ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. lxii.

An Act for amending ſeveral Acts of His preſent Majeſty, relating to the *Coventry* Canal Navigation.

[14th *June* 1819.]

WHEREAS an Act was paſſed in the Eighth Year of the Reign of His preſent Majeſty King *George* the Third, intituled *An Act for making and maintaining a navigable Canal from the City of* Coventry, *to communicate upon* Fradley Heath *in the County of* Stafford, *with a Canal now making between the Rivers* Trent *and* Merſey, whereby certain Perſons were incorporated by the Name of "The Company of Proprietors of the *Coventry* Canal Navigation," and were thereby empowered to make and maintain the ſaid Canal, and to raiſe and contribute among themſelves a competent Sum of Money for the Purpoſes of the ſaid Act, not exceeding in the Whole (except as therein is mentioned) the Sum of Fifty thouſand Pounds, the ſame to be divided into Five hundred equal Parts or Shares, at a Price not exceeding One hundred Pounds a Share; and it was by the ſaid Act enacted, that every Perſon ſubſcribing thereto or becoming a Proprietor in ſuch Navigation, ſhould become a Proprietor of not leſs than One nor more than Ten Shares (except as therein mentioned), either in his own Name or in the Name of any other Perſon in Truſt for him, unleſs the ſame ſhould come to him by Will or Act in Law, upon Pain of forfeiting all ſuch Shares exceeding Ten Shares; and that all Bodies Politic and Corporate, Perſon and Perſons, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, ſubſcribing and paying the Sum of One hundred Pounds, ſhould be entitled to and receive, after the ſaid Navigation ſhould be completed, the entire and neat Diſtribution of One five-hundredth Part of the Profits and Advantages that ſhould ariſe and accrue by virtue of the Sum and Sums of Money to be raiſed or received by

8 G. 3. c. 36.

by the Authority of the ſaid Act, and ſo in proportion for any greater Number of Shares not exceeding Ten Shares; and that all and every Perſon or Perſons who by virtue of the ſaid Act ſhould ſubſcribe or undertake for One five-hundredth Part of the ſaid Navigation ſhould be deemed a Proprietor for ſo much, and ſhould have a Vote in every public Meeting or Aſſembly to be held as therein-after mentioned for carrying on the ſaid Undertaking; and that any Perſon or Perſons who ſhould have more than One ſuch Share, and not exceeding Ten ſuch Shares, ſhould have One Vote for each ſuch Share of One hundred Pounds; and the ſeveral Proprietors of ſuch Navigation were authorized to ſell and diſpoſe of any Share or Shares which he, ſhe, or they ſhould or might be entitled to therein, ſubject to the Rules and Conditions therein mentioned, and to transfer the ſame in the Form in the ſaid Act ſpecified: And whereas the ſaid Company of Proprietors, in purſuance of the ſaid Act, did raiſe and contribute among themſelves the ſaid Sum of Fifty thouſand Pounds, and divided the ſame into Five hundred Parts or Shares of One hundred Pounds each Share, which now conſtitutes the Capital of the ſaid Company: And whereas an Act was paſſed in the Twenty-fifth Year of the Reign of His
25 G. 3. c. 99. ſaid preſent Majeſty, intituled *An Act to enable the Company of Proprietors of the Navigation from the* Trent *to the* Merſey, *and the Company of Proprietors of the Navigation from* Birmingham *to* Fazeley, *to make a navigable Canal from the ſaid* Trent *and* Merſey *Navigation, on* Fradley Heath *in the County of* Stafford, *to* Fazeley *in the ſaid County; and for confirming certain Articles of Agreement entered into between the ſaid* Trent *and* Merſey, *the* Oxford, *and the* Coventry *Canal Navigation Companies:* And whereas an Act was paſſed in the Twenty-ſixth Year of the Reign of His ſaid preſent Majeſty,
26 G. 3. c. 30. intituled *An Act to enable the Company of Proprietors of the* Coventry *Canal Navigation to complete the ſaid Canal to* Fradley Heath *in the County of* Stafford, *and for other Purpoſes therein mentioned;* whereby ſo much of the ſaid Act paſſed in the Eighth Year of the Reign of His preſent Majeſty, as relates to the Number of Shares allowed to be held by the Proprietors in the ſaid Navigation, is repealed; and whereby it is enacted, that any Perſon or Perſons then being or who ſhould thereafter become a Proprietor in the ſaid Navigation, ſhould have Liberty to be poſſeſſed of any Number of Shares therein not exceeding Thirty Shares; but if any Perſon ſhould become or be a Proprietor of more than Thirty Shares, either in his own Name, or in the Name of any other Perſon or Perſons in Truſt for him or her, unleſs the ſame ſhould come to him or her by Will or Act of Law, he and ſhe ſhould incur the Penalty affixed by the ſaid Act of the Eighth Year of His preſent Majeſty's Reign, as to all ſuch Shares exceeding the ſaid Number of Thirty Shares: And whereas in conſequence of the increaſed Value of the Shares in the ſaid Undertaking, it would be more convenient and beneficial to the ſaid Company of Proprietors if ſo much of the ſaid recited Act paſſed in the Eighth Year of the Reign of His preſent Majeſty, as prohibits or reſtrains any Perſon from becoming a Proprietor in ſuch Navigation for leſs than One five-hundredth Part or Share of the ſaid Fifty thouſand Pounds was repealed; and it is alſo deſirable that other Parts and Clauſes in the ſaid recited Acts ſhould be altered and amended as herein-after mentioned; but ſuch beneficial Purpoſes 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 King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſem-

