



ANNO QUADRAGESIMO OCTAVO  
GEORGI II. REGIS.

\*\*\*\*\*

Cap. 3.

An Act for amending and enlarging the Powers of the  
several Acts relating to the *Oxford Canal Navigation*.  
[11th March 1808.]

**W**HEREAS an Act was passed in the Ninth Year of the Reign of  
His present Majesty, intituled, *An Act for making and maintain- 9 G. 3.  
ing a Navigable Canal from the Coventry Canal Navigation to  
the City of Oxford*: And whereas an Act was passed in the Fifteenth Year 15 G. 3. c. 9.  
of the Reign of His present Majesty, intituled, *An Act to amend an Act  
made in the Ninth Year of the Reign of His present Majesty, for making and  
maintaining a Navigable Canal from the Coventry Canal Navigation to the  
City of Oxford*: And whereas an Act was passed in the Twenty-sixth Year 26 G. 3. c. 20.  
of the Reign of His present Majesty, intituled, *An Act to amend and ren-  
der more effectual Two Acts of the Ninth and Fifteenth Years of his present  
Majesty, for making and maintaining a Navigable Canal from the Coventry  
Canal Navigation to the City of Oxford*: And whereas an Act was passed 34 G. 3. c. 103.  
in the Thirty-fourth Year of the Reign of His present Majesty, intituled,  
*An Act for amending and altering certain Acts of Parliament for making and  
maintaining a Navigable Canal from the Coventry Canal Navigation to the  
City of Oxford*: And whereas an Act was passed in the Thirty-ninth Year 39 G. 3. c. 5.  
of the Reign of his present Majesty, intituled, *An Act for explaining, amend-  
ing, and rendering more effectual several Acts, passed in the Ninth, Fifteenth,  
Twenty-sixth, and Thirty-fourth Years of the Reign of His present Majesty,  
for making and maintaining a Navigable Canal from the Coventry Canal Na-  
vigation to the City of Oxford*: And whereas an Act was passed in the Forty- 47 G. 3. c.  
seventh Year of the Reign of His present Majesty, intituled, *An Act for  
amending and altering several Acts for making and maintaining a Navigable  
Canal*  
[Loc. & Per.]



Said Acts declared to be in full Force and Effect.

*Canal from the Coventry Canal Navigation to the City of Oxford*: And whereas the said Canal hath been completed and finished; but the said Acts are in some respects found defective and insufficient for the several Purposes thereby intended, and it is expedient that the Powers and Provisions thereof should be altered, amended, and enlarged: 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 the said recited Acts made in the Ninth, Fifteenth, Twenty-sixth, Thirty-fourth, Thirty-ninth, and Forty-seventh Years of the Reign of His present Majesty, for making and maintaining a Navigable Canal from the *Coventry Canal Navigation* to the *City of Oxford*, and all and every the Tolls, Duties, Clauses, Powers, Exemptions, Rules, Regulations, Remedies, Penalties, Forfeitures, Articles, Matters, and Things whatsoever therein contained (save and except such Parts of the same as relate to any Exemption from Stamp Duties, and as are by this Act varied, altered, or repealed) shall be and the same is and are hereby declared to be in full Force and Effect, and shall be as good, valid, and effectual for carrying the several Purposes of this Act into Execution in as full, ample, and beneficial Manner, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted in the Body of this present Act.

For altering the Place for holding the General Assemblies of the Company.

II. And whereas by the said recited Act, passed in the Fifteenth Year of the Reign of His present Majesty, it was enacted, That it should and might be lawful for the then next General Assembly of Proprietors, to be held for the Purposes of the said Navigation, to meet at the *Three Tuns* in *Banbury* in the County of *Oxford*, or at some other House in *Banbury*, upon *Wednesday* next before the First Day of *May* One thousand seven hundred and seventy-five, and to hold their Meetings upon *Wednesday* next before the First Day of *May*, and *Wednesday* next before the First Day of *September* in every Year for the future, at or before the Hour of Twelve of the Clock at Noon: And whereas the holding of the said General Assemblies of Proprietors at *Banbury* aforesaid has been found at Times inconvenient, and it would for the future be more convenient to have the same holden in the City of *Oxford*, or at some other Place within Six Miles of the Line of the said Canal; be it therefore enacted, That from and after the passing of this Act, so much of the said recited Act as directs the said General Assemblies to meet at *Banbury*, shall be and the same is hereby repealed.

