case they shall be found on board any such Boat, Barge, or other Vessel; and the Master, Owner, or Person having the Care of such Boat, Barge, or other Vessel, shall forfeit a Sum not exceeding Ten Pounds for every such Pole, Shaft, or Instrument found on board his Boat, Barge, or other Vessel.

No Vessel  
having more  
than Twenty-  
eight Pounds  
of Gunpow-  
der to lie  
within Half  
a Mile of  
Portsmouth,  
Portsea, or  
Chichester.

CXXIV. And be it enacted, That no Barge, Boat, or Vessel, having on board more than Twenty-eight Pounds Weight of Gunpowder, shall stop or lie on any Part of the said Canals hereby intended to be made navigable within Half a Mile of any Part of the Towns of *Portsmouth*, or *Portsea*, or *Chichester*, under Pain of forfeiting and paying any Sum not exceeding Ten Pounds for every Offence, to be recovered in the same Manner as other Penalties in this Act are directed to be recovered.

Right of  
Fishery re-  
served to  
Lords of  
Manors, &c.

CXXV. And be it further enacted, That the Lord or Lords, or Owner or Owners, of all and every Manor or Manors through which the said Canals shall be made, shall have and be entitled to the several and exclusive Right of Fishery of and in so much of the said Canals as shall be made through the Common or Waste Lands within his, her, or their Manor or Manors respectively, or through any other Lands or Grounds lying within such Manor or Manors, wherein such Lord or Lords, or Owner or Owners, now have or hath, or are or is entitled to the Right of Fishery in the Brooks and Waters now being in such last-mentioned Lands or Grounds respectively; and that the Owner or Owners of all other Lands or Grounds through or in which the said Canals and Reservoirs shall be made, shall also have and be entitled to the like Right of Fishery of and in so much of the said Canals and Reservoirs as shall be made through or in his, her, or their Lands or Grounds, so as by the Use and Exercise of any such Right of Fishery as aforesaid, the said Canals, or 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 extracted from or out of the said Canals or Reservoirs; and so as the said Company of Proprietors, or their

their Agents, Servants, or Workmen, or any of them, shall not be liable to any Penalty, Action, or Prosecution, for or by reason of the taking or destroying of any such Fish in the said Canals and Reservoirs, which shall be taken, killed, or destroyed through or by the Means of the necessary letting off the Water out of the same respectively, or for or on account of any Repairs or Works to be done in or about the same.

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

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

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

Canal to be measured, and Stones to be placed every Half Mile.

CXXVIII. And be it further enacted, That the said Canals and other Works hereby authorized to be made as aforesaid, or any of them, shall not be subject or liable to the Control, Directions, Surveys, or Order of any Commissioners of Sewers, or to any Law or Statute relating to Sewers; any thing in any former Law or Statute to the contrary notwithstanding.

Navigation not to be subject to Commissioners of Sewers.

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

Remedy for Damages not before provided for.

Damages as are herein-before provided for, and the Money to be paid as a Recompence for the same.

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

CXXX. Provided always, and be it further enacted, That in all Places where it may be necessary to erect or build any Bridge or Bridges to communicate with any public Carriage Road, the Ascent to every such Bridge for the Purpose of such Road shall not be more than One Foot in Thirteen, and that a good and sufficient Fence shall be made on every Side of such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

If Canal not  
complete  
within the  
Space of Ten  
Years, this  
Act to cease.

CXXXI. Provided always, and be it further enacted, That in case the said intended Canals shall not have been completed and made navigable, so that Boats and Barges may pass along the whole Line (unless prevented by Floods or Tempests, or other inevitable Accidents), within the Space of Ten Years to be computed from the passing of this Act, then, from and immediately after the Expiration of the said Term of Ten Years, all the Powers, Authorities, and Privileges given by this Act shall cease and determine; save only and except of so much (if any) of the said Canals or Cuts, or any other of the Works hereby authorized to be made, as shall have been completed and made navigable, so that the Boats and Barges may pass along the same respectively, within the Term of Ten Years, and as shall have been declared to have been so made navigable within the said Term by the Justices of the Peace of the said Counties of *Sussex* and *Hants* respectively, or either of them, assembled at any Quarter Sessions of the Peace to be holden in and for the same Counties respectively, at any Time before the Expiration of the said Term of Ten Years, or within Twelve Calendar Months next after the Expiration thereof, upon the Evidence of Witnesses upon Oath, to be produced before them for that Purpose.

