ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. liv.

An Act to enlarge and amend the Powers and Provisions of the several Acts relating to the *Birmingham* and *Liverpool* Junction Canal, and to better supply the said Canal with Water.

[22d *April* 1831.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making a Navigable Canal from the* 7 G. 4. c. 95:
Staffordshire *and* Worcestershire *Canal in the Parish of* Tettenhall *in the County of* Stafford *to the United Navigation of the* Ellesmere *and* Chester *Canals in the Parish of* Acton *in the County Palatine of* Chester: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His said late Majesty, intituled *An Act to enable* 7&8 G.4. c.2.
the Company of Proprietors of the Birmingham *and* Liverpool *Junction Canal Navigation to alter the Line of the said Navigation, and to make certain Branches therefrom, in the Counties of* Stafford *and* Salop: And whereas great Progress has been made towards the Completion of the said Canal, and the Works connected therewith, authorized by the said recited Acts: And whereas it is expedient that the said Company should be authorized to procure an additional Supply of Water for the said Canal and Works, from a certain Brook or Stream of Water within the Parish of *Brewood* in the County of *Stafford*, (and herein-after more particularly described,) and for that Purpose to construct a Feeder or Watercourse and other necessary Works from

the said Brook, within the said Parish of *Brewood*, to communicate with the Reservoir by the said first-recited Act authorized to be made within the same Parish; and also that the said Company should be authorized to procure an additional Supply of Water for the said Canal and Works, from a certain other Brook or Stream of Water called *Parkheath Brook*, within the Parish of *Cheswardine* in the County of *Salop*, (herein-after more particularly described,) and for that Purpose to construct a new and additional Reservoir or Basin (together with the necessary Feeders or Watercourses and other Works) within the Parish of *Cheswardine* in the County of *Salop*, and of *Adbaston* in the County of *Stafford*: And whereas a further Sum of Money, in addition to the Sums authorized to be raised by the said recited Acts, will be necessary for making the new Feeders or Watercourses, Reservoir or Basin, and other Works herein-before mentioned, and for carrying the Purposes of the said recited Acts and of this Act into execution: And whereas it is expedient that several of the Powers and Provisions contained in the said recited Acts should be repealed or altered, amended, and enlarged in manner herein-after mentioned: And whereas the several Purposes aforesaid cannot be accomplished without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all the Powers, Exceptions, Penalties, Forfeitures, Payments, Rules, Remedies, Directions, Articles, Matters, and Things therein contained, shall (except so far as the same or any of them are or is varied, altered, or repealed) be applicable to this Act, and shall be good, valid, and effectual for carrying the same into execution.

Powers of recited Acts extended to this Act.

Company empowered to take Water from the Brook.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to procure an additional Supply of Water for the said Canal and Works from the Brook herein-before mentioned, within the Parish of *Brewood* aforesaid, and delineated on the Plan of the Improvements of the said Canal which has been deposited in the Offices of the respective Clerks of the Peace of the Counties of *Stafford* and *Salop*, as herein-after mentioned, (by and with the Consent in Writing of the Owner or Owners for the Time being of the said Brook, but not otherwise,) and for that Purpose to construct and maintain a Feeder or Watercourse, together with all other necessary Works, from the said Brook within the Parish of *Brewood* aforesaid, to communicate with the Reservoir by the said recited Act of the Seventh Year of the Reign of His said late Majesty authorized to be made within the said Parish of *Brewood*, and to do and perform all such other Acts and Matters as shall be necessary or convenient for conveying Water from the said Brook to the said Reservoir in manner by this Act authorized and directed, and subject to the Provisions and Restrictions in the said recited Acts and this Act contained.

Company empowered

III. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to procure an additional

Supply of Water for the said Canal and Works from the other Brook herein-before mentioned, within the Parish of *Cheswardine*, called *Parkheath Brook*, in the Plan herein-before referred to, and to construct and maintain a new and additional Reservoir or Basin within the Parish of *Cheswardine* in the County of *Salop*, and of *Adbaston* in the County of *Stafford*, for the Purpose of receiving and preserving such Water, and also to construct and maintain such Feeders or Watercourses and other Works, and to do and perform all such other Acts and Matters as may be necessary or convenient for conveying Water to and from such Brook or Stream, Reservoir or Basin, and the said Canal and other Works respectively, and for receiving and preserving the Water therein respectively in manner by this Act authorized and directed, and subject to the Provisions and Restrictions in the said recited Acts and this Act contained.

to construct an additional Reservoir.