General Assemblies to be held in future at Oxford.

III. And be it further enacted, That it shall and may be lawful for the next Two General Assemblies of Proprietors, to be held for the Purposes of the said Acts and this Act, to meet in the City of *Oxford* upon *Wednesday* next before the First Day of *May*, and *Wednesday* next before the First Day of *September*, One thousand eight hundred and eight, and every subsequent General Assembly of the said Company of Proprietors shall meet in the said City of *Oxford*, on *Wednesday* next before the First Day of *May*, and *Wednesday* next before the First Day of *September* in every Year for the future, at or before the Hour of Twelve of the Clock at Noon: Provided always, that if at any Time or Times it shall appear fitting and convenient to the Committee of the said Company, that such General Assemblies should be held at any other Place than the said City of *Oxford*, then

it



it shall and may be lawful to hold such General Assemblies, at such Place within the Distance of Six Miles of the Line of the said Canal, as to the said Committee may appear proper: Provided always, that in every such Case the said Committee shall cause publick Notice to be given by Advertisement in some Newspaper, printed or circulated in the said County of *Oxford*, and also in the County in which such General Assembly is proposed to be held (if the same be not proposed to be held in the City of *Oxford*) of the Place, Day and Hour of holding any such General Assembly, which Place shall be within the Distance aforesaid, and which Day and Hour shall be and continue the same as if such General Assemblies were continued to be held at *Banbury*, and the said Advertisements for such Purpose shall be published Fourteen Days at least previously to the Day of holding such General Assembly; and all and every the Matters and Things done or executed at the said respective General Assemblies shall be as good, valid, and effectual as if such General Assemblies had been holden at *Banbury*, any Thing in the said recited Acts or any of them to the contrary thereof in anywise notwithstanding.

Notice of  
General As-  
semblies to be  
given.

IV. And whereas by the said Act, passed in the Fifteenth Year of the Reign of His present Majesty, certain Rules, Regulations, and Provisions were enacted for the transferring, producing, notifying, registering, and entering, and otherwise touching and relating, to the Transfers from Time to Time to be made of the Mortgages or Assignments which the said Company were by the said Act authorized to make as Securities for the Money which they were thereby empowered to raise; but such Rules, Regulations, and Provisions are thereby made to apply only to such of the said Securities as are for Sums exceeding One hundred Pounds: And whereas a precise Form of Transfer was by such Act prescribed and required to be endorsed on such Securities: And whereas it is fitting and convenient that such Securities or Assignments, made or granted by the said Company for Sums not exceeding One hundred Pounds, should be subject to the like Rules, Regulations and Provisions as such Securities or Assignments, exceeding the Sum of One hundred Pounds are subject to, and such precise Form of Transfer and Endorsement should not be required; be it therefore enacted, That from and after the passing of this Act, so much of the last-mentioned Act as exempts such Securities or Assignments which do not exceed the Sum of One hundred Pounds, or the Holders or Trustees entitled to the same, from the Rules, Regulations, and Provisions aforesaid, and also so much thereof as requires such precise Form of Transfer and Endorsement, shall be and the same is hereby repealed.

For repealing  
certain Regu-  
lations con-  
tained in 15 G.  
3. respecting  
the Transfer  
of Assignments  
for Sums ex-  
ceeding 100l.

V. And be it further enacted, That in case of any Transfer to be made from and after the passing of this Act, of any of such Securities or Assignments made in pursuance of the said recited Acts or any of them, for any Sum not exceeding One hundred Pounds, all and every the Rules, Regulations, and Provisions contained in the said last-mentioned Act, with regard to the transferring, and of producing, notifying, registering, and entering, and otherwise relating to Transfers of such Securities or Assignments, where the Sum exceeds One hundred Pounds, shall to all Intents and Purposes be in force and be used and applicable with respect to Sums not exceeding One hundred Pounds, and the Holders and other Persons entitled or who may become entitled to such last-mentioned Securities, shall to all Intents and Purposes be bound by and subject thereto; Provided  
always,

Transfers of  
Assignments  
for Money ex-  
ceeding 100l.  
to be subject  
to the same  
Regulations  
as Transfers  
for Sums un-  
der 100l.



always, that it shall not be deemed necessary hereafter, in transferring from Time to Time such Securities, whether for Sums exceeding or for Sums not exceeding One hundred Pounds, to use the precise Form of Words of Transfer in the said Act contained, or to indorse such Transfer on the Back of such Security, but it shall be lawful to use any legal or valid Form of Transfer for all such Securities, of whatever Amount, and to have the same made by a separate Instrument.