Recovery of  
Penalties.

CXXXII. And be it further enacted, That all Complaints and Informations of Offences against this Act, or any Rule, Order, or Bye-law to be made in pursuance thereof (except in Cases where the Manner of hearing and determining thereof is herein-before otherwise directed), shall and may be made before any One or more Justice or Justices of the Peace, in the County or Place wherein the Offence shall be committed; and such Justice or Justices is and are hereby authorized and empowered to take Cognizance thereof, and to summon the Person or Persons complained of to appear before him or them; and, upon appearing or not appearing of such Person or Persons pursuant to such Summons, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person, such Justice or Justices shall and may issue a Warrant under his or their Hand and Seal, or Hands and Seals, for levying the Fine, Penalty, or Forfeiture by virtue of this Act imposed for such Offence, by Distress and Sale of the Goods and Chattels of the Person so convicted; and all such Fines, Penalties, and Forfeitures, when recovered, after rendering the Overplus (if any), when demanded, to the Owner of such Goods and Chattels (the Charges of such Distress and Sale being first deducted) shall (where the Application is not otherwise

wise

wise directed by this Act) be paid into the Hands of the Treasurer or Treasurers to the said Company of Proprietors, and shall be applied and disposed of towards defraying the Expences of the said Navigation; and in case sufficient Goods or Chattels of any Person, liable to pay any such Fine, Penalty, or Forfeiture, cannot be found whereon to make such Distress, and such Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction for any Term not exceeding Three Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

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

to wit. } BE it remembered, That on  
 [Time of Conviction] at [Place of Conviction] [Name  
 of Offender] of [Addition of Offender] was duly convicted before me  
 [or us] [Name and Style of convicting Justice or Justices] for that the  
 said [Name of Offender] on [Time of committing Offence] at [Place  
 of committing Offence] did [here state the Offence against the Act  
 according to the Fact] contrary to the Form of the Statute made in  
 the Fifty-seventh Year of the Reign of His Majesty King George the  
 Third, intituled [here set forth the Title of this Act]; and I [or we] do  
 therefore declare and adjudge that the said [Name of Offender] has  
 forfeited for the said Offence the Sum of [Fine] or shall be committed  
 to [Place of Imprisonment] for the Space of [Time of Imprisoning].  
 Given under my Hand and Seal [or our Hands and Seals] the Day and  
 Year first above-written.

CXXXIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money so levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages in an Action upon the Case.

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

[Local.]

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CXXXVI. Pro-

Form of  
Conviction.

Persons tak-  
ing Distress  
irregularly  
not deemed  
Trespassers  
*ab initio*.

Proceedings  
not to be  
quashed for  
Want of  
Form, or re-  
movable by  
Certiorari.



Appeal to  
the Quarter  
Sessions.

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

Boats may  
pass through  
the River  
Wey.

CXXXVII. And whereas the making of the intended Canals and Cuts, and improving the said Navigations, will be of great Benefit to the Trustees or Proprietors of the Navigation of the River *Wey*; and in consideration thereof, and in order to encourage the making the said Canals, and improving the said Navigation, the said Trustees or Proprietors of the Navigation of the River *Wey*, are willing and desirous to permit and suffer all Boats, Barges, and other Vessels, navigating upon and using the said intended Canals or Cuts, or any intermediate Canals or Cuts between the said intended Canals or Cuts and the said River *Wey*, to pass and repass upon the said River *Wey* upon Payment of the Tolls, Rates, or Duties now authorized to be taken on the said River *Wey*; be it therefore enacted by the Authority aforesaid, That all Owners or Persons having the Care or Conduct of any Boats, Barges, or other Vessels, laden or unladen, having passed or which shall pass upon the said intended Canals, Cuts, or any other Canals or Cuts between the said intended Canals or Cuts and the said River *Wey*, or any Part thereof, and which shall have taken up or discharged, or shall be passing to take up or discharge their Loading upon or on the Side of the said Canals or Cuts, or either of them, shall have free Liberty to navigate and use any Part of the said River *Wey*, without obtaining or procuring any Licence or Licences for so doing, upon Payment of the Tolls, Rates, or Duties by Law authorized to be taken upon or for the Use of the said River *Wey*, or upon or for the Use of any Part thereof.