IV. And whereas Maps or Plans, describing the said intended Feeders or Watercourses, Reservoir or Basin, and other Works, and the Lands in and through which the same respectively are intended to be constructed or carried, together with Books of Reference thereto, containing a List of the Names of the Owners or reputed Owners and of the Occupiers of such Lands, have been deposited in the Offices of the Clerks of the Peace for the Counties of *Stafford* and *Salop* respectively; be it therefore enacted, That the said Maps or Plans and Books of Reference so deposited shall remain with and be kept by the said respective Clerks of the Peace, and all Persons interested in any Manner in such Lands shall at all seasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, at their Pleasure, paying to the said respective Clerks of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies of or Extracts from the same; and the said Maps or Plans and Books of Reference, or true Copies thereof, or of so much thereof as shall relate to any Matter that may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere; and the said Company, in making the said Feeders or Watercourses, Reservoir, Basin, and other Works, shall not extend beyond nor deviate from the Course or Situation delineated in the said Maps or Plans to a greater Distance than One hundred Yards.

Plans, &c. deposited with the Clerks of the Peace to be open to Inspection, and may be made Evidence.

Limiting the Deviation from Plan.

V. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Feeders or Watercourses, Reservoir or Basin, and other Works respectively, upon, in, over, or through the Lands, Tenements, or Hereditaments upon, in, over, or through which such Feeders or Watercourses, Reservoir or Basin, and other Works are delineated on the said Maps or Plans, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, or the Names of the Owners or of the Occupiers thereof respectively, may happen to be omitted or misstated or erroneously described in this Act or in the Schedule thereto, or in the said Books of Reference, if it shall appear to any Two or more Justices of the Peace for the said County of *Stafford* or for the said County of *Salop*, (as the Case may require,) in case of a Dispute about the same, and be certified by Writing under their Hands,

Unintentional Errors in Act or Plan or Book of Reference not to prevent Execution of the Act.

Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said County of *Stafford* or the said County of *Salop*, as the Case may require.

Houses and Gardens not to be used without Consent.

VI. Provided also, and be it further enacted, That nothing herein contained shall authorize 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 which was erected or built on before the First Day of *October* One thousand eight hundred and thirty, on any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to any House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, unless with the Consent in Writing of the Person or Persons being Owner or Owners thereof or capacitated to sell the same.

Not to take Water from any Brooks without Consent.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Company, or for their Servants, Agents, or Workmen, or any of them, or for any other Person or Persons whomsoever, to divert or take, for the Use or Supply of any of the Works by this Act authorized, any Water from or out of any other Brooks or Streams than such as are laid down or described in the Maps or Plans and Books of Reference herein-before referred to, without the Consent in Writing of the Party or Parties interested in such Water first obtained; but in no case shall it be lawful to or for the said Company of Proprietors to take or divert the Springs, Streams, or Watercourses belonging to a certain Mill situate in the Parish of *Tettenhall* aforesaid, called *Pendeford* otherwise *Penford Mill*, nor from any other Springs, Brooks, Streams, Feeders, or Waters which now are or heretofore have been taken for the Use of the said *Staffordshire* and *Worcestershire* Canal Navigation, or which the said Company of Proprietors of the *Staffordshire* and *Worcestershire* Canal are by Law authorized or empowered to take for the Use of the said Canal.

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

VIII. Provided always, and be it further enacted, That if the said Company shall not within the Space of Three Years, to be computed from the passing of this Act, agree for or otherwise cause to be valued and pay for, as in the first-recited Act is mentioned, the Lands, Tenements, or Hereditaments which they are by the said recited Acts or either of them, or this Act, empowered to take on Compulsion, (or so much thereof as shall be deemed necessary or proper for the Purposes of the said recited Acts or either of them, or of this Act,) then and from thenceforth all the Powers which are by the said recited Acts or by this Act granted to them for so taking such Lands, Tenements, or Hereditaments shall cease and be utterly void; any thing in the said recited Acts or either of them contained to the contrary notwithstanding.