Wharfs and  
Warehouses,  
&c. to be es-  
tablished at  
Oxford and  
other Places  
where neces-  
sary.

Power to pur-  
chase Lands  
for those Pur-  
poses.

VI. And whereas the said Company of Proprietors find it expedient and necessary, for the better conducting of the Trade of the said Canal, to establish a Wharf, Warehouses, and other Buildings in the City of *Oxford* aforesaid, and may also hereafter find it expedient and necessary to establish other Wharfs, Warehouses, and other Buildings for the Purpose aforesaid, in other Situations; but the Powers and Provisions of the said recited Acts are insufficient for such Purpose; be it therefore further enacted, That it shall be lawful for the said Company of Proprietors of the said *Oxford* Canal Navigation, and they are hereby authorized to purchase and hold any Lands, Tenements, and Hereditaments which shall or may be found necessary for the Purpose of erecting and building such Wharfs, Warehouses, and other Buildings, accordingly as aforesaid, in such and the same Manner as in and by the said recited Acts or either of them is directed or authorized with respect to such Lands, Tenements, and Hereditaments as have been or shall or may be purchased for the Use of the said *Oxford* Canal Navigation, under and by virtue of the same Acts, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, as aforesaid; and also that it shall be lawful for the said Company of Proprietors of the *Oxford* Canal Navigation to resell in Fee, or to demise for Terms of Years on Chief or other Rents, and also to sell and dispose of, by Way of absolute Sale, for a Consideration in Money, or in Exchange for other Lands, Tenements, or Hereditaments, such Part or Parts of the said Lands, Tenements, or Hereditaments, to be purchased under or by virtue of this Act, and the Edifices, Erections, and Buildings thereon, or to be thereon erected and built, as shall not be wanted for the Purpose of the said *Oxford* Canal Navigation and Works, and likewise to sell all or any Part or Parts of the same Chief or other Rents; provided always nevertheless, that no such Purchase of any such Lands, Tenements, or Hereditaments shall be made, by virtue or under the Authority of this Act, without the Consent of the Owner or Owners, Proprietor or Proprietors of such Lands, Tenements, or Hereditaments, and such Lands so to be made use of for such Wharfs and Buildings shall not exceed Ten Statute Acres in the Whole, any Thing in the said recited Acts, or either of them or this Act, contained to the contrary thereof in anywise notwithstanding.

Repealing a  
certain Part  
of 9 G. 3. re-  
lating to de-  
positing of  
Iron, and  
other Articles  
on the  
Wharfs of the  
said Company.

VII. And be it further enacted, That so much of the recited Act, made in the Ninth Year of the Reign of His present Majesty, as declares that if any Iron, Ironstone, Coals, Lime for the Improvement of Land, or other Goods whatsoever, which should be navigated, carried, or conveyed on the said Canal, should remain upon any Wharf belonging to the said Company of Proprietors, their Successors or Assigns, for above the Space of Twenty-four Hours, then and in such Case it should be lawful for the said Company of Proprietors, their Successors and Assigns, to receive such Allowance over and above the Tonnage Rates therein limited as should be agreed upon between the said Company of Proprietors, their Successors and Assigns, or their



their Agent or Agents, and the Owner or Owners of such Coals and other Goods, or in case of Difference concerning the same, as should be ascertained by the said Commissioners named in the said Act, or any Five or more of them, shall be and the same is hereby repealed, and declared to be null and void to all Intents and Purposes whatsoever.

VIII. And be it further enacted, That from and after the passing of this Act, if any Timber, Iron, Ironstone, Coals, Lime for the Improvement of Land, Goods, Wares, Merchandize, or other Matters or Things navigated or carried on the said Canal, shall be or remain upon any Wharf or Wharfs, Quay or Quays belonging to the said Company of Proprietors, for above the Space of Three Hours, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors to demand and take such Rates and Tolls, over and above and in addition to any other Rates or Tolls that may be demanded and taken for the same, as shall be agreed on between the said Company of Proprietors, or their Agent or Agents, and the Owner or Owners of such Timber, Iron, Ironstone, Coals, Lime, Goods, Wares, Merchandizes, or other Matters or Things, his, her, or their Servant or Servants.

