ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

Cap. 71.

An Act to enable the Company of Proprietors of the *Leiceſterſhire and Northamptonſhire Union Canal* to vary the Line of the ſaid Canal, and to alter and amend the Powers of the Act paſſed for making the ſaid Canal. [27th *June* 1805.]

WHEREAS an Act was paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, intituled, *An Act for making and maintaining a Navigation from the Town of* Leiceſter, *to communicate with the River* Nen, *in or near the Town of* Northampton, *and alſo a certain Collateral Cut from the ſaid Navigation*; whereby the ſeveral Perſons therein named, together with ſuch other Perſon or Perſons, Bodies Corporate and Collegiate, as they or the major Part of them preſent at the firſt General Aſſembly to be holden for the Purpoſes of the ſaid Act ſhall nominate and appoint under their Hands, and the ſeveral and reſpective Succeſſors Executors, Adminiſtrators, and Aſſigns, of the ſaid Perſons in the ſaid Act named, and of the Perſon or Perſons ſo to be nominated and appointed, being Proprietor or Proprietors of any Share or Shares in the ſaid Navigation Canal and Collateral Cut thereby authorized to be made, were united into a Company for the better carrying on, making, completing, and maintaining the ſaid Navigation Canal and Collateral Cut according to the Rules, Or- 33 G. 3.

ders, and Directions in the ſame Act contained; and for that Purpoſe were created a Body Politick and Corporate, by the Name and Stile of *The Company of Proprietors of the Leiceſterſhire and Northamptonſhire Union Canal*, and were authorized and empowered to make and maintain the River *Soar* navigable for Boats, Barges, and other Veſſels from and to communicate with the *Leiceſter* Navigation, at or near the Weſt Bridge, in the Pariſh of *Saint Mary* in the ſaid Town of *Leiceſter*, to a Bridge in the Pariſh of *Aileſtone*, in the County of *Leiceſter*, called *Aileſtone Bridge*, and from thence to make and maintain a navigable Canal from or near the ſame Bridge to the Pariſh of *Hardingſtone*, in the ſaid County of *Northampton*, there to communicate with the River *Nen*, otherwiſe called the *Northern River*, and to proceed along the ſaid River by widening, deepening, and cleanſing the ſame, to a Point in the Pariſh of *Saint Peter*, in or near to the ſaid Town of *Northampton*, and from thence to make and maintain a navigable Canal to and into another Part of the ſaid River *Nen*, and there to croſs the ſame River to communicate with the then intended Branch of the then intended Canal, from the *Oxford* Canal Navigation at *Braunſton* to join the River *Thames* at *New Brentford*; and to make and maintain a Navigable Collateral Cut or Canal from the before-mentioned Canal in the Pariſh of *Lubenham* in the ſaid County of *Leiceſter*, to or near to the Town of *Market Harborough* in the ſame County, and alſo to make and maintain divers other Works requiſite for the ſaid Navigation Canal and Collateral Cut; and for effecting ſuch ſeveral Purpoſes the ſaid Company of Proprietors were authorized and empowered to raiſe and contribute amongſt themſelves a competent Sum of Money for making and maintaining the ſaid Navigation Canal and Collateral Cut not exceeding the Sum of Two hundred thouſand Pounds in the Whole (except as thereinafter is mentioned) to be divided into Shares as therein expreſſed; and in caſe the ſaid Sum of Two hundred thouſand Pounds ſhould be found inſufficient for the Purpoſes aforeſaid, then the ſaid Company of Proprietors were authorized and empowered to raiſe, in Manner therein mentioned, any further Sum or Sums of Money, not exceeding in the Whole the Sum of One hundred thouſand Pounds: And whereas the ſaid Company of Proprietors have proceeded in the Execution of the ſaid Act, and have made and rendered the ſaid River *Soar* navigable according thereto from the Weſt Bridge in the ſaid Town of *Leiceſter* to the ſaid Bridge called *Aileſtone Bridge*, and have alſo compleated a conſiderable Part of the ſaid Canal by the ſaid Act authorized and directed to commence at the ſaid laſt mentioned Bridge, and in ſo doing have expended a conſiderable Sum of Money, but the ſaid Company have not as yet began to make the ſaid authorized Collateral Cut or Canal from the ſaid *Leiceſterſhire* and *Northamptonſhire* Union Canal to or near to the Town of *Market Harborough*: And whereas if the ſaid Company of Proprietors were enabled to vary and alter the Line of the ſaid Collateral Cut or Canal, the ſame might be rendered more uſeful and convenient: 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, from and immediately after the paſſing of this Act, the ſaid Company of Proprietors of the *Leiceſterſhire and Northamptonſhire Union Canal*, and their Succeſſors, ſhall and may have Power and Authority, and they are hereby authorized and empowered, by themſelves, their Deputies,