Enlarging the Time for completing

IX. And whereas it is expedient that the Period limited by the said recited Acts for the Completion of the Canal and Works by such Acts

Acts authorized to be made should be extended and enlarged; be it therefore enacted, That the Time for making and completing the said Canal and other Works authorized by the said recited Acts respectively shall be extended and enlarged for the further Space or Term of Three Years, to commence and be computed from the passing of this Act: Provided always, that in case such Canal and other Works, and also the said Feeders or Watercourses, Reservoir or Basin, and other Works by this Act authorized to be made, shall not respectively have been made and completed within the said Term of Three Years, then, from and after the Expiration of the said Term of Three Years, all the Powers, Authorities, and Privileges by the said recited Acts or by this Act given to or conferred upon the said Company for making such Canal, and also the Power by this Act given for constructing the said Feeders or Watercourses, Reservoirs or Basin, and other Works, shall respectively cease and determine, save only and except as to so much of the said Canal and other Works by the said recited Acts authorized, and of the said Feeders or Watercourses, Reservoir or Basin, and other Works by this Act authorized, as shall have been declared and certified to have been made and completed within the said Term by the Justices of the Peace acting for the Counties of *Stafford*, *Salop*, and *Chester*, (as the Case may require,) assembled at any General Quarter Sessions of the Peace to be holden in and for such respective Counties within Three Calendar Months next after the Expiration of the said Term of Three Years, upon the Evidence of some Witness or Witnesses to be examined before them, upon Oath, or, in the Case of the Party being of the Society called *Quakers*, on Affirmation, for that Purpose to be taken or made.

the Works authorized by the former Acts.

X. And to the end that the said Company may be enabled to complete and maintain the said Canal, and the several other Works authorized by the said recited Acts, and to defray all necessary Expences relating thereto, and to repay and discharge all such Sums of Money as the said Company have already borrowed for the Purposes and upon the Credit of the said Undertaking, and to construct and maintain the said Feeders or Watercourses, Reservoir or Basin, and other Works by this Act authorized; be it enacted, That it shall be lawful for the said Company to raise, by Contribution among themselves, or by the Admission of other Persons as Subscribers to the said Undertaking, or in part by each of those Means, a further Sum of Money not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, in addition to the Sums authorized to be raised by the said first-recited Act, the whole to be divided into Four thousand Shares of Thirty Pounds each Share, and the said Shares shall be offered to the several Holders of Shares in the said Undertaking in the Proportions of Thirty Pounds for every original Share of One hundred Pounds held by them respectively therein, and the same shall be divided amongst and be vested in the said several Holders of original Shares who may be willing to accept the same, their respective Successors, Executors, Administrators, and Assigns, in the Proportions aforesaid; and in case any of the said Holders of original Shares shall reject, or shall fail for One Calendar Month next after Offer of the same by Letter under the Hand of the Clerk of the said Company, given to or sent by the Post to them respectively,

Company empowered to raise an additional Sum of Money for the Completion of the Canal, &c.

or left at their respective usual Places of Abode, to accept such additional or new Share or Shares as they respectively shall be entitled to take, or any of such Shares, it shall be lawful for the said Company and they are hereby empowered to dispose of such of the said additional Shares as shall not be accepted by the said Holders of original Shares, for such Sum or Sums of Money *per* Share, not exceeding Thirty Pounds, as the said Company may be able to obtain for the same, unto such Bodies Politic, Corporate, or Collegiate, or other Persons, as may be desirous of becoming and shall become Subscribers to and Proprietors of the same; and all and every new Share or Shares to be created in consequence thereof shall be deemed Personal Estate, and shall be transmissible and transferrable as such; and all Bodies Politic, Corporate, and Collegiate, and other Persons, who shall subscribe for and become entitled thereto, and the several and respective Successors, Executors, Administrators, and Assigns of such Bodies and Persons respectively, shall be and they are hereby declared to be Owners and Proprietors of Stock in the said Undertaking to the Extent of Thirty Pounds for every new Share of Thirty Pounds so by them severally subscribed for or possessed, as beneficially as the Proprietors of original One hundred Pound Shares in the said Undertaking, but in the Proportion nevertheless that Thirty Pounds bear to One hundred Pounds, and under and subject to all the Powers, Provisions, Indemnities, Remedies, Penalties, Clauses, Matters, and Things contained in the said recited Acts respecting or relating to the said original Shares, so far as the same are not altered or varied; and all such Bodies and Persons aforesaid are hereby united and incorporated with the said Company.