bled, and by the Authority of the ſame, That from and after the paſſing of this Act ſo much and ſuch Parts of the ſaid recited Act paſſed in the Eighth Year of the Reign of His preſent Majeſty, as prohibits or reſtrains any Perſon or Perſons from becoming a Proprietor in the ſaid Navigation of leſs than One Share of One hundred Pounds or One five-hundredth equal Part or Share of the ſaid Fifty thouſand Pounds in the ſaid Navigation, ſhall be and the ſame is hereby repealed. Repealing certain Parts of 8 G. 3.

II. And be it further enacted, That from and after the paſſing of this Act it ſhall be lawful for any Perſon or Perſons being a Proprietor or Proprietors, or entitled unto any Share or Shares in the ſaid Canal Navigation, to bequeath, diſpoſe of, ſell, aſſign, and transfer One Tenth Part or Two or more Tenth Parts of a Share of One hundred Pounds to and for the Benefit of any other Perſon or Perſons according to the Regulations herein-after preſcribed for making ſuch Diſpoſition, Bequeſt, or Transfer, in like manner as he, ſhe, or they is or are authorized or empowered to bequeath, ſell, aſſign, or transfer any Share or Shares of One hundred Pounds each, by the ſaid recited Acts paſſed in the Eighth, Twenty-fifth, and Twenty-ſixth Years of the Reign of His preſent Majeſty, or any of them; and all ſuch Bequeſts, Diſpoſals, Sales, Aſſignments, or Transfers ſhall be good, valid, and effectual, any thing in the ſaid recited Act paſſed in the Eighth Year of the Reign of His preſent Majeſty contained to the contrary notwithſtanding: Provided always, that the Transfer on all Sales made of any Tenth Part or Parts of ſuch Share or Shares of One hundred Pounds each, ſhall be in the Form following, or Words to that Effect: Decimal Part of Shares may be transferred.

'I *A. B.* in Conſideration of the Sum of
paid to me by *C. D.* of do hereby
bargain, ſell, aſſign, and transfer to the ſaid *C. D.* his Executors, Adminiſtrators, and Aſſigns, [*as the Caſe may be*] of a Share of
Number in the *Coventry* Canal Navigation; to hold to him the ſaid *C. D.* his Executors, Adminiſtrators, and Aſſigns, ſubject to the ſame Conditions as I held the ſaid Share or ſuch Tenth Part or Tenth Parts [*as the Caſe may be*] thereof, immediately before the Execution hereof; and I the ſaid *C. D.* do hereby agree to accept thereof ſubject to the ſaid Conditions. Dated this Day of .'

And on every ſuch Sale the Deed of Transfer or Conveyance in the above Form or to the above Effect, ſhall be executed by the Seller or Sellers, or the Perſon or Perſons transferring the ſame, and the Purchaſer or Purchaſers of any ſuch One Tenth Part or Two or more Tenth Parts of a Share or Shares of One hundred Pounds, in the Preſence of one or more Witneſs or Witneſſes, who ſhall atteſt the ſame, and ſpecify his, her, or their Reſidence and Profeſſion; and every ſuch Transfer when ſo executed ſhall be duly filed with the Clerk to the ſaid Company, and a Copy of ſuch Transfer or Conveyance, with a Certificate of ſuch filing and regiſtering, ſigned by the ſaid Clerk to the ſaid Company, ſhall be delivered to the Party to whom any ſuch One Tenth Part or Share or Two or more Tenth Parts or Shares of each One hundred Pound Share ſhall be ſold or transferred; and all and every Perſon and Perſons, Bodies Politic and Corporate, who may become poſſeſſed of or entitled unto One Tenth Part or Share or Two or more Tenth Parts or Shares of One hundred Pounds, or of One five-hundredth Part or Share in the ſaid Canal Navigation, Undertaking, and Premiſes