Power to vary the Line of the Canal.

puties, Agents, Officers, Workmen, and Servants, to vary and alter the ſaid Collateral Cut or Canal from the ſaid *Leiceſterſhire* and *Northamptonſhire* Union Canal to the Town of *Market Harborough*, aforeſaid, by commencing ſuch Collateral Cut or Canal, and making and rendering the ſame navigable for Boats, Barges, and other Veſſels, with proper Towing Paths on the Sides thereof, from the ſaid *Leiceſterſhire* and *Northamptonſhire* Union Canal (as the ſame is intended to be made according to the ſaid Act) and to communicate therewith at and in a certain Cloſe in the Lordſhip of *Gumley*, in the ſaid County of *Leiceſter*, belonging to *Lebbeus Charles Humfrey* Clerk, and to be continued through the ſame Cloſe, and into and through ſeveral Cloſes of Land, Orchards, or Homeſteads in the Pariſh of *Foxton*, in the ſaid County of *Leiceſter*, belonging reſpectively to Sir *John Palmer* Baronet, *Edward Chapman*, *Robert Gibbs*, and *John Colpman*, and acroſs a Street in the Village of *Foxton* aforeſaid called *Weſtgate Street*, into and through Two ſeveral Cloſes of Land, Yards, or Orchards, in the ſaid Pariſh of *Foxton*, belonging reſpectively to the ſaid *Edward Chapman*, and to *Thomas Coleman* Horſedealer, and acroſs another Street in the Village of *Foxton* aforeſaid called *Croſs Gate Street*, into and through Two ſeveral Cloſes, Orchards, or Homeſteads in *Foxton* aforeſaid, belonging to *Thomas Streeton*, and acroſs another Street in the Village of *Foxton* aforeſaid, called *Wood Gate Street*, into and through Three ſeveral Cloſes of Land or Homeſteads in *Foxton* aforeſaid, belonging reſpectively to *John Sturges*, the Reverend *John Biſhop*, as Rector of *Foxton* aforeſaid, and the ſaid Sir *John Palmer*, and acroſs another Street in the Village of *Foxton* aforeſaid, called *Flagon Street*, into and through ſeveral other Orchards or Cloſes of Land in the Pariſh of *Foxton* aforeſaid, belonging reſpectively to *Thomas Chapman* Farmer, the ſaid *Thomas Streeton*, *William Chapman*, the Heir at Law of the Deviſee or Deviſees of the late *George Boſworth* Eſquire, *Francis Thomas Corrance* Eſquire, and into and acroſs the Turnpike Road leading from the Town of *Harborough* aforeſaid towards *Leiceſter*, in an Eaſterly Direction, into and through ſeveral other Cloſes of Land in the Pariſh of *Great Bowden*, in the ſaid County of *Leiceſter*, belonging reſpectively to *Ann Wartnaby* Widow, the Reverend *Charles Juſtinian Raynsford*, *John Chapman* the elder, *Benjamin Carter*, and *William Wartnaby* Eſquire, into and acroſs or along a Road branching from the above-mentioned Turnpike Road, to the Village of *Great Bowden* aforeſaid, and into and through ſeveral other Cloſes of Land belonging reſpectively to *Henry William Markham*, *Edward Dawſon* Eſquire, the ſaid *John Chapman*, and *Joſeph Heycock*, alſo in the Pariſh of *Great Bowden* aforeſaid, and into and acroſs the ſaid Turnpike Road in a Weſtwardly Direction, and into and through Two ſeveral Cloſes of Land belonging reſpectively to *John Wright* Eſquire, and *Richard Foſter*, in the Pariſh of *Lubenham*, in the ſaid County of *Leiceſter*, and into and through a certain other Cloſe in the Pariſh of *Great Bowden* aforeſaid, late belonging to *Richard Howe* deceaſed, to and into a certain other Cloſe in the Pariſh of *Great Bowden* aforeſaid, belonging to *John Benton* Eſquire, in the Occupation of *Samuel Lent n*, and through ſo much of the ſaid laſt-mentioned Cloſe as ſhall be found neceſſary or convenient for the Purpoſes aforeſaid, in ſuch and the ſame Manner as ſuch reſpective Variations and Alterations are deſcribed in the Plan hereinafter referred to.