Power to Committee of Management to make Calls on new Shares.

XI. And be it further enacted, That the Committee of Management of the said Company shall have Power from Time to Time and at any Time or Times hereafter, at their Discretion, to make such Call or Calls of Money from the Subscribers to and Proprietors of the said new Shares in the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds upon each new Share which any Person shall or may be possessed of or entitled unto in such Undertaking, and so that no further or additional Call on such additional Shares shall be made until all the Arrears of preceding Calls on the same Shares shall have been collected, or some Proceeding taken, either to recover the said Arrears, or to declare the Shares of the Persons in arrear, as to such Shares only on which their may be Arrears, forfeited; and such Calls shall not be made but at the Distance of Three Calendar Months at the least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid, by Advertisement in some Newspaper usually circulated within the Counties of *Stafford*, *Salop*, and *Chester* respectively; which Monies so called for shall be paid to such Person and Persons and in such Manner as the said Committee shall from Time to Time direct and appoint, for the Use of the said Undertaking; and every Owner of any Share in the said Undertaking shall pay his or her rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons, and at such Time and Place, as the said Committee shall from Time to Time direct and appoint;

and all the Powers, Provisions, Remedies, Penalties, Forfeitures, Matters, and Things created or imposed by the said recited Acts or either of them, for compelling the Payment of Calls, with Interest, or for forfeiting the Shares of such Proprietors as shall be in default, shall be as good and valid for carrying this Act into execution as if the same had been repeated and re-enacted in the Body of this Act.

Directing how Subscribers for new Shares shall vote.

XII. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person, who shall by virtue of this Act have subscribed for or shall become entitled to Four Shares and upwards, of Thirty Pounds each, of and in the said additional Capital of One hundred and twenty thousand Pounds by this Act authorized to be raised, shall be allowed to vote either in Person or by Proxy, and shall have One Vote for every Four Shares held by them respectively of and in the said additional Capital, in the Manner expressed and subject to the Stipulations, Provisions, Restrictions, and Limitations contained in the said first-recited Act with respect to the Right of voting by the Proprietors of original Shares of One hundred Pounds, so that, subject thereto, Four Shares of Thirty Pounds each of the said additional Capital shall be considered as equivalent to and as conferring the same Right of voting as One original Share of One hundred Pounds.

Power to raise Money by Bond.

XIII. Provided always, and be it further enacted, That it shall be lawful for the said Company or for the said Committee, and they are respectively hereby empowered, to borrow of any Person or Persons, Body or Bodies Politic or Corporate, who shall be willing to lend the same, the Whole or any Part of the said additional Sum of One hundred and twenty thousand Pounds by this Act authorized to be raised, and also the Whole or any Part of the Sum of One hundred thousand Pounds (by the said recited Act of the Seventh Year of the Reign of His said late Majesty authorized to be raised in the Event of the original Capital of the said Company proving insufficient for the Purposes of the said Undertaking), at such Rate of Interest as may be agreed upon, not exceeding Five Pounds *per Centum per Annum*, and to secure the Repayment thereof, with Interest, by Bonds under the Common Seal of the said Company, payable at such Period or Periods as the said Company and the Party or Parties advancing the Money may mutually agree upon; and in such Case the said Company shall cause to be inserted in such Bond or Bonds the Period or Periods which shall be so agreed upon for the Repayment of the Principal Money thereby secured; and such Sum or Sums of Money, with all Arrears of Interest thereon, shall accordingly be paid, at the Time or Times so fixed, to the Party or Parties who at the Expiration of such Period or Periods shall be the Holder or Holders of such Bond or Bonds, or his, her, or their Nominee or Nominees; and all Persons holding any such Bond or Bonds shall proportionately, according to the respective Amounts of the Monies secured by such Bond or Bonds, and without Preference or Priority amongst them, be entitled to be paid, at the Period or Periods mentioned in such Bond or Bonds, out of the Rates, Tolls, or Duties or other Effects of the said Company, according to the respective Sums in such Bond or Bonds mentioned, and thereby intended to be secured:

