ANNO QUINQUAGESIMO SEPTIMO

GEORGII III REGIS.

Cap. XV.

An Act to enable the Company of Proprietors of the *Stratford-upon-Avon* Canal Navigation to raise Money to discharge their Debts, and to complete the said Canal. [23d *May* 1817.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a Navigable Canal from the* Worcester *and* Birmingham *Canal Navigation, in the Parish of* King's Norton, *into the Borough of* Stratford-upon-Avon, *and also certain Collateral Cuts from the said intended Canal;* whereby certain Persons therein named, and their Successors, Executors, Administrators, and Assigns, together with such Person or Persons as they should nominate and appoint under their Hands and Seals, were united into a Company for carrying on, making, completing, and maintaining the said Navigable Canal and Collateral Cuts passable for Boats, Barges, and other Vessels, and were incorporated by the Name of *The Company of Proprietors of the* Stratford-upon-Avon *Canal Navigation*, and by that Name were to have perpetual Succession, and a Common Seal, with such Powers as in the said Act are mentioned; and the said Company of Proprietors were authorized and empowered to raise and contribute among themselves, in such 33 G. 3. c. 112.

ſuch Proportions as to them ſhall ſeem meet and convenient, a competent Sum of Money for making and completing the ſaid Canal and Collateral Cuts, and the Reſervoirs, Feeders, Ways, Quays, Wharfs, and other Works and Conveniences to the ſame belonging or requiſite, not exceeding in the whole the Sum of One hundred and twenty thouſand Pounds (except as therein-after mentioned), and the Money ſo to be raiſed is thereby directed to be applied in diſcharging the Expences of obtaining the ſaid Act, and all other Expences relating to the ſame, and to be incurred in making, completing, and maintaining the ſaid Canal and Collateral Cuts, and other Purpoſes of the ſaid Act; and in caſe the ſaid Sum of One hundred and twenty thouſand Pounds ſhall be found inſufficient for making, completing, and maintaining the ſaid Canal, Collateral Cuts, and other Works by the ſaid Act authorized and directed to be made, and all neceſſary Charges and Expences relating thereunto, then the ſaid Company of Proprietors are thereby authorized to raiſe and contribute among themſelves, in Manner in the ſaid Act mentioned, any further Sum of Money for the Purpoſes of the ſaid Act, not exceeding the Sum of Sixty thouſand Pounds; and in caſe the ſaid Company of Proprietors ſhould be deſirous of raiſing the ſaid Sum of Sixty thouſand Pounds by Mortgage of the ſaid Undertaking, they are thereby empowered to borrow and take up at Intereſt the ſaid Sum of Sixty thouſand Pounds, or any Part thereof, upon the Credit of the ſaid Undertaking, as to them ſhould ſeem fit and convenient, and to aſſign the Property of the ſaid Navigation, and the Rates granted by the ſaid Act to the ſaid Company of Proprietors, or any Part thereof, as a Security for the Money ſo to be borrowed, with Intereſt for the ſame, to ſuch Perſon or Perſons as ſhould advance the ſame: And whereas by another Act, paſſed in the Thirty-fifth Year of the Reign of His
35 G. 3. c. 72. ſaid preſent Majeſty, intituled *An Act for making a Navigable Cut from the* Stratford-upon-Avon *Canal in the Pariſh of* Lapworth, *into the* Warwick *and* Birmingham *Canal in the Manor of* Kingſwood, *in the County of* Warwick, the ſaid Company of Proprietors were empowered, in caſe the Money authorized to be raiſed and borrowed by virtue of the ſaid recited Act ſhould be found inſufficient for making, completing, and maintaining the ſaid Canal and other the Works thereby authorized to be made, and alſo the ſaid intended Cut, and other the Works by ſuch Act authorized to be made, to borrow and take up at Intereſt any further Sum of Money not exceeding Ten thouſand Pounds, upon the Credit of their ſaid Undertaking: And whereas by another Act, paſſed in the Thirty-ninth Year of the Reign of His preſent Ma-
39 G. 3. c. 60. jeſty, intituled *An Act for authorizing the Company of Proprietors of the* Stratford-upon-Avon *Canal Navigation to vary the Courſe of certain Parts of the ſaid Canal directed to be made by an Act paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, and alſo to make a Branch out of the ſaid Canal; and alſo to vary the Courſe of a Navigable Cut directed to be made from the ſaid* Stratford-upon-Avon *Canal in the Pariſh of* Lapworth, *into the* Warwick *and* Birmingham *Canal in the Manor of* Kingſwood, *in the County of* Warwick, *by another Act*