II. And

Company to execute Works, &c.

II. And be it further enacted, That, from and after the paſſing of this Act, the ſaid Company of Proprietors of the *Leiceſterſhire and Northamptonſhire Union Canal*, are hereby authorized and empowered to make, erect, build, execute, do, and perform all ſuch Works, Matters, and Things as ſhall be requiſite and convenient for making, completing, repairing, preſerving, maintaining, and uſing the Variations hereby authorized to be made, and the Navigation thereof, and for making and ſetting up Bridges, Inclined Planes, Locks, Reſervoirs, Feeders, Aqueducts, Wharfs, Quays, Landing Places, Weighbeams, Cranes, Engines, Machines, and other Matters and Things requiſite or convenient for the ſaid Navigation Canal and Works, in as full, ample, and beneficial a Manner, to all Intents and Purpoſes, as the ſaid Company of Proprietors are authorized and empowered to do, execute, and perform, under and by virtue of the ſaid recited Act, with reſpect to the Navigation Canal and Works thereby authorized to be made; and the ſaid Company of Proprietors, their Agents, Servants, Workmen, and Labourers, and all and every Perſon and Perſons, Bodies Politick, Corporate, and Collegiate, Corporations Aggregate and Sole, Tenants for Life or in Tail, or for any other particular Eſtate or Intereſt, Huſbands ſeiſed or entitled in Right of their Wives, Guardians, Truſtees, Feoffees in Truſt for Charities, and all other Perſons, Committees, Executors, and Adminiſtrators, and all other Truſtees whatſoever, ſhall have and be ſeiſed and poſſeſſed of, and is and are hereby inveſted with ſuch and the like Eſtates, Authorities, Powers, Abilities, Intereſts, Privileges, and Advantages, and ſhall be and is and are hereby made ſubject and liable to ſuch and the like Rules, Conditions, Directions, Regulations, Limitations, Reſtrictions, Controuls, Payments, Penalties, Forfeitures, Puniſhments, and Benefit of Appeal, in relation to the making, executing, completing, uſing and governing the ſaid Variations and Works by this Act authorized to be made, completed, maintained, and uſed, as are mentioned, given, granted, preſcribed, eſtabliſhed, and inflicted in and by the ſaid recited Act, to every Intent and Purpoſe whatſoever; and that the ſaid recited Act, and all the Clauſes, Proviſoes, Powers, Authorities, Orders, Rules, Regulations, Tolls, Duties, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Puniſhments, Matters, and Things therein contained (ſave and except ſuch as are hereby altered, ſo far only as the ſame are hereby altered, and no further) for making, completing, repairing, preſerving, maintaining, and uſing the ſaid Navigation Canal and other Works thereby authorized to be made (ſo far as the Nature and Circumſtances of the Caſe will admit) ſhall extend, and are hereby extended to, and ſhall take effect, operate, and be put in execution, and ſhall be uſed and exerciſed by the ſaid Company of Proprietors, and ſhall be applied and enforced in, by, and for, and in reſpect of making, completing, repairing, preſerving, maintaining, and uſing the ſaid Variations, and the ſeveral Works, Matters, and Things by this Act authorized to be made, done, and performed, and for ſupplying the ſame whilſt making and when made with Water, and for the Puniſhment of Offenders in relation thereto; and for the felling and conveying of Lands, Tenements, and Hereditaments, and aſcertaining the Value thereof, and for the determining and aſſeſſing of Damages, and all other Matters and Things which relate to or ſhall happen or ariſe by or in conſequence of the making, completing, repairing, preſerving, maintaining

Power of former Act extended to this Act.

taining and using the said Variations and Works hereby authorized to be made, done, and executed; and that the Persons who are appointed Commissioners for putting the said recited Act into Execution shall be Commissioners for the Purposes of this Act, in the same Manner, and as fully and effectually, to all Intents and Purposes, as if the Clauses, Provisoes, Powers, Authorities, Orders, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things contained in the said recited Act, were herein repeated and re-enacted (save and except as aforesaid) and as if the Variations and other Works by this Act authorized to be made, completed, maintained, and used, had been Part of the Navigation Canal and other Works by the said recited Act authorized to be made, completed, maintained, and used.