Premiſes by virtue of this Act, ſhall be deemed and taken to be and ſtand poſſeſſed of ſuch One Tenth Part and Share, or Two or more Tenth Parts or Shares, and be entitled to ſuch One Tenth Part or Two or more Tenth Parts or Shares of the Dividends from Time to Time to be made, and ſhall be ſubject and liable to ſuch One Tenth Part or Two or more Tenth Parts or Shares of the ſame Charges and Incumbrances, in like manner as the Perſon or Perſons by whom any Transfer of ſuch One Tenth Part of a Share or Two or more Tenth Parts or Shares of One hundred Pounds would have been entitled to or ſubject to in caſe ſuch Transfer of ſuch One Tenth Part or Two or more Tenth Parts or Shares of any ſuch Share of One hundred Pounds had not been made; any thing in this Act or the ſaid recited Acts, or any of them, contained to the contrary notwithſtanding.

Regulations reſpecting Shares and Votes at Meetings.

III. Provided always, and it is hereby enacted, That no Perſon or Perſons, or Body Politic or Corporate, ſhall be entitled to attend at or to vote in any General or Special Aſſembly of the ſaid Company of Proprietors on any Queſtion then propoſed or under Conſideration, unleſs he, ſhe, or they ſhall ſtand poſſeſſed in his, her, or their own Name or Names of Ten equal Tenth Parts or Shares of a Share of One hundred Pounds, or to One five hundredth Part or Share of the ſaid Capital of Fifty thouſand Pounds in the ſaid Canal Navigation, according to the Diviſion thereof expreſſed and contained in the ſaid recited Act paſſed in the Eighth Year of the Reign of His ſaid preſent Majeſty: Provided always, that all and every Perſon and Perſons, Bodies Politic and Coporate, by virtue of this Act becoming poſſeſſed and entitled thereto, in his, her, or their own Name or Names, of Ten equal Tenth Parts or Shares of a Share of One hundred Pounds, or of One five-hundredth Part or Share of and in the ſaid Canal Navigation, ſhall have and be entitled to the ſame Privileges and Advantages as all other Proprietors of Shares of One hundred Pounds each are or may be entitled unto, and ſhall and may attend all General and Special Meetings or Aſſemblies of the ſaid Company of Proprietors, and vote thereat on all Queſtions by him, her, or themſelves, or by his, her, or their Proxy or Proxies duly conſtituted, as other Proprietors of Shares of One hundred Pounds are or may be entitled to do; and all and every Perſon and Perſons, Bodies Politic and Corporate, becoming poſſeſſed of and entitled unto ſuch a Number of Ten equal Tenth Parts and Shares of a One hundred Pound Share, as ſhall amount to Two ſuch One hundred Pound original Shares, or to Two five-hundredth Parts or Shares in the ſaid Canal Navigation, ſhall be eligible to be elected on the Committee authorized and directed by the ſaid Act paſſed in the Eighth Year of the Reign of His preſent Majeſty, to be choſen and appointed for the Management of the Concerns of the ſaid Canal Navigation at any General Aſſembly or Meeting of the ſaid Company of Proprietors.

Regulations reſpecting Privileges of Perſons holding decimal Parts of Shares.

Reſtrictions as to Number of decimal Parts of Shares.

IV. Provided always, and be it further enacted, That no Perſon or Perſons, or Body Politic or Corporate, now being or hereafter becoming a Proprietor or Proprietors in the ſaid Canal Navigation, Undertaking, and Premiſes, do or ſhall become a Proprietor of more ſuch Tenth Parts or Shares hereby authorized as aforeſaid as ſhall when taken collectively form Thirty original Shares of One hundred Pounds each in the ſaid Canal Navigation, either in his own Name or in the Names of any other Perſon or Perſons in Truſt for him, her, or them, except the ſame ſhall hereafter

hereafter come to him, her, or them by Will or Act in Law, upon Pain of forfeiting, to the ſaid Company of Proprietors of the ſaid *Coventry* Canal Navigation, their Succeſſors and Aſſigns, all ſuch Shares or Parts of Shares exceeding Thirty original Shares of One hundred Pounds each.