paſſed in the Thirty-fifth Year of the Reign of His preſent Majeſty and for amending the ſaid Acts, the ſaid Company of Proprietors of the ſaid *Stratford-upon-Avon* Canal Navigation were authorized and empowered, in order to enable them to complete the ſaid Canal, Cut, and Branch, and other Works thereby and by the ſaid recited Acts authorized to be made, to raiſe as therein mentioned any further Sum of Money, which, with the Sum of Ten thouſand Pounds authorized to be borrowed by virtue of the ſaid Act of the Thirty-fifth Year of the Reign of His preſent Majeſty, ſhould not exceed the Sum of Forty-five thouſand Pounds: And whereas by another Act, paſſed in the Forty-ninth Year of the Reign of His ſaid preſent Majeſty intituled *An Act to amend and enlarge the Powers of the ſeveral Acts relating to the* Stratford-upon-Avon *Canal Navigation*, the ſaid Company of Proprietors were empowered to raiſe for the Purpoſes of the ſaid Canal Navigation, in the Manner in the ſaid Act mentioned, the further Sum of Ninety thouſand Pounds; and in caſe that Sum ſhould be found inſufficient, a further Sum of Thirty thouſand Pounds, over and above ſo much of the whole of the Forty-five thouſand Pounds authorized to be raiſed by the ſaid recited Acts of the Thirty-fifth and Thirty-ninth Years of the Reign of His preſent Majeſty, which might not at the Time of the paſſing of ſuch Act have been raiſed and received: And whereas another Act was paſſed in the Fifty-fifth Year of the Reign of His preſent Majeſty, intituled *An Act to amend ſeveral Acts of His preſent Majeſty for making the* Stratford-upon-Avon *Canal Navigation*: And whereas the ſaid Company of Proprietors have in part executed the ſeveral Works directed by the ſaid recited Acts, and have for thoſe Purpoſes from Time to Time raiſed the whole Sums of One hundred and twenty thouſand Pounds, and Sixty thouſand Pounds, and Forty-five thouſand Pounds, authorized by the ſaid Acts of the Thirty-third, Thirty-fifth, and Thirty-ninth Years of the Reign of His ſaid Majeſty to be raiſed; and have alſo raiſed the further Sum of Eighty-two thouſand five hundred Pounds, by virtue of the Powers of the ſaid Act of the Forty-ninth Year of His ſaid Majeſty, making in the whole the Sum of Three hundred and ſeven thouſand five hundred Pounds, and have applied the whole of ſuch Money for putting the ſaid Acts in Execution; and the ſaid Company of Proprietors have incurred, in the Proſecution of the ſaid Undertaking, Debts to the Amount of Seventeen thouſand Pounds and upwards, which they now owe, and Part of the ſaid Undertaking remains unfiniſhed, whereby the Public are deprived of the Benefit and Advantage formerly held forth to them, and the Proprietors of Shares in the ſaid Undertaking are loſing thoſe Benefits which were expected to ariſe to them from the ſaid Navigation: And whereas the ſaid Company of Proprietors have hitherto found it impracticable by any of the Ways and Means authorized by the ſaid recited Acts to raiſe Money for diſcharging their ſaid Debts, and for carrying on, completing, and finiſhing the Works of the ſaid Canal Navigation and Collateral Cuts and Branch; and they have no other practicable Means of raiſing the ſame, without the Aid and Aſſiſtance of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the Kin'gs moſt

49G. 3. c. 42.