CXXXVIII. Pro-

CXXXVIII. Provided always, and be it further enacted and declared, That all Boats, Barges, and other Vessels using the said intended Canals or Cuts, shall, when upon the River *Wey*, be subject to the like Regulations as any other Boats, Barges, or Vessels using the Navigation of the said River *Wey* are by Law liable to.

Boats on River *Wey* to be subject to Regulations of River *Wey* Navigation.

CXXXIX. And be it further enacted, That if any Action, Suit, or Information shall be brought or commenced by any Person or Persons for any thing done or to be done in pursuance of this Act, or in Execution of the Powers and Authorities, or the Orders and Directions herein-before given or granted, every such Suit or Information shall be brought or commenced within Six Calendar Months next after the Fact shall have been committed, or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing of such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County where the Matter in Dispute shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by 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 than as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; and in such Case also, or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Continuance of his or their Action or Actions, Suits, or Information, after the Defendant or Defendants shall have appeared thereto, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the Recovery of the same as any Defendant or Defendants hath or have in other Cases at Law.

Limitation of Actions.

General Issue.

Treble Costs.

CXL. And whereas the probable Expence of making the said Canals and other Works hereby authorized to be made will, according to an Estimate made thereof, amount to the Sum of One hundred and twenty-five thousand four hundred and forty Pounds, or thereabouts; and the Sum of One hundred thousand four hundred Pounds, being more than Four-fifth Parts thereof of such Expences, has already been subscribed for defraying such Expences, by several Persons under a Contract, binding them, their Heirs, Executors, and Administrators, for the Payment of the several Sums of Money so subscribed by them respectively; be it therefore enacted, That the whole of the said Sum of One hundred and twenty-five thousand four hundred and forty Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

The whole of the probable Expences to be subscribed before the Act is put in force.

CXLI. Provided always, and be it enacted, That nothing herein contained shall be construed to restrain, revoke, or annul, or in anywise affect the Powers of an Act made and passed in the Fifty-fourth Year of the Reign of His present Majesty, intituled *An Act for the better Regulation of the several Ports, Harbours, Roadsteads, Sounds, Channels, Bays, and navigable Rivers in the United Kingdom, and of His Majesty's Docks, Dock Yards,*

Act not to affect the 54G.3.c.159.

*Yards, Arsenals, Wharfs, Moorings, and Stores therein; and for repealing several Acts passed for that Purpose; or the Penalties inflicted on Persons offending against the same; but that the same shall remain in full Force and Effect.*

Saving Rights.

CXLII. Provided also, and be it further enacted, That nothing in this Act contained shall prejudice, lessen, or abridge the Right or Rights, or tend or be construed to defeat, prejudice, lessen, or abridge the Right or Rights of His Majesty, and His Heirs and Successors, and His and their Patentees or Lessees, to any Toll, Custom, or Duties whatsoever.

Rights of Lords of Manors.

CXLIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to lessen or abate, or in any Manner to affect or prejudice the Rights, Titles, or Privileges of the Most Noble *Barnard Edward* Duke of *Norfolk*, the Mayor and Burgesses of the Borough of *Arundel*, or of any Lord or Lords, Lady or Ladies of any Manor or Manors, his, her, or their Heirs, Successors, or Assigns, to any Customs, Tolls, Rights, Profits of Fairs and Markets, Royalties, and all other Things, which are now or shall happen to come within the Limits of their respective Manors, or other Benefits or Advantages belonging or in anywise appertaining to them, or either of them, other than such Tolls, Rates, and Duties as are by this Act authorized and directed to be collected, received, and paid; but that he, she, and they, and all other Person or Persons authorized by him, her, or them, may take away, receive, and enjoy the same as fully and beneficially to all Intents and Purposes whatsoever as if this Act had not been made.

Commissioners of Sewers.

CXLIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to lessen or take away, in any respect whatsoever, the Power of the present or any future Commission of Sewers for the Rapes of *Arundel* and *Chichester* in the said County of *Sussex*, but that the same shall continue in full Force and Effect; and the Commissioners of Sewers for the Time being shall have the same Power, within the Limits appointed by the present or any other Commission of Sewers hereafter to be granted for the said Rapes of *Arundel* and *Chichester*, as such Commissioners would have had in case this Act had not been made, otherwise than as the same may be altered, varied, or abridged by the Powers and Authorities given by this Act.

