

5 & 6 W. 4.
c. 34.

2 & 3 Vict.
c. 61.

the *Wyrley* and *Essington* Canal Navigation, and the said Company of Proprietors were thereby authorized to make, complete, and maintain a navigable Canal from the said *Wyrley* and *Essington* Canal then cutting or intended to be cut at or near *Birchills* in the Parish of *Walsall* in the said County of *Stafford*, to communicate with the *Coventry* Canal Navigation at or near *Huddlesford* in the same County, and also to make, complete, and maintain the collateral Cuts in the same Act mentioned: And whereas an Act was passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and extend the Powers and Provisions of the several Acts relating to the Birmingham Canal Navigations*, and by the same Act it was amongst other things enacted, that certain Acts therein recited should be wholly or partially repealed, and certain Persons, Bodies Politic and Corporate, were thereby re-incorporated as a Company, by the Name of "The Company of Proprietors of the *Birmingham* Canal Navigations," for the Purpose of supporting and maintaining all and singular the Canals, Cuts, Branches, Extensions, and Communications in the said Act now in recital mentioned or referred to, and also for making, supporting, and maintaining the several further Cuts or Canals and other Works thereby authorized to be made: And whereas an Act was passed in the Third Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for enabling the Company of Proprietors of the Birmingham Canal Navigations to make a new Cut, and for extending and altering some of the Provisions of their present Act*, and by the same Act the said Company of Proprietors of the *Birmingham* Canal Navigations were authorized and empowered to make, complete, and maintain the further Cut or Canal in the same Act mentioned, and certain of the Provisions in the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth were by the said Act now in recital extended and altered: And whereas the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation have, in pursuance of the said recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third, made and constructed the said several Canals by the same Acts authorized to be made, together with divers Works and Conveniences by the said respective Acts also authorized to be made; except the collateral Cut by the said recited Act of the Thirty-second Year of the Reign of His said late Majesty authorized to be made from the said *Wyrley* and *Essington* Canal into a certain Estate called *Stowe Heath*, and another collateral Cut from the same Canal, at or near a Place called *Pool Hayes*, into the *Ashmore Park* Estate, and another collateral Cut from the same Canal, at or near *Lapley Hayes*, into other Part of the said *Ashmore Park* Estate: And whereas the said Company of Proprietors of the *Birmingham* Canal Navigations have, in pursuance of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, made and constructed the several collateral Cuts and Works thereby authorized to be made, except a small Part of the Canal thereby authorized to be made, and called the *Titford* Canal: And whereas the said Cut or Canal and Works by the said recited Act of the Third Year of the Reign of Her said present Majesty authorized to be made, completed, and maintained, have not yet been made and

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completed: And whereas it would be of Advantage to the Public, and highly beneficial to the Proprietors of the said respective Companies, if the said *Wyrley* and *Essington* Canal Navigation were consolidated with the said *Birmingham* Canal Navigations, and the several Persons and Corporations now constituting the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation were incorporated and united with the said Company of Proprietors of the *Birmingham* Canal Navigations in manner herein-after mentioned: And whereas it would also be of Advantage to the Public, and to the said Company of Proprietors of the *Birmingham* Canal Navigations, if Power were given to the said Company to make and maintain a navigable Cut or Canal from and out of a Branch of the said *Wyrley* and *Essington* Canal Navigation called the *Daw End* Branch, to commence at a Point between the *Long Wood Bridge* and *Squash Lane Bridge*, in a Field belonging to *Thomas Dilke* Esquire, in the Occupation of *John Holt*, in the Township and Parish of *Rushall* in the County of *Stafford* aforesaid, and to terminate by a Junction with the intended new Cut of the said *Birmingham* Canal Navigations in the Township of *Great Barr* in the Parish of *Aldridge* in the said County of *Stafford*; and another Cut or Canal from and out of that Part of the said *Wyrley* and *Essington* Canal Navigation called or intended to be called the *Wednesfield* Canal, to commence near a Farm-house in the Occupation of *John Morris*, situate at *New Cross* in the Township of *Wednesfield*, and to terminate by a Junction with that Part of the said *Birmingham* Canal Navigations called the *Anson* Branch, in a Field belonging to the Earl of *Lichfield*, in the Occupation of *Henry Eld*, situate in the Liberty or Township of *Bentley* in the Parish of *Wolverhampton* aforesaid; and also another Cut or Canal from and out of the said last-mentioned proposed Cut or Canal, to commence in a Field called the *Long Meadow*, belonging to *Thomas Perry* Esquire, in the Occupation of *Thomas Taylor*, situate in the said Township of *Wednesfield*, and to terminate in a Field called the *Harpers*, belonging to the Reverend *John Clemson Egginton*, in the Occupation of *John Fisher*, situate in the Township of *Willenhall*; but the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act the said recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third shall be and the same are respectively hereby repealed: Provided nevertheless, that the repealing of the said Acts, or either of them, shall not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance, Grant, Security, Act, Matter, or Thing whatsoever heretofore made, done, executed, commenced, or instituted under or by virtue or in pursuance of the said repealed Acts, or either of them, but that all such Purchases, Sales, Conveyances, Grants, Securities, Acts, Matters, and Things shall be and the same are hereby declared to be as good, valid, and effectual to all Intents and Purposes whatsoever as if the said Acts were not hereby repealed: Provided always,

Recited Acts repealed.

Not to affect any Purchase, &c. under repealed Acts;

nor the Right and Interest of

to

Owners of
Furnaces,
&c. to private
Branches,
Cuts, Sluices,
Railways,
and other
Works.

to extend, to affect or prejudice in any respect the Right and Interest of the several Proprietors, Lessees, or Occupiers of Furnaces, Forges, Mills, Lands, Mines, Minerals, and other Works, in and to the several private Branches, Cuts, Sluices, Basins, and Railways made in pursuance of the Powers and Provisions contained in the said repealed Acts, or either of them, or with the Consent of the Owners, and communicating with the said Canals, Cuts, Branches, Extensions, and Communications made by or for the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, but that such several Proprietors, Lessees, and Occupiers shall have, use, and enjoy the same Rights and Privileges, in respect only of such private Branches, Cuts, Sluices, Basins, and Railways, as immediately before the passing of this Act they were respectively entitled to have, use, and enjoy under or by virtue of the said repealed Acts, or either of them, as fully and effectually in all respects as if the same had not been hereby respectively repealed.

Incorporation of *Wyrley* and *Essington* Canal Company with *Birmingham* Company.

II. And be it further enacted, That from and immediately after the passing of this Act the several and respective Persons and Corporations who immediately before the passing of this Act were Proprietors of any Share or Shares of and in the Capital or Joint Stock of the same Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation shall be and they are hereby united and incorporated with the said Company of Proprietors of the *Birmingham* Canal Navigations.

Canals and Works of *Wyrley* and *Essington* Canal Company vested in *Birmingham* Canal Company.

III. And be it further enacted, That from and immediately after the passing of this Act all and singular the Canals and Cuts heretofore made or executed by or for the Use of the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, or which otherwise are or may be or immediately before the passing of this Act were vested in the same Company of Proprietors, together with all Reservoirs, Aqueducts, Feeders, Water Tanks, Basins, Pens, Dams, Embankments, Weirs, Locks, Sluices, Culverts, Drains, Soughs, Tunnels, Arches, Piers, Bridges, Fences, Gates, Ways, Roads, Railroads, Towing Paths, Landing Places, Docks, Quays, Wharfs, Warehouses, Toll Houses, Houses, and other Buildings, Cranes, Weighing Machines, Engines, and other Works and Appurtenances to the same Canals, Cuts, Branches, Extensions, and Communications and other Works thereto respectively belonging, and the Ground and Soil thereof respectively, and all and every other the Lands, Tenements, and Hereditaments, Easements and Appurtenances whatsoever, of or to which the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation were by virtue of the said several recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third, or either of them, or by any other Means whatsoever, seised, possessed, or entitled at Law or in Equity immediately before the passing of this Act, shall belong to and the same are hereby vested in the said Company of Proprietors of the *Birmingham* Canal Navigations, and shall henceforth form Part of the said *Birmingham* Canal Navigations and of the Joint Stock or Capital of the said Company of Proprietors of the *Birmingham* Canal Navigations; and further, that the said Company of Proprietors of the *Birmingham* Canal Navigations shall have

have and be entitled to the like Powers, Authorities, Privileges, and Indemnities in, over, upon, and in respect of the said several Branch Canals made by the Proprietors, Lessees, or Occupiers of any Mine of Coal, Ironstone, Limestone, or other Minerals, or of any Furnace, Forge, or other Work under or by virtue of the said recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third, or either of them, as the same Company of Proprietors have and are entitled to in, over, upon, and in respect of the Branch Canals by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth authorized to be made by any Proprietor of any Mine of Coal, Ironstone, Limestone, or other Minerals.

IV. And be it further enacted, That from and immediately after the passing of this Act all the Monies, Goods, Chattels, Effects, Bonds, Deeds, Books, Writings, Maps, Plans, and Personal Estate of the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation shall be and the same are hereby vested in the said Company of Proprietors of the *Birmingham* Canal Navigations; and all Books, Deeds, and Papers relating to the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, or to the Shares in the said Company, and now in the Custody of the said Company or their Clerk, though not actually belonging to the said Company, shall be transferred to and remain in the Custody of the said Company of Proprietors of the *Birmingham* Canal Navigations; and all Persons and Corporations who immediately before the passing of this Act owed any Sum to the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation shall pay the same, together with all Interest (if any) due or to accrue due for the same respectively, to the said Company of Proprietors of the *Birmingham* Canal Navigations; and all Debts which immediately before the passing of this Act were due and owing by the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, and all Interest (if any) due and to accrue due thereon, shall be paid by the said Company of Proprietors of the *Birmingham* Canal Navigations.

Personal Estate, Debts, and Liabilities of *Wyrley* and *Essington* Canal Company vested in *Birmingham* Canal Company.

V. And whereas, under or by virtue of the said recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third, the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation were authorized and empowered, in manner in the same Acts respectively mentioned, to raise certain Sums of Money not exceeding in the whole the Amounts therein respectively mentioned, for making and completing the said respective Canals and Works by the said respective Acts authorized to be made: And whereas, besides raising Part of the said Sums in the Manner prescribed by the said Acts, the Members for the Time being of the Committee of the said *Wyrley* and *Essington* Canal Navigation, or some of the said Members, have from Time to Time borrowed and raised, on behalf of the same Company of Proprietors, for the Purpose of the same Canal Navigation, divers other Sums of Money on their joint or several Bonds or Obligations in Writing or on other personal Securities in their own Names: And whereas the Sums now remaining due and owing upon or in respect

Bonds of the *Wyrley* and *Essington* Canal Committee rendered valid.

of such Bonds, Obligations, and Securities amount together to the Sum of Six thousand three hundred Pounds: And whereas it is conceived that the Sums borrowed and raised on the said Bonds, Obligations, and Securities, not having been raised in the Manner prescribed by the said Acts, were consequently not binding on the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, but that the respective Holders of or Persons entitled to the said Bonds, Obligations, and Securities have no Remedy except against the Persons executing the same respectively, and their Representatives and Estates: And whereas it is expedient that Validity should be given to the said Bonds, Obligations, and Securities, and that the same should be made binding upon and against the said Company of Proprietors of the *Birmingham* Canal Navigations, and that the several Persons who executed the same, and their respective Representatives and Estates, should be indemnified from all Liability in respect thereof; be it therefore further enacted, That all and every the said Bonds, Obligations, and Securities shall, for the Purposes of this Act, be considered to all Intents and Purposes as Debts due and owing previously to the passing of this Act by the Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, and as if the several Sums of Money thereby secured had been raised, and the said Bonds, Obligations, and Securities made and executed, in pursuance of the Powers for that Purpose contained in the said respective Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third, and shall accordingly be binding on the said Company of Proprietors of the *Birmingham* Canal Navigations, and the same Company shall save harmless and indemnify the several Persons who executed the same respectively, their Heirs, Executors, and Administrators, and their respective Estates, Goods, and Chattels, from all Liabilities under or in respect of such Bonds, Obligations, and Securities; and the several and respective Holders of and other Persons entitled to such Bonds, Obligations, and Securities shall and may have such Rights and Remedies for recovering the Sum or Sums, and Interest, thereby respectively secured, from and against the said Company of Proprietors of the *Birmingham* Canal Navigations, as if such Bonds, Obligations, and Securities had been lawfully entered into by the same Company; and also that it shall and may be lawful to and for the said Company of Proprietors of the *Birmingham* Canal Navigations to execute Mortgages for all or any of the Principal Sums and Interest due on such respective Bonds, Obligations, and Securities, in like Manner as they are in and by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth authorized and empowered to execute Mortgages for any Monies to be raised by them for the Purposes of the same Act; and such additional Mortgages (if any) hereby authorized to be made shall be in the Form provided by the same Act, or as near thereto as the Difference in the Circumstances of the Case will permit.