Plan and Book of Reference to be authenticated by the Speaker, and deposited.

III. And whereas a Survey hath been taken, and a Map or Plan with a proper Book of Reference thereto hath been made in consequence thereof, in order to shew the Line or Course of the said Deviation; be it therefore enacted, That there shall be Two Copies of the said Map or Plan, and Two Copies of such Book of Reference thereto made, and the same shall be certified by the Right Honourable the Speaker of the House of Commons; and One of the said Maps or Plans, together with One of such Books of Reference thereto, shall be deposited with the Clerk of the Peace for the said County of *Leicester*, and the other of the said Maps or Plans, and the other of the said Books of Reference, shall be deposited with the Clerk or Clerks to the said Company of Proprietors; and to such Maps, Plans, and Books of Reference, all Persons shall have Liberty to resort, and to examine or make Extracts from or Copies of the same, as Occasion shall require, paying to the said respective Clerks One Shilling and no more, for such Examination; and Copies of or Extracts from the said Book of Reference, after the Rate of Sixpence for every One hundred Words, and so in proportion for any greater or less Number of Words; and the said Maps or Plans and Books of Reference so certified, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere; and the Clerk or Clerks for the Time being to the said Company of Proprietors shall, and he and they is and are hereby required from Time to Time to produce the said Map or Plan and Book of Reference so to be deposited with him or them as aforesaid, on Seven Days Notice given to him or them for that Purpose, or left at his or their last or usual Place of Abode, before any Jury or Juries to be empannelled by virtue of the said recited Act or this Act, at the Time and Place to be mentioned in such Notice, in order that the same may be then and there given in Evidence; and a reasonable Sum of Money shall be paid to the Clerk or Clerks of the said Company of Proprietors for his or their Travelling Expences, Absence from Home, and Attendance on such Occasions.

Not to deviate without Consent.

IV. And be it further enacted, That in making the said new Line of Canal, the said Company of Proprietors shall not deviate from the Course or Direction delineated in such Maps or Plans thereof, and set forth in such Books of Reference thereto, more than One hundred Yards from the Course or Direction specified in the same, without the Approbation and Consent in Writing, signed by the Person or Persons to whom any Lands, Tenements, or Hereditaments, do or shall respectively belong, into, through,

through, or over which any Deviation is desired to be made; but nothing herein contained shall extend, or be construed to extend, so as to restrain or prevent the said Company of Proprietors from making any such Deviation from the said Course or Direction, in case all the Persons to whom the Lands, Tenements, or Hereditaments to be cut through or made use of for the Purposes of such Deviation shall belong, shall consent thereto.

Land Owners omitted in Book of Reference, not to obstruct the making of the Deviation.

V. Provided always, and be it further enacted, That the said Company of Proprietors shall and may make such new Line of Canal to be made by virtue of this Act, and specified in such Maps or Plans thereof, and shall and may make such Deviations from the same, into, through, across, or over the Lands and Grounds of any Person or Persons whomsoever, into whose Lands or Grounds the said Company of Proprietors are hereby enabled to make such Deviations as aforesaid, although the Names of such Persons respectively be not mentioned in the said Book of Reference, or into the Lands or Grounds of any Person or Persons whose Name or Names may appear to have been by Mistake omitted in the said Book of Reference, or that instead thereof the Name or Names of some other Person or Persons to whom such Lands or Grounds do not belong, hath or have been by Mistake inserted therein; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Proper and convenient Bridges, &c. to be made and maintained, &c.

