



ANNO PRIMO & SECUNDO

# GEORGII IV. REGIS.

\*\*\*\*\*

## *Cap. xliii.*

An Act to remove Doubts as to the Power of the Commissioners of Exchequer Bills to advance a further Sum of Money to the Regent's Canal Company, and to amend the Acts for making the said Canal. [19th April 1821.]

**W**HEREAS an Act was passed in the Fifty-second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for making and maintaining a navigable Canal from the Grand Junction Canal in the Parish of Paddington, to the River Thames in the Parish of Limehouse, with a Collateral Cut in the Parish of Saint Leonard Shoreditch, in the County of Middlesex*; whereby certain Persons and their Successors were incorporated by the Name of *The Company of Proprietors of the Regent's Canal*, and were thereby empowered to make and maintain the said Canal, and to raise and contribute among themselves, for the Purposes of the said Act, a competent Sum of Money, not exceeding the Sum of Three hundred thousand Pounds in the whole, except as therein is mentioned; and in case the said Sum of Three hundred thousand Pounds should at any Time be found insufficient for the Purposes of the said Act, the said Company of Proprietors were also authorized to raise a further Sum of Money, not exceeding the Sum of One hundred thousand Pounds, in manner therein mentioned: And

[Local.] 15 P whereas

52G.3.c.195.

53 G. 3. c. 32. whereas another Act was passed in the Fifty-third Year of the Reign of His said late Majesty, intituled *An Act to amend an Act of the last Session of Parliament, for making and maintaining a navigable Canal, from the Grand Junction Canal in the Parish of Paddington, to the River Thames in the Parish of Limehouse, with a Collateral Cut in the Parish of Saint Leonard Shoreditch, in the County of Middlesex* : And whereas another Act was passed in the Fifty-sixth Year of the

56 G. 3. c. 85. Reign of His said late Majesty, intituled *An Act for altering and amending an Act made in the Fifty-second Year of His present Majesty, for making a Canal from the Grand Junction Canal in the Parish of Paddington, to the River Thames in the Parish of Limehouse* ; whereby the said Company of Proprietors of the Regent's Canal were authorized to raise any Sum or Sums of Money, not exceeding in the whole the Sum of Two hundred thousand Pounds, to be applied in defraying the Expence of carrying on and completing the said several Works so authorized to be done and completed as aforesaid : And

57 G. 3. c. 34. whereas by an Act passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain in manner therein mentioned* ; and which Act was amended by another Act passed in the said Fifty-seventh Year of the

57 G. 3. c. 124. Reign of His said late Majesty, intituled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor*, it was enacted, that it should be lawful for the King's most Excellent Majesty to authorize and empower the Commissioners of His Majesty's Treasury to cause or direct any Number of Exchequer Bills to be made out at His Majesty's Exchequer in *Great Britain*, not exceeding in the whole the Sum of One million five hundred thousand Pounds, to be issued to certain Commissioners in the said Act named, for the Execution of the said Act in *Great Britain*, and to be by the said Commissioners lent and advanced for the Purposes in the said several Acts respectively mentioned, upon the Terms and Conditions in the said Acts specified and set forth : And whereas the Commissioners acting in the Execution of the said recited Acts of the Fifty-seventh Year of the Reign of His said late Majesty, have, by virtue of the said recited Acts, advanced and lent to the said Company of Proprietors the Sum of Two hundred thousand Pounds in Exchequer Bills, by Four equal Instalments of Fifty thousand Pounds each ; and as a Preliminary to such Loan the said Commissioners required that the said Company of Proprietors should previously expend from their own Resources, in and about the Works of the said Navigation and Undertaking, the Sum of One hundred thousand Pounds, which the said Company of Proprietors have accordingly done : And whereas the said Advance was made to the said Company of Proprietors, upon the Security of Four several Indentures of Mortgage, under the Common Seal of the said Company of Proprietors, and bearing Date respectively the Sixteenth Day of *June* and the Tenth Day of *December* One thousand eight hundred and eighteen, and the Twenty-second Day of *July* and Twenty-ninth Day of *September* One thousand eight