Tolls payable to
Wyrley and
Essington

VI. And be it further enacted, That all Rates and Tolls which under or by virtue of the said recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George*

George the Third, or either of them, or any other Acts or Act, were immediately before the passing of this Act due and payable, or then accruing due to the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, shall be and become due and payable to the said Company of Proprietors of the *Birmingham* Canal Navigations, and shall and may be asked, demanded, received, collected, and recovered by the said Company of Proprietors of the *Birmingham* Canal Navigations by the same Ways and Means, and under the same Restrictions and Regulations, and with the same Penalties in respect thereof, as the Tolls authorized and empowered to be asked, demanded, received, and recovered by the said Company of Proprietors of the *Birmingham* Canal Navigations in and by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth are thereby authorized and empowered to be asked, demanded, received, and recovered; and all Conveyances, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the passing of this Act, to, with, in favour of, or by or for the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, shall be and remain as good, valid, and effectual, in favour of, against, and with reference to the said Company of Proprietors of the *Birmingham* Canal Navigations, and may be proceeded on and enforced in the same Manner, by or against the said Company of Proprietors of the *Birmingham* Canal Navigations, to all Intents and Purposes as if the said Company of Proprietors of the *Birmingham* Canal Navigations had been a Party to and executed the same, or had been respectively named or referred to therein, instead of the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation.

Canal Company to be received and recovered by Birmingham Canal Company.

Conveyances, Contracts, and Securities made in favour of Wyrley and Essington Canal Company to be for the Benefit of Birmingham Canal Company.

VII. And be it further enacted, That all Tolls made or imposed under or by virtue of the said recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third, or either of them, and which immediately before the passing of this Act were payable, or if this Act had not passed would have become payable, to the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, shall be payable to the said Company of Proprietors of the *Birmingham* Canal Navigations, until the new Tolls herein-after authorized to be imposed by the said Company of Proprietors of the *Birmingham* Canal Navigations in lieu and instead thereof respectively shall have been actually fixed and imposed by the said Company, under the Power for that Purpose herein-after contained, which they are hereby required to fix and determine within the Period of Two Calendar Months from the passing of this Act, and shall and may be collected and recovered by such Means and under such Restrictions and Regulations, as any Tolls to be received in pursuance of this Act may be collected or recovered.

Tolls now payable to continue till altered.

VIII. And be it further enacted, That all Powers, Provisions, Matters, and Things, except Tolls, reserved, contained, or granted in or by any Act of Parliament (other than the said recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third) to or for the Benefit of the said Company

Certain Powers, &c. granted by other Acts to the Wyrley and Essington

Canal Company to be exercised by the Birmingham Canal Company.

Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, and not since repealed, shall, notwithstanding the Repeal of the said herein-before recited Acts, be of the like Force, Operation, and Effect as if the same Acts had not been repealed, and shall appertain and attach to, and be exercised and enforced by, the said Company of Proprietors of the *Birmingham* Canal Navigations, in as full and effectual a Manner, to all Intents and Purposes whatsoever, as if the same had in and by such other Act of Parliament as aforesaid been expressly reserved, contained, or granted to or for the Benefit of the same Company.

Actions, &c. not to abate.

IX. And be it further enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation previously to the passing of this Act shall abate or be discontinued or prejudicially affected by this Act but on the contrary that the same shall continue and take effect both in favour of and against the said Company of Proprietors of the *Birmingham* Canal Navigations, in the same Manner in all respects as the same would have continued and taken effect in relation to the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation if this Act had not been passed; and also, that all Penalties incurred by any Offence against the Provisions of the said hereby repealed Acts, or either of them, previously to the passing of this Act, shall and may be sued for, and all Offences which may have been committed before the passing of this Act against the Provisions of the said hereby repealed Acts, or either of them, may be prosecuted in such or the like Manner, to all Intents and Purposes, as the same might have been sued for and prosecuted respectively if this Act had not been passed, the said Company of Proprietors of the *Birmingham* Canal Navigations being, in reference to the Matters aforesaid, in all respects substituted in the Place of the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation.

Penalties to be recoverable.

Provisions of Birmingham Canal Acts extended to this Act.

X. And be it further enacted, That, from and after the passing of this Act, all and singular the Enactments, Powers, Authorities, Provisions, Directions, Constructions, Interpretations, Restrictions, Penalties, Forfeitures, Payments, Exemptions, Indemnities, Remedies, Rules, Regulations, Clauses, Matters, and Things in the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and in the said recited Act of the Third Year of the Reign of Her said present Majesty, or in either of the same Acts contained, and whether relating to the said Company of Proprietors of the *Birmingham* Canal Navigations or to the Public at large, or otherwise howsoever, and whether herein expressly repeated or referred to or not, shall, so far as they are not repealed, altered, varied, or otherwise provided for by this present Act, and are applicable to the Purposes thereof, extend and apply to the said *Wyrley* and *Essington* Canal Navigation, and to the Canals, Cuts, and Works, Lands, Tenements, Hereditaments, and Personal Estate, hereby vested in the said Company of Proprietors of the *Birmingham* Canal Navigations, to all Intents and Purposes, as if the said Canals, Cuts, and Works, Lands, Tenements, and Hereditaments, and Personal, Estate hereby

hereby vested in the said Company of Proprietors of the *Birmingham* Canal Navigations, had, in and by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, been vested in and made Part of the Joint Stock or Capital of the same Company of Proprietors, and as if the said Enactments, Powers, Authorities, Provisions, Directions, Constructions, Interpretations, Restrictions, Penalties, Forfeitures, Payments, Exemptions, Indemnities, Rights, Remedies, Rules, Regulations, Clauses, Matters, and Things, in the said recited Acts of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth and the Third Year of the Reign of Her said present Majesty contained, had been in and by the same Acts expressly enacted, given, granted, imposed, and contained in reference to the said Canals, Cuts, Works, Lands, Tenements, and Hereditaments, and Personal Estate, hereby vested in the said Company of Proprietors of the *Birmingham* Canal Navigations, and to the Canals, Cuts, Works, Hereditaments, and Personal Estate by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth vested in the same Company unitedly, and also as if the same Enactments, Powers, Authorities, Provisions, Directions, Constructions, Interpretations, Restrictions, Penalties, Forfeitures, Payments, Exemptions, Indemnities, Remedies, Rules, Regulations, Clauses, Matters, and Things were expressly repeated in this present Act, and had made Part thereof; and also that all and singular the same Enactments, Powers, Authorities, Provisions, Directions, Constructions, Interpretations, Restrictions, Penalties, Forfeitures, Payments, Exemptions, Indemnities, Remedies, Rules, Regulations, Clauses, Matters, and Things shall extend and apply, and the same are respectively hereby made to extend and apply, to the several Cuts or Canals and Works hereby expressly or by reference authorized or required to be made or constructed, and to all and singular other the Purposes of this Act, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same Enactments, Powers, Authorities, Provisions, Directions, Constructions, Interpretations, Restrictions, Penalties, Forfeitures, Payments, Exemptions, Indemnities, Rules, Regulations, Clauses, Matters, and Things in and by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and of the said recited Act of the Third Year of Her said present Majesty, made, granted, created, imposed, and contained, had been so made, granted, created, imposed, and contained in and by the same Acts respectively, as well in reference to the said Cuts or Canals, Works, Matters, and Things hereby authorized to be made, maintained, and done, and to other the Purposes of this Act, as to the Canals, Hereditaments, Works, Matters, and Things so respectively vested in and authorized to be made, maintained, and done by the same Company in and by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and by the said recited Act of the Third Year of the Reign of Her said present Majesty, and to other the Purposes thereof, as if the same had been repeated and re-enacted in this Act, and had made Part thereof, and had been hereby applied to the whole of the Purposes and Objects of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and of the said recited Act of the Third Year of the Reign of Her said present Majesty, and to

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this Act unitedly : Provided always, that whenever by the said recited Acts, or either of them, a Time or Period is prescribed for any Purpose, which Time or Period is to be computed from the passing of the said Acts respectively, the like Time or Period shall, so far as the same is by this Act made applicable by reference to any thing to which it would not have been applicable under the said Acts, or either of them, be computed from the passing of this Act, unless where some express Provision as to Time is hereby made inconsistent therewith.

Restriction
from taking
Water from
certain
Springs and
Brooks.

XI. And whereas it is expedient that certain of the special Enactments and Clauses in the said repealed Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third should be re-enacted in this present Act in manner herein-after mentioned ; be it therefore further enacted and declared, That nothing in this Act contained shall authorize or empower the said Company of Proprietors of the *Birmingham* Canal Navigations, or any other Person or Persons, by any Reservoir, Fire Engine, or other Means or Device whatsoever, to raise, divert, or take for the Use or Supply of the said Canal so made and constructed under or by virtue of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty King *George* the Third as aforesaid, or for any other Purpose whatsoever, any Water from or out of certain Springs, Brooks, or Rivulets called *Spawell*, *Culwell*, and *Causeway Lake*, in the Parishes of *Bushbury* and *Wolverhampton*, or from or out of a certain River called *Smestow*, near *Swindon*, or certain Brooks called *Swindon Brook*, *Trysull Brook*, *Penn Brook*, *Wightwick Brook*, *Compton Brook*, *Tettenhall Brook*, in the several Parishes of *Womborn*, *Trysull*, *Penn*, and *Tettenhall*, or from or out of any Spring or Rivulet arising in the Lands formerly of the Reverend *Thomas Shaw Hellier*, and formerly in the several Occupations of *William Jones* and *Thomas Miller*, called *Gosbrook* and *Searwell* otherwise *Showell*, in the Parish of *Bushbury*, or from or out of *Crunmoor* otherwise *Cranmeer Brook*, or to take any Water for any of the Purposes aforesaid from or out of a certain Spring or Stream arising and issuing in certain Lands formerly belonging to *William Pultney* Esquire, near *Wednesfield Heath* in the Parish of *Wolverhampton*, and late in the Occupation of *Edward Nachell*, other than and except such of the Waters of and from the same Brooks, Rivulets, Springs, and Streams as are now lawfully used and employed for the Purposes of the same Canal.