55G. 3. c. 39.

Excellent

Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall be lawful for the ſaid Company of Proprietors, and they are hereby authorized and empowered, to raiſe ſuch Sum or Sums of Money as ſhall from Time to Time be found neceſſary for the Purpoſes herein-after mentioned, not exceeding in the whole the Sum of Twenty thouſand Pounds, over and above the before-mentioned Sums of Money, or ſo much thereof as the ſaid Company of Proprietors have been or ſhall be able to get in and receive, and notwithſtanding that the ſame Sums have not been wholly raiſed and received as aforeſaid; any Thing in the ſaid Acts or any or either of them contained to the contrary thereof notwithſtanding.

Authorizing the Company to raiſe a further Sum of Money not exceeding 20,000l. for the Diſcharge of their Debts, &c.

II. And be it further enacted, That it ſhall be lawful for the ſaid Company of Proprietors, and they are hereby authorized and empowered, at any General or Special Aſſembly to be held or convened in the Manner and agreeably to the Directions contained in the ſaid recited Acts or any or either of them, or for their Committee for the Time being, from Time to Time to make any Call or Calls for Money from all and every the Proprietors or Proprietor of a Share or Shares in the ſaid Canal Navigation, in order to raiſe the ſaid Sum of Twenty thouſand Pounds, or any Part thereof, not exceeding in the whole Five Pounds *per* Share, or ſo much thereof as ſhall be deemed requiſite, in the Manner and ſubject to the Regulations herein-after mentioned, ſo that no ſuch Call ſhall exceed the Sum of Two Pounds for each Share in the ſaid Navigation, and no Calls ſhall be made at a leſs Diſtance than Two Calendar Months from each other; which Money ſo to be called for ſhall be paid to ſuch Perſon or Perſons and in ſuch Manner as the ſaid General or Special Aſſembly, or Committee, ſhall from Time to Time direct and appoint; and all and every the Owners and Owner of One or more Share or Shares in the ſaid Undertaking, ſhall pay his, her, and their Share and Shares, or Proportion of the Monies to be called for as aforeſaid, at ſuch Time and Place and in ſuch Manner, as ſhall be appointed as aforeſaid, and of which Time and Place Twenty-one Days Notice ſhall be given, by publiſhing the ſame in ſome Two Newſpapers uſually or then circulating in the County of *Warwick*, or in ſuch other Manner as the ſaid Company of Proprietors at any General Aſſembly, or as the ſaid Committee, ſhall direct or appoint; and ſuch Sum or Sums of Money as ſhall be paid in reſpect of every Share in the ſaid Undertaking ſhall be and the ſame is and are hereby declared to be conſolidated with every ſuch Share; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, Committees, Executors, and Adminiſtrators, and all other Truſtees or Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs and Aſſigns, but alſo for and on Behalf of their Ceſtuique Truſts, who is or are or ſhall be poſſeſſed of or intereſted in any Share or Shares in the ſaid Undertaking, ſhall be and they are hereby empowered to pay the reſpective Proportions of the ſaid Money to be called for as aforeſaid, in reſpect of the Share or Shares of themſelves, their Ceſtuique Truſts, Teſtators, and Inteſtates

Prefcribing the Mode of raiſing the Money.

teſtates reſpectively, and charge the ſame to the Accounts of ſuch Perſons Eſtates and Effects.

Application of the Money.

III. And be it further enacted, That the Money ſo to be raiſed ſhall, (after the Payment of the Expences of this Act) be applied and diſpoſed of in the Payment and Diſcharge of the Debts, Sum and Sums of Money, now owing or payable by the ſaid Company of Proprietors, and the Remainder thereof in making or completing the ſaid Canal Navigation, and in erecting Warehouſes, Wharfs, or other Works neceſſary for carrying on and completing the ſaid Undertaking.

Manner of enforcing Payment of Calls.