secured: Provided nevertheless, that the Powers and Authorities hereby given to raise on Bond the Whole or any Part of the said Sum of One hundred and twenty thousand Pounds which shall not have been already raised shall not abridge or prejudice the Power given by the said Act of the Seventh Year of the Reign of His late Majesty to raise the said Sum of One hundred and twenty thousand Pounds upon Mortgage or Assignment of the said Undertaking of the said Company, if the said Committee shall prefer raising the same on Mortgage or Assignment as aforesaid.

Form of Bond.

XIV. And be it further enacted, That every Bond issued under the Authority of this Act may be in the Words or to the Effect following; (that is to say,)

'*Birmingham* and *Liverpool* Junction Canal Navigation.

'No. Bond

'BY virtue of an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making a Navigable Canal from the* Staffordshire *and* Worcestershire *Canal in the Parish of* Tettenhall *in the County of* Stafford *to the United Navigation of the* Ellesmere *and* Chester *Canals in the Parish of* Acton *in the County Palatine of* Chester, and of an Act passed in the Seventh and Eighth Years of the Reign of His said late Majesty, intituled *An Act to enable the Company of Proprietors of the* Birmingham *and* Liverpool *Junction Canal Navigation to alter the Line of the said Navigation, and to make certain Branches therefrom, in the Counties of* Stafford *and* Salop, and of an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act to enlarge and amend the Powers and Provisions of the several Acts relating to the* Birmingham *and* Liverpool *Junction Canal, and to better supply the said Canal with Water*, we, the Company of Proprietors of the *Birmingham* and *Liverpool* Junction Canal Navigation, incorporated and empowered by and under the said Acts, in consideration of the Sum of of lawful Money to us in hand paid, do, in exercise of the Powers for that Purpose vested in us by the said Acts, assign unto the Holder hereof, his Executors, Administrators, and Assigns, all and singular the Rates, Tolls, and Duties to be received by virtue of the said Acts, and all the Right, Title, and Interest of the said Company of, in, and unto the same, to hold the same, with all Benefit and Advantage thereof, pursuant to the Provisions and subject to the Stipulations in and by the said several Acts in that Behalf contained, for the Term of Years from the Day of the Date hereof, together with Interest for the same after the Rate of *per Centum per Annum*, payable half-yearly, that is to say, on the Day of and the Day of in each Year. Dated this Day of .'

Bondholders not to be deemed Proprietors.

XV. Provided always, and be it further enacted, That no Person to whom any such Bond shall be given shall thereby become or be deemed a Proprietor of any Share, or be thereby rendered capable of acting as such at any Meeting of the said Company, for or on account of his or her having lent or advanced any Sum or Sums on such Bond.

XVI. Pro-

Power to pay off Bonds.

XVI. Provided always, and be it further enacted, That (without Prejudice to any Mortgage or Mortgages made or to be made pursuant to the said first-recited Act) it shall be lawful for the said Company, and they are hereby empowered, from Time to Time, to pay off and discharge all or any of the said Bonds before the Days respectively appointed for Payment thereof, upon giving Six Calendar Months Notice, by Insertion thereof in the *London Gazette* and in some Newspaper usually circulated in the Counties of *Stafford*, *Salop*, and *Chester* respectively, to the Holder or Holders of the said Bonds respectively so proposed to be paid off, of their Intention so to do.

In case Bonds are paid off, the Company may raise the Amount again.

XVII. And be it further enacted, That in case the said Company shall be required or be desirous to pay and shall pay off all or any of the said Bonds, then and in every such Case it shall be lawful for the said Company, and they are hereby empowered, immediately, or at any Time or Times thereafter, again to raise, in lieu of the Principal Money so paid off by them, so much and such Principal Sum and Sums of Money as they shall from Time to Time have paid off, either by the Issue of fresh Bonds, or by way of Mortgage on the Credit of the said Undertaking, and so from Time to Time as often as the same shall happen.