Saving of the Rights of the Commissioners of Littlehampton Harbour.

CXLV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to allow the Company of Proprietors acting under this Act to scour, deepen, enlarge, or straiten that Part of the River *Arun* now being under the Government, Control, or Superintendence of the Commissioners acting under Two certain Acts of Parliament, the former intituled *An Act for erecting Piers in, and for repairing and keeping in Repair the Harbour of Littlehampton called Arundel Port, in the County of Sussex*; and the latter being for explaining and amending the last-mentioned Act, and for empowering the Commissioners acting under the said Act to improve the Navigation of the River *Arun* from the said Harbour to the Town of *Arundel* in the said County; nor shall any thing herein contained extend to lessen or abate, or in any Manner to affect or prejudice, the Rights, Powers, or Privileges of such last-mentioned Commissioners.

CXLVI. And

**CXLVI.** And whereas the Mayor, Aldermen, and Citizens of the City of *Chichester* are now entitled to certain Rates and Dues upon, for, or in respect of the Goods, Wares, Merchandize, and other Articles loaded, shipped, or landed at, on, or near the Quay or Port of the said City, commonly called *Dell Quay*, situate in the Parish of *Appledram* in the said County of *Sussex*: And whereas considerable Quantities of such Goods, Wares, Merchandize, and other Articles may, after the making such Canals or Cuts as aforesaid, or some or one of them, be loaded, shipped, or landed at or on the Wharfs or Banks, or discharged in or near the Basins belonging to or used for the Purposes of the said Canals or Cuts, or some or one of them, by reason whereof considerable Loss may arise or happen to the said Mayor, Aldermen, and Citizens; be it therefore enacted, That it shall and may be lawful to and for the said Mayor, Aldermen and Citizens, from Time to Time after the making of such Canals or Cuts as aforesaid, or any or either of them, to ask, demand, take, have, and receive all such and the like Dues, Duties, or Payments for or in respect of all such Goods, Wares, Merchandize, and other Articles that shall be loaded, shipped, or landed at or on the Wharfs or Banks, or discharged in or near the Basins of or belonging to or used for the Purposes of the said intended Canals or Cuts, or any or either of them, within the Space of Three Miles to the Westward of the said *Salterns* in the Parish of *Birdham*, or within the Space of Five Miles of the said *Salterns* in any other Direction, as they the said Mayor, Aldermen, and Citizens are now entitled to ask, demand, take, have, or receive for or in respect of any Goods, Wares, Merchandize, or other Articles loaded, shipped, or landed at, on, or near the said Quay or Port called *Dell Quay*; and to collect, sue for, levy, recover, and enforce the Payment of all such Dues, Duties, or Payments respectively, by such and the like Remedies, Ways, Means, or Expedients, as if the said Goods, Wares, Merchandize, or other Articles had been loaded, shipped, or landed at, on, or near to the said Quay or Port called *Dell Quay*; and the said Canals or Cuts, Wharfs, Banks, and Basins situate within Three Miles to the Westward of the said *Salterns*, and within Five Miles of the same in any other Direction, for the Purpose of demanding, collecting, suing for, levying, recovering, and enforcing the Payment of such Dues, Duties, or Payments as aforesaid (but for no other Purpose), shall respectively be deemed, construed, and taken to be within or Part of the Port of the said City of *Chichester*; any thing in this Act or any other Act or Acts of Parliament, Charter, Law, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Corporation of Chichester may receive certain Dues on the Canal.

**CXLVII.** And whereas the Mayor, Aldermen, and Burgesses of the Borough of *Portsmouth* are now entitled to certain Cranage, Wharfage, Petty Customs, and other Dues upon, for, or in respect of the Goods, Wares and Merchandize, and other Articles loaded, shipped, or unloaded at the Quay of the said Borough in the Town of *Portsmouth*: And whereas considerable Quantities of such Goods, Wares, Merchandize, and other Articles, may, after the making such Canal or Cut from the said Harbour of *Langstone* to the said Place called *The Halfway Houses* in the Parish of *Portsea*, be loaded, shipped, or unloaded at or on the Wharfs or Banks, or discharged in or near the Basins belonging to or used for the Purposes of the said Canal or Cut, by reason whereof considerable Loss may arise or happen to the said Mayor, Aldermen, and Burgesses; be it

Corporation of Portsmouth may receive certain Dues on Canal.