VI. And be it further enacted, That proper and convenient Bridges over the said Canal or Collateral Cut, as hereby authorized to be deviated shall be made, and for ever thereafter maintained and kept in Repair, by and at the Expence of the said Company of Proprietors, their Successors and Assigns, for preserving the Roads and making the most proper and convenient Communication between the Two Parts of the said Village of *Foxton*, to be separated by the making the said intended Canal or Collateral Cut as aforesaid through such Village; and that in all Cases where in the making the said intended Canal or Collateral Cut, as hereby authorized to be deviated through the said Village of *Foxton*, any of the Supplies of Water passing from the upper to the lower Part of the same Village shall be intercepted, the same Supplies shall by proper and convenient Pipes, Culverts, Drains, or otherwise, be passed under the said intended Canal or Collateral Cut, for the conveying of such Supplies of Water in an effectual Manner from the said upper to the said lower Part of the said Village of *Foxton*, and that the said Pipes, Culverts, Drains or other Works, so to be made for conveying the said Water under the said Canal or Collateral Cut, shall be made and for ever thereafter maintained and kept in Repair by and at the Expence of the said Company of Proprietors, their Successors and Assigns.

Provision against cutting off the Supplies of Water in the Village of Foxton.

From what Lands Brick Earth or Clay may not be taken.

VII. Provided always and be it further enacted, That in making of the Bridges and other Works hereby directed and authorized to be made, or in repairing the same, it shall not be lawful to or for the said Company of Proprietors, their Successors or Assigns, or their or any of their Agents or Servants, or any Person or Persons acting by or under their Authority, or by or on their Behalf, to dig for or get any Clay or Earth for the Purpose of making Bricks, from all or any of the Closes or Lands respectively belonging to Sir *John Palmer* Baronet, and *Francis Thomas Corrance* Esquire, situate in the Parish of *Foxton* aforesaid, or from all

or

or any of the Land of *Edward Dawſon* Eſquire, in the Pariſh of *Great Bowden* aforeſaid, or make or cauſe to be made any Bricks thereon reſpectively, without the Conſent in Writing of the ſaid Sir *John Palmer*, *Francis Thomas Corrance*, and *Edward Dawſon* reſpectively, or their reſpective Heirs or Aſſigns, firſt obtained for that Purpoſe.

Canal to be cut through certain Lands of Francis Thomas Corrance and Edward Dawſon; but not through the Lands of the ſaid Francis Thomas Corrance, except at certain Times.

VIII. And be it further enacted, That the ſaid intended Navigation through the Cloſes, Lands, and Grounds of the ſaid *Francis Thomas Corrance* and *Edward Dawſon* reſpectively, ſhall in particular be made on as low a Level as the Nature of ſuch intended Navigation will permit to be done; and that it ſhall not be lawful for the ſaid Company, without the Conſent of the ſaid *Francis Thomas Corrance*, or the Owner or Owners for the Time being of the Cloſes, Lands, or Grounds for the Time being, belonging to him or them, at any Time between the Firſt Day of *May* and the Firſt Day of *September* in any Year, to proceed in cutting through ſuch Lands or Grounds, or carrying on their Works through the ſame, except only on ſuch Parts thereof (if any) where they may have Occaſion to erect or make a Lock or Locks thereon.

A Bridge to be built acroſs the Canal in the Lands of the ſaid Edward Dawſon for his Uſe.

IX. And be it further enacted, That the ſaid Company of Proprietors ſhall, at their own Expence, previous to their completing the cutting the ſaid intended Navigation through the Cloſes, Lands, and Grounds of the ſaid *Edward Dawſon*, in the Lordſhip or Liberties of *Great Bowden* aforeſaid, make and erect a Bridge acroſs or over the ſame, in ſuch Part of ſuch Cloſes, Lands, or Grounds, as the ſaid *Edward Dawſon*, or the Owners thereof for the Time being, ſhall appoint; which Bridge ſhall be for his or their ſole Uſe and Purpoſe, and ſhall be made according to the Form preſcribed for making Bridges, in the Eſtate of the Counteſs of *Denbigh*; and from and after the Time of making thereof, be for ever afterwards repaired by and at the Expence of the ſaid Company.

Directions reſpecting the Bridges to be made acroſs the Turnpike Road, &c.