Repeal of former Acts as to Duplicates of Transfers.

V. And whereas in and by the ſaid recited Act of the Eighth Year of the Reign of His preſent Majeſty, it is enacted, that in all caſes of Tranſfer of Shares in the ſaid Undertaking, Duplicates of the Deeds of Aſſignment ſhall be executed by the Seller and Purchaſer reſpectively, and that one Part thereof ſhall be delivered to the ſaid Company or to their Clerk: And whereas Duplicates of ſuch Deeds of Aſſignment have been found to be unneceſſary; be it therefore enacted, That in all caſes where a Deed of Aſſignment of any Share or Shares of One hundred Pounds each, or of One Tenth Part or Two or more Tenth Parts of a Share of One hundred Pounds in the ſaid Undertaking, executed by both Parties, ſhall be depoſited in the Hands of the Clerk to the ſaid Company, to be by him kept with the Records of the ſaid Company, no Duplicates ſhall be requiſite or neceſſary; and all Transfers already made or hereafter to be made without a Duplicate, ſhall be as valid and effectual to all Intents and Purpoſes as if a Duplicate of the Deed of Aſſignment had been executed in the Manner preſcribed by the ſaid recited Act; and upon the Depoſit of every ſuch Aſſignment hereafter to be made, the Clerk to the ſaid Company ſhall give a Certificate to the Party depoſiting the ſame, denoting that ſuch Aſſignment hath been depoſited with him, for which Certificate the Clerk ſhall be entitled to the Fee of Two Shillings and Sixpence and no more.

Name of Proprietors and Number of their Shares to be entered in a Book and a Certificate of the Number delivered to them.

VI. And for the better Security of the ſeveral Proprietors of the ſaid Canal Navigation as to their reſpective Shares therein, be it further enacted, That the ſaid Company of Proprietors ſhall and they are hereby required at ſome General Aſſembly to be holden within Six Months after the paſſing of this Act, to cauſe the Names and proper Additions of the ſeveral Perſons who ſhall at the Time of the paſſing of this Act be entitled to any Share or Shares in the ſaid Canal Navigation, with the Number of Shares which they are then reſpectively entitled to hold, and alſo the proper Number by which every Share ſhall be diſtinguiſhed, to be fairly and diſtinctly entered in a Book or Books to be kept by the Clerk to the ſaid Company of Proprietors, and after ſuch Entry made to cauſe their Common Seal to be affixed to the ſaid Book or Books; and every Proprietor requiring the ſame may have a Certificate of ſuch Entry for each Share, certified under the Hand of the Clerk to the ſaid Company, on paying to the Clerk Two Shillings and Sixpence and no more for every ſuch Certificate.

Regulation, as to the Acquiſition of Shares.

VII. And whereas by the Marriage or Death of Proprietors of Shares in the ſaid Undertaking, it may be difficult to aſcertain to whom the Dividends ariſing or becoming due upon ſuch Shares or Parts of Shares ought to be paid or may belong; be it therefore further enacted, That before any Perſon or Perſons who ſhall claim any Part or Share of the Profits of the ſaid Undertaking in Right of Marriage ſhall be entitled to receive the ſame, an Affidavit containing a Copy of the Regiſter of ſuch Marriage ſhall be made and ſworn to by ſome credible Perſon before One of the Judges at *Weſtminſter*, or a Maſter or Maſter Extraordinary in Chancery,

By Marriage.

Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company of Proprietors, who shall file the same and make an Entry thereof in the Book which shall be kept by the said Clerk for the Entry of such Registers, as well as in the Book kept by the said Clerk for the Entry of all Transfers of Shares in the said Undertaking; and that before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking, by virtue of any Bequest or Will, or in a Course of Administration, shall be entitled to receive the same, the Probate of every such Will or the Letters of Administration shall be produced and shewn to the said Clerk, who shall make an Entry thereof in the said Books; and for every such Entry or Register the Clerk to the said Company shall be entitled to demand and receive from the Owner or Owners of the Share or Shares or decimal Part or Parts thereof, to which any such Entry or Register shall refer, the Sum of Five Shillings and no more.

By Will or in a Course of Administration.

Time and Place of holding future General Assemblies.

