



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. lxxviii.

An Act to alter and amend the several Acts for making navigable the River *Kennet* in the County of *Berks*. [6th September 1831.]

WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *George* the First, intituled *An Act to make the River Kennet navigable from Reading to Newbury in the County of Berks*, *Richard Cowslade* Esquire and certain other Persons were empowered to make the said River *Kennet* navigable, portable, and passable for Boats, Barges, Lighters, and other Vessels, from the Wharf or common Landing Place at *Reading* to *Newbury* aforesaid, in manner therein mentioned, and from Time to Time to continue, maintain, and use such Navigation in such Manner as they should think fit, and for those Purposes, amongst other Works, to build, erect, set up, and make, over or in the said River, or the Streams, Brooks, or Watercourses which then came or were capable of being brought into the same, such and so many Sluices, Locks, Wears, Pens for Water, Stanks, Dams, and other Works, as and where they the said Undertakers, their Heirs, Assigns, and Nominees, should think fit or convenient, and from Time to Time to alter, repair, and amend the same, and to do all Matters and Things which the said Undertakers, their Heirs, Assigns, or Nominees, should think necessary for the making and maintaining the said River, Streams, Cuts, and Passages navigable and passable, or for the Improvement or Preservation thereof; and it is in and by

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the said Act declared, that the said River *Kennet* shall for ever thereafter be esteemed and taken to be navigable from the said Wharf or common Landing Place at *Reading* aforesaid to the Town of *Newbury* aforesaid, and that all the King's liege People whatsoever may have and lawfully enjoy their free Passage in, along, through, and upon the said River *Kennet*, with Boats, Barges, Lighters, and other Vessels, and have and enjoy all necessary and convenient Liberties for navigating the same, without any Obstruction whatsoever, paying such Rates and Duties as are in the said Act mentioned and appointed to be paid: And whereas a certain other Act was passed in the Seventh Year of the same Reign, intituled *An Act for enlarging the Time granted for making the River Kennet navigable from Reading to Newbury in the County of Berks*: And whereas a certain other Act was passed in the Third Year of the Reign of His late Majesty King *George the Second*, intituled *An Act for making the Acts of the First and Seventh Years of His late Majesty's Reign (for making the River Kennet navigable from Reading to Newbury in the County of Berks) more effectual*: And whereas the said River *Kennet*, some Time after the passing of the said last-mentioned Acts, under and by virtue thereof, was made and still is navigable from *Reading* to *Newbury* aforesaid: And whereas since the making of the said River *Kennet* navigable as aforesaid a certain Canal called the *Kennet* and *Avon* Canal has been made from and out of the said River *Kennet* at *Newbury* aforesaid to and into the River *Avon* at or near the City of *Bath*, by means whereof the said River *Kennet* now forms Part of a direct navigable Inland Communication between the Ports of *London* and *Bristol*: And whereas the several Locks on the said River *Kennet* were originally and still are constructed and built of Timber, and made of a Size and Dimensions much larger than is now necessary for the convenient Use and Navigation of the said River, by reason whereof a much greater Consumption of Water is occasioned in the Passage of Boats and Barges through the same than would otherwise be necessary for that Purpose, to the Prejudice of the several Mills situated upon the said River, and whereby also Delays and Obstructions are created in the Navigation of the said River: And whereas many of the said Locks are now in a dilapidated State of Repair, and others of them are becoming so, and it would tend to the saving of Water for the Use of the said Mills, and also for expediting the Passage of Boats and Barges along the said River, if the Owners of the Shares and Tolls of the said Navigation of the said River *Kennet* were, in the rebuilding or repairing of the said Locks, to make and construct the said Locks of a smaller Size, and of less Dimensions than they are of at present, but Doubts may be entertained whether the said Owners can legally do the same without the Authority of Parliament; for remedying therefore the said Inconveniences, and for the Removal of all such Doubts, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers and Provisions of the said recited Acts of the First and Seventh Years of the Reign of His Majesty King *George* the First, and of the Third Year of the Reign of His Majesty King *George* the Second,

Extending
Powers of
former Acts
to this Act.

and all Penalties, Forfeitures, Matters, and Things therein contained, so far as the same are not altered or varied, shall extend and be construed to extend to and be in full Force and Effect, with respect to the Works by this Act authorized to be made, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Acts and this Act shall, as to all Matters and Things whatsoever, (except as aforesaid,) be construed as One Act.

II. And be it further enacted, That it shall and may be lawful for the Owners of the Tolls and Shares of and in the said Navigation of the said River *Kennet*, their Workmen and Servants, to vary, alter, and lessen the Size, Construction, and Dimensions of the said several Locks situated upon the said River *Kennet*, between the said Wharf or common Landing Place at *Reading* and *Newbury* aforesaid, or upon any Cuts by the Side of the said River, and communicating therewith, and of the Sluices, Hatches, Gates, Dams, and other Works, being Parts thereof, or necessary or incident thereto, or of such and so many of them as they shall think fit, so that no such Lock be made of less Size in the Clear in the Chamber thereof than the Length of Seventy-four Feet and the Breadth of Fourteen Feet; any thing in the said recited Acts or either of them, or any Law, Custom, or Usage, to the contrary notwithstanding.

Power to
alter Size of
Locks.

III. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the Owners of the said Shares and Tolls, their Agents, Workmen, or Servants, to lessen the Size or Construction of a certain Lock called the *Country Lock*, now of the Width of Eighteen Feet, situate on the said River *Kennet* near to the said Town of *Reading*, or the Sluices or Hatchways belonging thereto, the said Sluices or Hatchways being Ten in Number, each of them Twenty-seven Inches in Depth and Twenty-three Inches in Breadth, and of the Depth of Three Feet Eight Inches and a Half from the upper Edge of the top Sill of the said Lock, or to lessen the Number of such Sluices or Hatchways, or to raise the Sill of the said Lock, or to do any other Matter or Thing whatsoever whereby the said Lock may be rendered less effectual than it now is for the Discharge of Flood Waters from the Lands above or near the said Lock.

Not to lessen
the Width of
the Country
Lock.

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

Public Act.