IV. And for the better enforcing the Payment of ſuch Calls, be it further enacted, That if any Perſon or Perſons upon whom any Call or Calls for Money ſhall or may hereafter be made under or by virtue of this Act, for or in reſpect of any Share or Shares in the ſaid Undertaking, and who ſhall not have given Notice in Manner herein-after directed of his, her, or their Inclination to relinquiſh any ſuch Share or Shares, ſhall neglect or refuſe to pay his, her, or their rateable or proportionable Share or Shares of the ſaid Money ſo to be called for and raiſed by virtue of this Act, for the Space of Three Calendar Months after ſuch Call or Calls ſhall have been made and publiſhed as by this Act is directed, then and in ſuch Caſe all and every the Share and Shares of ſuch Perſon or Perſons ſo refuſing or neglecting as aforeſaid, ſhall be veſted in the ſaid *Stratford-upon-Avon* Canal Company: Provided always, that no Share or Shares of and in the ſaid Canal Navigation ſhall veſt in or accrue to the ſaid Company of Proprietors, by reaſon of any ſuch Neglect, until Twenty-eight Days Notice in Writing thereof ſhall have been given by the Clerk of the ſaid Company of Proprietors to the Owner or Owners of ſuch Share or Shares, or Perſon or Perſons in whoſe Name or Names ſuch Share or Shares ſhall at the Time of giving ſuch Notice ſtand regiſtered or entered in the Books of the ſaid Company of Proprietors, or left at his, her, or their Dwelling Houſe or uſual or laſt known Place of Abode, or until the Expiration of Twenty Days after a ſimilar Notice ſhall have been publiſhed Three Times in the *London Gazette*, and Twice in Two Newſpapers uſually or then circulating in the County of *Warwick*, and in which Notice ſhall be contained a Statement and Account of how much Money is due from ſuch Owner or Owners, Perſon or Perſons, for his, her, or their Call or Calls, in reſpect of his, her, or their Share or Shares in the ſaid Undertaking; and ſuch Share or Shares ſhall not be veſted in the ſaid *Stratford-upon-Avon* Canal Company, if the Owner or Owners thereof, or ſuch Perſon or Perſons, ſhall pay up what ſhall appear by ſuch Statement to be due, together with Intereſt on the ſame, and all Expences attending the applying for the ſame, within the ſaid Twenty Days from the Date of ſuch laſt-mentioned Notice; any Thing contained in the ſaid recited Acts, or any or either of them, or in this Act, to the contrary notwithſtanding.

The Company empowered to ſell Shares

V. And be it further enacted, That when any Share or Shares of the ſaid Undertaking ſhall, by virtue of this Act, have become veſted in the ſaid Company of Proprietors as aforeſaid, it ſhall be lawful for the

that ſhall become veſted in them by the Default of the Owners.

