ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lv.

An Act for making and maintaining a Navigable Canal from the River *Derwent* at *East Cottingwith*, in the East Riding of the County of *York*, to the Turnpike Road leading from the City of *York* to the Town of *Kingston-upon-Hull*, at a certain Place there called *Street Bridge*, in the Township of *Pocklington*, in the said Riding. [25th *May* 1815.]

WHEREAS the making and maintaining of a Canal for the Navigation of Boats, Barges, and other Vessels from and out of the River *Derwent*, at *East Cottingwith*, in the East Riding of the County of *York*, to the Turnpike Road leading between the City of *York* and the Town of *Kingston-upon-Hull*, at a Place there called *Street Bridge*, in the Township of *Pocklington* in the same Riding, would not only greatly facilitate and render less expensive the Carriage and Conveyance of Goods, Wares, and Merchandize, Coals, Lime, and Manure, between the River *Derwent* and *Pocklington* aforesaid, but would also tend to promote the Improvement and better Cultivation of the circumjacent Country, and would otherwise be of great public Utility: And whereas the several Persons hereinafter named are willing and desirous at their own Costs and Charges to make and maintain the said Canal, but the same 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

Proprietors

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable *Lowther* Lord *Muncaster*, Sir *Henry Maghull Mervin Vavasour* Baronet, *Ralph Creyke* the Younger, *John William Clough*, *Samuel Henry Copperthwaite*, *Robert Denison*, *Marmaduke Constable Maxwell*, *William Alderson* Clerk, *Thomas Brown* Clerk, *Thomas Cutler Rudston Read* Clerk, *Thomas Shield* Clerk, *Thomas Abbey*, *George Bagley*, *Thomas Bias*, *William Bayldon*, *Thomas Beal*, *Richard Beckett*, *Thomas Clarke*, *Thomas Collingwood*, *William Colinson*, *James Chaplin*, *George Clarkson* the Younger, *Robert Catton*, *Mary Duesbery*, *Samuel Elliott*, *Francis Fallowfield*, *Luke Fleming*, *Samuel Fenteman*, *Robert Gibson*, *James Green*, *John Hart*, *Nathaniel Holmes*, *Henry Hudson*, *Richard Hardy*, *David Holtby*, *Richard Hall*, *Matthew Houlden*, *Matthew Jackson*, *John Jennings*, *Hugh Ibbetson*, *John Ireland* the Younger, *Thomas Johnson*, *Robert Judson*, *John Lockwood*, *Thomas Laycock*, *John Linwood*, *William Massey* the Younger, *William Moor*, *Timothy Overend*, *James Powell*, *Thomas Smith*, *Barnard Smith*, *James Scaife*, *Edward Stephenson*, *Seth Stables*, *Thomas Stavely*, *James Silburn*, *Hannah Tate*, *Cook Taylor*, *William Ullathorne*, *John Weddall*, *Thomas Knowlton Wilson*, *Matthew Whitfield*, *Elizabeth Webster*, *George Wilson*, *Thomas Wilson*, *Roger Whip*, and all such Persons as shall after the passing of this Act agree and be permitted by the several Persons hereinbefore named, or the major Part of them, to become Members of a Company to be called by the Name and Style hereinafter mentioned, and their several and respective Successors, Executors, Administrators, and Assigns, and all and every Person and Persons, Body and Bodies Politic, Corporate, or Collegiate, who shall, according to the Conditions hereinafter set forth, be possessed of any Part of the Joint Stock of the said Company and their several and respective Successors, Executors, Administrators, and Assigns, being Proprietor or Proprietors of any Share or Shares in the said Canal hereby authorized to be made,

incorporated.

shall be and they are hereby united into a Company for the carrying on, making, completing, and maintaining the said intended Canal navigable for Boats, Barges, and other Vessels, according to the Rules, Orders, and Directions hereinafter mentioned and expressed, and shall for that Purpose be one Body Politic and Corporate, by the Name and Style of

Their Style.

"The *Pocklington* Canal Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall and may have Power and Authority from and after the passing of this Act, to purchase Lands, Tenements, and Hereditaments to them and their Successors and Assigns for the Use of the said Undertaking, and for the several Works hereby authorized to be made, and for the several other Purposes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and also to sell any of the Lands, Tenements, or Hereditaments, purchased for the Purposes aforesaid.

Powers for making the Canal and Feeders, &c.

II. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered, to make and maintain a Canal for the Navigation of Boats, Barges, and other Vessels, from and out of the River *Derwent* at *East Cottingwith* aforesaid, into or through the several Parishes and Townships of *East Cottingwith*, *West Cottingwith*, *Wheldrake*, *Storthwaite*, *Sutton-upon-Derwent*, *Melbourn*, *Thornton*, *Beilby*, *Waplington*, *Allerthorpe*,

Allerthorpe, and *Pocklington*, or ſome of them in the ſaid *Eaſt Riding*, to the Turnpike Road leading between the City of *York* and the Town of *Kingſton-upon-Hull* aforeſaid, at a Place called *Street Bridge*, in the Townſhip of *Pocklington* aforeſaid, and to ſupply the ſaid intended Canal while making, and at all Times for ever after the ſame ſhall be made, with Water from the ſaid River *Derwent*, and all ſuch Brooks, Springs, Streams, Rivulets, Waters, and Watercourſes as are or ſhall flow or be found in digging or making the ſaid Canal, and alſo ſuch and ſo many Soughs, Tunnels, Feeders, Aqueducts, and Channels for ſupplying the ſaid Canal with Water, as the ſaid Company of Proprietors or their Committee of Management ſhall think neceſſary and expedient; and alſo for effecting the Purpoſes aforeſaid, to cleanſe, ſcour, and dig, open, deepen, enlarge, or ſtraighten the Streams, Brooks, and Watercourſes, which come or may be brought into the ſame, or made to communicate therewith, and to dig, cut, or raiſe the Banks of any of the ſaid Streams, Brooks, or Watercourſes for bringing Water into the ſaid Canal, and to make ſuch proper Trenches or Paſſages for Water in, upon, or through the Lands or Grounds adjoining or near to the ſaid Canal, or ſuch Streams, Brooks, or Watercourſes as aforeſaid, as the ſaid Company of Proprietors or their Committee of Management ſhall think fit, and for the Purpoſes aforeſaid, the ſaid Company of Proprietors, their Deputies, Agents, Officers, and Workmen are hereby authorized and empowered, to enter into and upon the Lands and Grounds of any Perſon or Perſons, Bodies Politic, Corporate, or Collegiate whatſoever, and to ſurvey and take Levels of the ſame or any Part thereof, and to ſet out and aſcertain ſuch Parts thereof as they ſhall think neceſſary and proper for making the ſaid intended Canal, Feeders, and Aqueducts, and all ſuch other Works, Matters, and Conveniencies as they ſhall think proper and neceſſary for making, effecting, preſerving, improving, completing, maintaining, and uſing the ſaid intended Canal and other Works; and alſo to bore, dig, cut, trench, ſough, get, remove, carry away, and diſpoſe of all ſuch Earth, Clay, Stone, Soil, Trees, Roots of Trees, Beds of Gravel, Sand, or any other Matters or Things as may be found in making the ſaid intended Canal or other Works, or which may be proper, requiſite, or neceſſary for making, carrying on, continuing, maintaining, or repairing the ſaid intended Canal or other Works, or which may hinder, prevent, or obſtruct the making, uſing, or completing, extending, or maintaining the ſame reſpectively, or of any ſuch Feeders, Trenches, Paſſages, Aqueducts, and Watercourſes as ſhall be neceſſary and proper to convey Water to or from the ſaid Canal, according to the Intent and Purpoſes of this Act, and to make, build, erect, and ſet up over, in, or upon the ſaid Canal or upon the Lands adjoining or near the ſame, ſuch and ſo many Bridges, Piers, Arches, Tunnels, Aqueducts, Sluices, Flood-gates, Weirs, Pens for Water, Water-Stanks, Dams, Wharfs, Quays, Houſes, Warehouſes, Toll-houſes, Watch-houſes, Landing-places, Weighing-beams, Cranes, Fire-engines, Water-engines, or other Machines, Dry-docks, and other Works, Ways, Roads, and Conveniencies, as and where the ſaid Company of Proprietors ſhall think requiſite or convenient for the Purpoſes of the ſaid Navigation, and alſo from Time to Time to alter, repair, and amend, or diſcontinue the ſame, and to divert, alter, widen, enlarge, and extend any Bridges, Ways, Roads, Paſſages, or Conveniencies, as well for the carrying and conveying of Goods, Wares, and Merchandizes,

dizes, Coals, Lime, and Manure, to and from the ſaid Canal, as for the carrying and conveying of all Manner of Materials neceſſary for the making, erecting, finiſhing, altering, repairing, amending, widening, or enlarging the ſaid Canal and the Works of or belonging to the ſame, or uſeful for any Purpoſe therein, and alſo to place, lay, work, or manufacture the ſaid Materials on the Grounds near to the Place or Places where the ſaid Works or any of them ſhall be made, erected, repaired, or done, and alſo to make, maintain, repair, and alter any Fences or Paſſages over, under, or through the ſaid Canal or the Tunnels, Aqueducts, Soughs, Trenches, Paſſages, Feeders, Watercourſes, and Sluices reſpectively which ſhall communicate therewith, and alſo to make, ſet out, and appoint ſuch Towing-paths, Banks, Roads, and Ways convenient for towing, hauling, or drawing of Boats, Barges, and other Veſſels paſſing upon the ſaid Canal with Men, Horſes, or otherwiſe, and proper Places for Boats, Barges, or other Veſſels, navigating upon the ſaid Canal, to turn, lie, or paſs each other as they the ſaid Company of Proprietors ſhall think convenient, and to conſtruct, erect, and keep in Repair any Piers, Arches, Aqueducts, and other Works, in or upon or acroſs any Rivers or Brooks for the making, uſing, maintaining, and repairing of the ſaid Canal and Towing-paths on the Sides thereof, and to conſtruct, erect, make, and do all other Matters and Things which they ſhall think convenient and neceſſary for the making, effecting, extending, preſerving, improving, completing, and uſing of the ſaid intended Canal and other Works, in purſuance of and according to the true Intent and Meaning of this Act, they the ſaid Company of Proprietors, their ſeveral Deputies, Agents, Officers, and Workmen doing as little Damage as may be in the Execution of the ſeveral Powers to them hereby granted, and making Satisfaction in Manner hereinafter mentioned to the Owners and Proprietors of and other Perſons intereſted in any Lands, Tenements, or other Hereditaments, Waters, Watercourſes, Brooks, or Rivulets reſpectively, which ſhall be taken, uſed, removed, diverted, or prejudiced for all Damages to be by them ſuſtained, in or by the Execution of all or any of the Powers of this Act; and this Act ſhall be ſufficient to indemnify the ſaid Company of Proprietors and their Deputies, Agents, Officers, and Workmen, and all other Perſons whomſoever, for what they or any of them ſhall do by virtue of the Powers hereby granted, ſubject nevertheleſs to ſuch Reſtrictions as are hereinafter mentioned.

Not to make uſe of any Stream belonging to Thornton Mill.

III. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to authorize or empower the ſaid Company of Proprietors to divert or make uſe of any of the Brooks, Springs, or Streams, which now ſupply with Water the Mill in the Pariſh of *Thornton* aforeſaid, belonging to the Right Honourable *George O'Brien* Earl of *Egremont*, to the Prejudice or in any Way to affect the Intereſt of the ſaid Earl in the ſaid Mill, without the Conſent in Writing of the ſaid Earl, or the Perſon or Perſons for the Time being ſeized or poſſeſſed of the ſaid Mill, being for that Purpoſe firſt had and obtained; provided alſo, that if in making the ſaid Canal the ſaid Mill and the Dwelling Houſe adjoining ſhall be ſeparated from the Outbuildings belonging thereto, then and in ſuch Caſe the ſaid Company of Proprietors ſhall, if ſo required by the ſaid Earl, at their Expence remove ſuch Outbuildings, and erect others equally as large and convenient near to

or

or adjoining the said Mill, for the Use and Benefit of the said Earl, or the Person or Persons for the Time being seized or possessed of the said Mill.

Not to make use of any Stream belonging to Beilby Mill.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors to divert or make use of any of the Brooks, Springs, or Streams, which now supply with Water the Mill in the Township of *Beilby*, aforesaid, belonging to the Warden and Scholars of the House or College of Scholars of *Merton*, in the University of *Oxford*, to the Prejudice or in any Way to affect the Interest of the said College in the said Mill, without the Consent in Writing of the said College, or the Person or Persons for the Time being seized or possessed of the said Mill, being for that Purpose first had and obtained.

Breadth of Canal and Towing-paths.

V. And be it further enacted, That the Lands and Grounds to be taken or used for such Canal, and for the Towing-paths thereof, and for the Ditches, Drains, and Fences to separate such Towing-paths from the adjoining Lands, shall not exceed Forty-six Yards in Breadth, except in such Places where any Wharfs, Docks, Basons, or Pens of Water shall be made, or where the said Canal or any Part thereof shall be cut above Nine Feet deeper than the present Surface of the Land nor in any Place more than Fifty-two Yards in Breadth.

Ascents to Bridges, and Fences thereon.

VI. Provided always, and be it further enacted, That in all Places where the Line of the said Canal by this Act directed to be made shall cross any Public Carriage Road, the Ascent to every Bridge 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.

If old Roads are destroyed new ones are to be made.

VII. And be it further enacted, That when and as often as it shall be found necessary by the said Company of Proprietors, to take or cut through any Carriage or Horse Road, be the same Public or Private, or so much injure the same as to render the same impassable or inconvenient for Carriages or Horses, or the Persons entitled to the Use and Benefit thereof, the said Company of Proprietors shall, at their own Expence, before any such Road shall be taken, cut through, or injured as aforesaid, cause a good and sufficient Carriage or Horse Road (as the case may be) to be set out and made instead thereof, and shall put or cause to be put the same in good and sufficient Repair and Condition, and which being once so put in good and sufficient Repair and Condition shall be thereafter kept in Repair by the Person or Persons liable to repair the Road so taken, cut through, or injured as aforesaid.

The Plan and Book of Reference to remain with the Clerk of the Peace, subject to Inspection.

VIII. And whereas a Survey has been taken to ascertain the Practicability of making the said Canal, and a Map or Plan describing the Line of the said Canal and the Lands through which the same is intended to be made, together with a Book of Reference containing a List of the Names of the Owners, or reputed Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the said East Riding of the County of *York*; be it therefore enacted, That

That ſuch Map or Plan, and Book of Reference, ſhall remain in the Cuſtody of the Clerk of the Peace for the ſaid Eaſt Riding for the Time being, and that all Perſons ſhall, at ſeaſonable Times, have Liberty to inſpect and peruſe the ſame, or make Copies of the ſame as Occaſion ſhall require at their Will and Pleaſure, paying to the Clerk of the Peace the Sum of One Shilling for every ſuch Inſpection, and the Sum of Sixpence for every One hundred Words contained in ſuch Copy.

Not to deviate without Conſent.

IX. And be it further enacted, That the ſaid Company of Proprietors, in making the ſaid intended Canal, ſhall not deviate more than One hundred Yards from the Courſe or Direction delineated in the ſaid Map or Plan, and ſet forth in the ſaid Book of Reference.

Canal to be made through Lands, although omitted in the Book of References.

X. And be it further enacted, That the ſaid Company of Proprietors ſhall and may make the ſaid intended Canal into, through, acroſs, or over the Lands or Grounds of any Perſon or Perſons whomſoever, into whoſe Eſtates, Lands, or Grounds ſuch Canal as aforeſaid ſhall extend, although his, her, or their Name or Names is or are not mentioned in the ſaid Book of Reference, and alſo into the Eſtates, Lands, or Grounds of any Perſon or Perſons, where it ſhall appear to the Satisfaction of any one or more Juſtice or Juſtices of the Peace for the ſaid Eaſt Riding, and be by him or them certified under his or their Hand or Hands that the Name or Names of ſuch laſt-mentioned Perſon or Perſons, hath or have been by Miſtake omitted in the ſaid Book of Reference, or that, inſtead of his, her, or their Name or Names, the Name or Names of ſome other Perſon or Perſons to whom ſuch laſt-mentioned Eſtates, Lands, or Grounds do not belong, hath or have been by Miſtake inſerted therein, any Thing herein contained to the contrary thereof in any wiſe notwithſtanding; and the Certificate of ſuch Juſtice or Juſtices ſhall be depoſited, and ſhall remain in the Office of the Clerk of the Peace for the ſaid Eaſt Riding, for the Peruſal and Inſpection of all Perſons intereſted in the ſaid Eſtates, Lands, and Grounds.

Canal not to be ſubject to the Laws of Sewers.

XI. And be it further enacted, That the ſaid Canal or any other Works whatſoever, to be made by virtue of the Powers hereby granted ſhall not be ſubject to the Controul, Direction, Survey, Order, or Juriſdiction of any Commiſſioners of Sewers, or to any Law or Statute relating to Sewers, any former Law or Statute to the contrary notwithſtanding.