Company
not to take
any Water
from certain
Brooks in
the Parishes
of *Walsall*,
&c.

XII. And be it further enacted, That nothing in this Act contained shall authorize or empower the said Company of Proprietors of the *Birmingham* Canal Navigations, or any other Person or Persons whomsoever, by any Reservoir, Fire Engine, or any other Means or Device whatsoever, to raise, divert, or take, for the Use or Supply of the said Canal so made and constructed under the Powers and Authorities of the said recited Act of the Thirty-fourth Year of the Reign of His said late Majesty King *George* the Third as aforesaid, or for any other Purpose whatsoever, any Water from or out of certain Springs, Brooks, or Rivulets called *Rye Croft*, *Black Brook*, *Cole Pool*, *Goscote*, *Fistley*, *Brownhills*, *Clayanger*, *Catshill*, *Piddocks Well*, *Little Heath*, *Linley*, *Hayhead*, and *Longwood*, in the several Parishes of *Walsall*, *Rushall*, *Norton*, and *Aldridge*, in the County of
Stafford,

Stafford, or from or out of any other Spring, Brook, or Rivulet arising and issuing out of any Lands or Grounds in any of the said last-mentioned Parishes which have usually run to and supplied the said Mills and other Works; and that the said Company of Proprietors of the *Birmingham* Canal Navigations shall, at their own Expence, preserve and maintain the Culverts or Aqueducts constructed for conveying the said Springs, Brooks, or Rivulets under or over the same Canal.

XIII. And be it further enacted, That nothing in the said recited Acts or this Act contained shall authorize or empower, or be adjudged, deemed, or taken to authorize or empower, the said Company of Proprietors to take away, lessen, alter, divert, or obstruct any Brook, Stream, Feeder, or Watercourse now or for the Time being discharging itself, either directly or indirectly, into the River *Tame*, or into any other Stream, Reservoir, or Pond by which the *Birmingham* Waterworks now are or for the Time being may be supplied; and that the said Company of Proprietors shall, at their own proper Costs and Charges, make or cause to be made all such Arches, Tunnels, Culverts, Drains, or other Passages over, under, or by the Side of the said Canals hereby authorized to be made, or either of them, and of such Breadth, Depth, and Dimensions, as shall be necessary and sufficient at all Times to prevent the said Brooks, Streams, Feeders, and Watercourses from discharging themselves, or any of them, into the said Canals, or either of them, and to carry and convey the same into the said River *Tame*; and all such Arches, Tunnels, Culverts, Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good Order and Repair by the said Company; and if at any Time after Seven Days Notice in Writing shall, by or on behalf of the Engineer, Clerk, or other Person engaged in the Management of the said *Birmingham* Waterworks, to be given to the said Company, that the said Arches, Tunnels, Culverts, Drains, or other Passages, or any of them, are or is not made, cleansed, maintained, and repaired according to the true Intent hereof, then it shall be lawful for such Engineer, Clerk, or other Person, from Time to Time, as often as there shall be Occasion, to make, cleanse, and repair such Arches, Tunnels, Culverts, Drains, and other Passages, and the reasonable Expences thereof shall be defrayed by the said Company; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of One Calendar Month after Demand thereof made upon the said Company, such Expences shall and may be recovered and levied by such Engineer, Clerk, or other Person, either by Action at Law, or in such other Manner as any other Money is by the said recited Act of the Fifth Year of His late Majesty King *William* the Fourth, or this Act, directed to be recovered from the said Company.

XIV. And be it further enacted, That the said Company of Proprietors of the *Birmingham* Canal Navigations shall not take or use, for the Purpose of supplying with Water the said Canal so made and constructed under and by virtue of the said recited Act of the Thirty-fourth Year of the Reign of His said late Majesty King *George* the Third as aforesaid, any of the Water issuing from the *Foul Well* Springs at *Aldershaw* in the Hamlet of *Wall* in the Parish of *Saint Michael* in

Protection
to the Bir-
mingham
Water
works.

Protection
to Lichfield
Conduit
Pipes.

in *Lichfield*, and that the Pipes carrying the Water from the said *Foul Well Springs* to and for the Use of the Inhabitants of the City of *Lichfield*, and over which Pipes the said Canal passes, shall be kept covered and protected by a Culvert of a sufficient Width and Height, so that the Feoffees and Sidesmen of the Conduit Lands and their Agents shall at all Times have a Right to enjoy the said Culvert, and to enter therein to alter, amend, and new lay the said Pipes; and if it shall be found at any Time hereafter proper or beneficial to convey more Water to the said City from the said Springs, the said Feoffees and Sidesmen, or their Agents, shall and may have Liberty to lay new Pipes or fresh Culverts in any other Part or Direction which the Canal shall traverse or cross, doing as little Damage to the same Canal as possible, and giving Six Months Notice to the said Company of Proprietors of the *Birmingham Canal Navigations* previous to such Work or Alteration, such Notice to be given and served, and the Damage incurred by such Alteration, if any, to be assessed and ascertained, settled and adjusted, in the Manner in and by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth. enacted and provided for Damages to be incurred in the Execution of the Powers granted in and by the same Act.

Shares in the Wyrley and Essington Canal Company added to the Birmingham Canal Company.

XV. And whereas the Number of the Shares in the Joint Stock or Capital of the said Company of Proprietors of the *Wyrley and Essington Canal Navigation*, immediately before the passing of this Act, was Eight hundred Shares, and the Number of the Shares in the Joint Stock or Capital of the said Company of Proprietors of the *Birmingham Canal Navigations*, immediately before the passing of this Act, was Eight thousand Shares; now be it further enacted, That from and after the passing of this Act the Number of the Shares in the said Capital or Joint Stock of the said Company of Proprietors of the *Birmingham Canal Navigations* shall be increased to Eight thousand eight hundred, by the Addition of Eight hundred new Shares, and such new Shares shall confer such or the like Powers and Privileges, and be subject and liable to such or the like Enactments, Powers, and Authorities, Rules, Regulations, and Provisions, in all respects, as the said Eight thousand Shares confer and are subject and liable to respectively under or by virtue of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and the said recited Act of the Third Year of the Reign of Her said present Majesty, save and except where a different Provision is hereby expressly made in reference to such new Shares: Provided always, that nothing herein contained shall extend or be construed to extend to diminish or impede the Exercise of the Power in the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth contained for the Issue of new Shares in the Joint Stock or Capital of the said Company of Proprietors of the *Birmingham Canal Navigations*.

Proprietors of One or more Shares in the Wyrley and Essington

XVI. And be it further enacted, That from and after the passing of this Act every Person and Corporation who immediately before the passing of this Act was a Proprietor of One or more of the said Eight hundred Shares in the Joint Stock or Capital of the said Com-
pany.

pany of Proprietors of the *Wyrley* and *Essington* Canal Navigation shall, in lieu and stead of each and every such Share, be and become a Proprietor of One of the said Eight hundred new Shares of and in the said Joint Stock or Capital of the said Company of Proprietors of the *Birmingham* Canal Navigations, and each and every such Share of and in the said Joint Stock or Capital of the said Company of Proprietors of the *Birmingham* Canal Navigations is hereby vested in him and them accordingly; and every such Person and Corporation in whom any One or more of the same Shares is or are so hereby vested shall stand and be possessed of such Share or Shares upon the same Trusts, and for the same Intents and Purposes, and with, under, and subject to the same Powers and Provisions respectively, as the said Shares in the said Capital or Joint Stock of the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, in lieu of which the Share or Shares of and in the said Capital or Joint Stock in the said Company of Proprietors of the *Birmingham* Canal Navigations are hereby given as aforesaid, were immediately before the passing of this Act held upon and subject or liable to, and so as to give Effect to and not to revoke any Will or other testamentary Disposition made previously to the passing of this Act.

Canal to become Proprietors in the Birmingham Canal.

XVII. And be it further enacted, That all Sales, Transfers, and Dispositions before the passing of this Act executed of any Share of and in the Capital or Joint Stock of the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation shall remain in as full Force and Effect, and be as binding on the Share or Shares created by this present Act, as if the Share or Shares so created by this present Act had been expressly named or referred to in such Sale, Transfer, and Disposition, instead of the Share or Shares therein respectively named or referred to, and thereby sold, transferred, and disposed of.

Sales and Transfers of Wyrley and Essington Canal Shares to remain in force.

XVIII. And whereas by the said recited Act of the Fifth Year of the Reign of His late Majesty King *William* the Fourth it is enacted, that it should be lawful for the said Company of Proprietors of the *Birmingham* Canal Navigations thereafter to raise or convert and dispose of the Debt then due and owing by the same Company, by the Issue of new Shares, in manner therein mentioned, or if the said Company should think it more advantageous, they were empowered to allocate and divide the whole of the said Debts then due and owing by the same Company proportionally upon the whole of the Shares for the Time being of the same Company, burdening each Share in the said Company with a Sum bearing the same Proportion to the whole Debt which such Share bore to the total Number of Shares, and with Interest on such proportional Sum at a Rate to be fixed by the said Company, and after such Allocation of the Debt of the said Company every Share should be liable to the Payment of the proportionate Sum and Interest allocated thereon, and should not be liable for any further or other Part of the aforesaid Debt of the said Company: And whereas in pursuance of the said Powers in the said last-mentioned Act, and for providing for the Payment of the said Debt, so due and owing as aforesaid, the said Company of

The Shares of Proprietors of Wyrley and Essington Canal to be subject to an Allocation of 49l. per Share.

[Local.]

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Proprie-

Proprietors of the *Birmingham* Canal Navigations have allocated and charged the Sum of Seventy-one Pounds upon each of the said Eight thousand Shares in the Capital or Joint Stock of the same Company, with Interest thereon; now be it further enacted, That the said Eight hundred new Shares hereby created of and in the Joint Stock or Capital of the said Company shall not be subject or liable to such Allocation or Charge of Seventy-one Pounds *per* Share, or the Interest thereof, but each and every of the said Eight hundred new Shares shall, instead thereof, be hereafter charged with the Sum of Forty-nine Pounds, with Interest upon the same respective Sums until the same shall be paid, at the Rate of Four Pounds for every One hundred Pounds by the Year; and no Transfer of any One of the said Eight hundred new Shares which shall be sold shall be registered by the Clerk of the said Company until Payment to the said Company, of the said Sum of Forty-nine Pounds, so hereby charged on the same respectively, shall have been first made, together with all Interest (if any) for the Time being due in respect of such Sum; and every Proprietor of any Share or Shares so charged shall be at liberty to pay up or discharge the Sum so charged on his Share, or on any One or more of his Shares, at such Times as he shall judge to be proper; and it shall be lawful for the said Company to deduct and retain, out of the Dividends on every Share in respect of which such Sum of Forty-nine Pounds so hereby charged thereon, and the Interest thereof, shall not have been discharged, the Sum which shall for the Time being be due for Interest thereon.

Trustees
may sell
Shares to
pay up
Allocations.

XIX. And be it further enacted, That for the Purpose of raising a sufficient Sum of Money to pay the Sum so hereby charged on any Share which may be in Settlement or held in Trust, or belonging to any Idiot, Lunatic, or Person *non compos mentis*, or Infant, it shall be lawful for any Tenant for Life, or other limited Owner, Committee, or Guardian, to sell and transfer such Share, or so many of such Shares, if more than One, as may be required to raise such Sum, and the Surplus (if any) of the Monies to be produced by such Sale shall be held and applied upon Trusts corresponding with the Trusts of the Share or Shares so sold.

Old Officers
to continue
till removed.