Establishing  
other Regu-  
lations for  
that Purpose.

IX. And whereas it was by the said Act, passed in the Ninth Year of His present Majesty, enacted, That no Boat or other Vessel of less Burthen than Fifteen Tons, should pass through any of the Locks of the said Navigation, without the Consent of the said Company of Proprietors, their Successors and Assigns, or their respective Agents for the Time being, in Writing first had and obtained: And whereas a Doubt has arisen whether a Boat or Vessel not actually laden to the Amount of Fifteen Tons, may pass through any of the said Locks: And whereas it would occasion very great Waste of Water, and be very prejudicial to the said Navigation, if all Boats or Vessels not actually laden to the Amount of Fifteen Tons, were permitted to pass; be it therefore enacted, That no Boat or other Vessel, not actually and *bonâ fide* laden to the full Amount of Fifteen Tons, shall pass through any of the Lock or Locks of the said Navigation without the Consent in Writing of the Committee of the said Company, or the principal Clerk to the same (such Clerk being first duly authorized to give such Consent); except Boats and Vessels, the Whole or greater Part of the Cargo whereof shall consist of light Goods, Merchandize, and other light Articles.

Explaining a  
Doubt as to  
certain Ves-  
sels passing  
through  
Locks on the  
said Canal.

X. And whereas Doubts have arisen how far the said Company of Proprietors are liable to repair the Roads leading to the Bridges already made, or which may happen to be made over the said Canal; be it therefore further enacted, That from and after the passing of this Act, the said Company of Proprietors shall not be liable to repair or amend any Part of the Roads approaching to any Bridge or Bridges made or to be made over the said Canal, after such Roads shall have been first made and used for One Year, and then put into good and sufficient Repair by the said Company of Proprietors, beyond or further than the Extremity of the Wing Walls of any such Bridge or Bridges; but nothing herein contained shall be construed to exonerate the said Company of Proprietors from the future Repairs of all such Bridges, and of the Wing Walls, Ramparts, and side Banks thereof.

Obviating  
certain  
Doubts how  
far the Com-  
pany are liable  
to repair  
Road leading  
to Bridges.

[Loc. & Per.]

N

XI. And

For prevent-  
ing Frauds in  
loading  
Goods, &c.

XI. And whereas Frauds are often practised or attempted to be practised on the said Company of Proprietors, by loading and unloading Goods and Merchandize at improper Places in a clandestine Manner; be it therefore enacted, That if any Person or Persons navigating or having the Care of any Boat, or other Vessel upon the said Canal or Cuts, or any Part thereof respectively, shall, with Intent to avoid the Payment of the Tolls, Rates, or Duties due and payable to the said Company of Proprietors, load, unload, or take into any Boat, or other Vessel, any Goods, Wares, Merchandize, or Commodities whatsoever, liable to pay any of the Tolls, Rates, or Duties due and payable to the said Company, by virtue of the said recited Acts or any of them, at any other Place or Places than at the publick or private Wharfs or Quays upon or belonging to the said Canal or Cuts, without first having obtained a Consent in Writing for that Purpose from the Committee of the said Company, or some or One of the Agents or Collectors of the Tolls of the said Company of Proprietors duly authorized for that Purpose, or if any Person shall do any other Act, with Intent to evade the Payment of any such Tolls, Rates, or Duties, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For repealing  
certain Pow-  
ers in 34 G. 3.  
regulating the  
Passage of  
Boats and Vef-  
sels through  
the Locks, &c.

XII. And whereas it was by the said recited Act, passed in the Thirty-fourth Year of His Majesty's Reign, enacted, That if any Lock Keeper, Wharfinger, or other Servant belonging to or employed by the said Company of Proprietors, should give any undue Preference or shew any Partiality to any Boat or other Vessel in passing through any Lock upon the said Navigation, every Person so offending should forfeit and pay the Sum of Twenty Shillings to the Informer, to be recovered in like Manner as any Penalty was by the said Acts or any of them directed to be recovered; be it therefore further enacted, That it shall not be deemed an undue Preference in any Lock Keeper to permit any Boat or Vessel, Boats or Vessels, carrying Light Goods, Merchandize, or other Articles, and commonly called Fly Boats, to pass any such Lock or Locks, before a Boat or Vessel laden with Coals, Timber, Stones, Lead, or other heavy Articles, in case such Fly Boats shall be within the Distance of Two hundred Yards of such Locks respectively.