[Local.]

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therefore

therefore enacted, That it shall and may be lawful to and for the said Mayor, Aldermen, and Burgesses, from Time to Time, after the making of such Canal or Cut as aforesaid, to ask, demand, take, have, and receive all such and the like Cranage, Wharfage, Petty Customs, and other Dues for or in respect of all Goods, Wares, Merchandize, and other Articles that shall be loaded, shipped, or unloaded at or on the Wharfs, Banks, or discharged in or near the Basins of or belonging to or used for the Purposes of the said intended Canal or Cut, situate at or near *The Halfway Houses*, or on any Part of the said intended Canal or Cut, from the said Harbour of *Langstone* to the said *Halfway Houses*, as they the said Mayor, Aldermen, and Burgesses are now entitled to ask, demand, take, have, or receive for or in respect of any Goods, Wares, Merchandize, or other Articles loaded, shipped, or unloaded at the said Quay of the Borough of *Portsmouth*; and to collect, sue for, recover, levy, and enforce the Payment of such Cranage, Wharfage, Petty Customs, and other Dues, by such and the like Remedies, Ways, Means, or Expedients, as if the said Goods, Wares, Merchandize, or other Articles, had been loaded, shipped, or unloaded at, on, or near to the said Quay of the Borough of *Portsmouth*; any thing in this Act, or any other Act or Acts of Parliament, Charter, Law, Usage, or Custom, to the contrary thereof in anywise notwithstanding.

Exemption  
of Goods in-  
tended for  
the Use of  
the Crown.

CXLVIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to subject to the Payment of the said Cranage, Wharfage, Petty Customs, and other Dues herein-before granted to the said Mayor, Aldermen, and Burgesses, any Goods, Wares, Stores, Merchandize, or other Articles, being the Property of or belonging to, or which shall have been contracted to be delivered to, and which shall be in the Course of Delivery under such Contract, to and for the Use of His Majesty, His Heirs and Successors.

Power to  
collect the  
Dues of the  
Corporation  
of Ports-  
mouth.

CXLIX. And for the better securing to the Mayor, Aldermen, and Burgesses, the said Cranage, Wharfage, Petty Customs, and other Dues herein-before granted, be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby required, so long as the said Mayor, Aldermen, and Burgesses shall consent thereto, to ask, demand, take, and receive, to and for the Use and Benefit of the said Mayor, Aldermen, and Burgesses, the said Cranage, Wharfage, Petty Customs, and other Dues herein-before granted, in such Manner as the said Company of Proprietors are herein-before authorized to ask, demand, take, and receive to and for their own Use and Benefit, the several Rates, Tolls, and Duties herein-before granted to the said Company of Proprietors; and in case of Neglect or Refusal to pay any such Cranage, Wharfage, Petty Customs, and other Dues, or any Part thereof, to use and exercise all such Powers and Authorities for enforcing the Payment thereof, as they are herein-before enabled to use and exercise for enforcing the Payment of the several Rates, Tolls, and Duties herein-before granted to the said Company; and for that Purpose the said Cranage, Wharfage, Petty Customs, and other Dues, shall be taken to be and considered as Rates, Tolls, and Duties payable to the said Company of Proprietors under and by virtue of this Act; and the said Company of Proprietors shall be liable from Time to Time to account with the said Mayor, Aldermen, and Burgesses, for all such Cranage, Wharfage, Petty Customs,  
and

and other Dues, as shall be so taken and received by them, and pay over the same, and shall make Entries of the Receipts of the same in a Book to be kept by them for that Purpose; and the said Mayor, Aldermen, and Burgesses, or such Person as shall be by them lawfully appointed, shall, at all Times during the usual Hours of Business, have Liberty to inspect the said Book, and to take Copies of all or any Part thereof; and the said Mayor, Aldermen, and Burgesses, upon such accounting as aforesaid, shall allow to the said Company of Proprietors the Sum of Ten Pounds for every One hundred Pounds, and so at and after the same Rate for every less Sum of the Monies taken and received by them for such Cranage, Wharfage, Petty Customs, and other Dues as aforesaid.