XX. And be it further enacted, That every Agent, Collector, and other Officer and Servant (except the Treasurer and Clerk) appointed by virtue of or acting under the Authority of the said hereby repealed Acts, or either of the same Acts, and not acting contrary to the Provisions and Directions in this Act or the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth contained, shall hold and enjoy his Office and Employment, together with the Salary or Emolument thereunto annexed, until he shall be removed therefrom by a General Assembly or the Committee (as the Case may be) of the said Company of Proprietors of the *Birmingham* Canal Navigations, according to the Provisions in the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth contained in reference to the Removal of any Clerk, Agent, Collector, or other Officer appointed by virtue of the same Act; and every such Clerk, Agent, Collector, and other Officer shall have the like Powers and Authorities for the Purposes of this Act
and

and the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and for carrying the same respectively into execution, and shall be subject and liable to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as the Clerks, Agents, Collectors, and other Officers appointed under or by virtue of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth are subject and liable to.

XXI. And be it further enacted, That all Books and other Documents whatsoever by the said repealed Acts or either of them authorized or directed to be kept, and thereby respectively made Evidence, shall still be admitted as Evidence in all Courts of Law and Equity or elsewhere.

Books and Documents to continue Evidence.

XXII. And be it further enacted, That the several Maps or Plans and Books of Reference which in pursuance of the said hereby repealed Acts, or either of them, have been deposited with the respective Clerks of the Peace of the several Counties to which the same relate, shall remain in the Custody of the said Clerks of the Peace, to the end that all Persons interested in any Manner therein may at all reasonable Times have Liberty to inspect the same, and to take Copies thereof, or Extracts therefrom, at their Pleasure, such Persons paying to such Clerks from whom such Inspection or Copy or Extract may be demanded respectively the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Works of such Copy or Extract; and the said Maps or Plans and Books of Reference, or any Copy thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, certified to be a true Copy by the respective Clerks who shall have made or shall hereafter make the same, shall be admitted as Evidence in all Courts of Law or Equity or elsewhere.

Maps, &c. to remain in Custody of the Clerk of the Peace, and to be open to Inspection.

XXIII. And whereas it would be of great Advantage to the Public if the said Company of Proprietors of the *Birmingham* Canal Navigations were authorized to shorten the said several Cuts or Canals made and constructed under the Authorities of the said several recited Acts of the Thirty-second and Thirty-fourth Years of the Reign of His said late Majesty King *George* the Third; be it therefore enacted, That it shall be lawful for the said Company of Proprietors of the *Birmingham* Canal Navigations, and they are hereby authorized and empowered, from Time to Time to make such Shortenings in any of the said Cuts or Canals made and constructed by the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation as the said Company of Proprietors of the *Birmingham* Canal Navigations shall think fit, and for that Purpose to contract for the Purchase of any Lands, Tenements, or Hereditaments of and from any such Person or Corporation as would, under or by virtue of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, have been competent to sell the same if such Lands, Tenements, or Hereditaments had been Lands, Tenements, or Hereditaments required or authorized to be purchased for any

Power to shorten existing *Wyrley* and *Essington* Canals.

any of the Purposes of the same Act, and it shall be lawful for every such Person and Corporation to sell and convey such Lands, Tenements, or Hereditaments to the said Company of Proprietors of the *Birmingham Canal Navigations* and their Successors accordingly.

Tolls on the shortened Lines of Canals.

XXIV. And whereas such shortening of the said Cuts or Canals will be attended with considerable Expence to the said Company of Proprietors of the *Birmingham Canal Navigations*, and it is therefore just and reasonable that the said Company of Proprietors of the *Birmingham Canal Navigations* should be authorized to charge the same Amount of Tonnage as if the said Cuts or Canals had continued of the same Length as formerly; be it therefore enacted, That the said Company of Proprietors of the *Birmingham Canal Navigations* shall be and they are hereby authorized and empowered, from Time to Time and at all Times hereafter, to ask, demand, take, receive, and recover, to and for their own Use and Behoof, for the Carriage or Conveyance of all Coal, Coke, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever upon any of the Cuts or Communications by which the said Canals shall hereafter be shortened as aforesaid, the same Amount of Tolls as the same Company would have been entitled to receive under any of the Provisions of this Act in case such Coal, Coke, Ironstone, Lime, Limestone, Minerals, and other Goods had been carried or conveyed along those Parts of the original Cuts or Canals which have been or shall be cut off or shortened thereby.

Power to make new Canals;

XXV. And be it further enacted, That, subject to the Provisions and Restrictions herein-after contained, and to the Provisions and Restrictions herein-before made applicable to this Act by Reference to the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and not hereby expressly or by Reference repealed, it shall be lawful for the said Company of Proprietors of the *Birmingham Canal Navigations*, and they are hereby fully authorized and empowered, at their own proper Costs and Expences, and by their Deputies, Agents, Workmen, and Servants, to make, complete, and maintain the Cuts or Canals for the Navigation of Boats herein-after mentioned; (that is to say,) a Cut or Canal from and out of a Branch of the said *Wyrley and Essington Canal Navigation*, called the *Daw End Branch*, to commence at a Point between the *Long Wood Bridge* and *Squash Lane Bridge*, in a Field belonging to *Thomas Dilke* Esquire, in the Occupation of *John Holt*, and to terminate by a Junction with the intended new Cut of the said *Birmingham Canal Navigations* in the Township of *Great Barr* in the Parish of *Aldridge* in the said County of *Stafford*, and to pass from, through, or into the several Parishes, Parochial Chapelries, Townships, Hamlets, or Places of *Rushall*, *Daw End*, *Long Wood*, *Wood End*, *Bloxwich*, *Walsall*, Foreign of *Walsall*, Borough of *Walsall*, *Aldridge*, *Great Barr*, *Wednesbury*, the *Delves*, and *Delves Green*, in the said County of *Stafford*, or some of them, and which said Cut or Canal, from its Commencement to its Termination in each Direction, is intended to be called the *Rushall Canal*; also a Canal from and out of that Part of the said *Wyrley and Essington Canal Navigation* called or intended to be called the *Wednesfield Canal*, to commence near a Farm-house in the Occupation of *John Morris* at *New Cross*,
in

in the Township of *Wednesfield* aforesaid, and to terminate by a Junction with that Part of the said *Birmingham* Canal Navigations called the *Anson* Branch in a Field belonging to the Earl of *Lichfield*, in the Occupation of *Henry Eld*, situate in the Liberty or Township of *Bentley* in the Parish of *Wolverhampton* aforesaid, and to pass from, through, or into the said several Parishes, Parochial Chapelries, Townships, Hamlets, or Places of *Wolverhampton*, *Wednesfield*, *Marsh End*, *Willenhall*, *Monmore Lane*, *Little London*, *Sand Beds*, *Bentley*, *Bentley Hay*, *Walsall*, Foreign of *Walsall*, and Borough of *Walsall*, in the said County of *Stafford*, or some of them; also a Canal from and out of the said last-mentioned Cut or Canal hereby authorized to be made, to commence in a Field called the *Long Meadow*, belonging to *Thomas Perry* Esquire, in the Occupation of *Thomas Taylor*, situate in the said Township of *Wednesfield*, and to terminate in a Field called the *Harpers*, belonging to the Reverend *John Clemson Egginton*, in the Occupation of *John Fisher*, situate in the Township of *Willenhall*, and to pass from, through, or into the said several Parishes, Parochial Chapelries, Townships, Hamlets, or Places of *Wolverhampton*, *Wednesfield*, *Marsh End*, *Little London*, and *Willenhall*, and which said Two last-mentioned Cuts or Canals hereby authorized to be made are intended to be called the *Bentley* Canal; and also to make, complete, and maintain such and so many Aqueducts, Feeders, Wells, Basins, Side Ponds, Levels, Perforations, Weirs, Steam Engines, Water Wheels and other Machinery, Shafts, Tunnels, and other Works as the said Company of Proprietors of the *Birmingham* Canal Navigations shall from Time to Time think expedient, for the Purpose of filling and supplying the said several Cuts or Canals hereby authorized to be made, or any Part thereof, with Water, and for conveying Water to or from the same, and for raising Water from the different Levels of the said several Cuts or Canals to other Levels, or for any other Purpose necessary for the better making and maintaining of such several Cuts or Canals, and also from all such Brooks, Springs, Streams, Watercourses, Hollows, Caverns, and other Sources or Repositories of Water as shall be found in making the said several Cuts or Canals and Works hereby authorized to be made as aforesaid; and also to make, complete, and maintain, in or upon the said several Cuts or Canals hereby authorized to be made, or in or upon the Lands adjoining thereto respectively, such and so many Bridges, Piers, Arches, Locks, Floodgates, Banks, Dams, Tanks, Wharfs, Quays, Landing Places, Houses, Warehouses, Toll Houses, Lock Houses, Watch-houses, Weighing-beams, Cranes, Docks, Steam Engines, Machines, and other Works, Ways, Roads, Railroads, Gates, Fences, and Conveniences, whether temporary or permanent, for the Purposes of the said intended Cuts or Canals, and the Works connected therewith respectively, as and where the said Company shall think requisite and convenient; and also from Time to Time to alter, repair, and amend, or discontinue the same, or any of them; and also to make, set out, and appoint such Towing Paths, Banks, Roads, and Ways, for the towing, hauling, or drawing of Boats passing upon the said several Cuts or Canals hereby authorized to be made, with Men, Horses, or otherwise, and such convenient Places in which Boats may turn, lie, or pass each other, as the said Company shall think necessary or proper, and to construct, erect, and keep in repair any

and to supply the same with Water.

[Local.]

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Bridges,

Bridges, Piers, Arches, or other Works, whether temporary or permanent, in, upon, and across any Rivers, Streams, or Brooks, for the Purpose of making, completing, maintaining, altering, enlarging, and repairing the said several Cuts or Canals, and other Works hereby respectively authorized to be made, and also to make, complete, and maintain, and do all and every or any other Works, Matters, and Things whatsoever, whether temporary or permanent, which they the said Company shall think requisite and necessary or convenient for the making, completing, repairing, improving, carrying on, maintaining, and using the said several Cuts or Canals and other Works hereby authorized to be made in pursuance of and within the true Intent and Meaning of this Act; and the several Cuts or Canals, and all and singular other the Works and Things hereby authorized to be made and done as aforesaid, shall, except as to the Time for making and doing the same, and as to such other Matters as are herein otherwise expressly provided for, be considered Part of the Canals, Works, and Things provided for and contemplated by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, as fully as if originally authorized to be made and done by the same Act.

Plans deposited with the Clerks of the Peace to remain there, and be open to Inspection.

XXVI. And whereas Maps or Plans describing the Lines of the said intended Cuts or Canals, and of the Lands through or over which the same are intended to be carried, together with Sections and Books of Reference containing a List of the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands, have been respectively deposited in the Offices of the Clerks of the Peace for the County of *Stafford* and Borough of *Walsall* respectively; be it further enacted, That the said Maps or Plans, Sections, and Books of Reference, so deposited, shall remain with and be kept by the said Clerks of the Peace of the County of *Stafford* and Borough of *Walsall*, to the end that all Persons may, at seasonable Times have Liberty to inspect the same, and to make Copies thereof or Extracts therefrom respectively, at their Pleasure, paying to such Clerks of the Peace the Sum of One Shilling for every such Inspection, and the further Sum of One Shilling for every Hour during which such Inspection shall continue after the First Hour, and paying for every Copy, not exceeding One hundred Words or Figures, the Sum of Sixpence, and so in proportion for any greater Number of Words or Figures of such Copies or Extracts; and the said Maps or Plans, Sections, and Books of Reference, or true Copies thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, shall be good Evidence in all Courts of Law.