Power for the  
Company to  
regulate the  
Size and Shape  
of Boats navi-  
gating the said  
Canal.

XIII. And whereas it is found expedient for the Safety and Preservation of the said Canal and the Locks, Bridges, Banks, and other Works thereof, to regulate the Shape and Form of Boats or Vessels passing thereon; be it enacted, That from and after the passing of this Act, no Boat, or other Vessel, which shall pass a Lock or be navigated upon any Part of the said Cut or Canal, shall have a square Head or Stern, or Projection at the Sides or Bottom thereof, or be constructed in any respect so as to injure or tend to injure the Locks, Bridges, Masonry, Banks, Lining, Puddling, or other Works of the said Canal; and no Boat or Vessel so built as to occasion such Injury, shall be suffered to pass any Lock or be navigated on the said Canal (except by the special Permission of the Committee of the said Company, or their Clerk for that Purpose duly authorized) but the same shall and may be stopped and prevented from passing any Lock or navigating the said Canal by the said Company, their Servants or Agents.

XIV. And



XIV. And be it further enacted, That so much of the said recited Act, made in the Ninth Year of the Reign<sup>d</sup> of His present Majesty, as declares that no Boatman or his Agent or Servants navigating any Boat or other Vessel upon the said Cut or Canal and passing with any Boat or other Vessel through any Lock to be made upon the said Cut or Canal, should suffer the Water to remain in the Lock longer than is necessary for his Boat or other Vessel to pass through any such Lock, and also that every such Boatman or other Person as aforesaid, in going down the said Cut or Canal, should shut the Lower Gates of such Lock before he or they should draw the Cloughs of the Upper Gates thereof, and after he or they should have brought his or their Boat or other Vessel into the said Lock, should shut the Upper Gates before he or they should draw the Clough of the Lower Gate thereof, and in going up the said Cut or Canal should, so soon as he or they should have passed with his or their Boat or other Vessel out of the said Lock, shut the Upper Gates of the said Lock, and afterwards draw the Cloughs of the Lower Gates, unless there should be then a Boat or other Vessel in sight of the said Lock coming down the said Cut or Canal, in which Case the Lower Gates of the said Lock should be left shut, and the Upper Gate should be left open; and in all dry Seasons, when there should be a Scarcity of Water in the said Cut or Canal, the Vessel going up the same, if within sight of and at a Distance not above Three hundred Yards below a Lock, should pass through such Lock before the Vessel coming down, and then the Vessel next above should come down; and if there were more Vessels than One below and above any Lock at the same Time, in such dry Season, within the Distance aforesaid (at which Distance a Post or Mark should be set up or made for that Purpose) such Vessels should go up and come down in such Locks by turns as aforesaid, till all the Vessels going up or coming down should have passed, by which Means One Lock full of Water might serve Two or more Vessels; and every Person offending in any of these Particulars, and being convicted thereof before any Justice of the Peace, upon the Oath of One or more credible Witnesses or Witnesses, as also the Master or other Person having the Command of such Boat or Vessel, should forfeit the Sum of Forty Shillings shall be and the same is hereby repealed and declared to be null and void to all Intents and Purposes whatsoever.

So much of the recited Act 9 G. 3. as respects the navigating Vessels on the Canal, repealed.

XV. And be it further enacted, That from and after the passing of this Act, every Boatman and other Person navigating or having the Care of any Boat or other Vessel, in going down the said Canal from a higher to a lower Level, shall, previously to his bringing his Boat or Vessel into any Lock, shut the Lower Gates of such Lock, and the Paddles or Sluices thereto belonging, before he shall draw the Paddles or Sluices of the upper Gate thereof, and after he shall have guided and brought his Boat or Vessel into the said Lock, he shall then shut the upper Gate thereof, and the Paddles and Sluices thereto belonging, before he shall draw the Paddles or Sluices of the Lower Gates thereof; and in going up the said Canal from a lower to a higher Level, such Boatman or other Person shall first guide his Boat or Vessel into the said Lock, and carefully shut the Lower Gates thereof, and the Paddles or Sluices thereto belonging, before he shall draw the Paddles or Sluices of the Upper Gate thereof, and as soon as he shall have passed with his Boat or Vessel out of the said Lock, such Boatman or other Person shall securely shut the Upper Gate thereof, and the Paddles or Sluices thereto belonging; and