X. And be it further enacted, That the ſaid Company of Proprietors ſhall, and they are hereby required to lay before the Truſtees of the Turnpike Road leading from the ſaid Town of *Harborough* towards *Leiceſter*, a complete Section of each Bridge to be built acroſs the ſaid Road, deſcribing the Part of the ſaid Road where the ſame is intended to be erected; and that every ſuch Bridge, and the parapet Walls thereof, and all Abutments or Approaches thereto, ſhall be reſpectively erected and made good, and ever afterwards kept in Repair (ſave as to the Surface of ſuch Abutments or Approaches after the firſt forming and completing thereof) and all the raiſed Abutments and Approaches ever afterwards fenced or guarded by and at the Expence of the ſaid Company of Proprietors, conformably to the Orders or Directions of the ſaid Truſtees, in all Caſes where any ſuch Orders or Directions ſhall be given, unleſs the Commiſſioners appointed by or in virtue of the ſaid recited Act or this Act, or any Five or more of them, on Application to them at a Meeting held purſuant to the ſaid Acts, or one of them, ſhall determine that ſuch Bridge ſhall not be ſo made; but nevertheleſs ſo that in all Events every ſuch Bridge and Abutment or Approach be Forty Feet wide at the leaſt within the Parapets and Fences or Guards, and ſo that the Northernmoſt of the ſaid Bridges (which will croſs the ſaid Road on the Declivity of a Hill) be of ſuch Pitch or Height that the preſent Pitch or Height of the

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ſaid Road there be not thereby increaſed or varied; and the ſaid Bridges and all other Works upon or acroſs the ſaid Road, in purſuance or under the Authority of this Act, ſhall be done and effected ſo and in ſuch Manner (by making temporary Roads or otherwiſe) as not to interrupt, or further than indiſpenſably neceſſary incommode the Paſſage along the ſame; and that if any Loſs or Diminution of the Tolls payable on the ſaid Road ſhall happen or ariſe through or in conſequence of the firſt making or any ſubſequent Repair, Variation, or Failure of any of the ſaid Bridges or other Works of the ſaid Company of Proprietors upon the ſaid Road, the ſaid Company of Proprietors ſhall anſwer and pay ſuch Loſs or Diminution to the ſaid Truſtees or their Treaſurer for the Time being, or whom they or any Five or more of them ſhall appoint to receive the ſame; and in caſe ſuch Loſs or Diminution of Toll ſhall not exceed the Sum of Ten Pounds, the ſame ſhall be recoverable from the ſaid Company of Proprietors by Diſtreſs and Sale of their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of One or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Goods and Chattels ſhall be, rendering the Overplus (if any) to the ſaid Company of Proprietors on Demand, after all Expences attending ſuch Recovery, Diſtreſs, and Sale, ſhall be paid, which Warrant or Warrants ſuch Juſtice or Juſtices is and are hereby empowered and required to grant upon Proof of the Fact to his or their Satisfaction, by the Oath of One or more credible Witneſs or Witneſſes, and which Oath ſuch Juſtice or Juſtices is and are alſo hereby empowered to adminiſter; and in caſe ſuch Loſs or Diminution of Toll ſhall exceed the Sum of Ten Pounds, then the ſame ſhall be recoverable, together with full Coſts of Suit, from the ſaid Company of Proprietors, by Action of Debt or on the Caſe, to be brought in the Name of the Treaſurer for the Time being to the ſaid Truſtees, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Wager of Law, or more than One Imparlance ſhall be allowed, any Thing in the ſaid recited Act or this Act contained to the contrary hereof in anywiſe notwithſtanding.

XI. And whereas it was in and by the ſaid recited Act directed, that no Rate ſhould be payable or be demanded, or taken by virtue thereof, for or in reſpect of any Dung, Marl, Soil, Compoſt, or other Manure, (Lime and Limeſtone excepted) for the Purpoſe of manuring of any Lands or Grounds belonging to any Perſon owning Land or Ground through or adjoining to which the ſaid Navigation, Canal, or Collateral Cut ſhould paſs or be made, provided the ſame did not paſs any Lock to be made by virtue of the ſaid recited Act, but at ſuch Time when the Water ſhould flow over the Waſte Weir of ſuch Lock: And whereas it was alſo in and by the ſaid recited Act further directed, that no Boats or other Veſſels laden as aforeſaid ſhould at any Time paſs through any Lock without paying the Tonnage Rates to which other Boats or Veſſels paſſing through the ſame would be liable by the Rules and Proviſions therein before contained and ſet forth: And whereas it was intended by the ſaid recited Act that all Boats and other Veſſels ſo laden for the Purpoſe of manuring any Lands or Grounds belonging to any ſuch Perſon or Perſons as aforeſaid, ſhould paſs through each and every Lock made by virtue of the ſaid recited Act, without paying any Rate