Bodies Politic, &c. empowered to ſell and convey Land.

XII. And be it further enacted, That after any Lands, Grounds, Tenements, or Hereditaments ſhall be ſet out and aſcertained for making the ſaid Canal or any Part thereof, and for providing and conſtructing the Wharfs and other Works and Conveniencies hereinbefore mentioned, or any of them, it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Huſband, Guardians, Truſtees, and Feoffees in Truſt for charitable and other Purpoſes, Committees, Executors, and Adminiſtrators, and all other Truſtees and Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs, and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infants, Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſon or Perſons, and to and for all Femes Covert, who are or ſhall be ſeized, poſſeſſed of, or intereſted in their own Right, or entitled to Dower or other Intereſt therein, and for every other Perſon or Perſons whomſoever,

ſoever, who is, are, or ſhall be ſeized, poſſeſſed of, or intereſted in any Lands, Grounds, Tenements, or Hereditaments, which ſhall be ſo ſet out and aſcertained for the Purpoſes aforeſaid, to contract for, ſell, and convey the ſame and every Part thereof, unto the ſaid Company of Proprietors; and all Bodies Politic, Corporate, or Collegiate, and all other Perſons whomſoever, ſo conveying as aforeſaid, are hereby indemnified for what they ſhall reſpectively do in relation to any ſuch Sale, which he, ſhe, or they or any of them, ſhall make by virtue and in purſuance of this Act, and all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances, ſhall be made at the Expence of the ſaid Company of Proprietors, and ſuch of them as ſhall be made of any Lands, Tenements, or other Hereditaments, to the ſaid Company of Proprietors may be made according to the following Form:

Form of Conveyance.

'I of in Conſideration of the Sum of to me in Hand paid by the Company of Proprietors of the 'Pocklington Canal, do hereby grant, bargain, ſell, and convey to the 'ſaid Company, all (*deſcribing the Hereditaments to be conveyed*) and 'all my Eſtate, Right, Title, and Intereſt to and in the ſame Premiſes 'and every Part thereof, to have and to hold the ſame with the Appur-'tenants to the ſaid Company and their Succeſſors for ever, by virtue 'and according to the true Intent and Meaning of an Act paſſed in the 'Fifty-fifth Year of the Reign of King *George* the Third, intituled '*An Act* (*here inſert the Title of this Act*). In Witneſs whereof I 'have hereunto ſet my Hand and Seal this Day of 'in the Year of our Lord .'

Which ſaid Conveyances being inrolled in the Regiſter Office, appointed for the regiſtering of Deeds, Wills, and Conveyances of or affecting the Title to Lands and Hereditaments in the Eaſt Riding of the County of *York*, ſhall be good, valid, and effectual in the Law to all Intents and Purpoſes whatſoever; and the Originals of all ſuch Conveyances ſhall be kept by the Clerk to the ſaid Company of Proprietors, and the Inrolments thereof ſhall and may be ſeen and inſpected, and Copies taken by any Perſon or Perſons whomſoever, during the Hours and after the Rates and Prices, uſed and accuſtomed in the ſaid Office, and a Copy of every ſuch Inrolment, certified by and under the Hand of the Regiſter for the ſaid Eaſt Riding, or his Deputy, ſhall be received and admitted as Evidence in any of His Majeſty's Courts of Law or Equity.

Satisfaction to be made.

XIII. Provided always, and be it further enacted, That all and every Body or Bodies Politic, Corporate, or Collegiate, Truſtees, and other Perſons hereinbefore enabled to ſell or convey Lands, Tenements, and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands, Tenements, or other Hereditaments, through, in, or upon which the ſaid Navigation, Towing-paths, or other Works hereby authorized are intended to be made, or any Mills or other Works, from which any Water to ſupply the ſaid Navigation may or ſhall be taken or directed, may and ſhall accept and receive Satisfaction for the Value of ſuch Lands, Tenements, Mills, or other Works and Hereditaments, and for the Damages to be ſuſtained by making and completing the ſaid Works hereinbefore directed, in ſuch Manner as ſhall be agreed upon by and between the ſaid Parties intereſted, reſpectively, or any of them, and the ſaid Company of Proprietors or ſome Perſon

or

or Perſons authorized by them for that Purpoſe; the ſaid Company of Proprietors in making ſuch Compenſation, aſcertaining in what Proportions the Sum or Sums agreed upon ſhall be paid to the ſeveral Perſons intereſted in the Premiſes; and in caſe the ſaid Company of Proprietors, or ſuch Perſon or Perſons, and the ſaid Parties intereſted in ſuch Lands, Tenements, Waters, or other Hereditaments cannot agree as to the Amount or Value of ſuch Satisfaction, the ſame ſhall be aſcertained and ſettled by a Jury of Twelve Perſons to be ſummoned and choſen by the Sheriff of the County, in which ſuch Lands, Tenements, or Hereditaments are ſituated, and which ſuch Sheriff is hereby required to ſummon and chooſe in the Manner in which Juries are or may be ſummoned and choſen by Sheriffs of Counties in *England*, and the ſaid Sheriff may order and authorize the ſaid Jury to view the Place or Places in queſtion, which Jury upon their Oaths (which Oaths, as well as the Oaths to ſuch Perſon or Perſons, as ſhall be called upon to give Evidence, the ſaid Sheriff is hereby required to adminiſter) ſhall inquire of, aſſeſs, and aſcertain the Sum or Sums of Money to be paid for the Purchaſe of ſuch Lands, Tenements, or other Hereditaments, or the Recompence to be made for the Damages that ſhall or may be ſuſtained as aforeſaid, and ſhall ſettle and aſcertain in what Proportions the Sum or Sums ſo aſſeſſed ſhall be paid to the ſeveral Perſons intereſted in the Premiſes; and the ſaid Sheriff ſhall give Judgment for ſuch Purchaſe Money or Recompence ſo to be aſſeſſed by ſuch Jury, which ſaid Verdict and the Judgment thereupon pronounced as aforeſaid ſhall be ſigned by the ſaid Sheriff, and ſhall be binding and concluſive to all Intents and Purpoſes againſt all Parties, Bodies Politic, Corporate, or Collegiate, and all other Perſons whomſoever.

If Parties cannot agree, Price to be ſettled by a Jury.

XIV. Provided always, and be it further enacted, That no Perſon ſhall be ſummoned or choſen to be of ſuch Jury, who ſhall be an Owner or Occupier of any Lands, Grounds, Mill, Waters, Tenements, or other Hereditaments, through which any Part of the ſaid Canal or Feeders ſhall paſs or be.

Certain Perſons not to be ſummoned upon ſuch Jury.

XV. And be it further enacted, That in each and every Caſe where a Verdict ſhall be given for more Money as a Recompence or Satisfaction for the abſolute Sale of any Lands, Grounds, Mills, Waters, Tenements, or other Hereditaments, of any Perſon or Perſons whomſoever, or as a Compenſation for any Damages done or to be done to ſuch Lands, Tenements, or other Hereditaments, than had been previouſly offered by or on Behalf of the ſaid Company of Proprietors, or where any Verdict ſhall be found for any Damages where the Diſpute is for Damages only, and where no Compenſation had been previouſly offered or tendered in reſpect thereof, by and on Behalf of the ſaid Company of Proprietors, or where by reaſon of Abſence in foreign Countries or other Impediment or Diſability as aforeſaid, there ſhall not be found any Perſon or Perſons at hand who may be legally capacitated to enter into a Contract with, and make Conveyances to and receive Compenſations from the ſaid Company of Proprietors as hereinbefore mentioned, then and in all ſuch Caſes all the Expences of ſummoning ſuch Jury, and taking ſuch Verdict, ſhall be ſettled by the ſaid Sheriff, and be defrayed by the ſaid Company of Proprietors; but if any Verdict ſhall be given for the ſame Sum that had been previouſly offered, by or on Behalf of the ſaid Company

Expences of Witneſſes and Jury, by whom to be paid.

Company of Proprietors, or for a leſs Sum than had been ſo previouſly offered, or in caſe no Damages ſhall be given by the Verdict where the Diſpute is for Damages only, or in caſe of ſuch Refuſal to enter into Treaty with or make Conveyances to or receive Compenſations from the ſaid Company of Proprietors by any Bodies Politic, Corporate, or Collegiate, or by any Perſon or Perſons whomſoever, who is or are by the Proviſions of this Act, or otherwiſe, legally capacitated to treat and convey, or receive ſuch Compenſation as aforeſaid, then and in all ſuch Caſes (except where by reaſon of Abſence, or otherwiſe, any Perſon ſhall have been prevented from treating and agreeing as aforeſaid,) the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Verdict ſhall be ſettled in like Manner by the ſaid Sheriff, and be borne and paid by the Perſon or Perſons with whom the ſaid Company of Proprietors ſhall have ſuch Concerns, Controverſies, or Diſputes, which ſaid Coſts and Expences having been ſo ſettled ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons, and the Payment or Tender of the Remainder of ſuch Sum or Sums of Money ſhall be deemed and taken to all Intents and Purpoſes, to be a Payment or Tender of the whole Sum or Sums ſo aſſeſſed and adjudged.

Verdict as to Value of Lands and Damages to be aſcertained ſeparately.

XVI. And be it further enacted, That the ſaid Juries reſpectively ſhall award all Determinations, Judgments, and Verdicts, which they ſhall reſpectively make and give in the Execution of the Powers hereby veſted in them, concerning the Value of Lands, Mills, Tenements, and other Hereditaments, ſeparately and diſtinctly from the Conſideration of any other Damages ſuſtained or to be ſuſtained by any Perſon or Perſons in conſequence of the Execution of any of the Powers of this Act, and ſhall diſtinguiſh the Value ſet upon the Lands, Tenements, and other Hereditaments, and the Money aſſeſſed or adjudged for ſuch Damages as aforeſaid, ſeparately and apart from each other.

Verdicts to be recorded.

XVII. And be it further enacted, That each and every Verdict ſhall be delivered to the Clerk of the Peace for the ſaid Eaſt Riding of the ſaid County of *York*, or his Deputy, who is hereby required to receive the ſame, and to lodge and depoſit the ſame amongſt the Records of the Court of Quarter-Seſſions of or for the ſaid Riding, and the ſame or a true Copy thereof ſhall be admitted as Evidence in all Courts whatſoever; and all Perſons ſhall have full Liberty to inſpect the ſame, and take Copies thereof, at all ſeaſonable Hours, upon paying for ſuch Inſpection the Sum of One Shilling, and for every ſuch Copy not exceeding Seventy-two Words the Sum of Sixpence, and ſo in Proportion for any greater Number of Words.

Tythes.

XVIII. And be it further enacted, That full Recompence and Satisfaction ſhall be made by the ſaid Company of Proprietors for the Purpoſes and in purſuance of the Powers of this Act, to the Perſon or Perſons entitled, or who would have been entitled to ſuch Tythes, in caſe ſuch Lands had not been ſo taken or made uſe of, according to their reſpective Intereſts therein, ſuch Tythes to be eſtimated at the Average Value of Four Years, commencing at *Michaelmas* One thouſand eight hundred and ten; and ſuch Average Value to be aſcertained (in caſe of any Difference concerning the ſame) in like Manner as the Value of any Lands or other Hereditaments is hereinbefore directed to be aſcertained.

Power to enter into and take Poſſeſſion of Lands, &c. on Payment or Tender of Purchaſe Money.

XIX. Provided always, and be it further enacted, That upon Payment of ſuch Sum or Sums of Money as ſhall have been contracted or agreed for between the Parties, or aſſeſſed or determined by a Verdict by a Jury for the Purchaſe of any ſuch Lands, Waters, Mills, Tenements, or other Hereditaments, or as a Recompence for the Yearly Produce or Profit thereof, or as a Compenſation for Damages as herein mentioned, to the Proprietor or Proprietors of ſuch Lands, Waters, Mills, Tenements, or other Hereditaments, or to ſuch other Perſon or Perſons as ſhall be intereſted therein, or entitled to receive ſuch Money or Compenſation reſpectively, after the ſame ſhall have been ſo agreed for or aſſeſſed, or upon the Inveſtment thereof in the Bank of *England*, in Manner directed by this Act for the Uſe of ſuch Perſon or Perſons ſo intereſted or entitled as aforeſaid, then and in all or any of the ſaid Caſes as often as the ſame ſhall happen, it ſhall and may be lawful to and for the ſaid Company of Proprietors and their Agents, Workmen, and Servants, immediately to enter upon ſuch Lands, Grounds, Mills, Tenements, and other Hereditaments reſpectively, (or before ſuch Payment or Tender by leave of the Owners or Occupiers thereof,) and thereupon ſuch Lands and Grounds, Waters, Mills, Tenements, and other Hereditaments, together with the Yearly Profits thereof, and all the Eſtate, Uſe, Truſt, and Intereſt of any Perſon or Perſons therein, ſhall from thenceforth be veſted in and become the ſole Property of the ſaid Company of Proprietors to and for the Purpoſes of this Act for ever; and ſuch Tender, Payment, Inveſtment, or Depoſit ſhall not only bar all Right, Title, Claim, Intereſt, and Demand of the Perſon or Perſons to whom the ſame ſhall or ought to have been made but every other Perſon whomſoever therein.

Directing Application of Purchaſe Money, when amounting to 200l. and upwards.

XX. And be it further enacted, That if any Money ſhall be contracted and agreed or adjudged and awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Body Corporate, Collegiate, or Eccleſiaſtic, Tenant for Life, or in Tail, Truſtee, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, 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 *Pock-* "*lington* Canal Company," together with the Name or Names of ſuch Perſon or Perſons as any Three or more of the Committee of Management of the ſaid Company 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 have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments in the Purchaſe of the Land-Tax or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance 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 and being ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes, or where ſuch Money ſhall not be ſo applied, then the

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, and Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Wills, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Tenements, and Hereditaments, which ſhall be ſo purchaſed, taken, or uſed for the Purpoſes of this Act, ſtood and were ſettled and 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 Meantime and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid High Court of Chancery upon Application made thereto as aforeſaid, 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 Meantime, 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.

Directing Application of Purchaſe Money where leſs than 200l. and exceeding 20l.

XXI. Provided always, and be it further enacted, That if any Money ſo contracted and agreed, or adjudged and awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Body Corporate, Collegiate, or Eccleſiaſtic, Tenant for Life or in Tail, Truſtee, Feme Covert, Infant, Lunatic, or any Perſon or Perſons under 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 Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees in Caſes 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 hereinbefore directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees to be named by the Perſon or Perſons making ſuch Option, and approved by Three or more of the ſaid Committee of Management, (ſuch Nomination and Approbation to be ſignified by 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 hereinbefore directed, ſo far as the Caſe ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Directing Application of Purchaſe Money, not exceeding 20l.

XXII. Provided alſo, and be it further enacted, That where ſuch Money ſo contracted and agreed, or adjudged and awarded to be paid as laſt before mentioned, ſhall not exceed the Sum of 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 this Act, in ſuch Manner as the ſaid Committee of Management, or any Three or more of them, ſhall think fit, or in Caſes 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.

XXIII. 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 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 Company of Proprietors; 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 Committee of Management, 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 ſaid Accountant-General of the High 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 High 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 ſaid 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 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.

In caſe of queſtionable Title to the Money, Poſſeſſion of the Lands to be deemed entitled thereto until the contrary ſhall be ſhewn.

XXIV. Provided always, and be it further enacted, That when 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 ſaid Accountant-General of the High 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, Tenements, or Hereditaments to be purchaſed in purſuance of this 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, 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,

ments, or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid High 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.

Expences of Purchaſes may be allowed by the Court.

XXV. 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 this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid High Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the like Uſes, in purſuance of this Act, it ſhall be lawful for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Company of Proprietors, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purchaſes as the ſaid Court ſhall direct.

Proprietors to raiſe Money among themſelves for making the Canal.

XXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Company of Proprietors to raiſe and contribute amongſt themſelves a competent Sum of Money for making and maintaining the ſaid Canal, and all the Reſervoirs, Feeders, Baſons, Aqueducts, Quays, Wharfs, and all other Works and Conveniences belonging or requiſite thereto, not exceeding in the whole the Sum of Thirty-two thouſand Pounds, (ſave and except as herein mentioned,) which ſaid Sum of Money ſhall be laid out and be applied in the firſt Place in defraying the Charges and Expences of obtaining and paſſing this Act, and the making the proper Surveys, Plans, and Eſtimates, and the doing and providing all the Matters and Things preparatory and previous thereto, and then in the making, completing, and maintaining the ſaid Canal and other requiſite Works and Conveniencies, and for otherwiſe carrying the Purpoſes of this Act into Execution, and that the ſaid Sum of Thirty-two thouſand Pounds ſhall be divided into Shares of One hundred Pounds each, (but ſubject to Subdiviſion in Manner hereinafter mentioned,) and that the ſaid Shares ſhall be and they are hereby veſted in the ſeveral Perſons ſo raiſing and contributing the ſame, and their ſeveral and reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns to them and every of their proper Uſe and Benefit, proportionably to the Sums they ſhall ſeverally raiſe and contribute; and all Bodies Politic, Corporate, or Collegiate, and all Perſons their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe for one or more Share or Shares, or ſuch Sum or Sums as ſhall be demanded in lieu thereof towards carrying on and completing the ſaid Undertaking and other Purpoſes of the ſaid Subſcription, ſhall be entitled to and receive after the ſaid Canal ſhall be completed, the entire and net Diſtribution of an equal proportionable Part, according to the Money ſo by them reſpectively paid, of the Profits and Advantages that ſhall and may ariſe and accrue from the Rates and Duties and other Sums of Money to be raiſed, recovered, or received by the ſaid Company of Proprietors, and by the Authority of

this Act; and every Body Politic, Corporate, and Collegiate, Person and Persons having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same in Manner herein directed and appointed.