Errors in the Book of Reference not to obstruct the making of the Canals.

XXVII. Provided also, and be it further enacted, That the said Company of Proprietors of the *Birmingham* Canal Navigations shall and may make and complete the said several Cuts or Canals and other Works hereby authorized to be made as aforesaid, or any Part thereof, into, through, across, or over the Lands or Grounds of any Person or Corporation whomsoever, or across any Road, Brook, or Rivulet respectively omitted or misnumbered in such Maps or Plans and Books of Reference as aforesaid, or any of them, if it shall appear to the Satisfaction of any Two or more Justices of the Peace for the

County within which such Lands or Grounds, Road, Brook, or Rivulet, may lie or be situate, to be by such Justices certified in Writing under their Hands, that the Name, Title, or Description of such Person or Corporation, or the Name or Description of such Road, Brook, or Rivulet, shall have been by Mistake omitted or inaccurately delineated or stated in such Maps or Plans and Books of Reference, or any of them, or that instead thereof the Name, Title, or Description of some other Person or Corporation, to whom such Lands or Grounds, or the Name or Description of some other Road, Brook, or Rivulet, shall have been by Mistake inserted therein, any thing herein contained to the contrary thereof in anywise notwithstanding.

XXVIII. Provided always, and be it further enacted, That the said Company of Proprietors of the *Birmingham* Canal Navigations, in making the said intended Cuts or Canals and other Works, shall not deviate more than One hundred Yards from the respective Courses or Directions laid down in the said respective Maps or Plans so respectively deposited as aforesaid, unless with the Consent of the Owners and Occupiers of the Lands, Tenements, and Hereditaments into which such Deviations shall be made respectively, and shall not, with such Consent as aforesaid, deviate in any Place more than Two hundred Yards.

Limiting
Deviations
from Maps or
Plans.

XXIX. Provided also, and be it further enacted, That it shall not be lawful for the said Company of Proprietors of the *Birmingham* Canal Navigations, or their Servants, Agents, or Workmen, or any of them, to divert or take, for the Use or Supply of the said several Cuts or Canals and Works hereby authorized to be made, except as herein-before mentioned, any Water from or out of any Brooks, Streams, or Watercourses, other than such as are laid down in the said Maps or Plans and Books of Reference relating to the said respective Canals or Cuts, and other than and except the said present *Birmingham* Canal Navigations, and the said present *Wyrley* and *Essington* Canal Navigation.

No Water to
be taken
from Brooks
not in Plans.

XXX. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Company, or any Person acting by or under their Authority, to take, use, injure, or damage, for the Purposes of this Act, any House or other Building, or any Ground, which on the First Day of *October* One thousand eight hundred and thirty-nine was the Site of any House or other Building, or any Land which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, without the Consent in Writing of the Owners and Occupiers thereof respectively, other than except and such as are specified in the Schedule annexed to this Act.

Houses and
Gardens not
to be used,
except such
as are speci-
fied in the
Schedule.

XXXI. And be it further enacted, That, unless with the Consent of the Persons or Corporations empowered to sell the same, the Lands, Tenements, and Hereditaments to be purchased or taken for making, completing, and maintaining the said several Cuts or Canals hereby authorized to be made, and the Towing Paths, Banks, and Side Drains thereof respectively, and the Ditches and Fences
for

Breadth of
Land to be
taken for
Canals.

for separating such Towing Paths, Banks, and Side Drains from the adjoining Lands, shall not exceed Thirty Yards in Breadth, measured horizontally, except in those Places where any Basin, Sluice, Lock, Double Lock, or Weir shall be made, or where the said respective Canals or Cuts shall be raised higher or shall be cut more than Three Feet deeper than the present Surface of the Land, and also except in those Places where it shall be judged necessary for Boats to turn or lie in or pass each other, or for raising Embankments for crossing any Valley, or for effecting any Cuttings, or where any Warehouse, Crane, or Weighbeam may be erected, or where any Place may be set out or appropriated for the forming of any Dock, Quay, or Wharf for the Reception or Delivery of Goods, Wares, and Merchandize, and shall not (without such Consent as aforesaid) exceed in any Place One hundred Yards in Breadth.

For prevent-
ing Injury to
Roads.

XXXII. And be it further enacted, That in all Cases where, in exercise of the Powers hereby granted, any Part of any Carriage or Horse Road, or Footway, either public or private, or any Railway, shall be found necessary to be cut through, raised, sunk, taken, or so much injured as to be impassable or inconvenient for Travellers, Passengers, or Carriages, or for the Persons entitled to the Use thereof, the said Company shall, at their own Expence, before any such Road shall be so cut through, raised, sunk, taken, or injured as aforesaid, cause a good and sufficient Road, as the Case may require, to be set out and made instead of such Road so cut through, raised, sunk, taken, or injured, and such new Road is hereby directed to be made as convenient for Passengers and Carriages as the said Road so to be cut through, raised, sunk, taken, or injured as aforesaid, or as nearly so as may be, and where the Road so cut through, raised, sunk, or passed over shall be a Turnpike Road, or public Carriage Road, the substituted Road, if temporary, shall be so made, and the principal Road restored, within Six Calendar Months after the Commencement of such Operation; and the said Cuts or Canals, where they shall cross such Turnpike Road or public Carriage Road, shall be made and kept in repair so as to prevent Inconvenience or Obstruction to the Passage along such Turnpike Road or public Carriage Road; and in case the said Company shall not in manner aforesaid cause a good and sufficient Road to be set out and made before any such Road shall be so injured or prejudiced as aforesaid, or in case any Turnpike Road or public Carriage Road shall not be restored within Six Calendar Months after the Commencement of the Operation herein-before mentioned, then and in such Case the said Company shall forfeit and pay, for each and every Day during which such good and sufficient Road shall be neglected to be made as herein-before directed, or during which such Turnpike Road or public Carriage Road shall not be restored, after the Expiration of the said Six Calendar Months, the Sum of Twenty Pounds; which Penalty shall be recoverable from the said Company in such and the same Manner as any other Penalties incurred by the said Company for which no special Provision is made by the recited Act of the Fifth Year of the Reign of King *William* the Fourth, on the Complaint of the Trustees of the Turnpike Road, or any Three of them, in case such Road shall be a Turnpike Road, or on the Complaint of the

Surveyors

Surveyors of the said public Carriage Road, or other Persons in whom the Management of such Road shall be vested, in case such Carriage Road shall be Highway only, and shall be applied in the Restoration or Maintenance of such Turnpike or Public Carriage Road, as the Case may be.

XXXIII. Provided always, and be it further enacted, That in all Places where the Line of the said several Cuts or Canals authorized to be made under the Provisions of this Act shall respectively cross any Road, the Bridges shall be constructed of Iron, Brick, or Stone of the full Width of the said Road, and the Ascent to every Bridge to be made over any Part of the said several Cuts or Canals for the Purpose of such Road shall not be greater than One Foot in Thirty Feet as to Turnpike Roads, and One Foot in Twenty Feet as to other Public or Occupation Roads, and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be not less than Four Feet Six Inches above the Surface of such Bridge.

Regulation
as to Con-
struction of
Bridges.

XXXIV. Provided always nevertheless, and be it further enacted, That the said Company shall not be liable to repair or amend any Part of the Roads, whether Turnpike or Public or Occupation Roads, approaching to any Bridge or Bridges to be made over the said several Cuts or Canals and Works hereby authorized to be made, or any Part thereof, after such Roads shall have been first made and used for One Year, and then put in good and sufficient Repair by the said Company, beyond or further than the Extremities of the Wing Walls of any such Bridge or Bridges, but nothing herein contained shall be construed to exonerate the said Company from the future Repairs of such Bridge or Bridges to the Wing Walls, Ramparts, Side Banks, and Fences thereof respectively.

Roads ap-
proaching to
Bridges not
to be repair-
ed by Com-
pany after
One Year.

XXXV. And be it further enacted, That the said Company shall have the same or the like Powers and Authorities for the voluntary or compulsory Use or Acquisition of or otherwise in relation to any Lands, Tenements, or Hereditaments required for all or any of the Purposes of this Act, and that all Persons and Corporations, whether free from or under any Disabilities of Person or Title, shall have the same or the like Powers and Authorities for the Sale and Conveyance of or otherwise in relation to any such Lands, Tenements, or Hereditaments, and that all Parties shall be subject to the same or the like Provisions in reference to such Lands, Tenements, or Hereditaments, and to the several Matters aforesaid, in all respects as would have been the Case if such Lands, Tenements, or Hereditaments had been Lands, Tenements, or Hereditaments required for all or any of the Purposes of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, or the said recited Act of the Third Year of the Reign of Her said present Majesty, yet so nevertheless that the Restrictions herein-after imposed on the said Company in point of Time shall, as to the said Lands, Tenements, or Hereditaments required for the Purposes of this Act, be substituted in lieu of the corresponding Restrictions imposed by the said recited Act.

Bodies
Politic and
Corporate,
&c. em-
powered to
sell and con-
vey Lands.

[*Local.*]

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XXXVI. Pro-

Provisions of
2 & 3 Vict.
c. 61. as to
the Sale of
Lands, &c.
extended to
this Act.

XXXVI. Provided always, and be it further enacted, That all and singular the Provisions, Enactments, Clauses, Penalties, Regulations, Matters, and Things in the said recited Act of the Third Year of the Reign of Her said present Majesty expressly contained in reference to the Compensation Money to be paid for any Lands, Tenements, or Hereditaments to be purchased from or conveyed by any Corporation or any Person under any Disability or Incapacity, or not having Power to sell except as therein mentioned, and to all Costs, Charges, and Expences whatsoever in respect of such Lands, Tenements, and Hereditaments, and of deducing, evidencing, and verifying the Title thereto, shall also extend and apply to the Consideration Money for any Lands, Tenements, and Hereditaments to be purchased from or conveyed by such Corporation or Person as aforesaid for the Purposes of this Act, and to the Costs, Charges, and Expences in respect of such Lands, Tenements, and Hereditaments, and of deducing, evidencing, and verifying the Title thereto, and that the said Company shall be entitled to such or the like Privileges, Powers, and Authorities, and shall be subject and liable to such or the like Penalties and Restrictions, in reference to the Lands, Tenements, and Hereditaments required for the Purposes of this Act, as are in and by the said recited Act of the Third Year of the Reign of Her said present Majesty expressly created and contained in reference to any Lands, Tenements, and Hereditaments required for the Purposes of the same Act.

Power to
make Branch
Canals.