Rate or Rates for or in respect thereof, provided that the same did not pass any such Lock but at such Time when the Water should flow over the Waste Weir of such Lock; be it therefore enacted, That so much of the said recited Act, as directs that no such Boats or other Vessels so laden for the Purpose of manuring any Lands or Grounds belonging to any such Person or Persons as aforesaid should at any Time pass through any Lock without paying the Tonnage Rates to which other Boats or Vessels passing through the same would be liable by the Rules and Provisions therein contained and set forth, shall be and the same is hereby repealed and declared to be null and void to all Intents and Purposes whatsoever.

Repeal of Clause in recited Act, imposing in certain Cases a Tonnage on Manure.

XII. And whereas, it was in and by the above recited Act enacted, that the First General Assembly of the said Company of Proprietors for putting the same Act in execution should be held at the *Bell Inn*, in *Market Harborough*, upon the Day on which such Act should commence, and the Second General Assembly of the said Company should be held on the First *Monday* in *November* then next ensuing, at such Place and Hour as the said Company at their First Assembly should appoint; and that all future General Meetings of the said Company should be held on the First *Monday* in the Months of *May* and *November* respectively in every Year, at the Hour of Ten in the Forenoon, at such Place as the said Company of Proprietors at their preceding General Assembly should from Time to Time direct or appoint, of which General Meetings (except the First) Fourteen Days previous Notice at least should be given in Manner in the same Act expressed: And whereas it will be more convenient to the said Company of Proprietors hereafter to have the said General Assemblies on the Third *Mondays* in the Months of *May* and *November* respectively in every Year, instead of the First *Mondays* in those Months respectively; be it therefore further enacted, That, from and after the passing of this Act, the said General Assemblies of the Proprietors of the said Canal shall be holden on the Third *Mondays* in the Months of *May* and *November* in each Year respectively, in the Place and Stead of the First *Mondays* in the same Months respectively, as enacted by the said recited Act.

Altering the Times of General Half-yearly Assemblies.

XIII. 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 Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to 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 said Company of Proprietors of the *Leicestershire* and *Northamptonshire* Union Canal, together with the Name or Names of such Person or Persons as Three of the Commissioners for executing the said recited Act shall, by Writing signed by them, direct and appoint; to the Intent that such Money shall 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

Application of Compensation where exceeding 200*l.*

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, Intents, or Purpoſes; or where ſuch Money 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 Meſſuages, 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, or Hereditaments which ſhall be purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery upon Application thereto, be inveſted 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 mean Time, and until the ſaid 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 ſaid Lands, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Purchaſe Money does not exceed 200*l.* nor leſs than 20*l.*

XIV. 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 Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or 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 ſaid 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 be placed to his Account as aforeſaid, in order to be applied in Manner herein-before 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 any Three or more of the ſaid Commiſſioners, (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, 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 and Approbation of the Court of Chancery.

XV. Provided

Application where the Money is less than 20*l.*

XV. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall be leſs than 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 Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Act, in ſuch Manner as the ſaid Commiſſioners 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, ſubject to the Order of the Court of Chancery, on Motion or Petition.

XVI. 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 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 Commiſſioners, or any Three or more of them, 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 and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, to order the ſaid Sum or Sums of Money 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 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, Controul, 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 Publick 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 arife touching the Title to ſuch Money, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled

XVII. Provided always, and be it further enacted, That where any Queſtion ſhall arife 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 Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt, in any Lands or Hereditaments to be purchaſed in purſuance of the ſaid recited Act, 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, 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 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.

XVIII. 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 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 of the said recited Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Costs of this Act how to be paid.

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

Publick Act.

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

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1805.