VIII. And be it further enacted, That so much of the said recited Act passed in the Eighth Year of the Reign of His present Majesty, as directs the General Assemblies or Meetings of the said Company of Proprietors to be held at the *White Bear Inn* in *Coventry*, shall be and the same is hereby repealed; and that from and after the passing of this Act all future General Assemblies or Meetings of the said Company of Proprietors shall be held at the *Navigation Office* in *Coventry* aforesaid, or at such other Place within the Distance of Two Miles of the said Canal, as at any General Meeting of the said Company of Proprietors (of which Eight Days Notice shall be given in some Newspaper printed in the City of *Coventry* or County of *Warwick*) shall from Time to Time be fixed upon or determined for that Purpose.

Proprietors possessing 100 Shares to constitute a General Meeting.

IX. And whereas it is provided and required by the said recited Act of the Eighth Year of the Reign of His present Majesty, that unless at the General Assemblies of the said Company of Proprietors there be present, either as Principals or Proxies, Persons possessed of Two hundred Shares in the said Undertaking, such General Assembly shall not be authorized to carry the said Act into Execution: And whereas such Provision has been found prejudicial to the Interest of the said Undertaking, and it would facilitate the carrying of the said Acts and this Act into Execution if such Provision was repealed, and if for the future, Persons possessing Shares or decimal Parts of Shares to the Number or Amount of One hundred Shares only in the said Undertaking, present at a General Assembly of the said Proprietors, were enabled to act as a General Assembly for the Purposes of the said Acts and this Act; be it therefore further enacted, That so much of the said recited Act passed in the Eighth Year of the Reign of His present Majesty, as requires the Attendance of Persons possessed of Two hundred Shares in the said Undertaking, to form a General Assembly of the said Proprietors, shall be and the same is hereby repealed; and that from and after the passing of this Act it shall and may be lawful to and for the Persons, whether Principals or Proxies, present at any General Assembly of the said Proprietors to be holden for putting the said recited Acts and this Act in Execution, and being possessed of One hundred Shares, or of Shares and decimal Parts thereof to the Number or Amount of One hundred Shares in the said Undertaking, to act as a General Assembly of the said Proprietors, and to do all Acts, Matters, and Things for carrying the

ſaid Acts and this Act into Execution, in like manner as Perſons poſſeſſed of Two hundred Shares in the ſaid Undertaking are authorized and empowered to do and perform by virtue of the ſaid Act paſſed in the Eighth Year of the Reign of His preſent Majeſty; and the ſame ſhall be good, valid, and effectual to all Intents and Purpoſes, any thing in the ſaid laſt recited Act contained to the contrary notwithſtanding.

Same Perſon not to act as Clerk and Treaſurer.

X. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Company of Proprietors to continue or to appoint, after the Firſt Day of *October* next after the paſſing of this Act, the Perſon who has been or may be appointed to act as their Clerk in the Execution of the ſaid recited Acts or this Act, or any of them, or the Partner of any ſuch Clerk the Treaſurer for the Purpoſes of the ſaid recited Acts or this Act, or any of them, or to continue or to appoint after the ſaid Firſt Day of *October* the Perſon who has been or may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Company of Proprietors; and if any Perſon ſhall after the ſaid Firſt Day of *October* act in both the Capacities of Clerk and Treaſurer for the Purpoſes of the ſaid recited Acts or this Act, or any of them, or if any Perſon being the Partner of any ſuch Clerk ſhall after the ſaid Firſt Day of *October* act as Treaſurer, or being the Partner of any ſuch Treaſurer ſhall after the ſaid Firſt Day of *October* act as Clerk in the Execution of the ſaid recited Acts or this Act, or any of them, every Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

To prevent Obſtructions on Towing Paths, &c.

XI. And whereas the Sides and Bottom of the ſaid Canal Navigation have been damaged, and Inconvenience ariſes to Perſons on the Towing Paths thereof, by waſhing Sheep on the Tow-path Side, leading Stallions and driving Cattle thereon, and by Perſons bathing in and expoſing themſelves on the Banks of the ſaid Canal; be it therefore enacted, That if any Perſon or Perſons ſhall after the paſſing of this Act waſh Sheep from the Tow-path Side, lead Stallions or drive Cattle or Pigs on the Tow-path, or bathe in the ſaid Canal, or in any Reſervoir, Aqueduct, Waterway, Feeder, or Pond, being the Property of the ſaid Company of Proprietors, it ſhall be lawful to and for any Juſtice of the Peace within his Juriſdiction, and he is hereby required, upon Complaint to him made, and on the Oath of one or more credible Witneſs or Witneſſes of any ſuch Offence, to iſſue a Warrant for apprehending the Party or Parties accuſed, or it ſhall and may be lawful to and for any Perſon or Perſons who ſhall ſee ſuch Offence committed to apprehend, and alſo for any Perſon or Perſons to aſſiſt in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver ſuch Offender or Offenders into the Cuſtody of a Peace Officer, in order to be brought before ſome Juſtice of the Peace for the County or City in which ſuch Offence ſhall be committed; and on the Party or Parties being brought before ſuch Juſtice, he is hereby required to proceed to examine, upon Oath, any Witneſs or Witneſſes who ſhall appear or be produced to give Evidence touching any ſuch Offence; and if the Party or Parties accuſed ſhall be convicted of any ſuch Offence, either by his, her, or their