the ſaid Company of Proprietors or their Committee for the Time being, and they are hereby empowered, to ſell or cauſe to be ſold ſuch Share or Shares by public Auction to the higheſt Bidder, at ſuch Time and Place as the ſaid Company of Proprietors or their Committee ſhall direct, (of which Sale Twenty-eight Days Notice at the leaſt ſhall be given, by publiſhing the ſame in the *London Gazette*, and in Two Newſpapers uſually or then circulating in the County of *Warwick*; and it ſhall be lawful for the ſaid Company of Proprietors or their Committee to aſſign and transfer the Share or Shares ſo veſted as aforeſaid, or ſo much and ſo many of them as the ſaid Company of Proprietors or their Committee ſhall from Time to Time think neceſſary and direct, in order to make good the Deficiency or Deficiencies of ſuch Defaulter or Defaulters, unto ſuch Perſon or Perſons as ſhall become the Purchaſer or Purchaſers of ſuch Share or Shares, his, her, or their Executors, Adminiſtrators, or Aſſigns; and upon Payment of the Purchaſe Money by the ſaid Purchaſer or Purchaſers to the Treaſurer for the Time being of the ſaid Company, it ſhall be lawful for ſuch Treaſurer to give Receipts for the Money agreed to be paid or given for ſuch Share or Shares; and ſuch Aſſignment and Transfer ſhall be good, valid, and effectual againſt the Owner and Owners of every ſuch Share or Shares ſo veſted in the ſaid Company of Proprietors and ſold as aforeſaid, and all Perſons claiming under him, her, or them: Provided always, that in caſe the Money produced by Sale of any ſuch Share or Shares ſhall be more than ſufficient to pay ſuch Arrears as aforeſaid, the Surplus ariſing from ſuch Sale, after Payment of all Arrears of Money due thereon, and the Expences attending ſuch Sale, ſhall be paid on Demand to the Perſon or Perſons to whom ſuch Share or Shares ſhall have belonged: Provided alſo, that no ſuch Share or Shares ſhall be ſold or advertiſed for Sale, until the Expiration of Twenty-eight Days next after Notice in Writing ſhall have been given by the Clerk to the ſaid Company of Proprietors to the Owner or Owners thereof, or Perſon or Perſons in whoſe Name or Names ſuch Share or Shares ſhall at the Time of giving ſuch Notice ſtand regiſtered or entered in the Books of the ſaid Company of Proprietors, or left at his, her, or their Dwelling Houſe or uſual or laſt known Place of Abode, or until the Expiration of Twenty Days after ſuch Notice ſhall have been publiſhed Three Times in the *London Gazette*, and in Two Newſpapers uſually or then circulating in the County of *Warwick*; in which Notice ſhall be contained a Statement and Account of how much Money is due from ſuch Owner or Owners, Perſon or Perſons, for his, her, or their Call or Calls, in reſpect of his, her, or their Share or Shares in the ſaid Undertaking: Provided alſo, that the ſaid Company of Proprietors or their Committee ſhall not by virtue of this Act at any Time or Times ſell or transfer, or direct to be ſold or transferred, any more of ſuch Shares of ſuch Defaulter or Defaulters than ſhall be ſufficient, as near as may be, at the Time of ſuch Sale, to pay the Arrears of Calls of ſuch Defaulter or Defaulters, and the Intereſt and Expences attending the ſame; and from and after Payment of all and every the Call or Calls to be made by virtue of this Act, and the Intereſt and Expences as aforeſaid, any Share or Shares veſted in the

the ſaid Company of Proprietors as aforeſaid, which ſhall remain in their Hands unſold, ſhall revert to and again become the Property of the Perſon or Perſons to whom ſuch Share or Shares had before belonged, in ſuch Manner as if the Calls had been duly and regularly paid.

Shares may be relinquiſhed and ſold after Notice.

VI. Provided nevertheleſs, and be it further enacted, That if any Proprietor or Proprietors of any Share or Shares, or the Executors, Adminiſtrators, Guardians, or Truſtees of any ſuch Proprietors, or any Mortgagee of ſuch Shares, ſhall within Six Calendar Months next after the paſſing of this Act, give Notice in Writing to the Clerk or Clerks of the ſaid Company of Proprietors of his, her, or their Intention to relinquiſh any ſuch Share or Shares, then and in ſuch Caſe ſuch Share or Shares ſhall not be veſted in the ſaid Company of Proprietors by the Nonpayment of any Call, but ſuch Share or Shares, ſhall within One Calendar Month after ſuch Notice, be ſold by public Auction to the higheſt Bidder in Manner aforeſaid; and the Monies ariſing from ſuch Sale, after deducting the neceſſary Charges and Expences attending the ſame, and the Arrears of Calls before that Time made, ſhall be paid to the Perſon or Perſons to whom the Share or Shares ſo ſold ſhall have belonged.

Company not to ſue for Calls on forfeited Shares.