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

## The SCHEDULE to which the foregoing Act refers.

Counties and Parishes.	Owners.	Occupiers.	Description of Property.
<b>SUSSEX.</b>			
Ford	George Thomas Esq.	Mary Hotston	Wharf.
Yapton	Benjamin Staker	Benjamin Staker	Barn, Yard, &c.
Aldingbourne	William Collins	James Horn and Edward Harvey	Cottages and Gardens.
Do. and Tithing of Lidley	Richard Hasler Esq.	Himself	New Barn and Yarn.
Do. Do.	Miss Barrow	William Uwins	Barn, Yard, and Orchard.
Oving and Tithing of Drayton	Philip Lawrence	Himself	Groves' Coppice.
Donnington	General Crosbie	John Rudwick	Orchard.
Do.	Assignees of the Estate and Effects of William Dearling Esq. now Charles Fogden	John Simms	Cottage and Garden.
Do.	The same	Charles Barnes	Do.
Do.	General Crosbie	Daniel Fogden	Orchard.
Appledram	William Hamilton Esq.	Henry Freeland	Appledram Coppice.
<b>HANTS.</b>			
Widley	His Majesty's Honourable Board of Ordnance	Charles Browning	Garden.
Portsea	Miss White	James Ellis	Rick Yard.
Do.	Richard Godman Temple	Unoccupied	Garden.
Do.	The same	William Poor	Do.
Do.	The same	Robert Hunt	Do.
Do.	The same	William and James Dean	Do.
Do.	Henry Cox	Peter Emery	Do.
Do.	William Cox	Henry Hill Jun.	Do.
Do.	Henry Hill Sen.	Himself	Do.
Do.	Henry Hill Jun.	Himself	Do.
Do.	Henry Grigg Hewitt	Henry Hill Sen.	Do.
Do.	The Mayor and Corporation of the Borough of Portsmouth	William Stroud	Do.
		William Hunt	
Do.	Warden and Fellows of Winchester College	Henry Moody	Do.
		Thomas Thistlethwayte Esq.	
		Thomas Motley	
Do.	The same	Samuel Wheeler	Do.
		Thomas Thistlethwayte Esq.	
		Thomas Motley	Do.
		James Callaway	
Do.	Richard Godman Temple Esq.	William Hunt	Do.
Do.	Trustees of Ridge	John Ivimy	Do.
Do.	Trustees of Ridge	William Hunt	Do.
Do.	Mrs. Mary Hancock	Henry Hill Jun.	Do.
Do.	Trustees of Ridge	John Ivimy	Do.
		Henry Moody	

## SCHEDULE—continued.

Counties and Parishes.	Owners.	Occupiers.	Description of Property.
<b>HANTS—cont.</b>			
Portsea	Richard Godman Temple Esq.	Henry Moody	Garden.
Do.	Mrs. Sarah Goldsmith	Henry Hill Sen.	Do.
Do.	Viscount Powerscourt	Thomas Land Suett William Hunt	Do.
Do.	The same	Thomas Land Suett William Hunt Ambrose Buxey	Do.
Do.	Trustees of Ridge	John Ivimy Henry Moody	Do.
Do.	Samuel Twyford Esq.	John Moses William Hunt	Do.
Do.	Charles Winkworth	Himself	Do.
Do.	Richard Godman Temple Esq.	Stephen Hillier Richard Martin	Do.
Do.	Heirs of the late John Morey	William Clarke Henry Davis Charles Ridgway Thomas Adams William Carter John Ings	Do.
Do.	Heirs of the late John Morey	John Trew John Blundell Thomas Triggs John Crowter Thomas Hannam George Millman John Wells	Do.
Do.	Samuel Twyford Esq.	William Hunt William Clarke Elizabeth Clarke William Harvey John Fowler John Vine John Wells William Higman	Do. Do. Do. Do. Do. Do. Do.
Do.	Lord Viscount Powerscourt	Thomas Land Suett William Hunt Stephen Hillier	Do.
Do.	The Warden and Fellows of Winchester College	Thomas Thistlethwayte, Esq. Thomas Holmes William Rayner	Do.
Do.	Heirs of the late John Morey	John Richards George Ware	Do.
Do.	Lord Viscount Powerscourt	Thomas Land Suett George Munk Jacob Rayner	Do.
Do.	Richard Godman Temple Esq.	Stephen Hill	Do.
Do.	Lord Viscount Powerscourt	Thomas Land Suett George Munk John Lee	Do.
Do.	James Dunning	Himself	House and Garden.
Do.	George Atkins	Himself	Do.
Do.	George Atkins	Sarah Macaree	Do.
Do.	Do.	James Brewer	Do.