own

own Confeſſion, or upon ſuch Evidence as aforeſaid, then and in every ſuch caſe he, ſhe, or they ſhall for each and every ſuch Offence reſpectively, and if more than one, ſhall ſeverally forfeit and pay any Sum not exceeding Forty Shillings; and in caſe ſuch Offender or Offenders ſhall not upon Conviction forthwith pay ſuch Penalty by him, her, or them incurred, together with the Coſts and Charges of ſuch Conviction, ſuch Juſtice is hereby required to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction of the ſaid County or City, there to be kept to hard Labour for any Time not exceeding One Calendar Month, and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall be ſo committed, unleſs ſuch Penalty and Coſts as aforeſaid ſhall be ſooner paid and ſatisfied, One Moiety of ſuch Penalty or Penalties to be paid to the ſaid Company of Proprietors, and the other Moiety to be paid to the Informer.

Puniſhing of Perſons damaging Fences.

XII. And be it further enacted, That in caſe any Perſon or Perſons ſhall break down, deſtroy, carry away, or damage any Gate, Stile, Poſt, Rail, or other Fence planted, erected, put up, or placed by virtue of the Powers contained in the ſaid recited Acts, for the fencing of the Towing Paths of the ſaid Canal Navigation or the Bridges and Fences thereof, and Approaches thereto over the ſame, every Perſon ſo offending and being thereof convicted before any Juſtice of the Peace (not intereſted in the Premiſes, for the County or City where ſuch Offence ſhall be committed) on the Confeſſion of the Offender or Offenders, or on Proof of the Offence on the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby empowered to adminiſter) ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds; and no Perſon ſhall be deemed incompetent to give Evidence of ſuch Offence by reaſon of his or her being a Proprietor of the ſaid Canal Navigation, or the Owner of ſuch Gate, Stile, Poſt, Rail, or other Fence; and in caſe any ſuch Offender or Offenders ſhall not immediately pay ſuch Penalty or Penalties, or find Sureties to the Satisfaction of ſuch Juſtice for the Payment thereof, at ſuch future Day as he ſhall think proper to appoint, it ſhall be lawful for ſuch Juſtice to cauſe the ſame to be forthwith levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under his Hand and Seal, returning the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale, One Moiety of ſuch Penalty or Penalties to be paid to the ſaid Company of Proprietors, or the Owner or Owners of ſuch Gate, Stile, Poſt, Rail, or Fence ſo broken, deſtroyed, or carried away, and the other Moiety thereof to be paid to the Informer or Informers; but if the Owner of ſuch Gate, Stile, Poſt, Rail, or Fence ſhall be the Informer, and ſhall give Evidence of the Offence, then the whole of the Penalty or Penalties ſhall be paid to the Overſeers of the Poor of the Pariſh where ſuch Offence ſhall be committed, for the Benefit of ſuch Poor, and in that caſe the Offender or Offenders ſhall (over and above the Payment of ſuch Penalty as laſt-mentioned) make ſuch Recompence and Satisfaction to the Owner or Owners of ſuch Gate, Stile, Poſt, Rail, or Fence, for the Damage done thereto by ſuch Offender or Offenders, as the Juſtice before whom he, ſhe, or they ſhall be convicted of ſuch Offence ſhall think fit to allow in reſpect thereof; ſuch Allowance for Damage to be added to ſuch Penalty or Penalties, and levied therewith in manner

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above-mentioned; and for want of such Distress such Justice shall or may commit the Offender or Offenders to the House of Correction, there to be kept to hard Labour for any Space of Time not exceeding One Calendar Month.

For creating a Fund for Repairs.