hundred and nineteen; whereby, for the Considerations therein mentioned, the said Company of Proprietors assigned to the Secretary of the said Commissioners all and every the Rates, Tolls, and Receipts of and belonging to the said Company, and also the said Navigation and Undertaking, and all the Right, Title, and Interest of the said Company of, in, and unto the same, and other the Premises therein mentioned, subject to Redemption by the said Company in manner therein mentioned: And whereas in the Progress of the Works of the said Canal and Undertaking divers Improvements and an Extension of the said Undertaking were suggested, particularly the Conversion of the intended Basin at *Limehouse* and *Ratcliffe* from a Barge to a Ship Basin, and a Variation of the Collateral Cut of the said Canal, by making a Cut from and out of the said Canal, to terminate with a Basin or Dock at the *City Road*, in the Parish of *Islington*, otherwise *Saint Mary Islington* and *Saint Luke*, otherwise *Saint Luke Old Street*, in the County of *Middlesex*; and in order to accomplish such new and additional Works an Act was passed in the Fifty-ninth Year of the Reign of His said late Majesty, intituled *An Act for altering and amending the several Acts passed for making a Canal from the Grand Junction Canal in the Parish of Paddington, to the River Thames in the Parish of Limehouse, in the County of Middlesex*; whereby the said Company of Proprietors were empowered to make and maintain a Cut or Canal from and out of the said Regent's Canal, and to terminate with a Basin or Dock at the *City Road* in the Parish of *Islington*, otherwise *Saint Mary Islington*, and *Saint Luke*, otherwise *Saint Luke Old Street*, in the said County of *Middlesex*; and also to convert the intended Barge Basin in the Parish of *Saint Anne Limehouse*, and the Hamlet of *Ratcliffe* in the Parish of *Saint Dunstan Stepney*, in the said County of *Middlesex*, into a Basin for the Reception of Ships; and to the end that the said Company of Proprietors might be enabled to carry on and complete the said Improvements and Extension of the said Undertaking, they were thereby empowered to raise the further Sum of Two hundred thousand Pounds, by all or any of the Ways or Means by which the said Company of Proprietors were authorized to raise any Money by virtue of the said recited Acts, or any or either of them: And whereas in effecting such new and additional Works the said Company of Proprietors have expended the Sum of One hundred and thirty-five thousand Pounds, beyond the One hundred thousand Pounds expended as One of the Conditions of the said Loan of Two hundred thousand Pounds, whereby the Public Security on the said Canal and Works hath been considerably increased in Value: And whereas another Act passed in the First Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King George the Third, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on of Public Works and Fisheries and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in Great Britain*: And whereas the said Company of Proprietors have, in conformity to the Provisions of the said several Indentures of Mortgage, repaid to the said Commissioners sundry Instalments of the said Loan, which Repayments of Principal and Interest amount in the whole to the Sum

59 G. 3. c. 66.

1 G. 4. c. 60.

Power for the Commissioners of Exchequer Bills to advance an additional Sum to the Regent's Canal Company.

Sum of Twenty-nine thousand seven hundred and fifty Pounds, and owing to unforeseen Delays in the Completion of the said Navigation and Undertaking, no sufficient Revenue hath yet been received by the said Company of Proprietors to meet such Repayments: And whereas the Security to the said Commissioners comprehended all the Canal and Works, except such Land as the said Company of Proprietors of the Regent's Canal were authorized to sell as not wanted for the Purposes of the said Canal: And whereas for the full and entire Completion of the said Improvements, and Extension of the said Canal and Undertaking, a further Sum has been found necessary: And whereas the said Company of Proprietors have applied to the said Commissioners for a further Advance or Loan, and have, in addition to the Security already given to the said Commissioners, tendered as further Security certain Land which the said Company of Proprietors were authorized to sell as not wanted for the Purposes of the said Canal, and which was excepted out of the said several Indentures of Mortgage, together with the Wharfs and Premises erected thereon, now in the Possession of the said Company of Proprietors or their Tenants; but Doubts have arisen, whether, under the Provisions of the said recited Acts of the Fifty-seventh Year of His late Majesty's Reign, and of the First Year of the Reign of His present Majesty, the said Commissioners are authorized to make any further Advance to the said Company of Proprietors: And whereas it is expedient, as a further Security to the Public with Reference to the Money already advanced, that the said Improvements and Extension of the said Canal and Undertaking should be fully completed, and that for such Purpose the said Company of Proprietors should have Authority to raise a further Sum of Money for the Completion thereof, and that some of the Powers and Provisions of the said recited Acts of the Fifty-second, Fifty-third, Fifty-sixth, and Fifty-ninth Years of the Reign of His said late Majesty should be altered and amended: 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 it shall be lawful for the said Commissioners acting in the Execution of the said recited Acts of the Fifty-seventh Year of the Reign of His said late Majesty, and of the First Year of the Reign of His present Majesty, to make any further Advance of Money not exceeding the Sum of One hundred thousand Pounds unto the said Company of Proprietors of the Regent's Canal, in aid of the said Improvements and Extension of the said several Works and Undertaking, upon the Credit of the Rates; Rents, Tolls, or Profits arising from the said Canal and Works, and the further or additional Security herein-before and herein-after mentioned: Provided that the said Commissioners shall be satisfied of the Expediency of the said Advance, and that a further Charge on the said Canal and Works, together with the additional Security of the said Land not wanted for the Purposes of the said Canal, and which at the Time of the passing of this Act shall remain unsold, and all Wharfs, Leases, and Premises erected thereon or connected therewith, (and which last-mentioned Land, Wharfs, Leases, and Premises, the said Company of Proprietors of the Regent's Canal are hereby empowered and