VII. Provided likewiſe, and be it further enacted and declared, That nothing in the ſaid recited Acts contained ſhall empower the ſaid Company of Proprietors to ſue for any Call or Calls for Money directed to be made by virtue of this Act, or to forfeit or declare forfeited any Share or Shares on Nonpayment of any ſuch Call or Calls, or in any Manner to recover or enforce Payment of the ſame, other than by ſelling ſuch and ſo many of the Shares of the ſaid reſpective Proprietors as ſhall be neceſſary for the Purpoſes, and under the Regulations, and according to the true Intent and Meaning of this Act; any Thing in the ſaid recited Acts or any or either of them contained to the contrary notwithſtanding.

Calls in Arrear under former Acts to be paid up.

VIII. And whereas ſome of the Monies due on the Calls made by virtue of the ſaid recited Acts or ſome of them have not yet been paid in reſpect of certain Shares in the ſaid Undertaking, and it is juſt and equitable that the Perſons entitled to ſuch Shares ſhould pay up the Arrears of Calls to the ſame Amount as others holding Shares in the ſaid Undertaking have paid; be it therefore further enacted, That if any Perſon or Perſons entitled to any Share or Shares in the ſaid Undertaking, upon which the full Amount of the Calls made thereon and paid by the Holders of ſimilar Shares in the ſaid Undertaking have not been paid, ſhall refuſe or neglect to pay his, her, or their rateable or proportional Share or Shares of the ſaid Money heretofore called for, and at the Time of the paſſing of this Act in Arrear, for the Space of Three Calendar Months after ſuch Call or Calls ſhall have been renewed and made, and publiſhed as by this Act is directed in reſpect of the Calls to be made for raiſing the Money authorized to be raiſed by virtue of this Act, then and in every ſuch Caſe all and every the Share and Shares of ſuch Perſon or Perſons ſo refuſing or neglecting, or ſo many of ſuch Shares as ſhall be requiſite for diſcharging and ſatisfying the

the Call or Calls in Arrear, shall be forfeited, and vested in the said *Stratford-upon-Avon* Canal Company, in like Manner and for the like Purposes, as any Share or Shares shall be vested of any Person or Persons refusing or neglecting to pay the Calls to be made for raising the Money by this Act authorized to be made, and shall and may be sold and disposed of accordingly; any Thing in any of the said recited Acts to the contrary notwithstanding.

Persons having particular Interests only in Shares, may mortgage such Shares for the Calls.

IX. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, being possessed thereof or entitled thereto for Life, or for any other limited Estate or Interest, and who shall be compelled or compellable in pursuance of this Act to advance any Sum or Sums of Money over and above the original Subscriptions, and for the Husbands, Guardians, Trustees, Committees, and Attornies of any such Proprietors, being under Coverture, Minors, Lunatics, beyond the Seas, or under any other Disability or Incapacity of acting for themselves, and who shall be compelled or compellable to advance as aforesaid, to borrow and take up at Interest upon the Credit of such Shares such Sum or Sums of Money as they shall so respectively advance or be compellable to pay, and by Writing under their Hands and Seals to grant and assign over such Shares unto the Person or Persons who shall advance and lend Money thereon, his, her, or their Executors, Administrators, and Assigns; and the Money so to be borrowed shall be paid to the Treasurer or Treasurers to the said Company of Proprietors, for the Purpose of answering and paying the Sum or Sums of Money which such Proprietors respectively may be compelled or compellable to pay as aforesaid: Provided always, that in every such Grant or Assignment there be contained a Proviso or Condition to make the same void, or an express Trust to re-assign the Interest, Benefit, and Advantage thereby granted, when the Money thereby secured, with the Interest thereof, shall be fully paid and satisfied; and where the same shall be made by or on behalf of any Proprietor interested in or entitled to such Share or Shares for Life, or for any other limited Estate or Interest, there be contained a Covenant or Proviso that the Person or Persons entitled to such Share or Shares in Remainder or Reversion shall not be liable, upon becoming possessed thereof, to the Payment of any further or larger Arrear of Interest than for One Year preceding the Time that the Title to the Possession of such Estate or Interest in Reversion or Remainder shall commence, provided any Interest, Dividends, or Profits of the said Undertaking shall have been paid in respect of such Share and Shares, equal to the Discharge of such further Arrear of Interest, but not otherwise; provided also, that no such Grant or Assignment, or any Transfer or Assignment thereof, shall be valid, unless the same be produced and notified to the Clerk or Clerks to the said Company of Proprietors within Twenty-one Days next after the Date thereof, who shall enter the same in a Book to be kept for that Purpose, for which he or they shall be paid the Sum of Two Shillings and Sixpence, and no more; but no such Grant or Assignment, or any Transfer or Assignment thereof, shall entitle any Person to a Right of voting at any Assembly or Meeting of the said Company of Proprietors.