Fractional Parts of Shares of 100l. may be subscribed.

XXVII. Provided always, and be it further enacted, That nothing herein contained shall preclude or be construed to preclude any Person or Persons, or any Body Politic, Corporate, or Collegiate, from subscribing and contributing any fractional Part of the Sum of One hundred Pounds, towards making and maintaining the said intended Canal, but that such Person or Persons, Body Politic, Corporate, or Collegiate, so subscribing and contributing a fractional Part of the Sum of One hundred Pounds, shall stand interested in all the Profits of the said Canal, and shall be subject and liable to all Penalties and Regulations hereby imposed and subscribed, according and in Proportion to the Amount of such fractional Part by him, her, or them subscribed, or to be subscribed, as generally and extensively to all Intents and Purposes as Subscribers for one or more entire Share or Shares in the said Undertaking, are interested in such Profits, and subject and liable to such Penalties and Regulations; but so that no Person or Persons, Body Politic, Corporate, or Collegiate, shall or may be entitled to any Vote as a Shareholder, in respect of such fractional Part of the Sum of One hundred Pounds by him, her, or them subscribed, or to be subscribed, as aforesaid.

No Person answerable for more than their respective Stock.

XXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend to charge or make liable any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who is, are, or shall be Proprietor or Proprietors of the Stock of the said Company, or Contributor or Contributors thereto, or his, her, or their real or personal Estate with any Debt or Demand whatsoever, due or to become due, from or by the said Company, or in any ways relating to the said Undertaking, beyond the Extent of his, her, or their capital Stock, or Share or Shares in the Stock of the said Company, any Law, Custom, or Usage to the contrary in anywise notwithstanding.

Shares to be personal Estate.

XXIX. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and all other Person and Persons of and in the said Canal, or the Joint Stock or Fund of the said Company of Proprietors, shall be deemed personal Estate, and transmissible as such, and not of the Nature of real Property.

Subscribers to have a Vote for every Share not exceeding 10 Shares.

XXX. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act, have subscribed or undertaken for One or more entire Share or Shares in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, and who shall be present at the stated General and Special General Assemblies to be held as herein appointed, shall have a Vote for every such Share, but not exceeding Ten Votes in the whole, although possessed of more than Ten Shares in the said Undertaking; and every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, his, her, or their respective

Successors,

Succeſſors, Executors, Adminiſtrators, and Aſſigns, who cannot attend ſuch ſtated General and Special General Meetings ſhall have a Vote for every ſuch Share, but not exceeding Ten Votes in the whole, although poſſeſſed of more than Ten Shares in the ſaid Undertaking, by their, his, or her Proxies or Proxy conſtituted under the Seal of ſuch Body Politic, Corporate, or Collegiate, or the Hand of ſuch other Perſon, every ſuch Proxy being a Proprietor in the ſaid Undertaking; and every ſuch Vote by Proxy ſhall be as good and ſufficient to all Intents and Purpoſes as if ſuch Principal had voted in Perſon; and every Queſtion, Matter, and Thing, which ſhall be propoſed, diſcuſſed, or conſidered, in any ſtated General or Special General Aſſembly of the ſaid Company of Proprietors ſhall be determined by the Majority of Votes and Proxies then preſent, computing One Vote to every entire Share: Provided nevertheleſs, that no Perſon preſent ſhall vote for more than Ten Shares as aforeſaid, nor ſhall act as Proxy for more than Ten abſent Proprietors, the Appointment of which Proxies may be made according to the Form following:

Form of Appointment of Proxies.

'I *A. B.* of One of the Proprietors of the *Pocklington* Canal, do hereby nominate, conſtitute, and appoint, *C. D.* of to be my Proxy, in my Name and in my Abſence to vote or give my Aſſent or Diſſent to any Buſineſs, Meaſure, or Thing, relating to the ſaid Undertaking, in ſuch Manner as he the ſaid *C. D.* ſhall think proper, according to his Opinion and Judgment for the Benefit of the ſame, or any Thing appertaining thereto. In Witneſs whereof I have hereunto ſet my Hand the Day of'

Proprietors may raiſe an additional Sum among themſelves if neceſſary.

XXXI. And be it further enacted, That in caſe the Money, hereinbefore authorized to be raiſed, ſhall be found inſufficient for the making, completing, and maintaining of the ſaid Canal, and other the Works hereby authorized to be made, and all neceſſary Charges and Expences relating thereto; then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Company of Proprietors to raiſe and contribute amongſt themſelves in Manner and Form aforeſaid, and in ſuch Shares and Proportions as to them ſhall ſeem meet, or to raiſe by the Admiſſion of new Subſcribers, or to borrow upon the Credit of the Undertaking, as hereinafter provided, any further or other Sum of Money, for completing and perfecting the ſaid Undertaking, not exceeding in the Whole the Sum of Ten thouſand Pounds; and every Body Politic, Corporate, or Collegiate, or other Perſon, being a Subſcriber towards raiſing ſuch further or other Sum of Money, ſhall be a Proprietor in the ſaid Undertaking, and ſhall have a like Vote by themſelves, himſelf, or herſelf, or their, his, or her Proxies or Proxy in reſpect of every One hundred Pounds of the ſaid additional Sum ſo to be raiſed, and ſhall alſo be liable to ſuch Forfeitures and ſtand intereſted in all the Profits and Advantages of the ſaid Canal, in proportion to the Sum they, he, or ſhe, ſhall or may ſubſcribe thereunto, as generally and extenſively to all Intents and Purpoſes, as if ſuch further or other Sums hereby allowed to be ſubſcribed for and raiſed had originally been Part of the ſaid Sum of Thirty-two thouſand Pounds, but ſo as not to have more than Ten Votes as aforeſaid.

XXXII. Pro-

Power to raiſe Money upon the Security of the Undertaking.

XXXII. Provided always, and be it further enacted, That, in caſe the ſaid Company of Proprietors ſhall be deſirous of raiſing the ſaid Sum of Ten thouſand Pounds, or any Part thereof, upon the Security of the ſaid Undertaking, it ſhall and may be lawful to and for the ſaid Company of Proprietors to borrow and take up at Intereſt all or any Part of the ſaid Sum of Ten thouſand Pounds, on the Credit of the ſaid Canal, and to aſſign the Property of the ſaid Canal and the Rates ariſing or to ariſe to the ſaid Company of Proprietors, by virtue of this Act or any Part thereof, the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Rates, as a Security for any Sum or Sums of Money ſo to be borrowed with Intereſt to ſuch Perſon or Perſons, or to his, her, or their Truſtee or Truſtees, who ſhall advance the ſame, all which Aſſignments ſhall be made under the common Seal of the ſaid Company of Proprietors, in the Form or to the Effect following; (that is to ſay,)

Form of Aſſignment.

'BY virtue of an Act paſſed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *(here inſert the Title of this Act,)* we the Company of Proprietors of the *Pocklington* Canal, incorporated by and under the ſaid Act, in conſideration of the Sum of Pounds to us in Hand, paid by *A. B.*, of , do hereby bargain, ſell, and aſſign unto the ſaid *A. B.*, his Executors, Adminiſtrators, and Aſſigns, the ſaid Canal, and all and ſingular the Rates ariſing and payable to us by virtue of the ſaid Act, and all our Eſtate, Right, Title, and Intereſt of, in, and to the ſame, to hold unto the ſaid *A. B.*, his Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of Pounds, with Intereſt for the ſame, after the Rate of *per Centum per Annum* ſhall be fully paid and ſatisfied. In Witneſs whereof the underſigned Managers of the ſaid Company of Proprietors have ſubſcribed theſe Preſents, this Day of .'

XXXIII. And all Perſons to whom ſuch Aſſignments ſhall be made, ſhall be equally entitled, one with the other, to their Proportion of the ſaid Rates and Premiſes, according to their reſpective Sums in ſuch Aſſignments mentioned; to be advanced without any Preference, by reaſon of Priority of any ſuch Aſſignments, or on any other Account; and a Memorial of every ſuch Aſſignment containing the Date, Name or Names, Addition or Additions, of the Perſon or Perſons to whom made, the Sum of Money borrowed, and Rate of Intereſt, ſhall within Thirty Days from the Date of every ſuch Aſſignment, be entered into One or more Book or Books to be kept by the Clerk to the ſaid Company of Proprietors, which Book and Books ſhall and may be peruſed at all ſeaſonable Times, by any of the Proprietors or Creditors of the ſaid Canal, and any other Perſons intereſted therein, without Fee or Reward; and the Perſon or Perſons to whom any ſuch Aſſignment ſhall be made as aforeſaid, or who ſhall be entitled to the Money due thereon, ſhall and may from Time to Time transfer his, her, or their Right or Intereſt therein, to any Perſon or Perſons by Writing, under his, her, or their Hand and Seal, or Hands and Seals, in the Form or to the Effect following; (that is to ſay,)

Form of Transfer.

'I *A. B.* of in conſideration of the Sum of paid by *C. D.* of do hereby transfer a certain Security made by the Company of Proprietors of the *Pocklington* Canal,

'to bearing Date the Day of
'for ſecuring the Sum of and all Intereſt now due and to
'become due thereon, and all my Right and Property therein to the
'ſaid *C. D.*, his Executors, Adminiſtrators, or Aſſigns, dated this
'Day of .'

And every ſuch Transfer ſhall, within Thirty Days after the Date thereof, be produced to the Clerk of the ſaid Company of Proprietors, who ſhall cauſe a Memorial to be made thereof, in like Manner as of the Original Securities or Aſſignments for which the ſaid Clerk ſhall be paid the Sum of Two Shillings and Sixpence and no more; and every ſuch Entry made of ſuch Transfer ſhall from thenceforth entitle ſuch Aſſignee or Aſſignees, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the full Benefit of the Original Security or Aſſignment, or any Money thereby ſecured, or any Part thereof; and the Intereſt of the Money which ſhall be borrowed or raiſed as aforeſaid, ſhall be provided for, and paid Half Yearly to the ſeveral Perſons entitled thereto, before any Yearly or other Intereſts or Dividends due to the ſaid Company of Proprietors or any of them ſhall be paid, made, or divided.

Six Months' Notice to be given of paying off Money.

XXXIV. Provided always, and be it enacted, That no Sum or Sums of Money ſo lent and advanced on the Security of the ſaid Undertaking, ſhall be paid off and diſcharged, (ſave and except with the Conſent or Conſents of the Perſon or Perſons ſo lending and advancing ſuch Sum or Sums of Money,) unleſs Six Calendar Months' previous Notice, under the Hands of Three of the Committee of Management, ſhall have been given to the Perſon or Perſons lending and advancing ſuch Sum or Sums of Money, of ſuch their Intention to pay off and diſcharge the ſame.

Mortgagees not to vote on account of having lent Money.

XXXV. Provided always, and be it enacted, That no Perſon to whom any ſuch Security or Aſſignment ſhall be made or transferred as aforeſaid, ſhall be capable of acting or voting by virtue of ſuch Security or Aſſignment, either by Principal or by Proxy at any Aſſembly or Meeting of the ſaid Company for or on account of his or her having lent or advanced any Money on the Credit of ſuch Security or Aſſignment.

Place of General Aſſemblies.

Expences.

XXXVI. And be it further enacted, That all the Meetings of the ſtated General and Special General Aſſemblies, ſhall be held at the Town or within the Townſhip of *Pocklington* aforeſaid; and that at all and every of ſuch ſtated General and Special General Aſſemblies, the Parties compoſing them ſhall pay their own Expences, (the Hire of any Room in which the Meetings ſhall be held only excepted).

First General Aſſembly of the Company when and where to be held.

XXXVII. And be it further enacted, That the Firſt General Aſſembly of the ſaid Company of Proprietors for putting this Act into Execution ſhall be held at *Pocklington* aforeſaid, upon the Fourth *Monday* after the paſſing of this Act, at the Hour of Twelve at Noon, and a General Aſſembly of the ſaid Company ſhall be held at or within the Townſhip of *Pocklington* aforeſaid, on the Firſt *Monday* in the Month of *Auguſt* in every Year, at the Hour of Twelve at Noon; of all which General Aſſemblies as well as of all Special General Aſſemblies, Ten Days' previous Notice at the leaſt ſhall be given by Public Advertiſement in the *York Courant*, or in ſome other Newſpaper or Newſpapers uſually circulating in the Neigh-

bourhood of *Pocklington* aforesaid, at which Annual General Assemblies an Account of the Proceedings of the Committee of Management to be appointed as hereinafter is directed, of the Sums of Money expended and received upon the Works of the said Canal, and of all other Matters relating thereto, shall be laid before the Proprietors; and the said Company of Proprietors at such respective General or Special General Assemblies, shall and may appoint a Chairman, and such Chairman shall not only vote as a Proprietor or Proxy, but in case of an Equality of Votes, shall have a decisive or casting Vote.

General Assemblies to consist of Proprietors not less than 30 Shares.

XXXVIII. Provided always, and be it further enacted, That if at any such General or Special General Assemblies, there shall not be Persons present either as Principals or Proxies who shall be possessed of or entitled to at least Thirty Shares in the said Undertaking, nothing shall be done at such General or Special General Assembly; but in such Case there shall be another General Meeting of the said Company of Proprietors upon that Day fortnight, and so from Time to Time until there shall be such Persons present at such General Meeting, having such Number of Shares as aforesaid, and of every such Adjourned Meeting, Ten Days' Notice shall be given by Letters from the Clerk of the said Company to the several Proprietors thereof at their usual Places of Residence.

Meetings of Proprietors may be specially convened.

XXXIX. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act into Execution, a Special Meeting of the said Company of Proprietors shall be deemed necessary to be holden, it shall and may be lawful to and for any Number of the said Proprietors who may collectively be possessed of or entitled to Ten Shares at the least in the said Undertaking, upon specifying the Purpose thereof, to require the Clerk of the said Company of Proprietors to call such Meeting; and the said Clerk shall thereupon convene such Meeting, by giving at least Ten Days' Notice thereof, by Advertisement to be inserted once in the *York Courant*, or in some other Newspaper or Newspapers usually circulating in the Neighbourhood of *Pocklington*, or in such other Manner as the said Company of Proprietors shall at any General Meeting direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Meeting, and the Time when and Place where the same shall be holden; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present personally or by proxy, shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors with respect to the Matters so specified only, and all such Acts of the said Proprietors or major Part of them at such Meeting shall be as valid with respect to the Matters specified in such Notice as if the same had been done at any General Meeting.

Committee of Management appointed.

XL. And be it further enacted, That the said Company of Proprietors shall at their first General Meeting nominate and appoint by Ballot, or otherwise, as to them shall seem fit, Thirteen Persons of and out of the said Company, to be a Committee for the Management of the Concerns of the said Company for the Space of Three Years, from the Time of their Election, and at the Expiration of such Time, the

Powers of the ſaid Committee ſhall ceaſe and determine; and the ſaid Company of Proprietors aſſembled at a General Meeting to be holden on the Firſt *Monday* in the Month of *Auguſt* after the Expiration of the ſaid Three Years, ſhall proceed to the Nomination and Appointment of another Committee, or to the Re-election of all or any of the Members of the old Committee, and ſo in like Manner at every Triennial General Meeting to be holden for the Appointment of a Committee; and the Powers of ſuch Committee ſhall continue until another Committee ſhall be appointed in Manner herein directed, whereupon the Powers of ſuch former Committee ſhall ceaſe and determine; but no Perſon holding any Place, Office, Employment, or Contract under the ſaid Company, ſhall be capable of being one of the ſaid Committee, during the Time of his Continuance in ſuch Place, Office, or Employment, or holding ſuch Contract: Provided always, that it ſhall be lawful for the ſaid Company of Proprietors at any Special Meeting to be convened in Manner herein directed, to remove any Member of the ſaid Committee, and to nominate another Proprietor in the Room or Stead of every Member of the ſaid Committee who ſhall die, be ſo removed, refuſe to act, or ſhall hold any Place, Office, Employment, or Contract under the ſaid Company, or ſhall ceaſe to be a Proprietor in the ſaid Undertaking; and every Perſon ſo nominated by the ſaid Special Meeting ſhall have the like Power and Authority as if he had been nominated by the ſaid Triennial Meeting, and any Five Members of the ſaid Committee of Managers ſhall conſtitute a Quorum, and ſhall have the ſame Powers to act as if all the Members thereof were preſent.