[Local.]

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## SCHEDULE—continued.

Counties and Parishes.	Owners.	Occupiers.	Description of Property.
<b>HANTS—cont.</b>			
Portsea	William Wheeler	John Whitfield	House and Garden.
Do.	Thomas Sheridan	John Ings	Do.
Do.	Do.	John Paffard	Do.
		John Berryman	House and Garden.
		Henry Hawkins	
Do.	Thomas Sheridan	George Blakelock	Do.
Do.	Lord Viscount Powerscourt	Thomas Land Suett	Garden.
		Mary Sparrow	
		Francis Harvey	
Do.	William Loney	Himself	House and Yard.
Do.	John Franklin	Himself	Do.
Do.	Lord Viscount Powerscourt	Thomas Land Suett	Garden.
		Mary Sparrow	
		William Gibbs	
		Jane Lucas	
Do.	Henry Pragnell	Himself	House and Garden.
Do.	Lord Viscount Powerscourt	Thomas Land Suett	Do.
		Mary Sparrow	Garden.
		Thomas Payne	Do.
		George Blacklock	Do.
Do.	Do.	Thomas Land Suett	Do.
		Mary Sparrow	
		William Rayner	
Do.	James Woods, a Minor, Mrs. Myrtle, his Mother, and Guardian	George Franklin	House and Garden.
Do.	Lord Viscount Powerscourt	Thomas Land Suett	Garden.
		Mary Sparrow	
Do.	Do.	Daniel Robins	Do.
		Thomas Land Suett	
		Mary Sparrow	
Do.	Warden and Fellows of Winchester College	Thomas Thistlethwayte Esq.	Do.
		Mary Sparrow	
Do.	Do.	Thomas Linnington	Do.
		Thomas Thistlethwayte Esq.	
		Mary Sparrow	
Do.	Do.	James Dean	Do.
		Thomas Thistlethwayte Esq.	
		Mary Sparrow	
		William Wimbow	
Do.	Lord Viscount Powerscourt	Thomas Land Suett	Do.
		John Crabb	
		William Hollister	
		William Warren	
		Sarah Wearn	
		Isaac Cropp	
		John Lucas	
		George Bushell	
		John Davis	
		Susan King	
		Thomas Thompson	
		William Sylvester	
		Samuel Newman	
		Martin Gilbert	
Do.	Henry Welsteed	Martin Gilbert	
		John Williams	
		James Hillman	
		William Attrill	
		William Lambert	

## SCHEDULE—continued.

Counties and Parishes.	Owners.	Occupiers.	Description of Property.
<b>HANTS—cont.</b>			
Portsea	Henry Welstead	Thomas Adams	Garden.
Do.		George Taylor	
		Thomas Furlong	
		Daniel Holly	
Do.	John Lewis and Mrs. Lewis	William Whiffing	Do.
		Thomas Linnington	
Do.	Do.	William Whiffing	Do.
Do.	Do.	William Gibbs	Do.
Do.	Do.	James Hallett	Do.
Do.	Do.	William Bow	Do.
Do.	Do.	George Pragnell	Do.
Do.	Trustees of the late William Pye	Josiah Wadge	Do.
Do.	Henry Wellstead	Himself	Garden, House, Yard, Bakehouse, and other Offices.
Do.	Do.	William Cooper	House and Yard.
Do.	Do.	Mary Kingsford	Do.
Do.	John Keet	George Griffie	Do.
Do.	Josiah Wadge	Himself	Garden.
Do.	Samuel Spicer Esq.	Josiah Wadge	Blacksmith Arms Public House, Yard, Garden and Offices.
Do.	John Cox	William Lewis	House and Yard.
Do.	Henry Worsfield	James Stephens	Do.
Do.	John Cox	James Williams	Do.
Do.	Do.	William M'Leary	Do.
Do.	Do.	Thomas Bird	Do.
Do.	Do.	Himself	Do.
Do.	John Carpenter	Francis Shotter	Do.
Do.	John Cox	Richard Adams	Do.
Do.	James Jeans	James Jeans	Do.
Do.	Devisee in Trust of the late Sir John Carter	William Pink	Do.

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