34 G. 3. c. 25.

XXXVII. And whereas it was by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth enacted, that it should be lawful for the Proprietor of any Mine of Coal, Ironstone, Limestone, or other Minerals, or of any Furnace, Forge, Mill, or other Work, or of any Land fit and convenient to make any Wharf or erect any Warehouse thereon for the Accommodation of the Canals then existing or to be thereafter made, or for the said Company, at the Request of any such Proprietor as aforesaid, to make any navigable Branch in such Manner as he should think proper through the Land or Ground of any such Proprietor, and also through the Land or Ground of any other Person or Corporation, to communicate with such Canals, so that no Part of such Branch were made more than One thousand Yards from the said Canals then existing or therein-before expressly authorized to be made, unless such Branch were made to communicate with such Part of the said Canals as was authorized to be made by the therein recited Act of the Thirty-fourth Year of the Reign of His said Majesty King *George* the Third, intituled (*An Act for extending and improving the Birmingham Canal Navigations,*) nor more than Two thousand Yards from the said Canals, if made to communicate with such Part of the said Canals as was authorized to be made by that Act, but nevertheless as to form any such Branch as aforesaid which should be made so as to form any Junction or open a Communication with the said *Wyrley* and *Essington* Canal Navigation, with a Restriction requiring the Consent in Writing of the Company of Proprietors thereof, which Restriction is virtually removed by the Consolidation effected by this present Act: And whereas the said Cuts or Canals by this Act vested in the said Company of Proprietors of the *Birmingham* Canal

Canal Navigations, and the said Cuts or Canals hereby authorized to be made, communicate or will communicate with a Part of the said Canals authorized to be made by the said last-mentioned Act of the Thirty-fourth Year of the Reign of His said late Majesty King *George* the Third: And whereas it is expedient and proper that all the said Cuts or Canals so hereby vested in the said Company, and so hereby authorized to be made respectively, should, in reference to the aforesaid Power, and to the Provisions relating thereto, be considered as forming Part of the Canals made under the said last-mentioned Act of the Thirty-fourth Year of the Reign of His said late Majesty King *George* the Third; be it therefore further enacted accordingly, That so far as respects the aforesaid Power or Authority conferred by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, concerning the making of navigable Branches, and all and singular the Provisions relating thereto, all the said Cuts or Canals so hereby vested in the said Company, and so hereby authorized to be made respectively, shall be considered to all Intents and Purposes as forming Part of the Canals made under the said last-mentioned Act of the Thirty-fourth Year of the Reign of His said late Majesty King *George* the Third, and not as coming within the more restricted Provision applicable to the other Canals of the said Company, the general Words of Reference herein-before contained, or any thing in the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, or in this Act, to the contrary thereof in anywise notwithstanding: Provided always, that nothing in this Act or the said recited Acts or any of them contained shall extend or be construed to extend to enable the said Company to make any Branch Canal or Branch Canals which, either separately or by a Junction together, or otherwise howsoever, shall be of greater Length than Two thousand Yards.

XXXVIII. And be it further enacted, That no Proprietor, who under the Powers of this present Act or of the said recited Acts, or any of them, is or may be expressly or by reference authorized to make any Branch to communicate with any of the present or future Canals of the said Company, shall be at liberty to construct any such Branch in such Manner as to form a Junction or open a Communication, directly or indirectly, with any other Canal or Branch of the said Company or of any other Company or Person, without the Consent in Writing of the said Company of Proprietors of the *Birmingham* Canal Navigations, any thing in this Act or either of the said recited Acts to the contrary thereof in anywise notwithstanding.

XXXIX. And for preventing any Question as to the Effect of the general Clauses of Reference herein-before contained, in conferring an additional Power of purchasing Fifty Acres, similar to the Power for the like Purpose contained in the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth; be it further enacted, That it shall be lawful for the said Company and they are hereby authorized and empowered to contract with any Person or Corporation who, by the combined Effect of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth and this Act, is or are empowered to sell any Lands, Tene-

No Proprietors to make any Branch to form a Junction with any other Canal without Consent of Birmingham Canal Company.

Company empowered to purchase Fifty Acres of Lands.

Tenements, or Hereditaments to the said Company, for the Purchase of any Lands, Tenements, or Hereditaments which such Person or Corporation shall be willing to sell, not exceeding in the whole Fifty Statute Acres, in addition to the Lands and Hereditaments which will be wanted for forming the said several intended Cuts or Canals and Works, or which the said Company shall be required to purchase, in such Place or Places as the same Company shall deem eligible or convenient, for the Purpose of making, erecting, forming, and providing any Wharf, or any Coal or other Yards, Staiths, Messuages, Warehouses, Buildings, and Conveniences, for the Purpose of receiving, lodging, depositing, or keeping any Goods, Wares, and Merchandizes carried or conveyed or intended to be carried or conveyed upon the said several Cuts or Canals, or for making any convenient Roads, Avenues, or Ways leading thereto, or for any other Purpose whatsoever connected with the Concerns of the said Company, or the Purposes of this Act, which they shall judge requisite and necessary, except for the Purpose of making any Canal not authorized by the Provisions of this Act, or the said recited Acts, or any of them; and it shall be lawful for every Person and Corporation herein-before empowered to sell as aforesaid to sell and convey to the said Company and their Successors any Lands, Tenements, or Hereditaments whatsoever for the Purposes aforesaid, or any of them.

Company empowered to sell such Lands, and to purchase and sell again within the Limits prescribed.

XL. And be it further enacted, That it shall be lawful for the said Company, from Time to Time and at all Times hereafter, to sell and dispose of such additional Lands, Tenements, or Hereditaments as they are hereby empowered to purchase, and shall have actually purchased, for the Purposes of this Act as last aforesaid, or such Parts of the same Lands, Tenements, or Hereditaments as the said Company shall think proper, and either together or in Parcels, and either by public Auction or private Contract, as shall be thought expedient, and again from Time to Time to contract for the Purchase of any other Lands, Tenements, or Hereditaments for the said Purposes, or any of them, and afterwards to sell and dispose of the same as aforesaid, so that the total Number or Quantity of Acres to be purchased by the said Company for any of the said Purposes shall not exceed at any One Time the Quantity or Number of Fifty Acres; and every Sale and Conveyance of any Lands, Tenements, and Hereditaments by the said Company, under or by virtue of the Powers and Provisions contained in this Act, shall be made in the Manner and Form, according to the Nature of the Property, and as far as the Circumstances of the Case will admit, and be subject to the Provisions in all respects prescribed in and by the said recited Act of the Fifth Year of the Reign of his said late Majesty King *William* the Fourth concerning the Lands, Tenements, and Hereditaments purchased by the said Company for the Purposes of the same Act, and which may be sold by the said Company under the Provisions therein contained, and which said Provisions are herein-before made to extend to this Act.

Company not to purchase more than Fifty Acres from incapacitated Parties.

XLI. And be it further enacted, That it shall not be lawful for the said Company to purchase from any Person or Corporation, who, except by virtue of this Act, would be incapable of making a complete and effectual Sale and Conveyance, more than Fifty Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part

Part of such Fifty Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same, or of or from any other Person or Corporation, who, except by virtue of this Act, would be incapable of making a complete and effectual Sale or Conveyance, any other Lands, Tenements, or Hereditaments in lieu of such Fifty Statute Acres, or any Part thereof, so sold or disposed of by the said Company.

XLII. And be it further enacted and declared, That in every Case in which, under the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, the said recited Act of the Third Year of Her said present Majesty, and this present Act, or under any of them, any Person or Corporation is or shall be authorized to draw from any of the several and respective present and future Canals of the said Company any Water for the Supply of any Engine, such Water shall be returned to the same Level or Pond from which the same shall have been so drawn; and all the Provisions and Penalties of the said Acts or any of them, in relation to returning the said Water to the said Canals, and to making Default therein, and to any other Matter or Thing connected therewith or consequent thereon, shall be construed as if this present Enactment and Declaration had been expressly incorporated therewith.

Persons using Water for Engines to return it to the Level from which it was taken.

XLIII. And whereas the probable Expence of making and completing the said several Cuts or Canals, and other the Works hereby authorized to be made, will, according to an Estimate thereof, amount to the Sum of One hundred and twenty-three thousand one hundred Pounds; be it therefore enacted, That it shall be lawful for the said Company, for the Purpose of enabling them to make and complete the said several Cuts or Canals, and other Works hereby authorized to be made, from Time to Time to raise all or any Part of the said Sum of One hundred and twenty-three thousand one hundred Pounds by Mortgages, in such or the like Manner and Form (so far as Circumstances will permit) as the said Company were by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth empowered to raise the Sum of Seventy-five thousand Pounds, and all and singular the Powers and Provisions of the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, in reference to the raising of the said Sum of Seventy-five thousand Pounds, or incident thereto, consequent thereon, or in anywise connected therewith, or with the Mortgages thereby authorized to be made, shall be applicable in all respects to the said Sum of One hundred and twenty-three thousand one hundred Pounds hereby authorized to be raised, and to the Mortgages to be granted for raising the same, and to all other Matters incident thereto, or in anywise connected therewith.

Power to raise Money for new Canals by Mortgage.

XLIV. Provided always, and be it further enacted, That all Mortgages already made, or hereafter to be made in pursuance of the said recited Acts of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth, and the Third Year of the Reign of Her

Priority of Mortgages.

[Local.]

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said

said present Majesty, shall have Priority and Preference over the Mortgages to be made in pursuance of this Act.

If Lands not contracted for within Three Years, the Power of purchasing to cease.

XLV. Provided always, and be it further enacted, That if the said Company of Proprietors of the *Birmingham* Canal Navigations shall not within the Space of Three Years, to be computed from the passing of this Act, agree for, and cause to be valued and paid for, the Lands, Tenements, and Hereditaments which shall be required for the Purposes of making the said several Cuts or Canals, and Works belonging thereto, herein-before authorized to be made, then and from thenceforth the same Company shall not be at liberty to take, use, or purchase the same, without the Consent of the Parties hereby enabled to sell or convey, any thing in this Act, or in the said recited Act of the Fifth Year of the Reign of His late Majesty King *William* the Fourth, or of the Third Year of the Reign of Her said present Majesty, to the contrary thereof in anywise notwithstanding.

If the Works are not completed in Seven Years, the Powers given to cease.

XLVI. And be it further enacted, That if the said several Cuts or Canals and Works hereby authorized to be made shall not have been completed within the Space of Seven Years from the passing of this Act, unless prevented by inevitable Accident, all the Powers and Provisions given and granted by this Act, either expressly, or by reference to the said Two last-mentioned Acts in respect thereof, shall from thenceforth cease and become void, save only and except as to so much and such Part of the said Works as shall have been completed within the Time aforesaid.

Power to take Tolls.

XLVII. And be it further enacted, That in lieu and stead of the several Rates for Tonnage and Wharfage by the said hereby repealed Acts, or either of them, authorized to be asked, demanded, taken, received, and imposed, it shall be lawful for the said Company of Proprietors of the *Birmingham* Canal Navigations, and they are hereby authorized and empowered, from Time to Time and at all Times hereafter, to ask, demand, take, receive, and recover, to and for their own Use, the several Tolls and Rates herein-after mentioned; (that is to say,)

For all Coal, Coke, Iron, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever, which shall pass in either Direction through One or more of the Locks on that Part of the said Canals hereby vested in the said Company of Proprietors of the *Birmingham* Canal Navigations which lies between *Ogley Hay* and *Huddlesford* inclusive, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Penny *per* Ton, by way of Lock Dues:

For all Coal, Coke, Iron, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever, which shall pass in either Direction through One or more of the Locks to be erected on the said new Canal intended to be called the *Rushall* Canal, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Penny *per* Ton, by way of Lock Dues:

For all Coal, Coke, Iron, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever, which shall pass in either Direction through One or more of the Locks to be erected on the said new Canal intended to be called the *Bentley* Canal, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Penny *per* Ton, by way of Lock Dues :

For all Coal, Coke, Iron, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever, which shall pass in either Direction through any Lock or any Number of Locks to be erected on any One of the Branch Canals which the said Company may hereafter make or purchase under or by virtue of this Act, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Penny *per* Ton, by way of Lock Dues :

For all Coal, Coke, Iron, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever, which shall be carried or conveyed in either Direction upon any Part of any One of the said Branch Canals which the said Company may hereafter make or purchase under or by virtue of this Act, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of Two-pence *per* Ton :