XIII. And whereas it is desirable that a Fund should be provided for the future Repairs and better Support of the said Canal Navigation; be it therefore enacted, That if the said Company of Proprietors, or their Committee for the Time being, shall deem it expedient, out of any Surplus Monies arising by virtue of the said recited Acts, after the Debt charged upon the said Canal Navigation shall be discharged, to invest any Part of such Surplus Monies in the Public Funds, or in Navy or Exchequer Bills, for the Purposes aforesaid, then and in every such case it shall be lawful for any General Assembly of the said Company of Proprietors to be held at the *Navigation Office* in the City of *Coventry*, in manner directed by the said recited Acts and this Act, to authorize and empower their Committee for the Time being, to invest any Part of such Surplus Monies in the Public Funds, or in Navy or Exchequer Bills, in the Names of Trustees to be nominated from Time to Time by the said Committee, so as that the Money so to be laid out and invested do not in any one Year exceed a Sum equal in Amount to One-twentieth Part of the Dividends made and payable to the Proprietors of the said Canal Navigation in the Year preceding; and that such Trustee or Trustees do and shall, under the Direction of the said Committee, from Time to Time receive the Interest and Dividends of the said Public Securities, as and when the same shall be payable, and from Time to Time under such Direction as aforesaid re-invest the same, and the Dividends of all Accumulations thereof, in the Purchase of other like Public Security or Securities, either in their own Name or Names, or in the Name or Names of such other Trustee or Trustees as the said Committee shall from Time to Time appoint, in order that the same may, together with the said principal Monies so to be invested as aforesaid, be and become an accumulating Fund for the Purposes aforesaid, and the same shall from Time to Time be applied and disposed of as the said Company of Proprietors at any General or Special Assembly shall think proper, and direct the same to be applied and disposed of to any Purposes to which the Profits of the said Company may by the said recited Acts or this Act or any of them be applied: Provided always, that such Fund shall not at any one Time exceed the Amount of Twenty-five thousand Pounds.

Application of Compensation when amounting to 200l.

XIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts for the Purposes thereof, which shall belong to any Body Corporate, Ecclesiastical, or Civil, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or to any Femes or Feme Covert, or other incapacitated Person or Persons, or to any Person or Persons seised for Life or Lives of any other Estate in strict or other Settlement, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Company of Proprietors of the *Coventry* Canal Navigation, together

together with the Name or Names of ſuch Perſon or Perſons as any Five of the Committee of the ſaid Company of Proprietors ſhall by Writing ſigned by them direct and appoint, to the Intent that ſuch Money may be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Truſts, Intents, or Purpoſes; or where ſuch Monies ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making the Conveyance and Settlement ſhall be exiſting undetermined and capable of taking effect; and in the meantime, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid Court of Chancery, upon Application thereto, be veſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until ſuch Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and exceeding 20l.

XV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and to be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Committee aſſembled, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the Dividends ariſing thereon

thereon may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Application where not more than 20l.

XVI. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as laſt before mentioned ſhall not exceed Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes aforeſaid, in ſuch Manner as the ſaid Committee or any Five or more of them when aſſembled ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, or if Perſons cannot be found, Purchaſe Money to be paid into the Bank.

XVII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed by virtue of the ſaid recited Acts or this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Committee or any Five or more of them when aſſembled, or ſhall refuſe to execute ſuch Conveyance or Conveyances; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall be lawful for the ſaid Committee, or any Five or more of them, when aſſembled, to order the ſaid Sum or Sums of Money, when ſo awarded as aforeſaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them], ſubject to the Order, Control, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money or any Part thereof by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the public Funds, and to order Diſtribution thereof or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to Money to be

XVIII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, in purſuance of the ſaid

paid, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto according to ſuch Poſſeſſion.

ſaid recited Acts or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the ſaid Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court may order reaſonable Expences of Purchaſes to be paid by the Company.

XIX. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of the ſaid recited Acts or of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the like Uſes in purſuance thereof, it ſhall be lawful for the ſaid Court to order the Expence of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts or of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the Company of Proprietors, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Compenſations hereafter to be made by Sums in groſs, and not by annual Rents.

Preſent Rents not to be invalidated by this Act.

XX. And be it further enacted, That ſo much of the ſaid recited Act of the Eighth Year of the Reign of His preſent Majeſty as authorizes or directs any Compenſation or Satisfaction to be made for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Acts by annual Rents, ſhall from and after the paſſing of this Act be and the ſame is hereby repealed and made void, and from henceforth all ſuch Compenſations and Satisfactions ſhall be made by a Sum or Sums of Money in groſs: Provided always, that nothing herein contained ſhall affect or invalidate any Compenſations already made, or which are payable at the Time of the paſſing of this Act.