First and other Meetings of the ſaid Committee.

XLI. And be it further enacted, That a General Meeting of ſuch Committee of Management ſhall be held for putting this Act into Execution at *Pocklington*, on the Fifth *Monday* after the paſſing of this Act, and all future General Meetings of the ſaid Committee ſhall be held at ſuch Times as ſhall by the ſaid Committee be deemed neceſſary, provided that Ten Days' Notice of every ſuch Meeting (except Meetings by Adjournment) be given by Advertiſement in One or more of the *York* Newſpapers; and it ſhall be lawful for the Committee of Management to adjourn themſelves from Time to Time, as they ſhall think proper and expedient.

Chairman to be elected.

XLII. And be it further enacted, That the Committee of Management ſhall, at their firſt and every other Meeting to be held in purſuance of this Act, elect a Chairman out of the Members of ſuch Committee then preſent, to preſide at ſuch Meeting; and that any Five or more Members of ſuch Committee, but not leſs, ſhall be a ſufficient Number to conſtitute a Meeting for the Purpoſe of doing all the Acts, Meaſures, and Things, and exerciſing all the Powers and Authorities hereby directed to be done by and veſted in ſuch Committee; and that all Queſtions, Meaſures, and Things which ſhall be propoſed, diſcuſſed, or conſidered by the ſaid Committee at their Meetings to be held in manner aforeſaid, ſhall be decided and determined by the Majority of Members then preſent; but no Member ſhall have more than one Vote at any ſuch Meeting, ſave and except that in caſe of an equal Diviſion, the Chairman ſhall always have a caſting Vote: Provided always, that, if on the Day appointed for any ſuch Meeting of the Committee of Management as aforeſaid, there ſhall not attend ſo many Members of ſuch Committee as

are

are hereby required to conſtitute a Meeting for exerciſing the Powers hereby veſted in ſuch Committee, then and in ſuch Caſe, and ſo often as the ſame ſhall happen, the Meeting ſhall be adjourned to that Day Week by the Member or Members then preſent; or, if no Member ſhall be preſent, by the Clerk to the ſaid Company of Proprietors, or ſuch other Perſon as ſhall attend in his Place.

Committee of Management may appoint Officers.

XLIII. And be it further enacted, That it ſhall and may be lawful for the Committee of Management at any ſuch General Meeting as aforeſaid, and they are hereby authorized and required from Time to Time to nominate and appoint, by Writing under their Hands, One or more Collector or Collectors of the Tolls, Rates, and Duties granted by this Act, and alſo a Clerk or Clerks to the ſaid Company of Proprietors, and ſuch Engineers, Surveyors, and other Officers as the ſaid Committee of Management ſhall think proper and expedient for the better carrying the Purpoſes of this Act into Execution, and alſo a Treaſurer or Treaſurers; the ſaid Committee always taking good and ſufficient Security from the Treaſurer, Collector, and other Officers who ſhall have the Care or Cuſtody of any Money to be raiſed or received by virtue of this Act, for the faithful Diſcharge of the Truſts repoſed in them; and alſo from Time to Time to diſcharge and diſmiſs any ſuch Treaſurers, Clerks, Engineers, Surveyors, Collectors, or other Officers, and appoint others in their Stead as there ſhall be Occaſion; and that all ſuch Treaſurers, Clerks, Engineers, Surveyors, Collectors, and other Officers of the ſaid Company of Proprietors, who ſhall at any Time quit or be diſmiſſed from the Service of the ſaid Company of Proprietors, and the reſpective Executors or Adminiſtrators of thoſe who may happen to die, ſhall immediately thereupon produce and deliver up to the ſaid Committee of Management, or to ſuch Perſon or Perſons as they ſhall direct, all Books, Accompts, Writings, and Papers whatſoever, which ſhall be in the Cuſtody or Power of ſuch Treaſurers, Engineers, Clerks, Surveyors, or other Officers, Executors or Adminiſtrators reſpectively, in any wiſe relating to the ſaid intended Navigation; and the ſaid Committee of Management ſhall have full Power and Authority, and they are hereby required at the General Meeting to be held in the Month of *Auguſt* as aforeſaid, to produce the Books, Accompts, and other Writings relating to the Company's Affairs and Tranſactions, ſo that any of the Proprietors attending the ſaid Meeting may have an Opportunity of inſpecting the ſame; and the ſaid Committee ſhall alſo, at the ſaid Meeting, call for, audit, and ſettle all Accounts of Money received, paid, laid out, and diſburſed, up to that Time, for or on Account of the ſaid Company of Proprietors, by the Treaſurers, Collectors, and other Officers ſo to be appointed as aforeſaid, or by any other Perſon or Perſons to be employed on Behalf of the ſaid Company, in and about the ſaid intended Navigation: Provided always, that it ſhall be lawful for the ſaid Committee to call for, audit, and ſettle ſuch Accounts, or any of them, oftener than once a-year, if they ſhall deem it proper and expedient ſo to do.

Taking Security from thoſe who are to have Cuſtody of Money.

Officers quitting and diſcharged, and Executors of thoſe dying to deliver up Books, &c. under a Penalty.

Committee to ſettle Accounts of Officers before the General Meeting in Auguſt.

Committee of Management may make Calls for Money.

XLIV. And be it further enacted, That the Committee of Management ſhall have full Power and Authority from Time to Time at any of their Meetings as aforeſaid, to make ſuch Call or Calls for Money from the ſeveral Subſcribers to and Proprietors of the ſaid Undertaking, in order to defray the Expences of or carrying on the ſame, as they ſhall from Time

Time to Time find wanting and neceſſary for thoſe Purpoſes, ſo that no ſuch Call exceed the Sum of Ten Pounds, for or in reſpect of every Share in the ſaid Undertaking, and ſo that no ſuch Calls be made but at the Diſtance of Three Calendar Months at the leaſt from each other, and ſo that Twenty-one Days' Notice at leaſt ſhall be given of every ſuch Call by Advertiſement to be inſerted in the *York Courant*, or in ſome other Newſpaper circulating in the Neighbourhood of the ſaid Canal, and in *The London Gazette*, and alſo by Letters to the ſeveral Proprietors at their uſual Places of Reſidence, all which Money ſo to be called for as aforeſaid ſhall be paid into the Hands of the Treaſurer of the ſaid Company of Proprietors, to be iſſued, paid, and applied for carrying on the ſaid Undertaking in ſuch Manner as the ſaid Committee of Management ſhall from Time to Time order and direct; and that the ſaid Committee of Management ſhall alſo have full Power and Authority at every ſuch Meeting as aforeſaid, on Behalf of the ſaid Company of Proprietors, to contract for and purchaſe all ſuch Lands, Tenements, or Hereditaments, and all ſuch Materials and other Things as ſhall or may be wanted for the ſaid Canal or Navigation, and other Works hereby authoriſed to be made, and to treat and agree with any Perſon or Perſons whomſoever touching the Compenſation to be made for any Damages to be done in the Exerciſe of the Powers hereby given, and to enter into and make ſuch Contracts and Agreements with any Contractors, Agents, Workmen, Servants or other Perſons in and about, or for the carrying on of the ſaid Canal or Navigation or other Works, or any Part thereof, as ſhall be thought expedient, and to enter into and make all ſuch other Contracts, Bargains, and Agreements whatſoever, touching or in any wiſe concerning the ſaid Undertaking, as they ſhall think proper, and to order and direct how the ſeveral Works ſhall from Time to Time be carried on; and generally to direct and controul the Officers, and manage and ſuperintend the Buſineſs of the ſaid Company of Proprietors, and to do, execute, and perform all Acts, Meaſures, and Things which the ſaid Company are by this Act authoriſed and empowered to do, ſave and except ſuch only as are hereby expreſsly directed to be done by the Proprietors at large at any Meeting or Meetings of ſuch Proprietors to be held as in this Act mentioned.

May contract for and purchaſe Lands.

And may generally manage the Buſineſs of the Company.

XLV. And be it further enacted, That the Committee of Management ſhall enter or cauſe to be entered, in Books to be provided for that Purpoſe at the Expence of the ſaid Company of Proprietors, a full and true Account of all Money diſburſed and Payments made by ſuch Committee, and by all and every Perſon and Perſons employed by or under them, and of all Monies which ſhall be paid to or received by them reſpectively for or on Account of the ſaid Company of Proprietors, and alſo a full and true Account of, and alſo proper Notes and Minutes of every Contract, Bargain, and Agreement, which ſhall be entered into by them reſpectively, for or on Behalf of the ſaid Company of Proprietors, and of all and ſingular their reſpective Orders, Tranſactions, and Proceedings whatſoever, in and about the Affairs and Buſineſs of the ſaid Undertaking; but that no Money ſhall be iſſued or paid by the Treaſurer to the ſaid Company of Proprietors, for or on Account of the ſaid Company, otherwiſe than in ſuch Manner as ſhall be directed by the Committee of Management at ſome General or adjourned Meeting as aforeſaid; and every ſuch Book and all other Books, Papers, and

Committee to enter their Proceedings.

Money not to be iſſued by Treaſurer without an Order of the Committee.

and Writings, belonging to the ſaid Company of Proprietors, ſhall at all Times be open to the Inſpection of all the ſaid Proprietors, who may take Copies thereof or Extracts therefrom without Fee or Reward, having firſt applied to and obtained an Order in Writing for that Purpoſe from the ſaid Committee of Management.

General Meeting may make Bye-Laws.

XLVI. And be it further enacted, That the ſaid Company of Proprietors ſhall alſo have full Power and Authority from Time to Time, at any ſuch General Meeting as aforeſaid, to make ſuch Rules, Orders, and Bye-Laws, as to them ſhall ſeem meet and proper, for the good Government of the ſaid Company of Proprietors, and for regulating the Proceedings of the ſaid Committee of Management, and for the regulating of all Officers, Workmen, and Servants, to be employed in and about the Affairs and Buſineſs of the ſaid Company of Proprietors, and for the well and orderly uſing of the ſaid intended Navigation, and the Baſons, Tunnels, Locks, Reſervoirs, and Aqueducts thereto belonging, and for regulating the paſſing and repaſſing of all Boats, Barges, Lighters, and other Veſſels, and the conveying of all Goods, Wares, and Merchandize, which ſhall be navigated or conveyed thereon, and for the orderly Behaviour of all Watermen, Boatmen, Halers, and others who ſhall be employed in carrying or conveying any ſuch Goods, Wares, or Merchandize, and for the Superintendance and Management of the ſaid Navigation and Undertaking, in all other Reſpects whatſoever; and from Time to Time to alter or repeal ſuch Rules, Orders, and Bye-Laws, or any of them, and to make others, and impoſe and inflict ſuch reaſonable Fines and Forfeitures upon all Perſons offending againſt ſuch Rules, Orders, and Bye-Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the ſaid Company of Proprietors, at a General Meeting, ſhall ſeem meet and expedient; and all Rules, Orders, and Bye-Laws, ſo to be made as aforeſaid, being reduced into Writing, and the common Seal of the ſaid Company thereto fixed, ſhall be printed, and ſhall be binding upon, and be obſerved by all Perſons uſing or in any wiſe concerned in the ſaid Navigation, and ſhall be ſufficient in any Court of Law or Equity, to juſtify all Perſons who ſhall act under the ſame, provided that ſuch Rules, Orders, and Bye-Laws, be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or any of the expreſs Directions or Proviſions of this Act; and provided that Copies thereof, ſo far as they relate to the uſing of the ſaid intended Navigation, and the Baſons, Tunnels, Locks, Reſervoirs, and Aqueducts belonging thereto, or to the Conduct and Behaviour of Watermen, Boatmen, Halers, and others conveying Goods thereon, or to the Conduct and Behaviour of any Officers, Servants, or other Perſons employed in or about the ſaid Navigation, or of the Perſons reſorting to or making Uſe thereof, ſhall be fixed and continued in ſome conſpicuous Place or Places upon the Wharfs on the ſaid Navigation, and all ſuch Rules, Orders, and Bye-Laws, ſhall be ſubject to Appeal in Manner by this Act directed.

Committee of Management may call Special Meetings of Proprietors at large.

XLVII. And be it further enacted, That if it ſhall at any Time appear to the Committee of Management to be neceſſary or expedient to call a Special Meeting of the Proprietors at large, for the more effectually putting this Act into Execution, or in order to take their Opinion reſpecting any Meaſure or Thing to be done in or about the ſaid Undertaking, it ſhall be lawful

lawful for the ſaid Committee of Management, purſuant to an Order or Reſolution for that Purpoſe to be made at any General Meeting of the ſame Committee, to call a Special Meeting of the Proprietors at large, by public Advertiſement in the *York Courant*, or ſome other Newſpaper or Newſpapers, publiſhed or uſually circulated in the Neighbourhood of *Pocklington*, ſpecifying in ſuch Advertiſement the Cauſe of calling ſuch Special Meeting, and the Time and Place when and where the ſame ſhall be held for the Time being, not leſs than Ten Days after ſuch Notice ſhall be given; and the ſaid Company of Proprietors are hereby authorized and required to meet purſuant to ſuch Notice, and to take into Conſideration the Meaſures to be ſubmitted to them by the ſaid Committee of Management, and ſpecified in ſuch Notice, and the Deciſion and Determination of the Proprietors preſent at ſuch Meeting, or the major Part of them, according to the Number of Votes they ſhall have a Right to give, either as Principals or Proxies, reſpecting ſuch Matters, ſhall be binding and concluſive upon the reſt of the Proprietors to all Intents and Purpoſes, and ſhall be obſerved and acted upon accordingly.

Proprietors to pay their Shares of the Money called for at the Place appointed.

XLVIII. And be it further enacted, That every Proprietor of any Share or Shares in the ſaid Undertaking, ſhall from Time to Time pay his or her Proportion of the Money ſo to be called for, as hereinbefore is mentioned, into the Hands of the Treaſurer to the ſaid Company, at ſuch Time and Place as ſhall be appointed for that Purpoſe by the Committee of Management making ſuch Call, and of which Notice ſhall be given as hereinbefore is directed; and that if any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their proportionable Part of the Money ſo to be called for as aforeſaid, at the Time and Place which ſhall be appointed for that Purpoſe in Manner aforeſaid, it ſhall be lawful for the ſaid Company of Proprietors, in caſe they ſhall ſo think fit, to ſue for and recover the ſame, with Intereſt at the Rate of Five Pounds *per Centum per Annum*, from the Time appointed for the Payment thereof, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, or the Perſon or Perſons ſo refuſing or neglecting to pay ſuch his, her, or their proportionable Part of ſuch Money as aforeſaid, ſhall forfeit to the ſaid Company of Proprietors the Sum of Five Pounds for every Share to which he, ſhe, or they ſhall have or poſſeſs in the Undertaking; and in caſe any ſuch Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their proportionable Part of the Money ſo to be called for as aforeſaid, for the Space of Six Calendar Months after the Time to be appointed for Payment thereof as aforeſaid, and the ſame ſhall not have been ſued for by the ſaid Company of Proprietors as aforeſaid, or if ſued for, ſhall not have been recovered by them; then and in ſuch Caſe the Perſon or Perſons ſo neglecting or refuſing ſhall abſolutely forfeit all his, her, or their Share, Part, or Intereſt whatſoever in the ſaid Undertaking, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them, on Account thereof, to and for the Uſe and Benefit of the other Proprietors of the ſaid Undertaking; and all Shares that ſhall or may be ſo forfeited, ſhall be veſted in the ſaid Company of Proprietors, in Truſt for and for the Benefit of all the reſt of the ſaid Proprietors, in Proportion to their reſpective Intereſts in the ſaid Undertaking; or ſhall, at the Diſcretion of the Committee of Management of the ſaid Company of Proprietors, be ſold by the ſaid other Proprietors, by public Auction, for the moſt Money that can be gotten for the ſame, and

And the Perſons making Default to pay 5*l.* every Share.

And if Calls not anſwered in 6 Months, Shares to be forfeited.

the Produce thereof ſhall be divided amongſt them in Proportion to their reſpective Shares and Intereſts in the ſaid Undertaking.

But Shares not to be forfeited without Notice, nor without being declared forfeited at a General Meeting of Committee.

XLIX. Provided always nevertheleſs, That no Advantage ſhall be taken of ſuch Forfeiture of any Share or Shares in the ſaid Navigation and Undertaking as aforeſaid, until after perſonal Notice ſhall be given by the Treaſurer or Clerk of the ſaid Company of Proprietors to the Owner or Owners thereof, or inſtead thereof until Notice in Writing, ſigned by ſuch Treaſurer or Clerk, ſhall be left at his, her, or their uſual or laſt Place or Places of Abode, nor unleſs the ſame ſhall be declared to be forfeited at ſome General Meeting of the Committee of Management, within Six Calendar Months next after ſuch Forfeiture ſhall have been incurred; provided alſo, that every ſuch Forfeiture, after the ſame ſhall be taken advantage of by the reſt of the ſaid Company of Proprietors as aforeſaid, ſhall be an abſolute Indemnification and Diſcharge to and for the Proprietor or Proprietors ſo forfeiting, againſt all Actions, Suits, and Proſecutions for any Breach of Contract or other Agreement between ſuch Proprietor or Proprietors ſo forfeiting, and the reſt of the ſaid Company, with regard to the future carrying on and Management of the ſaid intended Navigation and Undertaking.