Persons navigating Boats and passing through Locks, to shut the Lower Gates of such Lock before they shall draw the Paddles or Sluices of the Upper Gates.



and at all Times, Boats or Vessels going up the said Cut or Canal, if within sight of any Boat or Vessel coming down, and at a Distance not exceeding Two hundred Yards below any Lock, shall pass through such Lock before the Boat or Vessel coming down, and then the Boat or Vessel above such Lock shall come down; and if there shall be more Boats or Vessels than One below and above any Lock at the same Time, within the Distance aforesaid, such Boats or Vessels shall go up and come down through such Locks, by turns as aforesaid, until all the Boats or Vessels going up or coming down shall have passed the same, in order that One Lock full of Water may serve Two Boats or Vessels; and if any Person or Persons shall offend against any such Provision or Provisions, Rule or Rules, Regulation or Regulations for entering or passing any such Lock or Locks, or for the opening or shutting any Gate or Gates thereof, or for drawing or shutting the Paddles or Sluices thereof or any of them, then and in every such Case every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty on  
Persons wan-  
tonly opening  
Locks, &c.

XVI. And be it further enacted, That if any Person or Persons shall wantonly or unnecessarily open or draw or cause to be opened or drawn any Lock, Paddle, Sluice, or Valve belonging to the said Canal, or when necessarily emptying a Lock for the Purpose of passing into or entering the same, shall neglect to shut the Top Gate thereof and the Paddles or Sluices thereto belonging, before he shall draw the Paddles and Sluices of the Bottom Gates thereof or any of them, or shall wilfully flush or draw off, or cause to be flushed or drawn off the Water from any Part of the said Canal, or shall leave any Gate, Paddle, or Sluice of any Lock open after any Boat or Vessel shall have passed through the same (except in such Cases as are otherwise ordered) he or they shall forfeit for every such Offence any Sum not exceeding Five Pounds.

XVII. And be it further enacted, That so much of the said recited Act, passed in the Fifteenth Year of the Reign of His present Majesty, as declares, that if the said Company of Proprietors, their Successors or Assigns, should fail or neglect to inspect or cause the Mines therein mentioned to be inspected within Thirty-one Days after the Receipt of the Notice thereby required to be given, then it should and might be lawful for the Worker or Workers of such Mines, and he, she, and they were thereby authorized to work and get such Part of the said Mine lying under the said Canal or collateral Cuts of the said Company of Proprietors, or within the Distance of Twelve Yards therefrom, shall be and the same is hereby repealed, and declared to be null and void to all Intents and Purposes whatsoever.

Consent of the  
Company to  
Land Owners  
to work Mines  
not to affect  
the Right to  
Damages.

XVIII. And whereas by the said Act passed in the Ninth Year of the Reign of His present Majesty it was declared, that it should be lawful for the Lords of Manors or Owners of Lands or Grounds upon or through which the said Canal or its Towing-paths, Wharfs, Quays, or Conveniences should be made, to take and carry away the Mines, Minerals, or Quarries, lying within or under such Lands or Grounds not thereby injuring, prejudicing, or obstructing the said Cut or Canal, or its Towing-paths, Wharfs, Quays, Trenches, Sluices, Levels, Passages, Watercourses, or other Conveniences thereof: And whereas by the said Act passed in the Fifteenth Year of the Reign of His present Majesty, all Owners and Proprietors of  
Mines,