X. Pro-

Surplus Money may be applied in buying up Shares.

X. Provided alſo, and be it further enacted, That if the Company of Proprietors of the ſaid Undertaking ſhall deem it expedient, out of any Surplus Monies which they may hereafter have, or otherwiſe, to buy up any Share or Shares which may be offered for Sale by any of the ſaid Proprietors, then and in ſuch Caſe it ſhall be lawful for the ſaid Company of Proprietors to purchaſe ſuch Share or Shares, and for any General or Special Aſſembly of ſuch Proprietors to direct that all and every ſuch Share and Shares, when purchaſed, ſhall be transferred to the Clerk of the ſaid Company of Proprietors for the Time being, in Truſt for the ſaid Undertaking; and ſuch Shares may in ſuch Caſe at any Time thereafter be ſold for the Benefit of the ſaid Undertaking, and for the raiſing of any Sum of Money which may be wanted for the erecting or repairing of any Buildings or Works belonging to the ſaid Canal Navigation, or any other Purpoſe neceſſary for carrying on the ſame.

Repealing certain Parts of former Acts, and directing Satisfaction to be made in groſs Sums.

XI. And be it further enacted, That ſo much of the ſaid recited Acts, or any of them, as directs Satisfaction or Compenſation to be made by an Annual Rent or Annual Payment, for any Lands, Tenements, or Hereditaments which ſhall be uſed or taken for the Purpoſes or under the Authority of the ſaid recited Acts, or any of them, or for any Injury or Damage that ſhall be done or occaſioned in carrying the ſaid recited Acts or any of them into Execution, ſhall be and the ſame is hereby repealed; and that from and after the paſſing of this Act, the Satisfaction or Compenſation to be made for any Lands, Tenements, or Hereditaments which ſhall hereafter be taken or uſed for the Purpoſes of the ſaid recited Acts or this Act, or any of them, ſhall always be made by the Payment of a Sum in groſs, and not otherwiſe: Provided always, that nothing in this Act contained ſhall annul, vitiate, or render void any Annual Rent or Annual Payment which may have been granted, made, or awarded to any Perſon whomſoever in purſuance of the ſaid recited Acts or any of them previous to the paſſing of this Act.

Extending the Proviſions of the former Acts to this Act.

XII. And be it further enacted, That all and every the Proviſions and Clauſes in this Act ſhall, in the Execution of the ſaid recited Acts, be uſed, applied and conſtrued, ſo far as the ſame are applicable, in like Manner as if the ſame were eſpecially enacted in the ſaid recited Acts; and all and every the Proviſions and Clauſes of the ſaid recited Acts ſhall, in the Execution of this Act (except where the ſame are expreſsly varied, altered, or repealed), be uſed and applied, extended and conſtrued, in like Manner as if the ſame Proviſions and Clauſes (except as aforeſaid) were eſpecially enacted in this Act.

For paying the Expences of paſſing this Act.

XIII. And be it further enacted, That the Coſts, Charges, and Expences of applying for, obtaining, and paſſing this Act, and all Coſts, Charges, and Expences incident thereto, ſhall be borne, paid, and defrayed by the ſaid Company of Proprietors of the *Stratford-upon-Avon* Canal Navigation out of any Money received or to be received by virtue of the ſaid recited Acts and this Act.

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

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