Forfeiture of Shares to be an Indemnification to Perſons forfeiting.

Directing the Proceedings in Actions for Calls.

L. And be it further enacted, That in all Actions brought by the ſaid Company againſt any Owner or Owners of any Share or Shares in the ſaid Undertaking, to recover any Sum or Sums of Money due and payable to the ſaid Company for or by reaſon of any Call or Calls made by virtue of this Act, it ſhall be ſufficient for the ſaid Company to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors of ſuch or ſo many Share or Shares in the ſaid Canal, is or are indebted to the ſaid Company in ſuch Sum or Sums of Money as the Call or Calls in Arrear ſhall amount unto, for ſuch or ſo many Call or Calls of ſuch or ſo many Sum or Sums of Money upon ſuch or ſo many Shares belonging to the ſaid Defendant or Defendants, (as the Caſe may happen to be,) whereby an Action hath accrued to the ſaid Company by virtue of this Act, without ſetting forth the Special Matter; and in ſuch Action it ſhall only be neceſſary to prove that the Defendant or Defendants, at the Time of making ſuch Call or Calls, was or were Proprietor or Proprietors of ſome Share or Shares in the ſaid Canal, and that ſuch Call or Calls was or were in fact made, and that ſuch Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made ſuch Call or Calls, or any other Matters whatſoever; and the ſaid Company ſhall thereupon be entitled to recover what ſhall appear due, unleſs it ſhall appear that every ſuch Call exceeded the Sum of Ten Pounds for every Sum of One hundred Pounds, or was made within the Diſtance of Three Calendar Months from the laſt preceding Call, or without Notice given as aforeſaid.

On the Death of Subſcribers their Executors may complete he Payment of Shares.

LI. And be it further enacted, That if any Owner or Owners of any Share or Shares in the ſaid Undertaking, ſhall happen to die before ſuch Call or Calls ſhall have been made for the full Sum to be advanced on any Share or Shares which he, ſhe, or they ſhall have been poſſeſſed of or entitled to without having made Proviſion by Will, or otherwiſe, how or in what Manner ſuch Share or Shares ſhall be diſpoſed of, and how or by what Means the future Calls in reſpect thereof ſhall be paid to the

the ſaid Company of Proprietors for the Purpoſe of the ſaid Undertaking, then and in ſuch Caſe the Executors or Adminiſtrators of any ſuch Owner ſo dying, or the Truſtee or Truſtees, Committee or Committees of any Lunatic or Lunatics, Guardian or Guardians of any Infant or Infants, or of any other Perſon and Perſons, entitled to the Eſtate and Effects of ſuch deceaſed Owner ſhall be indemnified againſt all and every ſuch Infant or Infants, and againſt all and every other Perſon or Perſons whomſoever, for or on account of his, her, or their having paid any Sum or Sums of Money when called for as aforeſaid, to complete every ſuch Subſcription; and if ſuch deceaſed Owner or Owners ſhall not have Aſſets ſufficient, or in caſe the Executors or Adminiſtrators, Truſtee or Truſtees, Committee or Committees, Guardian or Guardians, ſhall refuſe or neglect to anſwer ſuch Calls, the ſaid Company of Proprietors ſhall be, and they are hereby authorized and required to admit any other Perſon or Perſons to be Proprietor or Proprietors of the Share or Shares of ſuch deceaſed Owner or Owners, on Condition that he, ſhe, or they ſo admitted, do and ſhall on or before ſuch Admiſſion pay to the Executors or Adminiſtrators of ſuch deceaſed Owner or Owners, or to the Truſtee or Truſtees, Committee or Committees, Guardian or Guardians of any Infant or Infants, or to any other Perſon or Perſons, who may be entitled to his or her Effects, the full Sum and Sums of Money, which ſhall have been paid by ſuch Owner or Owners in his, her, or their Life-time by virtue of any Call or Calls, or otherwiſe upon ſuch Share or Shares, or ſuch other Sum or Sums of Money as the ſame can be ſold for; and in caſe no Perſon or Perſons ſhall be found who is or are willing to be admitted on ſuch Conditions as aforeſaid, then and in ſuch Caſe ſuch Share or Shares ſhall be forfeited to and become veſted in the reſt of the Company of Proprietors of the ſaid Undertaking, in Truſt, for and for the equal Benefit of all the Reſt of the ſaid Proprietors, in Proportion to their reſpective Intereſts in the ſaid Undertaking, and ſhall be ſubject to be ſold and diſpoſed of in like Manner as other forfeited Shares may be ſold and diſpoſed of by virtue of this Act.

Shares may be ſold.

LII. And be it further enacted, That it ſhall be lawful for the ſeveral Proprietors of the ſaid Undertaking, his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, to ſell and diſpoſe of any Share or Shares to which he, ſhe, or they may be entitled therein, ſubject to the Rules and Conditions herein mentioned, the Conveyances of which Shares may be in the Form, or to the Effect following; *(videlicet)*

Form of Aſſignment.

'I *A. B.* of in conſideration of paid to me by *C. D.* of do hereby bargain, ſell, aſſign, and transfer to the ſaid *C. D.* the Sum of Capital Stock of, and in the *Pocklington* Canal, being One Share (*or ſo many Shares as the Caſe may be*) in the ſaid Undertaking; to hold to the ſaid *C. D.* Executors, Adminiſtrators, and Aſſigns, ſubject to the ſame Rules, Orders, and Reſtrictions, and on the ſame Conditions that I held the ſame immediately before the Execution hereof; and I the ſaid *C. D.* do hereby agree to take and accept the ſaid Capital Stock or Share ſubject to the ſame Rules, Orders, Reſtrictions, and Conditions, as Witneſs our Hands and Seals the Day of .'

And on every ſuch Sale, the ſaid Deed of Conveyance (being executed by the Seller or Sellers, and the Purchaſer or Purchaſers of ſuch Share

or Shares,) ſhall be kept by the ſaid Purchaſer or Purchaſers, for his, her, or their Security, after the Clerk or Clerks to the ſaid Company of Proprietors ſhall have entered in a proper Book or Books to be kept for that Purpoſe, a Memorial of ſuch Transfer and Sale, for the Uſe of the ſaid Company, and having teſtified or indorſed the Entry of ſuch Memorial on the ſaid Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence ſhall be paid; and the ſaid Clerk or Clerks is and are hereby required to make ſuch Entry or Memorial thereof accordingly; and, until ſuch Memorial ſhall have been made and entered as aforeſaid, ſuch Purchaſer or Purchaſers ſhall have no Part or Share of the Profits of the ſaid Undertaking, nor any Intereſt for ſuch Share or Shares paid to him, her, or them, nor any Vote in Reſpect thereof, as a Proprietor or Proprietors in the ſaid Undertaking.

No Shares ſhall be ſold after a Call till the Money is paid.

LIII. And be it further enacted, That after any Call of ſuch Money ſhall have been made by ſuch Committee as aforeſaid, no Perſon or Perſons ſhall ſell or transfer any Share or Shares which he, ſhe, or they ſhall poſſeſs in the ſaid Undertaking on pain of forfeiting his, her, or their reſpective Share or Shares therein, to the ſaid Company of Proprietors, in Truſt for the Benefit of all the ſaid Proprietors, unleſs he, ſhe, or they at the Time of ſuch Sale or Transfer ſhall have paid and diſcharged to the Treaſurer of the ſaid Company of Proprietors the whole and entire Sum of Money which ſhall have been called for upon each Share ſo ſold or transferred; ſuch Forfeiture nevertheleſs to be notified and declared in the Manner hereinbefore directed, with reſpect to the Forfeiture of Shares, for not anſwering the Calls to be made thereon as aforeſaid.

For aſcertaining the Proprietorſhip of Share, in certain Caſes.

LIV. And whereas, in Caſes where the original Subſcriber of One or more Share or Shares in the ſaid Undertaking, ſhall die, become inſolvent, or Bankrupt, or go out of the Kingdom, or ſhall transfer his or her Right and Intereſt to ſome other Perſon, and no Regiſter ſhall be made of the Transfer thereof, with the ſaid Clerk as directed by this Act, it may not be in the Power of the ſaid Company of Proprietors, or their Treaſurer or Clerk, to know who is the Owner or Proprietor of ſuch Share or Shares, in order to give him, her, or them Notice or Notices of Calls made on ſuch Share or Shares as is hereby required, and to maintain any Action or Actions againſt him, her, or them for the Recovery of the ſame, or for the Purpoſe of paying ſafely to him, her, or them the Intereſt or Dividends to which he, ſhe, or they may be entitled by virtue thereof; be it further enacted, That in all the Caſes aforeſaid, where the Right and Property of One or more Share or Shares in the ſaid Undertaking ſhall paſs from the Original Proprietor thereof to any Perſon or Perſons by any other legal Means than by a Transfer and Conveyance thereof as herein directed, which is hereby required to be produced to the ſaid Clerk for the Purpoſe herein expreſſed, an Affidavit ſhall be made and ſworn to by ſome credible Perſon before One of His Majeſty's Juſtices of the Peace, ſtating the Manner in which ſuch Share or Shares hath or have paſſed to ſuch other Perſon or Perſons, and which Affidavit ſhall be tranſmitted to the Clerk to the ſaid Company of Proprietors, to the Intent that he may, and he is hereby required to enter and regiſter the Name or Names of every ſuch new Proprietor or Proprietors, in the Regiſter Book or Liſt of Proprietors in the ſaid Undertaking, to be kept in the Office of the ſaid

Clerk, and that in all or any of theſe Caſes it ſhall be lawful for the ſaid Committee of Management at any General Meeting, after Notice ſhall be given by the ſaid Treaſurer or Clerk, to the Owner or Perſons claiming by ſuch Affidavit to be Owner or Owners thereof; and ſuch Perſon or Perſons ſhall not have paid his, her, or their Proportion of the Money become payable by virtue of any Call or Calls as aforeſaid, to declare the ſame Share or Shares to be forfeited, and in ſuch Caſe the ſame ſhall be and become forfeited, and ſold, and diſpoſed of in ſuch Manner as the ſaid Committee of Management ſhall direct, or otherwiſe become conſolidated in the general Fund of the ſaid Company.

Names of Proprietors to be entered, and Certificates of their Shares delivered to them.

LV. And be it further enacted, That the ſaid Company of Proprietors, or their Committee of Management, ſhall and they are hereby required to cauſe the Names and Deſignations of the ſeveral Perſons who ſhall be entitled to Shares in the ſaid Undertaking, with the Number of the Shares, and alſo the proper Number by which every Share ſhall be diſtinguiſhed, to be fairly and diſtinctly entered in a Book to be kept by their Clerk, and after ſuch Entry to cauſe the ſame to be ſigned by their Chairman; and they ſhall alſo cauſe a Certificate, ſo ſigned by the Chairman and Clerk, to be delivered to every Proprietor, upon Demand, ſpecifying the Share or Shares to which he or ſhe is entitled in the ſaid Undertaking; and ſuch Certificate ſhall be admitted in all Courts whatſoever as Evidence of the Title of ſuch Proprietor, his or her Executors, Adminiſtrators, and Aſſigns, to the Share or Shares therein ſpecified; but the Want of ſuch Certificate ſhall not hinder or prevent the Owner of any of the ſaid Shares from ſelling or diſpoſing thereof.

For the Purpoſe of making and recovering Calls, the Perſons whoſe Names are ſtanding in the Company's Books as Proprietors are to be deemed the actual Proprietors.

LVI. And be it further enacted, That the Bodies Politic and Corporate, and all and every Perſon and Perſons whoſe Names ſhall at any Time hereafter ſtand in the ſaid Regiſter Book or Liſt of Proprietors of the ſaid Company, either as a Proprietor or Proprietors of One or more Share or Shares in the ſaid Undertaking, whether as Subſcribers or as Succeſſors, Executors, Adminiſtrators, or Aſſignees of Subſcribers, ſhall be deemed and taken to be the Proprietors of the ſeveral Shares ſtanding in the ſaid Book in their reſpective Names, and ſhall be ſubject and liable to the Payment of all and every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties, to which original Proprietors of Shares in the ſaid Undertaking are made ſubject and liable by this Act; and that all Notices hereby required to be given previous to the Forfeitures of Shares to the Proprietors thereof, ſhall, if given to the Perſons appearing by the ſaid Regiſter Book of the ſaid Company, to be ſuch Proprietor or Proprietors, or their Repreſentatives, or left at his, her, or their laſt or moſt uſual Place of Abode, be in all Reſpects good, ſufficient, and concluſive; and all Payments of Intereſt and Dividends due and to grow due on any ſuch Shares, ſhall be made to ſuch Perſons as by the ſaid Book of the ſaid Company ſhall ſo appear to be Proprietors thereof; and that no Aſſignment, Transfer, Bargain, or Sale of any Share or Shares, or other Inſtrument, giving Title to any ſuch Share or Shares which ſhall not have been enrolled or regiſtered as directed by this Act, ſhall be given or admitted as Evidence, either to defeat any Action or Suit brought or to be brought by the ſaid Company of Proprietors, to recover the ſaid Calls, or to entitle any Perſon or Perſons to recover any Share or Shares forfeited to the ſaid Company of Proprietors,

tors, or to make the said Company of Proprietors liable to the Payment of Dividends to any other Person than such as appear upon the said Book to be Proprietors of the said Shares.

Company to take Rates of Tonnage.

LVII. And be it further enacted, That in Consideration of the great Charge and Expence which the said Company of Proprietors will be at in making and maintaining the said Canal, and other Works hereby authorized to be made, erected, and maintained, it shall and may be lawful to and for the said Company of Proprietors from Time to Time, and at all Times for ever hereafter, to ask, demand, take, receive, and recover, to and for their own Use and Benefit, for the Carriage, Conveyance, Tonnage, and Wharfage, of all Corn and Grain, Coals, Lime, Manure, Goods, Wares, Merchandizes, and other Matters and Things whatsoever, which shall be carried or conveyed upon the said Canal, or any Part thereof, the respective Rates, Tolls, and Duties, mentioned and comprised in the Schedule hereunto annexed and set down in Figures opposite to the several Articles, Matters, and Things, specified and set forth in the same Schedule.

Recovery of Rates.

LVIII. And be it further enacted, That in all Cases where there shall be a Fraction of a Ton in the Weight of Lading in any Boat, Barge, or other Vessel, so to be navigated on the said intended Canal, a Proportion of the said Rates shall be demanded and taken by the said Company of Proprietors for such Fraction, according to the Number of Quarters of a Ton contained therein; and in all Cases where there shall be a Fraction of a Quarter of a Ton in any such Weight of Lading as aforesaid, such Fraction shall be deemed and considered as a whole Quarter of a Ton, all which said Rates, Tolls, and Duties, shall be paid to such Person or Persons at such Place or Places near to the said Canal, or any Part thereof, in such Manner and under such Regulations as the said Committee of Management, at some General Meeting or Meetings, shall direct or appoint; and in case of Refusal or Neglect of Payment of any such Rates, or any Part thereof on Demand, to the Person or Persons appointed to receive the same as aforesaid, the said Company of Proprietors may sue for the same by Action of Debt or upon the Case, in any of His Majesty's Courts of Record at *Westminster*, or the Person or Persons to whom such Rates ought to have been paid, may, and he and they is and are hereby empowered to seize the Goods or other Things, for or in respect whereof any such Rates ought to have been paid, or any Part thereof, or the Boat, Barge, or other Vessel laden therewith, and detain the same until Payment thereof shall be made, and also until Payment of all Arrears of the said Rates which may be due from the Owner or Owners of such Boat, Barge, or other Vessel, to the said Company of Proprietors, together with reasonable Charges for such Seizure and Detention; and if such Goods or other Things, Boat, Barge, or other Vessel, shall not be redeemed within Twenty-one Days next after the taking thereof, the same shall be sold as the Law directs in Cases of Distress for Rent; and the said Committee of Management shall have full Power from Time to Time, at any General Meeting, to lower or reduce all or any of the said Rates, and again to raise the same to such Sum as they shall think proper, not exceeding the Rates herein mentioned, as often as it shall be deemed necessary for the Interests of the Undertaking.

LIX. And

Committee of Management empowered to leaſe the Rates.

LIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Committee of Management, and they are hereby authorized and empowered at any of their ſtated General Aſſemblies, at any Time or Times to let to farm the Rates hereby made payable, or any Part or Parts thereof, upon the whole or any Part or Parts of the ſaid Canal, unto any Perſon or Perſons for any Time or Term they ſhall think proper, not exceeding Three Years from the Commencement of any Leaſe; and every ſuch Leaſe ſhall be valid and effectual, and the Leſſee or Leſſees thereof, and alſo ſuch Perſon or Perſons as ſuch Leſſee or Leſſees ſhall appoint to collect and receive the Rates ſo let, ſhall during the continuance of every ſuch Leaſe be deemed Collectors of the Rates ſo let, and ſhall have the ſame Power and Authority for collecting and recovering the ſame, as if they had been appointed for that Purpoſe by the ſaid Company of Proprietors; provided public Notice of the Intention to let the ſaid Tolls, or any Part thereof, be given by Writing by the ſaid Committee of Management, or any Three or more of them, or their Clerk, by Advertiſement publiſhed in the *York Courant*, or ſome other Newſpaper or Newſpapers uſually circulating in the Neighbourhood of *Pocklington* aforeſaid, at leaſt Twenty Days prior to any ſuch General Aſſembly, at which the ſaid Rates, or any Part thereof, are propoſed to be let as aforeſaid.

Maſters of Boats to give an Account of their Lading.

LX. And for the better aſcertaining and more eaſy, effectual, and juſt Collection of the ſaid Rates hereby directed to be paid to the ſaid Company of Proprietors, be it further enacted, That the Maſter, Owner, or other Perſon or Perſons having the Care of every Boat or other Veſſel navigated upon the ſaid Canal, or any Part thereof, ſhall give to the Collectors of the ſaid Rates, or any other Perſon to be appointed for ſuch Purpoſe by the ſaid Committee of Management, at the Place or Places where he or they ſhall attend for that Purpoſe, a juſt Account in Writing, ſigned by the Maſter, Owner, or other Perſon or Perſons having the Care of ſuch Boat or other Veſſel, of the Quantities, Qualities, and Weight of ſuch Goods and other Things which ſhall be embarked in or upon each ſuch Boat or other Veſſel, from whence brought, and where the ſame is intended to be landed, and if the Goods or other Things contained in any ſuch Boat or other Veſſel ſhall be liable to the Payment of different Rates, then ſuch Maſter, Owner, or other Perſon or Perſons having the Care thereof, ſhall ſpecify the Quantities liable to the Payment of each of the ſaid Rates; and in caſe he or they ſhall neglect or refuſe to give ſuch Account, or ſhall refuſe to produce his or their Invoice or Bill of Lading to the ſaid Collector or other Perſon to be appointed as aforeſaid, demanding the ſame, or ſhall give a falſe Account, or deliver any Part of ſuch Lading or Goods at any other Place or Places than what is or are mentioned in ſuch Invoice or Bill of Lading, every Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Forty Shillings for every Ton of Goods and other Things (and ſo in Proportion for any leſs Quantity than a Ton) which ſhall be in or be conveyed by any ſuch Boat or other Veſſel reſpectively, of which or of whoſe Lading ſuch Account ſhall be refuſed, or ſuch falſe Account given, or whoſe Lading ſhall be delivered out as aforeſaid, as the Caſe ſhall happen, to be over and above the aforeſaid reſpective Rates which ſhall be payable for the ſame.

For ascertaining the Weight and Quantity of Goods, &c.

LXI. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates and the Master, Owner, or other Person having the Care or Charge of any Boat or other Vessel, or the Owner of any Goods, Wares, Merchandize, or other Things, loaded or embarked therein, concerning the Weight or Quantity of the Goods, Wares, or Merchandize, or other Matters or Things therein embarked or contained, it shall be lawful for any such Collector to stop and detain any such Boat or other Vessel, and to weigh, measure, or gauge, or cause to be weighed, measured, or gauged such Boat or other Vessel, and all such Goods, Wares, and Merchandize, or other Matters and Things as shall be therein embarked or contained; and in case the same shall upon such weighing, measuring, or gauging appear to be of greater Measure, Weight, or Quantity than the Account given thereof by such Master, Owner, or other Person having the Care or Charge of such Boat or other Vessel, then the Owner or other Person giving in such Account shall pay the Costs and Charges of such weighing, measuring, and gauging, all which Costs and Charges upon Refusal of Payment thereof, on Demand, shall and may be recovered and levied in the same Manner as the said Rates are hereby appointed to be recovered and levied; but if such Goods, Wares, Merchandize, or other Matters and Things shall appear to be of the same or of a less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Collector shall pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master, Owner, or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, or other Things, such Damages as shall appear to Two or more of His Majesty's Justices of the Peace for the said Riding, upon the Oath of any credible Witness, (which Oath such Justice or Justices is or are hereby empowered and required to administer,) to have arisen from such Detention, and in Default of immediate Payment thereof, the same shall be recovered from the said Company of Proprietors by Action of Debt in any of His Majesty's Courts of Record.

Navigation to be free upon Payment of Rates under certain Restrictions.

LXII. And be it further enacted, That all Persons whomsoever shall have free Liberty to navigate and pass upon and use the said Canal with Boats or Vessels, (of Pleasure or otherwise,) and to employ the said Wharfs or Quays for loading and unloading such Goods, Wares, Merchandize, and Things, and also to use the said Towing-paths with Men or with Horses, or other Cattle, for haling and drawing such Boats and Vessels, upon Payment of such Rates as shall be demanded by the said Company of Proprietors, not exceeding the respective Sums herein mentioned, and subject to the Rules and Regulations which shall be from Time to Time made by the said Committee of Management, by virtue of the Powers herein granted; provided the said Boats, or other Vessels, shall not, without the Consent of the said Company of Proprietors or the said Committee, pass upon the said Navigation, at any other Times than between the Hours of Seven in the Morning and Five in the Evening, during the Months of *November*, *December*, *January*, and *February*; between the Hours of Five in the Morning and Eight in the Evening, during the Months of *March*, *April*, *September*, and *October*, and between the Hours of Four in the Morning and Nine in the

the Evening, during the Months of *May*, *June*, *July*, and *Auguſt* in every Year.

Power for Land Owners to uſe Pleaſure Boats.

LXIII. And be it further enacted, That it ſhall be lawful for the Owners and Occupiers of any Lands adjoining to the ſaid Canal to uſe any Pleaſure Boat or Boats upon the ſaid Canal, (not paſſing through any Lock unleſs they ſhall firſt pay Tonnage equal to a Boat or Veſſel carrying Eight Tons, or obtain the Conſent of the ſaid Company of Proprietors,) without any Interruption from the ſaid Company of Proprietors or any of their Officers or Agents, and without paying any Rate for the ſame, ſo as the ſame be not made uſe of for carrying any Goods or other Things, and ſo as the ſame ſhall not obſtruct or prejudice the Navigation of the ſaid Canal, or the Towing-paths on the Sides thereof.

Drains to be made to convey Water from the Land adjoining.

LXIV. And be it further enacted, That the ſaid Company of Proprietors ſhall, and they are hereby required, at their own proper Coſts and Charges, to make or cauſe to be made ſuch Arches, Tunnels, Culverts, Drains, Sewers, or other Paſſages, over, under, by the Side of, or into the ſaid Canal or Feeders, and the Trenches, Streams, and Watercourſes communicating therewith, and the Towing-paths, on the Sides thereof reſpectively, of ſuch Depth, Breadth, and Dimenſions, as ſhall be ſufficient at all Times to convey the Water clear from the Lands adjoining or lying near to the ſaid Canal or Feeders, without obſtructing or impeding the ſame, and likewiſe to make or cauſe to be made ſuch Back Drain or Drains as may be neceſſary, and ſhall be ſufficient to carry off any Water which may ooze or paſs through any of the Banks of the ſaid Canal or Feeders, to the Prejudice of any of the Lands or Grounds contiguous thereto, and alſo to make proper Watering Places for Cattle in all Caſes where, by Means of the ſaid Canal or Feeders, or any other of the Works hereby authorized to be made, any Perſon or Perſons occupying Lands adjacent thereto ſhall be deprived of their ancient Watering Places, and to ſupply the ſame at all Times with Water; and that all ſuch Arches, Tunnels, Culverts, Drains, and other Paſſages ſhall from Time to Time be ſupported, maintained, cleanſed, ſcoured, and kept in good and ſufficient Repair by the ſaid Company of Proprietors; and if at any Time or Times after Thirty Days' Notice in Writing ſhall, by or on the Behalf of any of the ſaid Owners or Occupiers of Lands adjoining or lying near to the ſaid Canal or Feeders, or any of the Works hereby authorized to be made, be given to the ſaid Company of Proprietors, or to their Clerk or Clerks, known Agent or Collector, that the ſaid Arches, Tunnels, Culverts, Drains, Back Drains, or other Paſſages, or any of them, is or are not made, cleanſed, maintained, and repaired, according to the true Intent and Meaning of this Act, it ſhall and may be lawful to and for any Perſon or Perſons to apply for and obtain an Order in Writing from Two or more of His Majeſty's Juſtices of the Peace for the ſaid Riding, (and the ſaid Juſtices are hereby authorized and required, at their Diſcretion, to grant ſuch Order as aforeſaid,) enabling ſuch Perſon or Perſons to make, cleanſe, and repair ſuch Arches, Tunnels, Culverts, Drains, Back Drains, or other Paſſages accordingly, as well through the Lands or Grounds of the Perſon or Perſons obtaining ſuch Order as aforeſaid, as through any other Lands or Grounds in or through which ſuch Arches, Tunnels, Culverts, Drains, Back Drains, or other Paſſages may, by the ſaid

Order

Order of ſuch Juſtices, be directed to be made, and the reaſonable Expences thereof (to be aſcertained by the ſaid Juſtices) ſhall be defrayed by the ſaid Company of Proprietors; and in caſe of Neglect or Refuſal to ſatisfy and defray ſuch Expences for the Space of Three Calendar Months next after Demand thereof made upon the ſaid Company of Proprietors, or upon their Clerk, or known Agent or Collector, ſuch Expences ſhall and may be recovered and levied by Diſtreſs and Sale of any of the Goods and Chattels of the ſaid Company of Proprietors, which ſhall be found in or upon the ſaid Canal, or the Wharfs, Quays, or Warehouſes adjoining or near to the ſame, belonging to the ſaid Company, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid Riding, to be applied to and for the Uſe of ſuch Perſon or Perſons who ſhall have ſo incurred ſuch Expences as aforeſaid, rendering to the ſaid Company of Proprietors, or to their Clerk, known Agent, or Collector, the Overplus (if any) after deducting the reaſonable Charges of making ſuch Diſtreſs and Sale, and the Perſon or Perſons who ſhall have ſo incurred ſuch Expences as aforeſaid ſhall and may alſo have a Remedy againſt the ſaid Company of Proprietors for the Recovery thereof by Action at Law, to be commenced and proſecuted in ſuch Manner as is in and by this Act directed: Provided always, that ſuch Owner or Occupier of the ſaid contiguous or adjoining Lands ſhall, at the Time of making ſuch Complaint, have his or her reſpective Ditches, Drains, Paſſages for Water, and Watercourſes leading to or from the Drains, Culverts, and Paſſages of the ſaid Canal or Feeders, and other Works as aforeſaid, and each and every of them ſufficiently cleanſed and opened, to convey Water into the ſame; provided alſo, that nothing herein contained ſhall extend to enforce the admitting of any Water ariſing from Floods into the ſaid Canal or Feeders which may injure the ſame.

Swivel or Draw-bridges to be ſhut after Veſſels have paſſed.

LXV. And be it further enacted, That if any Swivel-bridge or Draw-bridge ſhall be laid over or acroſs the ſaid Canal, or Feeders, or any Cuts, Trenches, or Paſſages to be made by virtue of this Act, all and every Perſon or Perſons opening any ſuch Draw-bridge or Swivel-bridge ſhall, and he and they is and are hereby required and directed, ſo ſoon as any Veſſel ſhall have paſſed any ſuch Bridge, to ſhut and faſten the ſame, (except ſuch Bridges as may be erected for the private Uſe of Occupiers of Land,) and every Perſon neglecting ſo to do, or wilfully opening any ſuch Swivel-bridge or Draw-bridge when no Veſſel is to paſs through the ſame, ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds; and in caſe any ſuch Bridge ſhall be left open longer than neceſſary for the Paſſage of any Veſſel as aforeſaid, through the Neglect or Careleſsneſs of any Perſon belonging to any ſuch Veſſel, then the Maſter or Owner of ſuch Veſſel ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, one Moiety of which ſaid reſpective Penalties ſhall go to the Informer.

Land Owners may erect Wharfs.

LXVI. And be it further enacted, That the Owner or Owners of any Lands or Grounds through which the ſaid Canal or Feeders ſhall be made, may build, conſtruct, or uſe, any Wharfs, Quays, Landing-places, Cranes, Weigh-beams or Warehouſes, in or upon his, her, or their reſpective own proper Lands, Grounds, or Waſtes adjoining or near to the ſaid Canal or Feeders, with neceſſary Ways and Roads to the ſame, and

may land any Goods or Merchandize, Coal, Lime, or other Things, upon such Wharfs, Quays, or Landing-places, or upon the Banks lying between the same, and the said Canal or Feeders, and may make and use proper and convenient Places for Boats and other Vessels to lie, and turn in, and pass by each other, so that the making, constructing, or using thereof respectively, do not obstruct or prejudice the said Canal or Feeders, or any Towing-path on the Sides thereof respectively.

If not done by Land Owners within a certain Time, Proprietors may build Wharfs, &c.

LXVII. Provided always, and be it further enacted, That if any Land Owner shall not within the Space of Six Calendar Months next after Notice given in Writing to him, her, or them, or left at his, her, or their usual Place or Places of abode, by or on Behalf of the said Company of Proprietors, that any Part or Parts of such Lands or Grounds is or are necessary or proper to be used for the Purpose of making and erecting Warehouses, Buildings, and other Conveniences as aforesaid, for the Use of the said Navigation, or for laying out and making necessary and convenient Roads for the Conveyance of Goods to and from the said Canal or Feeders, lay out, construct, and make, and from Time to Time maintain and keep in good and substantial Repair such proper and sufficient Wharfs, Quays, Warehouses, Buildings, Roads, and other Conveniencies as aforesaid, for the Use of the said Navigation, as the said Company of Proprietors shall think necessary, then, and in such Case, it shall and may be lawful to and for the said Company of Proprietors, or their Committee of Management, without any Hindrance or Restraint whatsoever, to make use of any such Lands or Grounds, (not being the Ground whereon any House or other Building stands, or any Garden, Orchard, Yard, Park, Paddock, planted Walk, Nursery of Trees, or an Avenue to any House,) for erecting and constructing proper and sufficient Wharfs, Warehouses, Buildings, and other Conveniencies as aforesaid, and for laying out and making necessary and convenient Roads to and from the said Canal or Feeders, agreeably to such Notice, to be delivered as aforesaid, they the said Company of Proprietors making Satisfaction for the same, in such Manner as is and hath been hereinbefore directed, with respect to other Lands or Grounds which shall be taken or used for the Purposes of this Act.

Further Allowance to the Company of Proprietors for Goods remaining upon the Wharfs a certain Time.

LXVIII. And be it further enacted, That if any Coals, Lime, or Manure, or any other Matters or Things whatsoever, which shall be carried and conveyed on the said Canal, shall lie or remain upon any Wharf or Wharfs, Quay or Quays, or the Banks of the Canal, belonging to the said Company of Proprietors, or to any Land Owner, above the Space of Twenty-four Hours, then and in any such Case the said Company of Proprietors or Land Owner shall be entitled to receive such reasonable Rates or Allowance, over and above the Rates hereby authorized to be taken, as shall be agreed upon between the said Company of Proprietors or the said Land Owner, or their or his Agents or Agent, and the Owner or Owners of such Coals, Lime, Manure, or other Things.

Penalty on Persons taking in or unloading Goods unless at public or private Wharfs.

LXIX. And be it further enacted, That if any Person or Persons navigating or having the Care of any Boat, Barge, or other Vessel upon the said Canal, shall, with Intent to avoid the Payment of any of the Rates or Duties hereby made payable, load, unload, or take into any such Boat or other Vessel any Goods, Wares, Merchandize, or Commodities, whatsoever

ever at any other Place or Places than at the public or private Wharfs or Quays upon or belonging to the ſaid Canal, without having firſt obtained a Conſent in Writing for that Purpoſe from the Committee of Management or ſome One of the Agents or Collectors of the Tolls to the ſaid Company of Proprietors; or if any Perſon ſhall do any other Act with intent to evade the Payment of any of the ſaid Rates or Duties, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Maſters to put their Names on the Outſide of their Boats.

LXX. And be it further enacted, That every Owner or Maſter of any Boat or other Veſſel, not being a Pleaſure Boat paſſing upon the ſaid Canal, ſhall cauſe his or her Name and Place of Abode, and the Number of his or her Boat or other Veſſel, to be entered with the Clerk or Clerks to the ſaid Company of Proprietors, and ſhall alſo cauſe ſuch Name and Number, and alſo the Place to which every ſuch Boat or other Veſſel ſhall belong, and the true Number of Tons Burthen thereof, to be painted in large White Capital Letters and Figures on a Black Ground, Four Inches high at the leaſt, and of a proportionate Breadth, on the Outſide of the Head or Stern of every ſuch Boat or other Veſſel, higher than the Place to which the ſame ſhall ſink into the Water when full laden, and alſo

Weight of the Lading of Veſſels to be marked.