Mines, and all other Persons whatsoever, were restrained from working any Mines, or getting any Coals or other Minerals under the said Canal or its Towing-paths, or under any Grounds within the Distance of Twelve Yards from either Side of the said Canal, on any Account whatsoever, without the Consent of the said Company of Proprietors in Writing, under their Common Seal: And whereas Doubts have been raised with respect to the Effect of giving such Consent; be it therefore further enacted, That the giving of such Consent as aforesaid by the said Company of Proprietors, shall not be deemed to be a Waiver on the Part of the said Company, their Successors and Assigns, of any Right to Damages or Reparation for any Injury, Prejudice, or Obstruction done or occasioned to the said Canal or its Towing Paths, Wharfs, Quays or other Conveniences by the working or carrying on such Mines, or getting the said Coals or Minerals within the Distance aforesaid, or under the said Canal or its Towing Paths; but that all such Owner or Owners, Proprietor or Proprietors, or other Persons to whom such Consent may be given, shall notwithstanding the same be given, remain liable to all Suits and Actions, and other Remedies on the Part of the said Company, for any Injury; Prejudice, or Obstruction so occasioned as aforesaid, in the like Manner as they would be and remain liable, either at Common Law, or by virtue of the said recited Act passed in the Ninth Year of the Reign of His said present Majesty, any Thing in the said recited Act to the contrary notwithstanding.

XIX. Provided always, and be it further enacted, That the said Company of Proprietors shall not be called upon or in any Manner liable to pay or make good to any such Owner or Owners, or other Person or Persons as aforesaid, by Way of Compensation, Damages, or in any other Manner whatever, the Expence of sinking any Shaft or Shafts, or of any other Works or Work, Preparation for any Works or Work, or any other Matter or Thing whatsoever, incidental to or done for, towards, or with a View of working the said Mines within the said Distance of Twelve Yards of the said Canal or the collateral Cuts thereof, or incidental to or for, or towards, or with a View of continuing or extending, or proceeding with any such Work or Works, within such Distance as aforesaid, but that all such Expences so contracted shall be deemed to be voluntarily and unnecessarily contracted on the Part of the Persons so contracting the same, and the said Company shall not be required or compelled to pay and discharge such Expences or any of them.

Company not  
to pay for  
sinking of  
shafts, etc.

XX. And whereas it might in some Cases be expedient that the said Company of Proprietors should be authorized to enter into special or particular Agreements with the Owner or Owners of the said Mines, or other Persons working the same, touching the getting Coal and carrying on such Works within the Distance of Twelve Yards aforesaid, upon such Terms and Conditions as may be stipulated or agreed upon on both Sides; be it therefore enacted, That from and after the passing of this Act, it shall be lawful for the said Company of Proprietors, if they shall so think fit, and for the Owner or Owners, or other Person or Persons, if they shall think fit, to enter into any Bond, Covenant, Instrument, or Agreement for or touching the working of the said Mines, or carrying on the said Works under the said Canal, or its collateral Cuts, or within the Distance aforesaid, upon and subject to such Terms and Conditions as may from Time to Time be particularly stipulated and agreed upon in that Behalf, any

Company and  
Owners of  
Lands may  
enter into  
Agreements  
for working  
Mines, etc.  
within the  
Distance of  
Twenty  
Yards from  
the Canal.

[Loc. & Per.]

O

Thing



Thing in the said recited Acts or any of them, or in this Act, contained to the contrary thereof in anywise notwithstanding; and all and every such Bonds, Covenants, Instruments, or Agreements so entered into for such last-mentioned Purposes, shall be to all Intents and Purposes valid and binding on all the Parties thereto.

For the more easy and speedy Conviction of Offenders against the said Acts and this Act.

XXI. And for the more easy and speedy Conviction of Offenders against the said recited Acts or any of them, or this Act; be it further enacted, That every Justice of the Peace, before whom any Person or Persons shall be convicted of any Offence or Offences against the said recited Acts or any of them, or this Act, shall and may cause the Conviction to be drawn up according to the following Form; viz.

Form of Conviction.

‘ BE it remembered, That on the Day of  
 ‘ in the Year of Our Lord  
 ‘ A. B. is convicted before of His Majesty’s Justices  
 ‘ of the Peace for the County of [specifying  
 ‘ the Offence, and the Time and Place when and where committed, as the  
 ‘ Case may be]. Given under my Hand and Seal the Day and Year first  
 ‘ above written.’

For paying the Expences of passing this Act.

XXII. And be it further enacted, That the Costs, Charges, and Expences of applying for, obtaining, and passing this Act, and all Costs, Charges and Expences incident thereto, shall be borne, paid, and defrayed by the said Company of Proprietors of the *Oxford* Canal Navigation, out of any Money received or to be received by virtue of the said recited Acts and this Act.

Publick Act.

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

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
 Printers to the King’s most Excellent Majesty. 1808.