and authorized to convey, assign, and make over to the said Commissioners as herein-after mentioned, as an additional Security for such further Advance), shall be an adequate Security for the same; and provided that such Security shall be given in such Manner and Form, and upon such Terms and Conditions as the said Commissioners shall direct and appoint, any thing in the said recited Acts or any or either of them contained to the contrary in anywise notwithstanding: Provided always, that on the Money so to be further advanced, there be paid an Interest after the Rate of Five Pounds *per Centum per Annum*, and that the Principal Money so advanced shall be repaid by an annual Instalment of not less than Five Pounds *per Centum per Annum* on the Amount of the Principal advanced, in such Manner as the said Commissioners shall direct and appoint, and as shall be specified in the said further Mortgage or Assignment, or other Security or Securities which shall be made to the said Commissioners in manner aforesaid: And provided always, that nothing in this Act contained shall extend or be construed to extend to invalidate, defeat, make void, or in any Manner incumber or affect the Securities already given by the said Company of Proprietors to the Secretary of the said Commissioners as aforesaid; any thing herein contained to the contrary thereof in anywise notwithstanding.

Not to invalidate former Securities.

II. And be it further enacted, That from and after the passing of this Act, notwithstanding any Mortgage or other Security or Securities to be given and executed by the said Company to the said Commissioners as herein-before is mentioned, it shall and may be lawful to and for the said Company of Proprietors of the Regent's Canal and their Successors, with the Privity, Consent, and Approbation of any Three or more of the said Commissioners, testified in Writing, in such Manner and Form, and upon such Terms and Conditions as the said Commissioners shall think fit, to contract and agree to let, for the Purpose of a Wharf or Wharfs, and for erecting Houses and Buildings connected with Wharfs, and afterwards, without any further Consent or at once with such Consent without a previous Contract, to demise and lease unto any Person or Persons willing to take the same, and his, her, or their Executors, Administrators, or Assigns, all or any Part or Parts of the Land belonging to the said Company of Proprietors of the Regent's Canal, and over which the said Company have the Right of Sale, as not wanted for the Purposes of the said Canal, and which Land shall or may after the passing of this Act be mortgaged or put in Security to the said Commissioners, under and by virtue of this Act, for any Term or Terms, and for such Rent or Rents, and under and subject to such Stipulations and Conditions as they the said Company of Proprietors of the Regent's Canal, with the Privity, Consent, and Approbation of the said Commissioners, testified in manner aforesaid, shall think proper and deem expedient.

Leases of Wharfs not to be granted without the Consent of Commissioners.

III. And to the end that the said Company of Proprietors of the Regent's Canal may be enabled to carry on and complete the said Undertaking, be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, to raise the further Sum of Two hundred thousand

Power to raise an additional Sum of Money.

[*Local.*]

15 Q

Pounds,

Pounds, over and above the several Sums of Two hundred thousand Pounds, One hundred thousand Pounds, Two hundred thousand Pounds, and Two hundred thousand Pounds authorized to be raised; the same Sum of Two hundred thousand Pounds to be raised by all or any or either of the Ways or Means by which the said Company of Proprietors are authorized to raise any Money by virtue of the said recited Acts of the Fifty-second, Fifty-third, Fifty-sixth, and Fifty-ninth Years of His said late Majesty's Reign, or either of them.

Saving the Rights of the Grand Junction Canal Company.

59 G. 3. c. cxi.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner prejudice, diminish, extend, alter, or take away any of the Rights, Powers, or Authorities granted to the Company of Proprietors of the Grand Junction Canal, by an Act of Parliament passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to vary and alter certain Acts of His present Majesty, relating to the Grand Junction Canal, the Grand Junction Water Works, and the Regent's Canal, in order to effect an Exchange of Water for the better Supply of the Regent's Canal Navigation and Grand Junction Water Works.*

Expences of Act.

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

Public Act.

VI. 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.

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1829.