ſhall and is hereby required to fix on each Side thereof reſpectively correct Indexes of Copper, Lead, or other Metal, of ſuch graduated Dimenſions, and of ſuch convenient Height, and under ſuch Regulations as the ſaid Committee of Management ſhall from Time to Time direct, or other proper Means ſhall be uſed under the Direction of the ſaid Committee of Management, ſo that the true Weight of the Lading on board may at all Times be aſcertained and ſhewn, and ſhall permit and ſuffer every ſuch Boat or other Veſſel to be gauged, weighed, or meaſured, and any Timber or other Articles on board the ſame to be meaſured or weighed at the Expence of the ſaid Company of Proprietors whenſoever it ſhall be required by them, or by any Perſon or Perſons appointed for that Purpoſe; and every Owner, Maſter, or other Perſon having the Care or Command of any Boat or other Veſſel, or who ſhall navigate the ſame upon the ſaid Canal, without having ſuch Name, Figures, and Index thereon, as hereinbefore directed, or who ſhall alter, eraſe, deface, or deſtroy ſuch Name, Figures, or Index, or any Part thereof, or ſhall fix thereon any falſe Name, Figure, or Index, or who ſhall refuſe to permit and ſuffer ſuch Boat or other Veſſel to be gauged, weighed, or meaſured, or any Timber or other Articles to be meaſured or weighed, or ſhall wilfully ſuffer or permit any Boat or other Veſſel navigated upon or lying in the ſaid Canal to be loaded or unloaded in any Lock, or in any other Part of the ſaid Canal without a Stage being laid from the Side of ſuch Boat or other Veſſel to the Bank of the ſaid Canal, ſo as effectually to prevent any Soil, or other Matter or Thing intended to be taken on board or diſcharged out of ſuch Boat or other Veſſel, from falling into the ſaid Canal, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Boat Owners to be accountable for Damages done by the Boatmen or Halers.

LXXI. And be it further enacted, That the Maſter or Owner of every Boat or other Veſſel navigating upon the ſaid Canal ſhall be and is hereby made anſwerable for any Treſpaſs, Damage, Spoil, or Miſchief that ſhall be done by his Boat or other Veſſel, or by any of the Boatmen, Watermen, Halers, or other Perſon or Perſons belonging to or employed in or about the ſame reſpectively, or any of the Bridges, Weirs, Locks, Baſons, Dams,

Engines,

Engines, or other Works in, upon, or belonging to the ſaid Canal, or to any of the Trenches, Aqueducts, Sluices, Paſſages, or other Works or Conveniences to be made by virtue of this Act, either by the loading or unloading of any Boat or other Veſſel, or by any other Means whatſoever, or to the Owners or Proprietors of any Building or other Erection, Lands, Tenements, or Hereditaments adjoining or lying near to the ſame Canal, by leaving open any Gate or Gates, Locks or Bridges, or by any other Means whatſoever; and the ſaid Maſter or Owner of every ſuch Boat or other Veſſel may be ſued and proſecuted for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*; and if a Verdict or Judgment ſhall be given againſt him, the Plaintiff in any ſuch Caſe ſhall recover his Damages thereby ſuſtained, with full Coſts of Suit.

Maſters to recover from their Servants any Sum for their Default.

LXXII. And be it further enacted, That in caſe the Maſter or Maſters, Owner or Owners of any Boat or other Veſſel as aforeſaid employed on the ſaid Canal, ſhall be compelled to pay any Penalty or to make Satisfaction for any Damage or Treſpaſs by reaſon of any wilful Neglect or Default done or committed by his, her, or their Servants, Boatmen, Watermen, or Halers, or any of them, ſuch Servants, Boatmen, Watermen, or Halers, and each and every of them, ſhall be liable to repay ſuch Penalty or Damage (with the Coſts thereof) to ſuch Maſter or Maſters, Owner or Owners; and in caſe of Nonpayment thereof on Demand, and Oath made by ſuch Maſter or Maſters, Owner or Owners, of the Payment made by him, her, or them of ſuch Penalty or Satisfaction for Damages, and that the ſame and the Coſts thereof have or hath not been repaid to him, her, or them, by ſuch Servants, Boatmen, or Watermen, or any of them, although demanded, (ſuch Oath to be made before One Juſtice of the Peace for the ſaid Eaſt Riding,) the Amount thereof ſhall be recovered in like Manner as any Penalty is hereby directed to be recovered.

Veſſels obſtructing the Navigation to be removed, and Veſſels ſunk to be weighed up.

LXXIII. And be it further enacted, That if any Boat or other Veſſel ſhall be placed, or ſhall lie abreaſt in any Part of the ſaid Canal, or any Trench, Sluice, or Paſſage belonging thereto, not being moored at both Ends, or if any Perſon or Perſons navigating and having the Care of any Boat or other Veſſel, ſhall wilfully obſtruct the Navigation of the ſaid Canal, by means of the miſplacing, or otherwiſe miſconducting ſuch Boat or other Veſſel, and ſhall not immediately upon Requeſt made moor the ſame at both Ends, or alter the Situation of ſuch Boat or other Veſſel, or otherwiſe ſtop or effectually ſecure the ſame as the Caſe ſhall require, ſo that the ſaid Obſtruction ſhall ceaſe and be removed, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds, and alſo the Sum of Five Shillings for every Hour during which ſuch Obſtruction ſhall continue after the making of ſuch Requeſt; and it ſhall and may be lawful to and for the Agents and Servants of the ſaid Company of Proprietors, or any of them, to cauſe any ſuch Boat or other Veſſel to be unloaded, if neceſſary, and to be removed in ſuch Manner as ſhall be proper for preventing or removing ſuch Obſtruction in the Navigation, and to ſeize and detain ſuch Boat or other Veſſel, and the Loading thereof, or any Part of ſuch Loading, until the Charges occaſioned by ſuch Unloading and Removal ſhall be paid; and if any Boat or other Veſſel ſhall be ſunk in any Part of the ſaid Canal, or in any ſuch Baſon, Trench, or Sluice as aforeſaid, and the Owner or Owners, or other Perſon or Perſons having the Care

of

of ſuch Boat or other Veſſel, ſhall not, without loſs of Time, weigh or draw up the ſame, it ſhall and may be lawful to and for the Agents and Servants of the ſaid Company of Proprietors, or any of them, to cauſe ſuch Boat or other Veſſel to be weighed or drawn up, and in caſe the ſame ſhall not be redeemed, and all Expences paid, within the Space of Twenty-one Days, to detain, keep, and uſe the ſame, or otherwiſe to ſell and diſpoſe thereof, for the Satisfaction of all the Expences neceſſarily incurred, and occaſioned in, and about the Weighing or Drawing up of the ſame, rendering the Overplus of every ſuch Sale or Sales to the Owner or Owners of ſuch Boat or other Veſſel on Demand.

Penalty on Perſons overloading and obſtructing the Paſſage of the Canal.

LXXIV. And be it further enacted, That if any Perſon or Perſons ſhall float any Timber upon the ſaid Canal, or ſhall ſuffer the Loading of any Boat or other Veſſel navigated thereon to lie over the Sides thereof, or ſhall overload any Boat or other Veſſel navigated thereon, ſo as by ſuch floating, loading, or overloading, to obſtruct the Paſſage of any other Boat or Veſſel, and ſhall not immediately upon Notice given of ſuch Obſtruction, hale ſuch Boat or Veſſel into ſuch Place or Places, Opening or Openings, as ſhall be proper or be made for the Purpoſe of enabling Boats and other Veſſels to paſs each other, or ſhall not otherwiſe remove the ſame, ſo as to make a free Paſſage for other Boats or Veſſels navigated thereon, every Perſon or Perſons floating ſuch Timber, or having the Care of ſuch Boat or other Veſſel, ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds; and if any Perſon ſhall throw any Ballaſt, Gravel, Stones, or Rubbiſh into any Part of the ſaid Canal, or if any Perſon or Perſons whomſoever ſhall wantonly or maliciouſly open or cauſe to be opened any Lock, Paddle, Valve, or Clough belonging to the ſaid Canal, or ſuffer any Boat or other Veſſel to ſtrike or run upon any of the Bridges or Locks thereof, or if any Perſon or Perſons ſhall wilfully fluſh or draw off, or cauſe to be fluſhed or drawn off, any Water from any Part of the ſaid Canal, or ſhall leave any of the ſaid Valves or Cloughs open and running, after any Boat or other Veſſel ſhall have paſſed any Lock belonging to the ſame, or ſhall draw or cauſe to be drawn, any Paddle, Valve, or Clough in any of the Lock Gates on the ſaid Navigation, ſo as to miſpend or waſte the Water thereof, or ſhall wilfully obſtruct, hinder, or prevent any Perſon in the Execution of this Act, every Perſon offending in any of the Caſes aforeſaid, ſhall forfeit and pay for every ſuch Offence, any Sum not exceeding Ten Pounds; and if any Perſon ſhall wilfully, maliciouſly, and to the Prejudice of the ſaid Navigation, break, throw down, damage, or deſtroy any of the Banks or other Works to be erected and made by virtue of this Act, every Perſon ſo offending and being thereof lawfully convicted, ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony and the Court by and before whom ſuch Perſon ſhall be tried and convicted, ſhall have Power and Authority to cauſe ſuch Perſon to be puniſhed in like Manner as Felons are directed to be puniſhed by the Laws or Statutes of this Realm, or in Mitigation of ſuch Puniſhment, ſuch Courts may, if they ſhall think fit, award ſuch Sentence as the Law directs in Caſes of Petit Larceny.

Penalty on Perſons wantonly opening the Locks, or doing other Damage to the Navigation.

Penalty on Perſons deſtroying the Works.

Regulations of Veſſels paſſing the Locks.

LXXV. And be it further enacted, That no Boatman or other Perſon navigating or having the Care of any Boat or other Veſſel upon the ſaid Canal, which ſhall paſs through any Lock to be made thereon, ſhall ſuffer the Water to remain in ſuch Lock longer than is neceſſary for his

Boat

Boat or other Veſſel to paſs through the ſame; and alſo that every ſuch Boatman or other Perſon as aforeſaid, in going down the ſaid Canal ſhall, previous to his bringing his Boat or other Veſſel into any Lock, ſhut the lower Gates of ſuch Lock, and the Sluices thereto belonging, before he ſhall draw the Cloughs of the upper Gates thereof; and after he ſhall have brought ſuch Boat or other Veſſel through the ſaid Lock, he ſhall then ſhut the upper Gates before he ſhall draw the Cloughs of the lower Gates thereof; and in going up the ſaid Canal, towards the Head Level or Head Levels thereof, ſuch Boatman or other Perſon, ſo ſoon as he ſhall have paſſed with his Boat or other Veſſel through the ſaid Lock, ſhall ſhut the Upper Gates of the ſame before he ſhall draw the Cloughs of the Lower Gates thereof, unleſs there ſhall be a Boat or other Veſſel coming down the ſaid Canal, in Sight of the ſaid Boatman or other Perſon paſſing ſuch Lock, in which Caſe the Lower Gates of the ſaid Lock ſhall be left ſhut, and the Upper Gates ſhall be left open; and in all dry Seaſons, when there ſhall be a Scarcity of Water in the ſaid Canal, the Boat or other Veſſel ſo going up the ſame (if within Sight of a Boat or other Veſſel ſo coming down), and at a Diſtance not exceeding Five Hundred Yards below a Lock, ſhall paſs through ſuch Lock before the Boat or other Veſſel coming down, and then ſuch other Boat or other Veſſel ſhall come down into the ſaid Lock; and if there ſhall be more Boats or other Veſſels than One below and above any Lock at the ſame Time, in any ſuch dry Seaſon, within the Diſtance aforeſaid, (which Diſtance ſhall be diſtinguiſhed by a Poſt or Mark to be ſet up and made for that Purpoſe,) ſuch Boats or other Veſſels ſhall go up and come down at ſuch Lock by Turns as aforeſaid, until all the Boats and other Veſſels ſo going up or coming down ſhall have paſſed the ſame, by which Means One Lock full of Water may ſerve Two Boats or other Veſſels; and any Perſon or Perſons acting contrary to theſe Directions in paſſing any ſuch Lock or Locks, ſhall forfeit any Sum not exceeding Five Pounds for every ſuch Offence.

Lock-keepers not to give Preference.

LXXVI. And be it further enacted, That if any Lock-keeper, Wharfinger, or other Servant belonging to the ſaid Company of Proprietors ſhall give any undue Preference or ſhew any Partiality to any Boat or other Veſſel in paſſing through any Lock or Locks on the ſaid Canal, or in loading or unloading any Goods, Wares, Merchandize, or other Things at any of the Wharfs, Warehouſes, Weigh-beams, Cranes, or other Machines belonging to the ſaid Company of Proprietors, every Perſon ſo offending, ſhall on Conviction, forfeit and pay any Sum not exceeding Five Pounds to the Informer.

Lands taken and not uſed by the Company to be re-ſold to the original Owners, in caſe they think proper to become the Purchaſers thereof.

LXXVII. And be it further enacted, That if the ſaid Company of Proprietors ſhall be in Poſſeſſion of any Lands, Tenements, or Hereditaments which ſhall be purchaſed or taken by them in purſuance of this Act, and which ſhall not be made uſe of for the Purpoſe of making the ſaid Canal or Feeders, or other Works hereby authorized to be made through or upon the ſame, or any of them, the ſaid Company of Proprietors ſhall immediately after the Completing of the ſaid Canal, Feeders, or other Works reſpectively as aforeſaid, convey all their Eſtate, Right, Title, Property, and Intereſt in and to ſuch Lands, Tenements, or Hereditaments reſpectively, unto the ſeveral and reſpective Perſons, Bodies Politic, Corporate, and Collegiate, who were the Owners or Proprietors thereof

thereof, immediately before the ſaid Company of Proprietors became ſeized of the ſame, or unto the reſpective Heirs, Succeſſors, or Aſſigns of ſuch Perſons, Bodies Politic, Corporate, or Collegiate, in caſe they ſhall reſpectively think fit to become Purchaſers thereof, and to pay ſuch valuable Conſideration for ſuch Lands, Tenements, or Hereditaments to the ſaid Company of Proprietors as they ſhall judge reaſonable, or in caſe any Difference ſhall ariſe in regard to the ſame, then as a Jury to be impannelled in the Manner hereinbefore directed, ſhall aſcertain or award to be paid for the ſame, ſo that ſuch Conſideration do not exceed the Sum or Sums firſt paid by the ſaid Company of Proprietors for the Purchaſe of ſuch Lands, Tenements, or Hereditaments; and in caſe the ſaid Company of Proprietors, upon Payment or Tender to them of ſuch valuable Conſideration as aforeſaid, for ſuch Lands, Tenements, or Hereditaments ſhall refuſe or neglect to convey the ſame as aforeſaid, then and in ſuch Caſe ſuch Lands, Tenements, or Hereditaments, ſhall thereupon revert to and be from thenceforth veſted in the ſaid ſeveral and reſpective Perſons, Bodies Politic, Corporate, or Collegiate, their Heirs, Succeſſors, or Aſſigns: Provided always, that if any ſuch Perſon or Perſons, Bodies Politic, Corporate, or Collegiate as aforeſaid, their Heirs, Succeſſors, or Aſſigns, upon Application to him or them made by or on the Behalf of the ſaid Company of Proprietors, and ſhall not then and thereupon agree, or ſhall refuſe or decline to purchaſe any of the Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed or taken, and an Affidavit ſhall be made and ſworn before a Maſter Extraordinary of the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for the ſaid Riding, by ſome Perſon or Perſons no ways intereſted in the ſaid Lands, Tenements, or Hereditaments, ſtating that ſuch Offer was made by or on Behalf of the ſaid Company of Proprietors, and that the ſame was thereupon not agreed to or was refuſed by the Perſon or Perſons to whom ſuch Offer was made, (which Affidavit ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made and not agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was made, as the Caſe may be,) it ſhall be lawful for the ſaid Company of Proprietors to ſell and convey the ſame Lands, Tenements, and Hereditaments, reſpectively to any other Perſon or Perſons whomſoever, any Law, Cuſtom, or Uſage to the contrary in anywiſe notwithſtanding.

The ſame Tolls only to be paid by Veſſels navigating the River Derwent and entering the Canal as by thoſe navigating the ſame River, but not entering the Canal.