Interest of Money borrowed on Bond to be paid in preference to Dividends.

XVIII. Provided always, and be it further enacted, (without Prejudice to any such Mortgage Securities as aforesaid,) That the Interests which shall become due and payable on any Money to be raised by Bond as aforesaid shall be paid to the several Bodies and Persons entitled thereto in preference to any Interest or Dividend to become due or payable to the said Company under the Provisions of the said recited Acts or this Act; and in case any such Interest, or any Part thereof, shall be behind and unpaid by the Space of Thirty Days next after the same shall have become due and payable, and the same shall not be paid within Ten Days next after Demand thereof in Writing shall have been made to the Clerk of the said Company, or left at the Office of the said Company, then, in addition to such Remedies as the Holder or Holders of such Bond or Bonds may be entitled unto at Law or in Equity, it shall be lawful for Two or more Justices of the Peace acting for the Counties of *Stafford*, *Salop*, or *Chester*, and they are hereby respectively required, on Request to them made, by or on behalf of any such Holder or Holders, or by or on behalf of his, her, or their Executors, Administrators, or Assigns, whose Interest shall be so in arrear, by an Order under the Hands of such Justices to appoint some Person or Persons to receive the Whole or any Part of the Rates, Tolls, and Duties arising or to arise by virtue of the said recited Acts and of this Act, or either of them, until all Interest in arrear on the Bonds then subsisting, together with the Costs and Charges of recovering and receiving such Rates, Tolls, and Duties, shall be fully satisfied and paid; and the Money so to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of the Body or Bodies Politic or Corporate, Person or Persons, to whom such Interest shall be then due; and after such Interest and Costs shall have been paid and

satisfied, the Power and Authority of such Receiver or Receivers for the Purposes aforesaid shall cease and determine.

Rates may be altered.

XIX. Provided always, and be it further enacted, That it shall be lawful for the said Company, from Time to Time, and as often as they shall see fit, to lessen or reduce all or any of the Rates, Tolls, and Duties by the said recited Acts authorized to be taken for the Tonnage and Wharfage of the several Articles, Matters, and Things which may be carried or conveyed upon the said Canals and other Works, and afterwards from Time to Time again to raise or advance the same or any of them, so as not at any Time to exceed the Amount in the said Acts set forth, and thereby authorized to be taken: Provided always, that previous to any Reduction or Advance in the said Rates, Tolls, and Duties being carried into effect, One Calendar Month's Notice at least shall be given in some One of the Newspapers published in each of the Counties of *Stafford*, *Salop*, and *Chester*; provided also, that the Rates, Tolls, and Duties to be taken by virtue of this Act shall at all Times be charged equally and after the same Rate *per* Ton *per* Mile throughout the whole of the said Canals and other Works, in respect of the same Description of Articles, Matters, and Things, and that no Reduction or Advance in the said Rates, Tolls, and Duties shall either directly or indirectly be made partially or in favour of or against any particular Person or Persons, Company or Companies, or be confined to any particular Part of the said Canals or other Works, but that every such Reduction or Advance of Rates, Tolls, and Duties upon any particular Kind or Description of Articles, Matters, or Things shall extend to and take place throughout the Whole and every Part of the said Canals and other Works, upon and in respect of the same Description of Articles, Matters, or Things so reduced or advanced, and shall extend to all Persons whomsoever carrying or conveying the same Description of Articles, Matters, and Things thereon; any thing to the contrary thereof in anywise notwithstanding.

Provision for Payment of the Expences of this Act.

XX. And be it further enacted, That all the Costs, Charges, and Expences of and incident to the obtaining and passing of this Act, and of carrying the same into effect, and the obtaining and making the Surveys, Plans, and Estimates in respect thereof, or otherwise relating thereto, shall be defrayed and paid by the said Company out of the Monies received or to be received by them under the Authority of the said recited Acts and of this Act, or any of them, in preference to any other Payments.

Public Act.

XXI. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially noticed as such by all Judges, Justices, and others, without being specially pleaded.

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