For all Coal, Coke, Iron, Ironstone, Minerals, and other Goods whatsoever (except Lime and Limestone) which shall be carried or conveyed in either Direction upon any Part of the said Canals hereby vested in the said Company, or upon the said Canals called the *Bentley* Canal and the *Rushall* Canal hereby authorized to be made, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Penny Halfpenny *per* Ton *per* Mile :

For all Lime, Limestone, and Manure which shall be carried or conveyed in either Direction upon any Part of the said Canals hereby vested in the said Company, or upon the said Canals called the *Bentley* Canal and the *Rushall* Canal, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Halfpenny *per* Ton *per* Mile :

Provided always, that the aggregate Amount of the Tolls payable for Coal and Coke for a single Voyage (without an intermediate unlading) upon that Part of the said Canals which is called or intended to be called the *Wednesfield* Canal (and which includes the whole of the Canals hereby vested in the said Company, except that Part thereof which lies between the Top-lock at *Ogley Hay* and *Huddlesford*) shall not exceed the Sum of Seven-pence Halfpenny *per* Ton : Provided also, that the aggregate Amount of the Tolls payable for Iron and Ironstone for a single Voyage (without an intermediate unlading) upon the said *Wednesfield* Canal shall not exceed the Sum of Nine-pence *per* Ton, nor for Bricks, Tiles, Quarries, Sand, Clay, Pebbles, Gravel, and Rockstone, the Sum of Sixpence *per* Ton : Provided also, that the aggregate Amount of the Tolls payable for Lime, Limestone, and Manure for a single Voyage (without an intermediate unlading) upon the said *Wednesfield* Canal shall not exceed the Sum of Sixpence *per* Ton : Provided also, that the aggregate Amount of all the Tolls, of whatever Description, payable for Iron for a single Voyage (without an intermediate unlading) on all or any Part of the said Canals hereby vested

vested in the said Company of Proprietors of the *Birmingham* Canal Navigations, and the said Canals hereby authorized to be made, and passing into the *Coventry* Canal at *Huddlesford*, shall not exceed the Sum of One Shilling and Two-pence *per* Ton.

Power to take Wharfage Tolls.

XLVIII. And be it further enacted, That it shall be lawful for the said Company from Time to Time and at all Times hereafter to demand, receive, and recover, for all Coal, Coke, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever loaded, landed, or placed in or upon any of the public Wharfs now existing or hereafter to be made adjoining to the Canals and Works hereby vested in the said Company, and hereby authorized to be made respectively, over and above the several Tolls herein-before mentioned, the further Tolls following; (that is to say,)

For the Wharfage of all Coal, Coke, Ironstone, Lime, Limestone, and other Minerals which shall be landed, loaded, or placed at or upon any of the said Wharfs now existing or hereafter to be made, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Penny *per* Ton :

For the Wharfage of all Coal, Coke, Ironstone, Lime, Limestone, and other Minerals whatsoever, which shall remain upon any of the said Wharfs now existing or hereafter to be made beyond the Space of Forty-eight Hours, any further Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Farthing *per* Ton for every Fortnight which such Article shall remain upon such Wharf after the Expiration of the said Forty-eight Hours, and so after that Proportion for any less Period than a Fortnight :

For the Wharfage of all Goods (except Coal, Coke, Ironstone, Lime, Limestone, and other Minerals) which shall be landed, loaded, or placed at or upon any of the said Wharfs now existing or hereafter to be made, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of Two-pence *per* Ton :

For the Wharfage of all Goods (except Coal, Coke, Ironstone, Lime, Limestone, and other Minerals) which shall remain upon any of the said Wharfs now existing or hereafter to be made beyond the Space of Forty-eight Hours, any further Sum which the said Company shall from Time to Time direct, not exceeding the Sum of One Halfpenny *per* Ton for every Week which such Articles shall remain upon such Wharf after the Expiration of the said Forty-eight Hours, and so after that Proportion for any less Period than a Week :

For the weighing of all Coal, Coke, Ironstone, Lime, Limestone, Minerals, and other Goods whatsoever, which the Owner thereof shall be desirous of having weighed, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of Two-pence *per* Ton :

For the Use of any Crane now erected and made, or hereafter, in pursuance or under the Authority of this Act, to be erected and made, any Sum which the said Company shall from Time to Time direct, not exceeding the Sum of Two-pence *per* Ton.

Power to reduce the Tolls;

XLIX. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized and empowered, from
Time

Time to Time, and as often as they shall see fit, to lessen or reduce all or any of the Tolls hereby authorized to be taken for or in respect of any Coal, Coke, Iron, Ironstone, Lime, Limestone, Minerals, or other Goods whatsoever, or any particular Description of such Articles respectively; and afterwards from Time to Time to raise or advance the same, or any of them, so that the same do not at any Time exceed the respective Amounts or Sums herein-before set forth, and hereby authorized to be taken: Provided always, that previously to any Reduction or Advance in the said Tolls being carried into effect One Calendar Month's Notice at least shall be given in some One of the Newspapers published in the Town of *Birmingham* and in the County of *Stafford* respectively: Provided also, that no Reduction or Advance shall be made in any of the Tolls *per* Mile, on any Part of the Cuts or Canals belonging to or hereby vested in the said Company, or hereby authorized to be made respectively, without a proportionate Reduction or Advance on the Tolls *per* Mile throughout the whole of the said Cuts or Canals in respect of the same Description of Articles, and that no Reduction or Advance in the said Tolls shall, either directly or indirectly, be made partially or in favour of or against any particular Person or Company, or be confined to any particular Part of the said Cuts or Canals; and in case any Reduction or Advance of the said Tolls upon any particular Description of Articles shall be made, the same shall extend to and take place throughout the Whole and every Part of the said Cuts or Canals, upon and in respect of the same Description of Articles so reduced or advanced, and shall extend to all Persons and Companies whomsoever navigating the same respectively, or carrying the same Description of Articles thereon respectively, any thing in the said recited Acts or this Act to the contrary thereof in anywise notwithstanding: Provided always, that the said Restriction, requiring a proportional Reduction or Advance throughout the Cuts or Canals belonging to or hereby vested in the said Company, or hereby authorized to be made respectively, shall not extend to the Tolls *per* Mile by the said recited Act of the Fifth Year of the Reign of His late Majesty King *William* the Fourth authorized to be taken in respect of Coal and Iron, or either of them, which shall be carried or conveyed in either Direction, upon the Canal of the said Company between *Farmer's Bridge* and *Fazeley*, or any Part of the *Digbeth* Branch.

such Reduction to be made equally on all the Cuts or Canals.

L. And be it further enacted, That it shall be lawful for the said Company of Proprietors of the *Birmingham* Canal Navigations to agree with the Proprietor or Occupier of any Furnace, Forge, Mill, or other Work, now or hereafter to be erected on or near the said *Wednesfield* Canal, *Rushall* Canal, and *Bentley* Canal, or either of them, to receive and accept from such Proprietor or Occupier for the Tonnage and Lock Dues of all or any Part of the Coal, Coke, Ironstone, Slack, or other raw Materials, Furnace Cinders or Scoria carried or conveyed upon any Part of the same Canals, or any of them, to and for Use and Consumption at any such Furnace, Forge, Mill, or other Work, for and in lieu of all or any of the Tolls which would otherwise during the Continuance of such Agreement have become due and payable to the said Company on such of the said Articles carried or conveyed and used and consumed as aforesaid, such

Power for the Company to contract with Proprietors of Furnaces, Forges, &c. for Payments in lieu of Tolls.

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Rate

Rate *per* Ton, and for such Period, as shall or may be agreed upon between the said Company and the Proprietor or Occupier of each such Work respectively.

Agreements to be subject to Provisions of the Act 5 & 6 W. 4. c. 34.

LI. Provided always, and be it enacted, That the Rate *per* Ton shall be the same in all such Agreements, and that the said Agreements shall be subject to the same or corresponding Provisions for securing such Equality, and for the Recovery of the Amount thereby payable, and to such other Provisions in all respects as are contained in the said recited Act of the Fifth Year of the Reign of His said late Majesty in reference to Agreements of the like Nature with the Proprietor or Occupier of any Furnace, Forge, Mill, or other Work within the Limits in the same Act mentioned.

Provisions of former Birmingham Canal Acts relative to the Tolls to apply to this Act.

LII. And be it further enacted, That the Tolls imposed by the said recited Act of the Fifth Year of the Reign of His said late Majesty King *William* the Fourth shall not by Reference be payable in respect of the Cuts or Canals so made and constructed under or by virtue of the said repealed Acts, and hereby vested in the said Company of Proprietors of the *Birmingham* Canal Navigations as aforesaid, or in respect of the shortened Parts thereof, or in respect of the Cuts or Canals hereby authorized to be made, or the Branches thereon, any thing herein-before contained to the contrary in anywise notwithstanding; but all and singular the Powers, Modes of Computation, Exemption, and other Provisions whatsoever of the same Act in reference to the Tolls thereby imposed shall nevertheless extend and apply in all respects to the Tolls respectively herein-before authorized to be taken by the said Company of Proprietors of the *Birmingham* Canal Navigations.

Company not to claim Minerals unless specifically purchased by them.

LIII. And whereas by the said recited Act of the Fifth Year of King *William* the Fourth it was amongst other things enacted, that nothing in that Act contained should extend or be construed to extend to give to the said Company any Mines of Coal, Ironstone, Limestone, or Fire Clay below the thick Coal under any Land then already taken or purchased by the Company thereby dissolved, or the previous Companies or any of them, or to be taken or purchased by the said Company under the Provisions of that Act, unless the same had been specifically and distinctly purchased and paid for by the said Companies or any of them, or should be expressly purchased and paid for by the said Company of Proprietors of the *Birmingham* Canal Navigations, under the special Provision therein-after contained, but that all such Mines of Coal, Ironstone, Limestone, and Fire Clay below the thick Coal should (except in such Cases as aforesaid) be deemed to be excepted out of every such Purchase respectively: And whereas Doubts have arisen whether the last herein-before recited Provision of the said Act of the Fifth Year of King *William* the Fourth may not be construed to give to the said Company the thick Coal under such Lands as in the said Provision mentioned, and all Coal, Ironstone, and Limestone lying above such thick Coal, although such a Construction was not contemplated at the Time of the passing of the said last-mentioned Act: And whereas it is expedient that such Doubts should be removed; be it therefore declared and enacted, That nothing in the

said last herein-before recited Provision of the said Act of the Fifth Year of King *William* the Fourth shall extend or be construed to extend to give to the said Company any Coal, Ironstone, or Limestone whatever under any such Land as in the said Provision mentioned, unless such Coal, Ironstone, or Limestone had, at the Time of the passing of the said last-mentioned Act, been already specifically and distinctly purchased and paid for by the said Companies or any of them, or has been or shall be expressly purchased and paid for by the said Company under the special Provision in the said last-mentioned Act contained, but all such Coal, Ironstone, and Limestone shall (except in such Cases as aforesaid) be deemed to be excepted out of every such Purchase respectively as in the said Provision mentioned.