LXXVIII. Provided always, and be it further enacted, That the Right Honourable *William Wentworth Fitzwilliam* Earl Fitzwilliam, and the Perſon and Perſons for the Time being, ſeized or poſſeſſed of, or entitled to the ſeveral Rates, Tolls, or Duties payable under or by virtue of an Act paſſed in the Firſt Year of the Reign of Her late Majeſty Queen *Anne*, intituled *An Act for making the River* Derwent *in the County of* York *navigable*, or under or by virtue of any Act or Acts already paſſed or hereafter to be paſſed for explaining, amending, varying, or altering the ſame, ſhall and may from Time to Time, and at all Times hereafter, demand, take, receive, and recover, in reſpect of any Boat or other Veſſel navigating the ſaid intended Canal, or any Goods, Wares, or Merchandizes whatſoever, conveyed thereon, which ſhall enter the ſame, from or come or paſs thereout into the River *Derwent*, the ſame Rates, Tolls, and Duties, or ſuch and the ſame Proportions

thereof only as ſhall for the Time being be by him and them demanded, taken, received, and recovered, under and by virtue of the ſaid Act or Acts, for or in reſpect of any Boat or Veſſel navigating the ſame River, or any Goods, Wares, or Merchandizes whatſoever, conveyed thereon, but which Boat or Veſſel, Goods, Wares, or Merchandizes ſhall not enter into or come out of the ſaid Canal, for ſuch and the ſame Diſtance or Space of Navigation and Carriage reſpectively, as ſuch Boat or Veſſel, or Goods, Wares, or Merchandizes entering into or coming out of the ſaid Canal, ſhall have occaſion to navigate, paſs, and repaſs, or be conveyed upon the ſaid River *Derwent*.

To compel Payment of Subſcriptions.

LXXIX. And be it further enacted, That the ſeveral Perſons who have ſubſcribed, or who ſhall hereafter ſubſcribe or advance any Money for and towards making and maintaining the ſaid Canal and other Works hereby authorized to be made, ſhall, and they are hereby required to pay the Sum or Sums of Money by them reſpectively ſubſcribed, or ſuch Parts or Portions thereof as ſhall from Time to Time be called for by the ſaid Committee of Management, under and by virtue of the Powers and Directions of this Act, at ſuch Times and Places as ſhall be directed by the ſaid Committee in Manner before mentioned; and in caſe any Perſon or Perſons ſhall neglect or refuſe to pay the ſame at the Time and in the Manner required for that Purpoſe, it ſhall be lawful for the ſaid Company to ſue for and recover the ſame in any Court of Law or Equity.

Recovery of Fines and Forfeitures.

LXXX. And be it further enacted, That all Fines, Penalties, and Forfeitures, inflicted by this Act, or which ſhall be inflicted by any Rule, Order, or Bye-Law to be made in purſuance thereof, (the Levying and Recovery whereof is or are not particularly hereinbefore directed) ſhall in caſe of Non-payment thereof, on Conviction of the Offenders reſpectively, be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid Riding, or for the County or Place wherein the Offence ſhall be committed, or the Offender ſhall be or reſide; and every ſuch Juſtice is hereby authorized and required to examine Witneſſes on Oath, and hear and determine the ſame; and all Fines, Forfeitures, and Penalties (the Application whereof is not hereinbefore particularly directed) ſhall be paid into the Hands of the Treaſurer to the ſaid Company of Proprietors, and ſhall be applied and diſpoſed of for the Uſe of the ſaid Company, and the Overplus of the Money raiſed by ſuch Diſtreſs and Sale, after deducting the Fines, Penalties, or Forfeitures, and the Expences of ſuch Diſtreſs and Sale, ſhall be rendered to the Owner of the Goods and Chattels ſo diſtrained; and for want of ſufficient Diſtreſs, and in Caſe the Fine, Penalty, or Forfeiture, ſhall not be forthwith paid, it ſhall be lawful for ſuch Juſtice, by Warrant under his Hand, to commit ſuch Offender to the Common Gaol or Houſe of Correction there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Fine, Penalty, or Forfeiture, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Perſons aggrieved by Irregularity

LXXXI. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the

in Diſtreſs, to recover only the ſpecial Damages.

the Diſtreſs itſelf ſhall not be deemed unlawful, nor ſhall the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers, *ab initio*, on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining, but the Party or Parties aggrieved by ſuch Irregularity, ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

LXXXII. And for the more eaſy and ſpeedy Conviction of Offenders againſt this Act; be it further enacted, That every ſuch Juſtice of the Peace before whom any Perſon ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up according to the following Form; *(videlicet)*

Form of Conviction.

'BE it remembered, that on the Day of
'in the Year of our Lord
'*A. B.* is convicted before me *C. D.* One of His Majeſty's Juſtices of
'the Peace for the (ſpecifying the Of-
'fence, and the Time and Place, when and where committed, as the
'Caſe may be,) contrary to an Act paſſed in the Fifty-fifth Year of
'the Reign of King *George* the Third, intituled *(here ſet forth the Title*
'*of this Act.)* Given under my Hand and Seal, the Day and Year firſt
'above mentioned.'

Perſons aggrieved may appeal to the Quarter Seſſions.

LXXXIII. And be it further enacted, That any Perſon or Perſons thinking himſelf, herſelf, or themſelves aggrieved by any Order or Judgment made or given in purſuance of any Rule, Bye-Law, or Order of the ſaid Company of Proprietors, or their Committee of Management, or by any Order, Judgment, or Determination of any Juſtice or Juſtices of the Peace relating to any Matter or Thing in this Act mentioned or contained, may within Six Calendar Months next after ſuch Order, Judgment, or Determination ſhall have been made or given, (firſt giving Twenty-one Days' Notice of ſuch Complaint, to the Perſon or Perſons againſt whom ſuch Complaint is intended to be made,) complain to the Juſtices of the Peace at the General Quarter Seſſions, to be held in and for the Riding or County in which the Cauſe of Appeal ſhall ariſe, who ſhall in a ſummary Way either hear and determine the ſaid Complaint, at ſuch General Quarter Seſſions, or if they think proper, may adjourn the hearing thereof to the next General Quarter Seſſions of the Peace, to be held for ſuch Riding or County; and the ſaid Juſtices may, if they ſee cauſe, mitigate any Forfeiture or Fine, and may order any Money to be returned, which ſhall have been levied in purſuance of ſuch Rule, Bye-Law, Order, or Determination, and may alſo order and award ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable; but no Proceedings to be had in purſuance of this Act ſhall be quaſhed or vacated for want of Form, or be removed by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere, any Law or Statute to the contrary notwithſtanding.

Proceedings not to be quaſhed for want of Form, nor removed by Certiorari.

Limitation of Actions.

LXXXIV. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done by virtue or in purſuance of this Act until Twenty-one Days' Notice thereof in Writing

Writing ſhall have been given to the ſaid Committee of Management, nor after a ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every ſuch Action ſhall be laid and brought in the County where the Matter in Diſpute or Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant or Defendants in any ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time hereinbefore limited for bringing the ſame, or ſhall be brought without Twenty-one Days' Notice thereof, or ſhall be brought in any other County or Place than as aforeſaid, or after a ſufficient Satisfaction made or tendered as aforeſaid, then and in every ſuch Caſe the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become Nonſuit or ſuffer a Diſcontinuance of his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs; or if upon Demurrer or otherwiſe Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have treble Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

The whole of the probable Expence of making the Canal, &c. to be ſubſcribed before the Act is put in Force.

LXXXV. And whereas the probable Expences of making the ſaid Canal and other Works hereby authoriſed to be made, will according to an Eſtimate made thereof amount to the Sum of Thirty-two thouſand Pounds, or thereabouts; and the Sum of Twenty-nine thouſand Pounds and upwards, being more than four fifth Parts of ſuch Expences, has already been ſubſcribed for defraying ſuch Expences, by ſeveral Perſons under a Contract, binding them, their Heirs, Executors, and Adminiſtrators for Payment of the ſeveral Sums of Money ſo ſubſcribed by them reſpectively; be it therefore further enacted, That the whole of the ſaid Sum of Thirty-two thouſand Pounds ſhall be ſubſcribed in like Manner, before any of the Powers and Proviſions given by this Act ſhall be put in Force.

Limiting the Time for completing the Canal

LXXXVI. And whereas the ſaid Canal and other Works hereby authorized to be made, may be completed, if not prevented by inevitable Accident, within the Space of Five Years from the paſſing of this Act, according to an Eſtimate of the probable Time within which the ſame may be completed; be it therefore enacted, That if the ſaid Canal and other Works intended to be hereby carried into Effect, ſhall not have been completed, ſo as to anſwer the Objects of this Act, within the Space of Six Years, from and after the paſſing of this Act, all the Powers and Proviſions given and granted by this Act, ſhall from thenceforth ceaſe and become void, ſave only and except as to ſo much of the ſaid Canal and other Works as ſhall have been completed within the ſaid Space of Six Years.

Public Act

LXXXVII. 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.

The SCHEDULE to which

RATES, TOLLS, and DUTIES to be levied and taken on the Navigation from the River Derwent, at East Cottingwith, to Street Bridge, in the Townſhip of Pocklington, and to the intervening Townſhips; and from Street Bridge aforeſaid to the ſaid River Derwent and the intervening Townſhips.		From East Cottingwith to Street Bridge.		From Street Bridge to East Cottingwith.		From East Cottingwith to Storthwaite.		From East Cottingwith to Melbourn and Thornton.		From East Cottingwith to Beilby.		From Storthwaite to Melbourn and Thornton.	
		s.	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*
Per Quarter	Wheat, Barley, Beans, Rye, Maſtlin, Peaſe, Vetches, Linſeed, Muſtard, and Rape Seed	1	2	1	2	0	4	0	8	1	0	0	4
	Oats and Malt	1	0	1	0	0	3	0	6	0	9	0	3
Per Bag	Flour, Shelling and Pearl Barley	0	9	0	9	0	4	0	6	0	8	0	4
	Nuts	0	9	0	9	0	4	0	6	0	8	0	4
	Clover and other heavy Seeds	0	9	0	9	0	4	0	6	0	8	0	4
Per Chaldron	Lime for Manure	1	6	1	6	1	0	1	2	1	4	1	0
Per Waggon	Coals, Slack, and Cinders	6	8	6	8	2	0	4	0	6	0	2	0
Per Ton	Houſehold Furniture	9	0	9	0	4	0	6	0	8	0	4	0
	Bacon, Cheeſe, Hemp, Flax, Lard, Madder, and Tow	5	6	5	6	3	0	4	0	5	0	3	0
	Braſs, Coppet, Currants, Nails, Pelts wet, Salt, Shot, Pots, Soap, Sugar and Treacle	7	6	7	6	5	0	6	0	7	0	5	0
	Iron, Pig and Bar; Lead, Pig and Sheet	5	6	5	6	3	0	4	0	5	0	3	0
	Boxes, Cloth, Coffee, Dying Woods, Dry Goods, Fruit in Cheſts or Boxes, Glaſs, Groceries, Hides, Hops, Paint, Parcels, Pitch, Rice, Saltpetre, Spirits, Starch, Sumach, Tar, Tea, Tin, Tobacco, Turpentine, Wines, Wolds, and Yarn	8	0	8	0	5	0	6	0	7	0	5	0
	Oak, Aſh, and Elm Timber, 40 Feet; Fir Timber, 50 Feet; Battens, Deals and Pipe Staves	6	8	6	8	2	0	4	0	6	0	2	0
	Manure	1	6	1	6	1	0	1	2	1	4	1	0
	Gravel and Sand												
Per Quarter Roke	Apples, Onions, Pears, Potatoes, Carrots and Turnips	1	2	1	2	0	4	0	8	1	0	0	4
Per Thouſand	Bricks	3	0	3	0	1	6	2	0	2	6	1	6
	Tiles	3	6	3	6	1	9	2	3	2	9	1	9
Per Quarter Winchester	Hay and other light Seeds, Mill Duſt and Bran	1	0	1	0	0	3	0	6	0	9	0	3
Per Firkin	Butter	0	3	0	3	0	1½	0	2	0	2½	0	1½
Per Ton	Bones, Cobbles for paving, and Horns	5	6	5	6	3	0	4	0	5	0	3	0
	Allum, Copperas, Fiſh, Greaſe, Iron manufactured, Lead Ditto, Tallow, and Woad	7	6	7	6	5	0	6	0	7	0	5	0
	Chalk, Flags, (10 ſquare Yards,) Flints, Fuller's Earth, Kelp, Ling, Oil Cake, Plaſter, Rags, Ropes, Slate, Stone (16 cube Feet,) Whiting	5	6	5	6	3	0	4	0	5	0	3	0
	Rape Duſt, Soap Aſhes, Soot and Whale Blubber	4	6	4	6	2	0	3	0	4	0	2	0
Per Bundle	Laths and Willows	0	2½	0	2½	0	1	0	1½	0	2	0	1
Per Pack, 312lb.	Dried Pelts, Spetches, and Wool	0	10	0	10	0	5	0	7	0	9	0	5
Per Chaldron	Lime for building and other Uſes	2	0	2	0	1	0	1	5	1	10	1	0
	Bark	2	3	2	3	1	4	1	8	2	0	1	4

the foregoing Act refers.

From Storthwaite to Beilby.		From Storthwaite to Street Bridge.		From Melbourn and Thornton to Beilby.		From Melbourn and Thornton to Street Bridge.		From Beilby to Street Bridge.		From Street Bridge to Beilby.		From Street Bridge to Melbourn and Thornton.		From Street Bridge to Storthwaite.		From Beilby to Melbourn and Thornton.		From Beilby to Storthwaite.		From Beilby to East Cottingwith.		From Melbourn and Thornton to Storthwaite.		From Melbourn and Thornton to East Cottingwith.		From Storthwaite to East Cottingwith.	
s.	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*
0	8	1	0	0	4	0	8	0	4	0	4	0	8	1	0	0	4	0	8	1	0	0	4	0	8	0	4
0	6	0	9	0	3	0	6	0	3	0	3	0	6	0	9	0	3	0	6	0	9	0	3	0	6	0	3
0	6	0	8	0	4	0	6	0	4	0	4	0	6	0	8	0	4	0	6	0	8	0	4	0	6	0	4
0	6	0	8	0	4	0	6	0	4	0	4	0	6	0	8	0	4	0	6	0	8	0	4	0	6	0	4
1	2	1	4	1	0	1	2	1	0	1	0	1	2	1	4	1	0	1	2	1	4	1	0	1	2	1	0
4	0	6	0	2	0	4	0	2	0	2	0	4	0	6	0	2	0	4	0	6	0	2	0	4	0	2	0
6	0	8	0	4	0	6	0	4	0	4	0	6	0	8	0	4	0	6	0	8	0	4	0	6	0	4	0
4	0	5	0	3	0	4	0	3	0	3	0	4	0	5	0	3	0	4	0	5	0	3	0	4	0	3	0
6	0	7	0	5	0	6	0	5	0	5	0	6	0	7	0	5	0	6	0	7	0	5	0	6	0	5	0
6	0	7	0	5	0	6	0	5	0	5	0	6	0	7	0	5	0	6	0	7	0	5	0	6	0	5	0
4	0	6	0	2	0	4	0	2	0	2	0	4	0	6	0	2	0	4	0	6	0	2	0	4	0	2	0
1	2	1	4	1	0	1	2	1	0	1	0	1	2	1	4	1	0	1	2	1	4	1	0	1	2	1	0
0	8	1	0	0	4	0	8	0	4	0	4	0	8	1	0	0	4	0	8	1	0	0	4	0	8	0	4
2	0	2	6	1	6	2	0	1	6	1	6	2	0	2	6	1	6	2	0	2	6	1	6	2	0	1	6
2	3	2	9	1	9	2	3	1	9	1	9	2	3	2	9	1	9	2	3	2	9	1	9	2	3	1	9
0	6	0	9	0	3	0	6	0	3	0	3	0	6	0	9	0	3	0	6	0	9	0	3	0	6	0	3
0	2	0	2½	0	1½	0	2	0	1½	0	1½	0	2	0	2½	0	1½	0	2	0	2½	0	1½	0	2	0	1½
4	0	5	0	3	0	4	0	3	0	3	0	4	0	5	0	3	0	4	0	5	0	3	0	4	0	3	0
6	0	7	0	5	0	6	0	5	0	5	0	6	0	7	0	5	0	6	0	7	0	5	0	6	0	5	0
4	0	5	0	3	0	4	0	3	0	3	0	4	0	5	0	3	0	4	0	5	0	3	0	4	0	3	0
3	0	4	0	2	0	3	0	2	0	2	0	3	0	4	0	2	0	3	0	4	0	2	0	3	0	2	0
0	1½	0	2	0	1	0	1½	0	1	0	1	0	1½	0	2	0	1	0	1½	0	2	0	1	0	1½	0	1
0	7	0	9	0	5	0	7	0	5	0	5	0	7	0	9	0	5	0	7	0	9	0	5	0	7	0	5
1	5	1	10	1	0	1	5	1	0	1	0	1	5	1	10	1	0	1	5	1	10	1	0	1	5	1	0
1	8	2	0	1	4	1	8	1	4	1	4	1	8	2	0	1	4	1	8	2	0	1	4	1	8	1	4

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