Annual Rents already granted may be purchaſed by Company.

XXI. Provided alſo, and be it further enacted, That in all Caſes where ſuch annual Rents have already been granted to any Party or Parties, Body or Bodies Politic, Corporate, or Collegiate, now entitled to receive ſuch annual Rents, and the ſaid Company of Proprietors ſhall agree upon a Sum in groſs to be paid in lieu of ſuch annual Rents, it ſhall be lawful for the ſaid Company of Proprietors to purchaſe or commute all or any of ſuch annual Rents by Payment of a Sum in groſs; and all Purchaſes or Payments ſo made by a Sum in groſs ſhall be as good, valid, and effectual as if the ſame had been originally made by a Payment in groſs inſtead of

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an annual Rent, which Sum or Sums of Money in groſs ſhall be paid to the Owner or Owners of ſuch Rents reſpectively, in caſe he or they ſhall be ſeiſed in Fee of ſuch Rents, or otherwiſe ſuch Sum and Sums of Money in groſs ſhall be applied and diſpoſed of in the ſame Manner as any Sum of Money to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments to be taken for the Purpoſes of the ſaid recited Acts and this Act, and which Money ought to be laid out in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the ſame Uſes, is by this Act directed to be applied and diſpoſed of, and upon Payment of ſuch Sum or Sums of Money in groſs as aforeſaid, and all Arrears of the ſaid reſpective Rents then due, ſuch Rents ſhall ceaſe, determine, and be for ever extinguiſhed.

Regulations reſpecting Wharfs to be built.

XXII. And whereas the Paſſage of the ſaid Canal hath been greatly obſtructed by Wharfs which have been made to project into the Bed or Channel of the Canal; wherefore to prevent ſimilar Obſtructions, be it further enacted, That the upright Wall of every Wharf hereafter to be made upon the Line of the ſaid Canal or Cuts, ſhall be on the ſolid Earth on the Brink Side of the ſaid Canal, and ſet at leaſt Eight Feet without the Line of the Top Water Level of the ſaid Canal, ſo that a Boat or Boats whilſt lying thereat ſhall be clear of the Paſſage of other Boats, and not in anywiſe narrow, impede, or obſtruct the Navigation of the ſaid Canal or Cuts, or any Part thereof.

Unloading of Boats.

XXIII. And be it further enacted, That from and after the paſſing of this Act, no Perſon or Perſons ſhall load or unload any Stone, Gravel, Manure, or Soil out of any Boat except at a regular Wharf, without a Wooden Stage connecting the Boat with the Land, to prevent ſuch Stone, Gravel, Manure, or Soil falling into and choking up the ſaid Canal, under a Penalty not exceeding Five Pounds, to be levied and recovered in like Manner as any other Penalty may by virtue of the ſaid recited Acts or any of them be levied and recovered.

Directing the Manner of ſerving Notices on the Company.

XXIV. And be it further enacted, That all Writs, Notices, and other legal Proceedings againſt the ſaid Company ſhall and may be ſerved on the Clerk for the Time being to the ſaid Company, and in caſe there ſhall not be any ſuch Clerk, then on ſome Agent or Servant of the ſaid Company, or any Members of the Committee of Management, or left at their reſpective laſt or uſual Places of Abode, and ſhall from Time to Time be kept and ſhall be deemed and taken to be good and valid Service of ſuch Notices, Writs, and other legal Proceedings on the ſaid Company.

Aſcent to Bridges and Fences thereon.

XXV. Provided always, and be it further enacted, That in all Places where the Line of the ſaid Canal by the ſaid Acts authorized to be made ſhall croſs any public Carriage Road, the Aſcent to every Bridge hereafter to be made over the ſaid Canal for the Purpoſe of ſuch Road ſhall not be more than One Foot in Thirteen; and that a good and ſufficient Fence ſhall be made on each Side of every ſuch Bridge, which Fence ſhall not be leſs than Four Feet above the Surface of ſuch Bridge.

For paying the Expences of the Act.

XXVI. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and all other Costs, Charges, and Expences concerning the same, shall be borne, paid, and defrayed by the said Company of Proprietors, out of any Money already raised or received, or hereafter to be raised or received by virtue of the said Acts.

Public Act.

XXVII. 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.

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