LIV. And whereas it was by the said last-mentioned Act further enacted, amongst others things, that when and so often as any Proprietor, Lessee, or Tenant of any Mine of Coal, Ironstone, Limestone, or other Minerals, lying under the then present or future Canals, Towing Paths, Reservoirs, or other Works belonging to the said Company, or within the Distance therein-before limited (being Twelve Yards from either Side of the said Canals, Towing Paths, Reservoirs, or other Works), should be desirous of working the same (he being in respect of his Estate or otherwise entitled to do so), then and in every such Case such Proprietor, Lessee, or Tenant should give Notice in Writing under his Hand of such Intention to the Clerk for the Time being of the said Company, at least One Calendar Month before he should begin to work such Mine, and upon the Receipt of such Notice it should be lawful for the said Company to contract and agree with any such Proprietor, Lessee, or Tenant for the Purchase of or to purchase accordingly any such Mine or Part thereof, the getting or working of which might appear to the said Company likely to prejudice the said Canal, Towing Paths, Reservoirs, or other Works, and such Proprietor, Lessee, or Tenant as aforesaid was thereby empowered to sell and convey the same accordingly; and in order to enable the said Company the better to determine whether the getting or working of such Mine, or Part thereof, would be likely to have such Effect as aforesaid, it should be lawful for them to inspect the same, or cause it to be inspected, at any Time within the Space of One Calendar Month after the Receipt of such Notice; and if the said Company should not, within the Space of One Calendar Month after the Receipt of such Notice, treat with such Proprietor, Lessee, or Tenant for the Purchase of such Mine or Part thereof, or signify their Desire to do so, then it should be lawful for such Proprietor, Lessee, or Tenant, and he was thereby authorized, to work and get such Part of the said Mine as lay under the said Canals, Towing Paths, Reservoirs, or other Works, or within the Distance aforesaid, without being liable to the said Company for any Damage which might be done thereby, unless such Damage were wilfully done, or were caused by the working such Mine in an improper Manner; and if any Question or Dispute should arise between the said Company, and any such Proprietor, Lessee, or Tenant, touching the Price to be paid for such Mine or Part thereof, or otherwise in relation thereto, the same should be settled and determined by a Jury in the Manner therein

Respecting
Damage to
Canals by
the working
of Mines.

therein mentioned: And whereas Doubts have arisen whether such Damage might not be considered as wilfully done within the Meaning of the said recited Act of the Fifth Year of King *William* the Fourth, although such Damage should be unavoidably done by the working and getting of such Mines and Minerals as aforesaid in a skilful and proper Manner, according to the customary and usual Mode of working and getting Mines and Minerals in the Neighbourhood in which such Mines may be situated, although such a Construction was not contemplated at the Time of the passing of the last-mentioned Act: And whereas it is expedient that such Doubts should be removed; be it therefore declared and enacted, That no Damage which shall unavoidably be done to the said Canals, Towing Paths, Reservoirs, or other Works of the said Company, or any of them, by reason of the working or getting of any Coal, Ironstone, or Limestone whatever, or any Fire Clay, below the thick Coal, which the said Company shall have refused or neglected, after Notice, to purchase, under the said Canals, Towing Paths, Reservoirs, or other Works, or within the Distance aforesaid, in a skilful and proper Manner, according to the customary and usual Mode of working and getting Mines and Minerals in the Neighbourhood in which such Coal, Ironstone, or Limestone, or such Fire Clay, below the thick Coal, may be situate, shall be held or considered to be Damage wilfully done within the Intent and Meaning of the herein-before recited Provision of the said recited Act of the Fifth Year of King *William* the Fourth, any thing in the same recited Act, or any other Act or Acts relating to the *Birmingham* Canal Navigations, in anywise notwithstanding: Provided always, that nothing in this Act contained, either expressly or by reference to the same recited Act, shall be construed to extend to affect the Rights of the said Company, acquired under any Deed, Contract, or Agreement made between the said Company of Proprietors of the *Wyrley* and *Essington* Canal Navigation, and any Person or Corporation, relating to any Mines and Minerals whatsoever, or the working of the same.

Expences of
this Act.

LV. And be it further enacted, That the Costs and Charges of obtaining and passing this Act, and all other Costs, Charges, and Expences relating to the same, or in anywise incident thereto, shall be paid by the said Company out of the Money already received under the said several herein-before recited Acts or any of them, or out of the first Money to be received or raised by virtue of this Act, in preference to any other Payment whatsoever.

Public Act.

LVI. 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.

The

The SCHEDULE to which the foregoing Act refers.

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
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THE RUSHALL CANAL.

COUNTY OF STAFFORD.

Parish of Rushall, Township of Rushall.

House and Garden - -	Thomas Dilke - - -	- - -	Richard Weston.
Old Limekilns, Wharfs, &c.	Ditto - - -	- - -	William Horton.

Parish of Walsall, Township of the Foreign of Walsall.

Plantation - - -	} Charles Windle - - - Henry Christopher Windle - - - George Bradnock Stubbs Horatio Barnett - - - Howard Fletcher - - - William Marshall - - - Charles Smith Forster - - - Arthur Adams - - - Joseph Hateley - - - Samuel Perks - - - The Governors of Walsall Free Grammar School }	- - -	James Frost.	
		Ditto - - -	Samuel Barber - - -	William Partridge.
		Ditto - - -	Joseph Curtis - - -	Joseph Curtis.
		Ditto - - -	Ditto - - -	Ditto.
		Ditto - - -	Ditto - - -	Ditto.
		Fish Ponds, Hovel, and Plantation.	Ditto - - -	Ditto.
		Plantation - - -	Ditto - - -	Ditto.
		Ditto - - -	Ditto - - -	Ditto.
		Ditto - - -	Ditto - - -	Ditto.
		House, Buildings, Garden, and Yard.	Joseph Curtis - - -	David Allen.
Hovel, Pit, and Plantation -	Ditto - - -	Joseph Curtis.		
Plantation - - -	Earl of Bradford - - -	Earl of Bradford.		
Barn, Stable, and Sheds -	John Pember - - -	Joseph Freeman.		

Description of Property.	Owners or-reputed Owners.	Lessees.	Occupiers.
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THE BENTLEY CANAL.

COUNTY OF STAFFORD.

Parish of Wolverhampton, Township of Wednesfield.

Garden - - -	Samuel Marston - - -	- - -	John Tomkys. David Bolton.
Gardens and Road - - -	Thomas Grosvenor - - -	- - -	Samuel Terry. James Webster. Samuel Rowley. William Latham.
Gardens - - -	John Brewster - - -	- - -	John Pierce. Thomas Preston. Thomas Courts. Elizabeth Lilley.
House, Cow-house, Sties, and Garden.	John Lane - - -	- - -	John Lane.
House and Garden - - -	Ditto - - -	- - -	Thomas Price.
House, Shop, and Garden -	Thomas Grosvenor - - -	- - -	David Bolton.
Ditto - - -	Ditto - - -	- - -	Samuel Terry.
Garden - - -	Mary Phillips - - -	- - -	Henry Horton.
Rick-yard - - -	Mark Devey - - -	- - -	Elizabeth Tomkys.

Township of Willenhall.

House, Shop, Buildings, and Garden.	John Fisher - - -	- - -	John Hill.
House and Garden - - -	Joseph Hadley - - -	- - -	Timothy Jones.
Ditto - - -	Ditto - - -	- - -	Thomas Baugh.
Ditto - - -	Ditto - - -	- - -	Void.
Ditto - - -	James Taylor - - -	- - -	James Taylor.
House, Premises, Shop, and Garden.	Timothy Tonks - - -	- - -	Timothy Tonks.
House, Shop, and Garden -	Barbara Walton - - -	- - -	Thomas Evans.
Ditto - - -	Ditto - - -	- - -	Benjamin Cox.
Garden - - -	Charles Bratt - - -	- - -	Stephen Vaughan.
Ditto - - -	William Bratt - - -	- - -	Mary Vaughan.
Ditto - - -	Ditto - - -	- - -	George Vaughan.
Ditto - - -	Ditto - - -	- - -	James Taylor.
House, Shop, and Garden -	Ditto - - -	- - -	Stephen Vaughan.
Ditto - - -	Ditto - - -	- - -	Mary Vaughan.
House, Shop, Buildings, and Garden.	William Perkins - - -	- - -	Joseph Hill.
Ditto - - -	George Morgan - - -	- - -	William Lowe.
Garden - - -	Samuel Smith - - -	- - -	John Hill.
Ditto - - -	Ditto - - -	- - -	Thomas Vaughan.
Ditto - - -	Ditto - - -	- - -	Joseph Tonks.
Coalpit - - -	Francis Cooper - - -	James Taylor	Isaiah Turner.
House, Shop, and Garden -	John Fowler - - -	- - -	William Vale.
House and Garden - - -	Ditto - - -	- - -	Hannah Hartill.
Bush Piece Colliery, Coal Mines, and Clay Works, Clay Mills, Drying Sheds, Kilns, Yards, Smith's Shop, Cart-hovel.	Thomas Hincks - - -	- - -	Thomas Hincks.
Office and Stable - - -	Ditto - - -	- - -	Ditto.
House, Shop, and Garden -	Ditto - - -	- - -	John Forrester.
House, Brewhouse, Shop, and Garden.	Josiah Hartill - - -	- - -	Josiah Hartill.

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
Garden - - -	John Hincks - - -	- - -	John Icke.
Rick-yard and Hovel -	Ditto - - -	- - -	Thomas Taylor.
House, Buildings, and Garden	Ditto - - -	- - -	John Icke.
Barn, Stable, Cowsheds, and Yard.	Ditto - - -	- - -	Thomas Taylor.
Garden - - -	Maria Hartill - - -	- - -	Maria Hartill.
Ditto - - -	Thomas Gibbons - - -	- - -	Void.
<i>Township of Bentley.</i>			
House, Out-offices, Cowsheds, Sties, Yards, Gardens, and Pasture.	Earl of Lichfield - - -	- - -	Thomas Harvey.
House, Shop, Pig-sties, and Yard.	Ditto - - -	- - -	Void.
Houses, with a Party Brew- house, Sties, and Yard. }	Ditto - - -	- - -	Richard Nott. John Williams. Joseph Cooksey. John Plant. George Barnacle. William Birch. Void. William Cooper. John Wheeler. Edward Jones.
Rick-yard - - -	Ditto - - -	- - -	Thomas Harvey.
Garden - - -	Ditto - - -	- - -	Void.
Ditto - - -	Ditto - - -	- - -	John Williams.
Ditto - - -	Ditto - - -	- - -	Joseph Cooksey.
Ditto - - -	Ditto - - -	- - -	John Plant.
Ditto - - -	Ditto - - -	- - -	George Barnacle.
Wood - - -	Ditto - - -	- - -	Earl of Lichfield.
Mill Stream - - -	Ditto - - -	- - -	Henry Eld.
Mill Pool - - -	Ditto - - -	- - -	Ditto.
<i>Township of Willenhall, continued.</i>			
House, Shop, Buildings, and Garden.	John Sturmy - - -	- - -	Henry Cooper.
House and Garden - - -	Ditto - - -	- - -	Thomas Bristow.
House, Shops, Sheds, and Gardens.	Benjamin Smith - - -	- - -	Thomas Hadley.
House and Garden - - -	Joseph Banks - - -	- - -	Elizabeth Buggins.
House and Garden - - -	Joseph Banks - - -	- - -	Enoch Banks.
Ditto and Shed - - -	Ditto - - -	- - -	Edward Simpkins.
House, Brewhouse, Shop, and Garden.	Ditto - - -	- - -	Joseph Banks.
House, Shop, Brewhouse, Pig-sties, and Garden.	Phœbe Marston - - -	- - -	George Starkey.
House - - -	Ditto - - -	- - -	Lot Hadley.
House, Shop, Buildings, and Garden.	John Phillips - - -	- - -	Void.
House, Shop, Brewhouse, and Garden.	James Lloyd - - -	- - -	James Lloyd.
Garden and Pit - - -	John Pountney - - -	- - -	John Nichols.

